

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 20 2020

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #6](#) of the instructions. ✓ DB

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 34-12401 OK	Yes ☒	Yes ☐	34-12401 (Split into 34-12401 and 34-14822)		
✓ 34-12402 OK	Yes ☒	Yes ☐	34-12402 (Split into 34-12402 and 34-14823)		
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Herb Whitworth Jr
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): 1000 Springs Ranch LLC
New owner(s) as listed on the conveyance document
- 401 W Summit Ridge Boise ID 83702
Mailing address City State ZIP
208-871-3100 Mike Coughlin <thefootmd@gmail.com>
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: October 12, 2020
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: *Michael J Coughlin* MICHAEL J COUGHLIN 11/12/20
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *CAH* Date 11/20/2020 Receipt No. E046459 Receipt Amt. \$200.00
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by *JB* Processed by *JC* Date 1/13/2021

34-12401



Pioneer Title Co.

GOING BEYOND

491 N. Main Street, Suite 102
Ketchum, ID 83340

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 734016 / ATEC #509202

Instrument # 259097

CHALLIS, CUSTER, IDAHO
11-06-2020 12:42:57 No. of Pages: 7
Recorded for: PIONEER TITLE CANYON - CALDWELL
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: KW

WARRANTY DEED

For Value Received M. Robert Ching and Phyllis J. Ching, Trustees of the Ching Revocable Trust Agreement dated September 7, 2000, as to an undivided 50% interest in Parcel 1 and BBB Assets LLC, a Delaware limited liability company, as to Parcel 2 and HCRSD, LLC, a Hawaii Limited Liability Company, as to an undivided 50% interest in Parcel 1

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

1000 Springs Ranch, LLC, an Idaho limited liability company

hereinafter referred to as Grantee, whose current address is 401 W Summit Ridge Rd Boise, ID 83702-2931

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 14, 2020

The Ching Revocable Trust Agreement dated September 7, 2000

By: M. Robert Ching
M. Robert Ching, Trustee

By: Phyllis J. Ching
Phyllis J. Ching, Trustee

BBB Assets LLC, a Delaware limited liability company

By: Marshall Robert Ching
Marshall Robert Ching, M.D., Manager

HCRSD, LLC, a Hawaii Limited Liability Company

By: _____
Scott Halliday, Manager



Pioneer Title Co.
GOING BEYOND

491 N. Main Street, Suite 102
Ketchum, ID 83340

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By: _____
M. Robert Ching, Trustee

By: _____
Phyllis J. Ching, Trustee

BBB Assets LLC, a Delaware limited liability company

By: _____
Marshall Robert Ching, M.D., Manager

HCRSD, LLC, a Hawaii Limited Liability Company

By: _____
Scott Halliday, Manager

State of _____, County of _____

This record was acknowledged before me on _____ by M. Robert Ching and Phyllis J. Ching, as Trustees of the Ching Revocable Trust Agreement dated September 7, 2000.

Signature of notary public _____

Commission Expires: _____

State of _____, County of _____

This record was acknowledged before me on _____ by Marshall Robert Ching and Phyllis J. Ching, as _____ of BBB Assets LLC, a Delaware limited liability company.

Signature of notary public _____

Commission Expires: _____

State of _____, County of _____

This record was acknowledged before me on _____ by Scott Halliday, as Manager of HCRSD, LLC, a Hawaii limited liability company.

Signature of notary public _____

Commission Expires: _____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of BUTTE

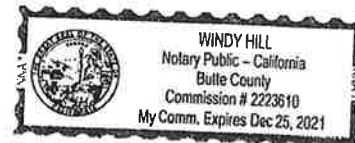
On November 4, 2020 before me, WINDY HILL, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared M. Robert Ching and Phyllis J Ching
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Windy Hill (Seal)



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

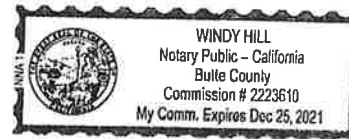
State of California
County of BUTTE

On November 4, 2020 before me, WINDY HILL, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared Marshall Robert Ching
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Windy Hill (Seal)

State of Washington, County of King

Instrument # 259097

This record was acknowledged before me on _____ by M. Robert Ching and Phyllis J. Ching, as Trustees of the Ching Revocable Trust Agreement dated September 7, 2000.

Signature of notary public
Commission Expires: _____

State of _____, County of _____

This record was acknowledged before me on _____ by Marshall Robert Ching and Phyllis J. Ching, as _____ of BBB Assets LLC, a Delaware limited liability company.

Signature of notary public
Commission Expires: _____

State of Washington, County of King

This record was acknowledged before me on November 4th 2020 by Scott Halliday, as Manager of HCRSD LLC, a Hawaii limited liability company.

[Signature]
Signature of notary public
Commission Expires: March 24th, 2023

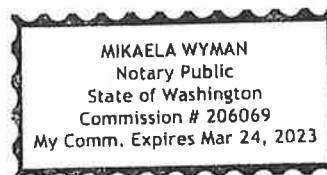


EXHIBIT A

Instrument # 259097

Parcel 1

Part of Section 2, 3 and 11, Township 8 North, Range 22 East, Boise Meridian, Custer County, Idaho described as:

BEGINNING at the Northwest corner of Section 11;
Thence South 88°33'23" West 1287.19 feet to the Southwest corner of the Southeast Quarter Southeast Quarter Section 3;
Thence North 00°53'28" West 1322.77 feet to the Northwest corner of said Southeast Quarter Southeast Quarter;
Thence North 88°58'32" East 1295.26 feet to the Northeast corner of said Southeast Quarter Southeast Quarter;
Thence in Section 2 North 88°47'46" East 2553.18 feet to the intersection of the Westerly right of way of Highway 93 and the North line of the Southeast Quarter Southwest Quarter Section 2;
Thence South 21°15'24" East 154.91 feet along said right of way to a point on the East line of said Southeast Quarter Southwest Quarter;
Thence South 00°24'21" East 1160.62 feet to the Southeast corner of said Southeast Quarter Southwest Quarter;
Thence North 88°38'10" East 743.55 feet along the North line of the West Half Northeast Quarter Section 11 to a point on the Westerly right of way of Highway 93;
Thence South 43°05'24" East 836.01 feet along said right of way to a point on the East line of the West Half Northeast Quarter Section 11;
Thence South 01°06'44" East 2057.94 feet to the Southeast corner of said West Half Northeast Quarter;
Thence South 89°16'07" West 3926.82 feet to the West Quarter corner of Section 11;
Thence North 00°42'28" West 2638.68 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM:

The Southeast Quarter Southeast Quarter Section 3, and the Southwest Quarter Southwest Quarter Section 2, Township 8 North, Range 22 East, Boise Meridian, Custer County, Idaho.

Parcel 2

COMMENCING at the Northwest corner of Section 11, Township 8 North, Range 22 East, Boise Meridian, Custer County, Idaho;
Thence North 88°38'10" East. 2605.43 feet along the section line to the North Quarter corner of Section 11;
Thence North 88°38'10" East 877.54 feet to the POINT OF BEGINNING.
Said point being on the Northerly right of way of Highway 93;
Thence North 88°38'10" East 425.18 feet to the Northeast corner of the West Half Northeast Quarter Section 11;
Thence South 01°06'45" East 474.44 feet along the East line of said West Half Northeast Quarter to a point on the Northerly right of way of Highway 93;
Thence North 43°05'24" West 635.69 feet along said right of way to the POINT OF BEGINNING.

Parcel 3

The Southeast Quarter Southeast Quarter Section 3, and the Southwest Quarter Southwest Quarter Section 2, Township 8 North, Range 22 East, Boise Meridian, Custer County, Idaho.

IDAHO Department of Water Resources



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

9/24/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-12401

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HERB WHITWORTH JR 5425 N US HIGHWAY 93 MACKAY, ID 83251-4403 208 5893016
Security Interest	METROPOLITAN LIFE INSURANCE COMPANY AGRICULTURAL INVESTMENTS 10801 MASTIN ST STE 930 OVERLAND PARK, KS 66210-1677 9132172986

Priority Date: 03/16/1923

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
THOUSAND SPRINGS CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

THOUSAND SPRINGS CREEK End of Stream Flow	SESW	Sec. 02	Township 08N	Range 22E	CUSTER County
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THOUSAND SPRINGS CREEK Beginning of Stream Flow | SENW | Sec. 34 | Township 09N | Range 22E | CUSTER County

Place(s) of use:

Place of Use Legal Description: STOCKWATER CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	22E	2		NWNW			SWNW							
				NESW			SESW							
		3		NENE			NWNE			SWNE			SENE	
09N		34		SWSE			SESE							

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. STOCKWATER, 800 RANGE CATTLE

Dates:

Licensed Date:

Decreed Date: 05/02/1997

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

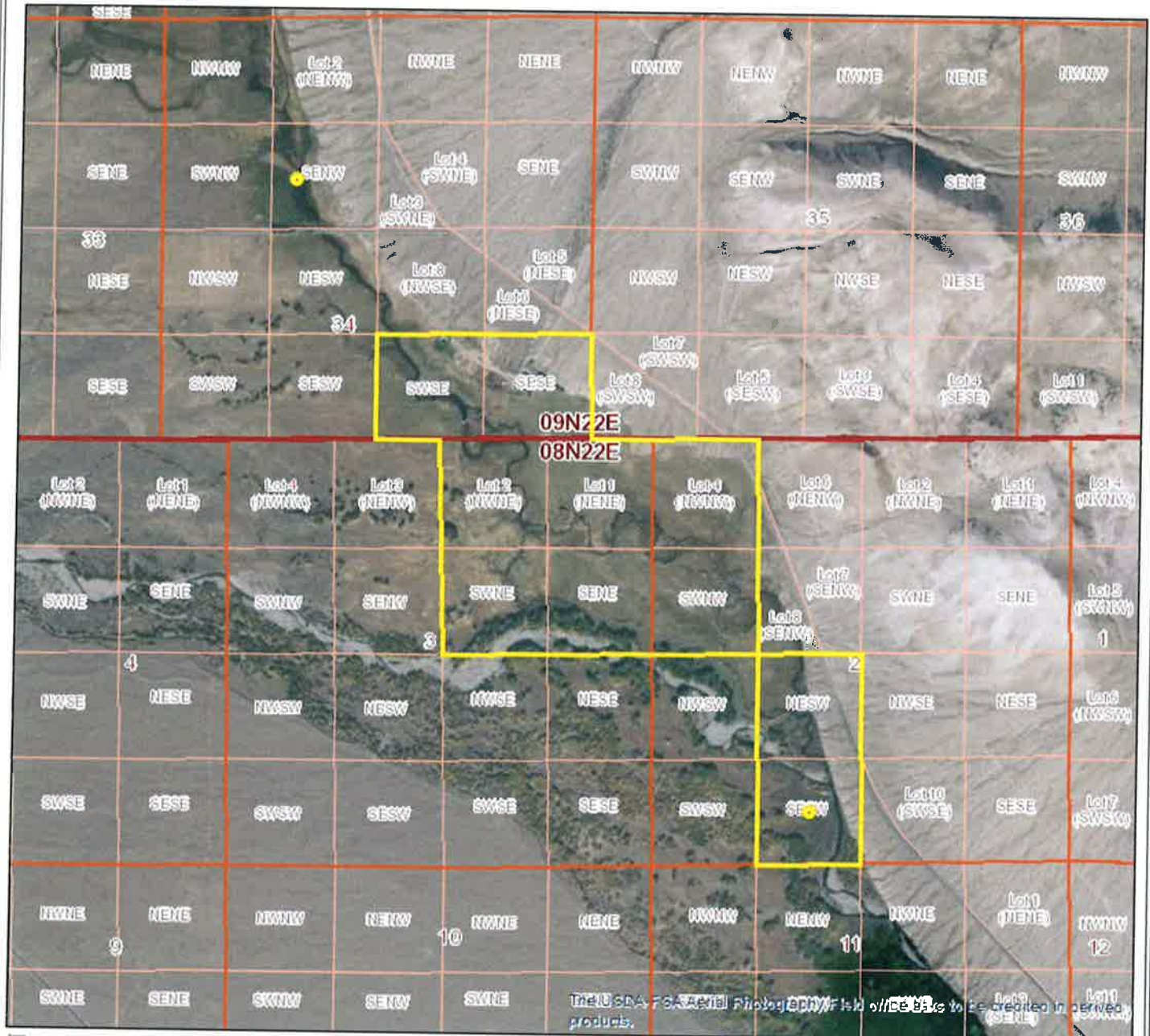
State of Idaho
Department of Water Resources

Water Right

34-12401

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 9/24/2020



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



IDAHO Department of Water Resources



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WATER RIGHT REPORT

9/24/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-12402

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HERB WHITWORTH JR 5425 N US HIGHWAY 93 MACKAY, ID 83251-4403 208 5893016
Security Interest	METROPOLITAN LIFE INSURANCE COMPANY AGRICULTURAL INVESTMENTS 10801 MASTIN ST STE 930 OVERLAND PARK, KS 66210-1677 9132172986

Priority Date: 03/16/1923

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

BIG LOST RIVER Beginning of Stream Flow	NWNW	Sec. 04	Township 08N	Range 22E	CUSTER County
BIG LOST RIVER End of Stream Flow	NESE	Sec. 11	Township 08N	Range 22E	CUSTER County

Place(s) of use:

Place of Use Legal Description: STOCKWATER CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08N	22E	2		NWSW			SESW							
				SWNE			SENE							
		3		SWNW			SENW							
				NESW										
				NESE			NWSE							
				SWNE			SENE							
		4		NENW			NWNW			SENW				
				NWNE										
		11		NENW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. STOCKWATER, 1000 RANGE CATTLE

Dates:

Licensed Date:

Decreed Date: 05/02/1997

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

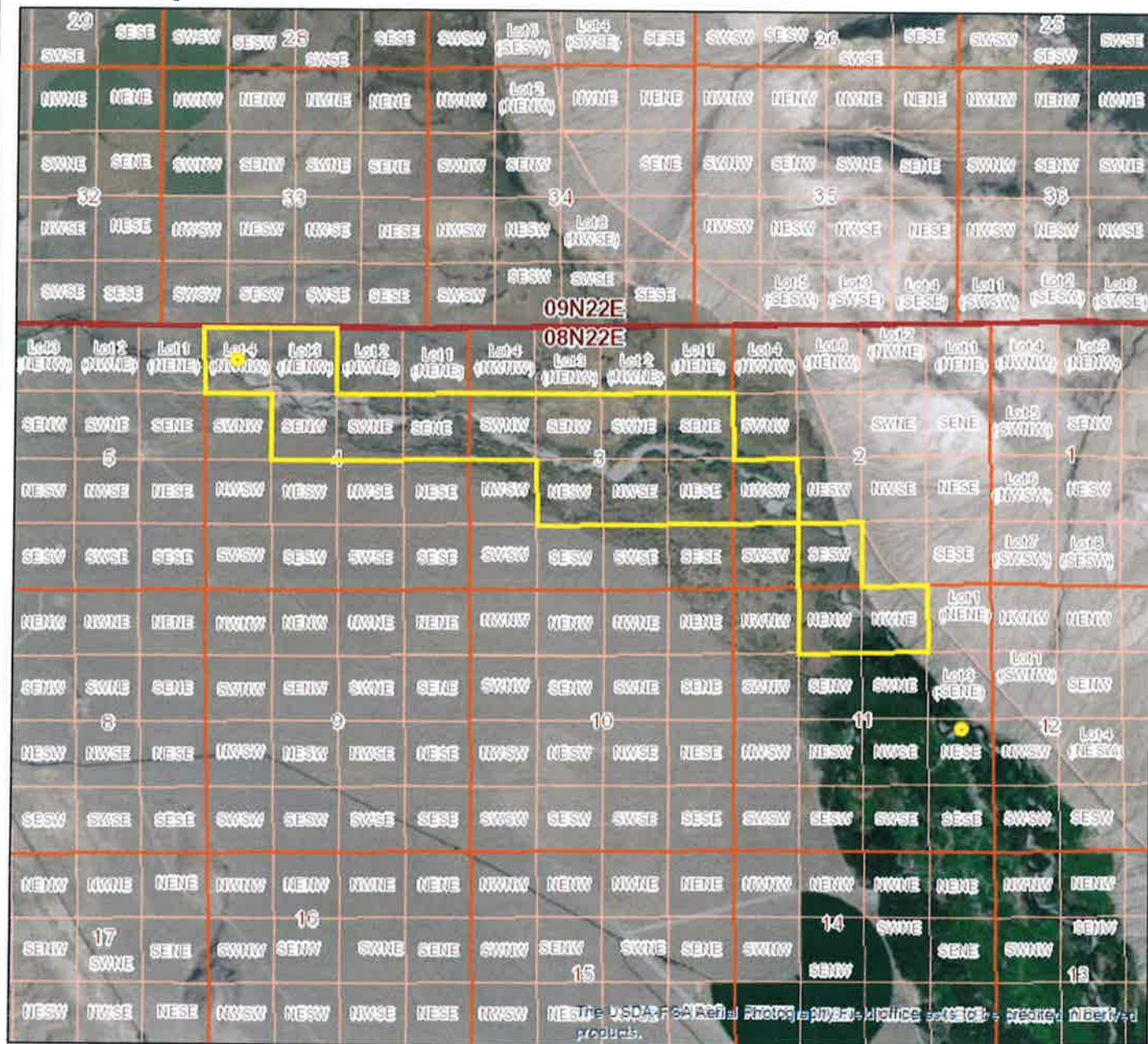
State of Idaho
Department of Water Resources

Water Right

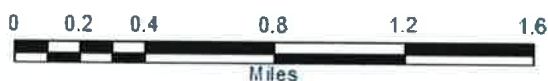
34-12402

STOCKWATER

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Date created: 9/24/2020



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 13, 2021

1000 SPRINGS RANCH LLC
401 W SUMMIT RIDGE RD
BOISE ID 83702-2931

Re: Change in Water Right Ownership: 34-12401 (Split into 34-12401 and 34-14822) and 34-12402 (Split into 34-12402 and 34-14823)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: METROPOLITAN LIFE INSURANCE COMPANY
HERB WHITWORTH JR
SPF WATER ENGINEERING
WATER DISTRICT 34



SPF WATER
ENGINEERING

RECEIVED

NOV 20 2020

Department of Water Resources
Eastern Region

November 17, 2020

IDWR Eastern Region Office
900 N Skyline Dr #A
Idaho Falls ID 83402

Attention: Sharla Cox

**Subject: Application for Transfer, Notice of Change in Water Right Ownership
1000 Springs Ranch LLC**

Dear Sharla,

Enclosed on behalf of 1000 Springs Ranch, LLC, is a *Transfer Application* proposing a point of diversion change and ownership update for four water rights appurtenant to property the applicant has recently purchased. An affidavit from the previous land owner (Whitworth) is provided in support of the transfer. This application is similar to recently approved Transfer No. 82596 that was processed by Cooper Fritz.

Also enclosed is a *Notice of Change in Water Right Ownership* for applicant's portions of two instream stockwater rights associated with the newly acquired property.

Check No. 143 for \$960 is enclosed for the filing fees covering:

- \$660 for the transfer application
- \$100 for changing water right ownership of the four transfer rights
- \$200 for splitting and changing water right ownership of the two in-stream stockwater rights

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Mike Coughlin

Enclosures

SPF file number: 1582.0010