

RECEIVED

JUN 17 2020

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## 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?
63-19830	Yes <input checked="" 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"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Naugle Hereford Ranch  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Prescott Crossing, LLC  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or
- 839 S Bridgeway Place      Eagle      ID      83616  
Mailing address      City      State      ZIP
- (208) 377-5700      emily@markbottles.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: September 14, 2018
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: [Signature]      Mark Bottles      6-17-2020  
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 06/17/2020      Receipt No. W048402      Receipt Amt. \$100

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 AB      Processed by AB      Date 10/09/2020



100 10th Avenue South  
Nampa, ID 83651

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

File No. 658375 KD/HH

<b>2018-041066</b>	
RECORDED	
<b>09/14/2018 12:33 PM</b>	
CHRIS YAMAMOTO	
CANYON COUNTY RECORDER	
Pgs=4 SDUPUIS	NO FEE
TYPE: DEED	
PIONEER TITLE CANYON - CALDWELL	
ELECTRONICALLY RECORDED	

## **WARRANTY DEED**

For Value Received Canyon County, a duly formed and existing county pursuant to the laws of the Constitution of the State of Idaho

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

Prescott Crossing LLC, an Idaho limited liability company

hereinafter referred to as Grantee, whose current address is 839 S Brideway Place Eagle, ID 83616

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.

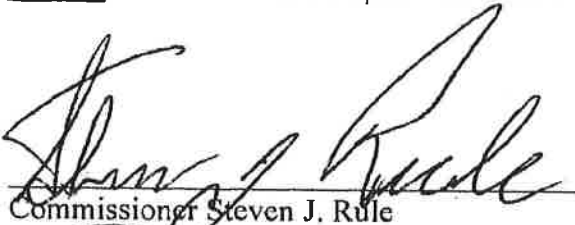
Dated this 14 day of September, 2018

BOARD OF COUNTY COMMISSIONERS

✓ Motion Carried Unanimously

       Motion Carried/Split Vote Below

       Motion Defeated/Split Vote Below

  
Commissioner Steven J. Rule

Yes      No      Did Not Vote

✓                        


  
Commissioner Tom Dale

✓                        

Unavailable for signature  
Commissioner Pam White

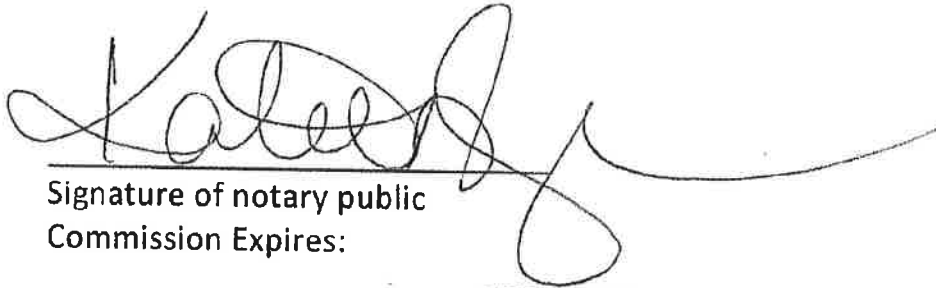
                              

ATTEST: CHRIS YAMAMOTO, CLERK

By:   
Deputy Clerk

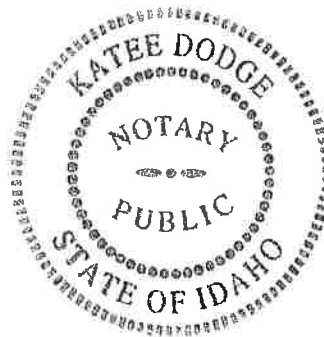
State of Idaho, County of Canyon

This record was acknowledged before me on September 14, 2018 by Steven J. Rule and Tom Dale as Commissioner's, and Jenea Ross as Deputy Clerk of Canyon County.

A handwritten signature in black ink, appearing to read 'Katee Dodge', written over a horizontal line.

Signature of notary public  
Commission Expires:

KATEE DODGE  
COMMISSION EXPIRES: 07/25/2023  
RESIDING: BOISE, IDAHO



## EXHIBIT A

### Parcel I:

The Northeast Quarter of the Northwest Quarter of Section 26, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

### Parcel II:

Parcel 4 of Record of Survey recorded as Instrument No. 200649082 being a parcel of land located in the Northwest quarter of the Northeast quarter of Section 26, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and described as follows:

Beginning at a brass cap marking the North quarter corner of Section 26; thence along the North line of the Northwest quarter of the Northeast quarter of said Section 26  
South 89° 47' 52" East, a distance of 1,330.07 feet to a point; thence  
South 00° 49' 14" West a distance of 699.13 feet to a ½ inch rebar; thence  
South 89° 51' 58" East a distance of 18.48 feet to a 5/8 inch rebar on the East line of said Northwest quarter of the Northeast quarter of Section 26; thence along said East line  
South 00° 01' 59" East a distance of 622.45 feet to a 5/8 inch rebar marking the Northeast 1/16th corner of said Section 26; thence along the South line of said Northwest quarter of the Northeast quarter of Section 26  
North 89° 51' 58" West a distance of 1,338.23 feet to a 5/8 inch rebar marking the center North 1/16th corner of said Section 26; thence along the West line of said Northwest quarter of the Northeast quarter  
North 00° 01' 43" West a distance of 1,323.12 feet to the POINT OF BEGINNING.



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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

October 09, 2020

PRESCOTT CROSSING LLC  
839 S BRIDGEWAY PL  
EAGLE ID 83616-6097

**Re: Change in Water Right Ownership: 63-19830 (split into 63-34936)**

Dear Water Right Holder(s):

The Department of Water Resources (Western) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right 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 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 our office at (208) 334-2190.

Sincerely,

Lynne Evans  
Office Specialist II

Enclosure  
c: FLAMINGO WEST LLC

# GIVENS PURSLEY LLP

Attorneys and Counselors at Law

601 W. Bannock Street  
PO Box 2720  
Boise, ID 83701  
Telephone: 208-388-1200  
Facsimile: 208-388-1300  
[www.givenspursley.com](http://www.givenspursley.com)

**Charlie S. Baser**  
[charliebaser@givenspursley.com](mailto:charliebaser@givenspursley.com)  
(208) 388-1271

Gary G. Allen  
Charlie S. Baser  
Christopher J. Beeson  
Jason J. Blakley  
Clint R. Bolinder  
Jeff W. Bower  
Preston N. Carter  
Jeremy C. Chou  
Michael C. Creamer  
Amber N. Dina  
Bradley J. Dixon  
Thomas E. Dvorak  
Debora Kristensen Grasham  
Donald Z. Gray  
Alex J. Gross  
Brian J. Holleran

Kersti H. Kennedy  
Neal A. Koskella  
Michael P. Lawrence  
Franklin G. Lee  
David R. Lombardi  
Kimberly D. Maloney  
Kenneth R. McClure  
Kelly Greene McConnell  
Alex P. McLaughlin  
Melodie A. McQuade  
Christopher H. Meyer  
L. Edward Miller  
Judson B. Montgomery  
Deborah E. Nelson  
W. Hugh O'Riordan, LL.M.  
Samuel F. Parry

Randall A. Peterman  
Jack W. Relf  
Michael O. Roe  
Jamie Caplan Smith  
Robert B. White

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)  
James A. McClure (1924-2011)  
Raymond D. Givens (1917-2008)

WATER RESOURCES  
WESTERN REGION

June 17, 2020

Via U.S. Mail

Idaho Department of Water Resources  
Attn: Allen Bradbury  
2735 W Airport Way  
Boise, ID 83705

Re: Notice of Change in Water Right Ownership – Water Right No. 63-19830

Dear Allen:

On behalf of Prescott Crossing, LLC ("Prescott"), I am enclosing with this letter a signed Notice of Change in Water Right Ownership ("COO") for Water Right No. 63-19830, along with the associated warranty deed, a map showing the desired split as required by the Application form, the partial decree for Water Right No. 63-19830, and a check for \$100 to cover the associated fee.

As indicated in the COO, IDWR's records should be updated to reflect that Prescott is the owner of that portion of 63-19830 in the NWNE Section 26, T4N, R2W shown in the attached warranty deed and map.

As you may remember, you and I spoke and corresponded a number of times during the week of June 8 to clarify some confusion regarding the place of use ("POU") for 63-19830. As we discussed over the phone on June 11, the partial decree for 63-19830 shows that the POU is all of the NWNE and NENE of Section 26, T4N, R2W. You agreed that Prescott's ownership of the NWNE entitles it to that portion of 63-19830.

Please return a conformed copy of the COO to us in the enclosed self-addressed stamped envelope. Thank you for your assistance in this matter and please feel free to call me if you have any questions.

Idaho Department of Water Resources  
June 17, 2020  
Page 2

Sincerely,

A handwritten signature in black ink, appearing to read 'Charlie S. Baser', with a stylized, cursive script.

Charlie S. Baser

CSB/mb  
Enclosures

cc: Prescott Crossing, LLC

15174820 [12094-64]