

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 28 2020

DEPT OF WATER RESOURCES
SOUTHERN 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?
37-8096	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
37-8251	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Notch Butte Hydro Company, Inc., a Delaware Corporation
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Koosh, Inc., (f/k/a GeoBon, Inc., f/k/a Nine, Inc.) an Idaho Corporation
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 59 Gooding Idaho 83330
Mailing address City State ZIP
(208) 934-8185; (208) 934-4817 pbrown@brownlawidaho.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: February 10, 2017
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.

SUPPORT DATA
IN FILE # 37-8096

8. Signature: Philip A. Brown Attorney/agent 9/24/20
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by SG Date 9/28/20 Receipt No. 5038168 Receipt Amt. \$50.00

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 _____ Processed by MR Date 10/21/20

Recording requested by and mail to:
Megan Beauregard, Esq.
Enel Green Power North America
One Tech Drive, Andover, MA 01810

LINCOLN COUNTY
Recorded for:
MEGAN BEAUREGARD, ESQ
3:50:19 pm 05-24-2017
0000-198591
No. Pages: 4 Fee: \$19.00
BRENDA FARNWORTH
County Clerk
Deputy: JHUDSON

WARRANTY DEED

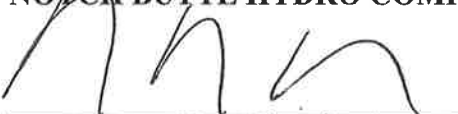
NOTCH BUTTE HYDRO COMPANY, INC., a Delaware corporation, ("Grantor") with a principal place of business at One Tech Drive, Suite 220, Andover, MA 01810, for good and valuable consideration paid, does hereby, does hereby grant, bargain, sell, convey and confirm to **KOOSH, INC.** (f/k/a Geobon, Inc., f/k/a Nine, Inc.) ("Grantee") whose current address is P.O. Box 59, Gooding, ID 83330, all that certain real property, located in Lincoln County, Idaho, more particularly described as:

See Exhibit A

TO HAVE AND TO HOLD the said premises, with its appurtenances, includes certain fixtures and hydroelectric generating facilities unto the said Grantee, Grantees' heirs, and assigns forever, and the Grantor, **NOTCH BUTTE HYDRO COMPANY, INC** does hereby covenant to and with the said Grantee, that Grantor is said owner in fee simple of said premises, that the premises is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Witness my hand seal this 10th day of February, 2017

NOTCH BUTTE HYDRO COMPANY, INC.



Name: Steve Pike, Vice President

Title:



Name: Rafael Gonzalez

Title: President / CEO

EXHIBIT A
To warranty deed

TRACT I

Beginning at a point that is N89°43'30" West, 715.57 feet along the Section line, and South 100.41 feet, from the Northeast corner of Section 32, Township 5 South, Range 17 East of the Boise Meridian, said corner being a 1945 3" G.L.O. brass cap:

and running thence S52°35'54" West, 400.00 feet;
thence N37°24'06" West, 577.48 feet;
thence N71°54'14" West, 1326.97 feet to the West line of the Southeast
Quarter of Section 29, Township 5 South, Range 17 East of the Boise Meridian;
thence N0°00'29" East, 420.80 feet along said West line;
thence S71°54'14" East, 1581.83 feet;
thence S37°24'06" East, 701.69 feet to the point of beginning.

TRACT II

TOGETHER WITH RIGHTS OF INGRESS AND EGRESS across the following:
A 50 foot wide access easement lying 25 feet each side of the following described center line:

Beginning at a point on the Southeast side of TRACT I described above, that is N89°43'30" West, 907.77 feet along the Section line, and South 248.29 feet from the Northeast corner of Section 32, Township 5 South, Range 17 East of the Boise Meridian, said corner being a 1945 3" G.L.O. brass cap, and running S29°00'12" East, 79.12 feet;

thence S48°01'15" East, 189.21 feet;
thence S78°45'02" East, 362.08 feet;
thence S71°05'02" East, 240.31 feet;
thence N47°25'26" East, 426.54 feet to an existing access road on the
South side of the Shorock Hydro penstock;
thence along said access road the following six (6) courses:
1) S71°24'40" East, 755.17 feet;
2) thence S89°32'17" East, 504.29 feet;
3) thence N70°57'04" East, 560.70 feet;
4) thence S79°19'18" East, 658.40 feet;
5) thence S42°03'21" East, 247.81 feet;
6) thence S 14 °05'05" East, 454.15 feet more or less to the center of an
existing county maintained public road.

TRACT III

TOGETHER WITH a 50 foot wide tailrace channel easement lying 25 feet each side of the following described center line:

Beginning at a point on the East line of the Southwest quarter of Section 29, Township 5 South, Range 17 East of the Boise Meridian, said point of beginning being West 2655.36 feet along the section line and North 818.32 feet along the quarter line, from the Southeast corner of said Section 29 (said Southeast corner being a 3" 1945 G.L.O. Brass Cap Monument that is East 5310.71 feet from the Southwest corner of said Section 29, also a 3" 1945 G.L.O. Brass Cap) and running thence N76°47'31" West, 147.98 feet; thence S65°49'17" West, 258 feet more or less, to the mean high water line on the right bank of the Little Wood River.

TRACT IV

TOGETHER WITH a twenty (20) foot wide power transmission line easement for the continued location, maintenance and replacement of that certain existing electric power transmission line running from the transmission pad of the hydroelectric facility located on TRACT I described above and connecting to the existing Idaho Power Company electric power transmission line located on the following described real property; said easement being located ten (10) feet in width on each side of the center line of said existing transmission line and which said transmission line traverses the following described real property:

Township 5 South, Range 17 East of the Boise Meridian, Lincoln County, Idaho,

Section 28: SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 29: S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 32: N $\frac{1}{2}$ NE $\frac{1}{4}$
Section 33: NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$

All such tracts conveyed together with any appurtenant rights thereto.

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS

On this 10th day of February, 2017, before me, the undersigned notary public, personally appeared Stephen Pike proved to me by satisfactory evidence of identification, being (check whichever applies): [] driver's license or other state or federal governmental document bearing a photographic image or [] my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him/her as his/her free act and deed, voluntarily for its stated purpose.

Megan Bruneau
Notary Public
My Commission Expires: 2/16/18

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS

On this 10th day of February, 2017, before me, the undersigned notary public, personally appeared Rafael Gonzalez proved to me by satisfactory evidence of identification, being (check whichever applies): [] driver's license or other state or federal governmental document bearing a photographic image or [] my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him/her as his/her free act and deed, voluntarily for its stated purpose.

Megan Bruneau
Notary Public
My Commission Expires: 2/16/18



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

October 21, 2020

KOOSH INC
PO BOX 59
GOODING ID 83330-0059

Re: Change in Ownership for Water Right No(s): 37-8096, 37-8251

Dear Water Right Holder(s):

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

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) 293-9912.

Sincerely,

Michelle Richman
Engineer

Enclosure(s)

cc: Brown Law Office, PLLC
Water District 37