

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

MAR 09 2020

WATER RESOURCES
WESTERN 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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
61-2154	Yes ☐	Yes ☐	61-10378	Yes ☐	Yes ☐
61-2155	Yes ☐	Yes ☐	<i>Cancelled</i>	Yes ☐	Yes ☐
61-7005	Yes ☐	Yes ☐		Yes ☐	Yes ☐
61-7119	Yes ☐	Yes ☐		Yes ☐	Yes ☐
61-7396	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Brown Farms LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Edward DeGroot Properties, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 6600 SW Blanksma Road Mountain Home ID 83647
Mailing address City State ZIP
- 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: _____
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):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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.

SUPPORT DATA

IN FILE # 61-2154

8. Signature: [Signature] member 3/04/2020
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 LE Date 03/09/2020 Receipt No. W048105 Receipt Amt. \$150 - Refunded

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 _____ Processed by _____ Date _____

Refund Requested 06/19/2020

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, BROWN FARMS, L.L.C., an Idaho limited liability company ("Grantor"), does hereby grant, bargain, sell and convey unto ED*DEGROOT PROPERTIES, LLC, an Idaho limited liability company, whose current mailing address is 6600 SW Blanksma Road, Mountain Home, Idaho 83647 ("Grantee"), the following described real property, located in Elmore County, Idaho, to wit:

*WARD

See Exhibit A attached hereto and incorporated herein by this reference (the "Land"),

TOGETHER WITH all water and water rights and other entitlements to water appurtenant to the Land, all ditches and ditch rights appurtenant thereto, all minerals and mineral rights appurtenant thereto, and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate, right, title and interest in and to the Land, as well in law as in equity (collectively, the Land and all appurtenances are, the "Premises").

TO HAVE AND TO HOLD the Premises unto Grantee, its successors and assigns, forever, and Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Premises; that Grantor has a good right to convey the fee simple; that the Premises is free from any and all liens, claims and encumbrances done, made or suffered by Grantor, or any person claiming by, through or under Grantor, except (a) real property taxes and assessments that are a lien not yet due and payable, (b) all applicable zoning ordinances, building codes, laws and regulations, (c) those easements, restrictions, agreements and encumbrances of public record as of the date of this instrument, and (d) any matter or circumstance that would be disclosed by an accurate survey or physical inspection of the Premises; and that Grantor shall warrant and defend the same against any other liens, claims or encumbrances done, made or suffered by Grantor, or any person claiming by, through or under Grantor, but none other.

[signature page follows]

DATED effective as of the 26th day of December, 2019.

GRANTOR:

BROWN FARMS, L.L.C., an Idaho limited liability company

By: [Signature], Member
Name: Clifford L. Brown
Its: Member

STATE OF IDAHO)
) ss.
County of Elmore)

On this 26th day of December, 2019, before me, Sheryl A. Reymont, personally appeared Clifford Brown known or identified to me to be the member of BROWN FARMS, L.L.C., an Idaho limited liability company, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Mountain Home
My Commission Expires 1-6-24

**EXHIBIT A TO SPECIAL WARRANTY DEED
LEGAL DESCRIPTION OF THE LAND**

Boise Meridian, Idaho, as located in Elmore County, Idaho:

T. 4S R. 6E

Section 17, S1/2SW1/4

Section 18, SE 1/4

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, BROWN FARMS, L.L.C., an Idaho limited liability company ("Grantor"), does hereby grant, bargain, sell and convey unto EDWARD DEGROOT PROPERTIES, LLC, an Idaho limited liability company, whose current mailing address is 6600 SW Blanksma Road, Mountain Home, Idaho 83647 ("Grantee"), the following described real property, located in Elmore County, Idaho, to wit:

See Exhibit A attached hereto and incorporated herein by this reference (the "Land"),

TOGETHER WITH all water and water rights and other entitlements to water appurtenant to the Land, all ditches and ditch rights appurtenant thereto, all minerals and mineral rights appurtenant thereto, and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate, right, title and interest in and to the Land, as well in law as in equity (collectively, the Land and all appurtenances are, the "Premises").

TO HAVE AND TO HOLD the Premises unto Grantee, its successors and assigns, forever, and Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Premises; that Grantor has a good right to convey the fee simple; that the Premises is free from any and all liens, claims and encumbrances done, made or suffered by Grantor, or any person claiming by, through or under Grantor, except (a) real property taxes and assessments that are a lien not yet due and payable, (b) all applicable zoning ordinances, building codes, laws and regulations, (c) those easements, restrictions, agreements and encumbrances of public record as of the date of this instrument, and (d) any matter or circumstance that would be disclosed by an accurate survey or physical inspection of the Premises; and that Grantor shall warrant and defend the same against any other liens, claims or encumbrances done, made or suffered by Grantor, or any person claiming by, through or under Grantor, but none other.

[signature page follows]

Instrument # 479138 # Pages: 3
ELMORE COUNTY, Idaho
Mar 05, 2020 2:31:04 pm Fee: \$ 15.00
For: GUARANTY TITLE INC
SHELLEY ESSL, Recorder
MLEHTO, Deputy

DATED effective as of the 4th day of March, 2020.

GRANTOR:

BROWN FARMS, L.L.C., an Idaho limited liability company

By: [Signature]
Name: Clifford L. Brown
Its: Member

STATE OF IDAHO)
) ss.
County of Elmore)

On this 4th day of March, 2020, before me, Sheryl A. Reymond, personally appeared Clifford L. Brown, known or identified to me to be the member of BROWN FARMS, L.L.C., an Idaho limited liability company, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Mountain Home
My Commission Expires 1-6-24

**EXHIBIT A TO SPECIAL WARRANTY DEED
LEGAL DESCRIPTION OF THE LAND**

Township 4 South, Range 6 East, Boise Meridian, Elmore County, Idaho.

Section 19: ALL

SAVE AND EXCEPT those portions deeded to the Mountain Home Highway District by Deed recorded October 8, 1969 as Instrument No. 141109 and **SAVE AND EXCEPT** those portions deeded to Glenns Ferry Highway District by Deed recorded June 14, 1983 as Instrument No. 215825.

Section 20: E1/2 and NW1/4

SAVE AND EXCEPT those portions deeded to Mountain Home Highway District by Deed recorded October 3, 1969 as Instrument No. 141089.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 19, 2020

EDWARD DEGROOT PROPERTIES LLC
6600 SW BLANKSMA RD
MOUNTAIN HOME ID 83647-5879

RE: Change in Ownership for Water Right No(s): 61-7119, 61-7005, 61-2155, 61-2154, 61-7396, 61-10378

Dear Interested Parties:

The Idaho Department of Water Resources (Western) received a Notice of Change in Water Right Ownership from you on March 9, 2020 for the above referenced water rights. The Notice could not be processed because there was not sufficient evidence of ownership for the entirety of the water rights.

On April 17, 2020, the Department requested additional evidence of ownership from you, or confirmation and an additional fee in order to process the change as a split. As of the date of this letter, the Department has not received the required information or additional fee.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$150 has been requested and will be mailed to Guaranty Title Inc under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact our office at (208) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure

Evans, Lynne

From: Evans, Lynne
Sent: Friday, June 19, 2020 4:53 PM
To: IdwrPayable
Subject: Refund Request - Edward DeGroot Properties LLC

TO: Sascha Marston, Treva Pline

FROM: Lynne Evans

DATE: June 19, 2020

RE: *Refund: Notice of Change in Ownership*

Please refund \$150. Edward DeGroot Properties LLC submitted a change in ownership, but their deed did not cover the entire place of use and no additional deed or split fee was submitted.

Please issue a refund of \$150 to:

GUARANTY TITLE INC
206 S 3RD EAST ST
MTN HOME ID 83647

RECEIPT #

W048105



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 17, 2020

EDWARD DEGROOT PROPERTIES LLC
6600 SW BLANKSMA RD
MOUNTAIN HOME ID 83647-5879

RE: Change in Ownership for Water Right No(s): 61-7119, 61-7005, 61-2155, 61-2154, 61-7396, 61-10378

Dear Interested Parties:

The Department of Water Resources (Western) acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- _____ Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question
- _____ Description of Portion of Water Right resulting from division of water right
- _____ Filing Fee of \$100 per water right for changes resulting from division of a water right

During our review of the documentation you submitted we found discrepancies between that documentation and the legal description of the place of use for the water rights indicated in your notice. I have enclosed a map and a copy of the water rights for your reference.

The Warranty Deeds that you provided do not cover the entire place of use (POU) for the above mentioned water rights. Based on the information provided to the Department, the rights may need to be split. If you do own the entirety of the water rights, please submit a deed conveying ownership of the land not included in the previously submitted deeds, or explicit ownership of the entirety of the water rights.

If you do not own the entirety of the water rights, an additional fee will be required to process a split ownership change for the portions appurtenant to your property. The filing fee for a Notice of Change in Water Right Ownership is \$25 per undivided water right or a fee of **\$100 per split water right**. The \$25 per water right already submitted to the Department will be applied towards the balance.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your Notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days (May 17, 2020) we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could

result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact our office at (208) 334-2190.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lynne Evans", written in a cursive style.

Lynne Evans
Office Specialist II

Enclosures