

RECEIVED

APR 13 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 02 2020

Insufficient
WATER RESOURCES
WESTERN REGIONWATER 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?
X 57-11711- ⁵⁰⁺¹⁰⁰	Yes ☒	Yes ☐		Yes ☐	Yes ☐
57-10525	Yes ☒	Yes ☐		Yes ☐	Yes ☐
↳ 57-12017	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Hart Creek Ranch LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MFKT Real Estate LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1320 S. University Drive, Suite 701 Fort Worth TX 76107
Mailing address City State ZIP
208-908-3848 skye@rootagadvisory.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: December 5, 2014
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 # 57-10525

8. Signature: [Signature] Authorized Signer 3/25/2020
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only: LE

Received by KT Date 05/15/2020 Receipt No. W048274 Receipt Amt. \$150 - Refunded \$100.00 8/13/2020 -AK
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 LE Processed by AK Date 08/13/2020



8151 W. Riffeuen Street
Boise, ID 83704

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

File No. 558547 SRM/TG

WARRANTY DEED

For Value Received

Hart Creek Ranch, LLC, an Idaho limited liability company

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

MPKT Real Estate, LLC

hereinafter referred to as Grantee, whose current address is 700 Louisiana Street 6th Floor Houston, TX
77002

The following described premises, to-wit:

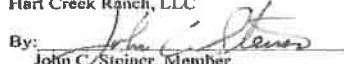
See Exhibit A attached hereto and made a part hereof.

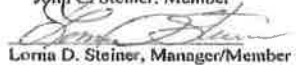
To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises 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: December 4, 2014

Hart Creek Ranch, LLC

By:


John C. Steiner, Member


Lorna D. Steiner, Manager/Member

State of Idaho, County of Ada

On this 5 day of December in the year of 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Lorna Steiner and John Steiner, known or identified to me to be the Managing Member and Member of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company executed the same.

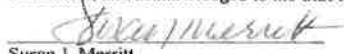

Susan J. Merritt
Residing at: Caldwell Id
Commission Expires: 5-5-2017



EXHIBIT A

All land in Oreana Subdivision, according to the official plat filed as Instrument No. 165543, official records of Owyhee County, Idaho, and as further shown in the Record of Survey filed as Instrument No. 285013, Owyhee County records, being described as follows:

Parcel 1:

All those portions of Lots 1 and 2 in Block 5 together with any private roads in Block 5 of Oreana Subdivision, according to the official plat filed as Instrument No. 165543, official records of Owyhee County, Idaho, all lying westerly of the following described line:

COMMENCING at the Northeast corner of said Block 5; thence

South 89°40'05" West along the North boundary line of Lot 2 of said Block 5 a distance of 184.11 feet to the TRUE POINT OF BEGINNING; thence

South 3°30'19" East a distance of 661.16 feet, more or less, to a point on the South boundary line of Lot 2 of said Block 5 located South 89°41'02" West a distance of 143.05 feet from the Southeast corner of said Lot 2; thence continuing

South 3°30'19" East a distance of 90.38 feet; thence

South 63°08'43" West a distance of 314.44 feet; thence

South 84°48'06" West a distance of 713.72 feet, more or less, to the POINT OF TERMINUS at a point on the West boundary line of Lot 1 in Block 5 located South 0°03'57" West 1040.68 feet from the Northwest corner of said Block 5.

Parcel 2:

Lots 3 through 10 in Block 5 and Lots 5 through 8 in Block 6 of Oreana Subdivision, according to the official plat filed as Instrument No. 165543, official records of Owyhee County, Idaho, together with any private roads.

Parcel 3:

All of Lots 1 through 4 in Block 6 of Oreana Subdivision, according to the official plat filed as Instrument No. 165543, official records of Owyhee County, Idaho together with those portions of any Private Roads in said Block 6 lying West of the following described line:

BEGINNING at the Southeast corner of said Block 6; thence

North 89°42'09" West along the South boundary line of said Block 6 a distance of 52.04 feet; thence

North 1°54'42" East 274.94 feet; thence

North 84°48'06" East a distance of 43.35 feet, more or less, to a point on the East boundary line of said Block 6; thence

North 0°03'57" East 1040.68 feet to the POINT OF TERMINUS at the Northeast corner of said Block 6.

Parcel 4:

All of Lots 5 through 7 in Block 7 and Lots 5 and 6 in Block 8 of Oreana Subdivision, according to the official plat filed as Instrument No. 165543, official records of Owyhee County, Idaho, together with any private roads.

Parcel 5:

Those portions of Lot 8 of Block 7 and those portions of Lots 7 and 8 in Block 8, together with any private roads in Block 7 and 8, of Oreana Subdivision according to the official plat filed as Instrument No. 165543, official records of Owyhee County, Idaho, all lying northeasterly of the following described line:

BEGINNING at the Northwest corner of said Block 7; thence

South 0°22'34" West along the west boundary line of said Block 7 a distance of 2033.03 feet; thence

North 69°43'51" East a distance of 53.43 feet, more or less, to a point on the West boundary of Lot 8 in

Block 7, located North 0°22'34" West 66.46 feet from the southeast corner of Lot 8 in Block 7; thence

North 39°15'12" East 307.39 feet, more or less, to an angle point on the south boundary line of said Block 7; thence

North 68°25'11" East along the south boundary line of Block 7 a distance of 361.34 feet; thence

North 53°25'12" East along the south boundary line of Block 7 a distance of 192.54 feet to the Northwest corner of Lot 8 in Block 8 of said Oreana Subdivision; thence

North 65°02'42" East a distance of 515.30 feet; thence

South 32°33'10" East a distance of 122.14 feet, more or less, to a point on the East line of Lot 8 in Block 8 located North 0°14'25" East 446.18 feet from the Southeast corner of said Lot 8 in Block 8; thence continuing

South 32°33'10" East a distance of 434.45 feet, more or less, to the POINT OF TERMINUS on the South line of Lot 7 in Block 8 located North 71°15'08" East 248.84 feet from the Southwest corner of said Lot 7 in Block 8.

Parcel 6:

All of Lots 3 and 4 in Block 7 and Lots 3 and 4 in Block 8 of Oreana Subdivision according to the official plat filed as Instrument No. 165543, official records of Owyhee County, Idaho, together with any private roads.

Parcel 7:

All those portions of Lots 1 and 2 in Block 7 and those portions of Lot 2 in Block 8, together with any private roads in Blocks 7 and 8, of Oreana Subdivision according to the official plat filed as Instrument No. 165543, official records of Owyhee County, Idaho, all lying Northwesterly of the following described line:

BEGINNING at the Northeast corner of said Block 7; thence

North 89°42'09" West along the North boundary line of said Block 7 a distance of 52.04 feet; thence

South 1°54'42" West a distance of 266.64 feet, more or less, to a point on the East boundary line of Lot 1 in

Block 7, located North 0°12'02" East 113.30 feet from the Southeast corner of said Lot 1 in Block 7; thence

South 41°50'31" West a distance of 174.05 feet; thence

South 78°53'12" West a distance of 195.71 feet; thence

South 89°33'05" West a distance of 295.10 feet, more or less, to a point on the West boundary line of said Lot 1 located South 0°12'38" West 495.78 feet from the Northwest corner of Lot 1 in Block 7; thence continuing

South 89°33'05" West a distance of 249.00 feet; thence
 South 82°49'25" West a distance of 412.17 feet; thence
 South 13°12'31" East a distance of 133.73 feet, more or less to an angle point on the South boundary line of
 Lot 2 in Block 7 located South 55°49'56" East 43.34 feet from the Southwest corner of Lot 2 in Block 7; thence
 continuing
 South 13°12'31" East a distance of 390.24 feet, more or less, to the POINT OF TERMINUS on the South
 boundary line of Lot 2 of said Block 8 located North 72°03'30" East 330.03 feet from the Southwest corner of Lot 2
 in Block 8.

Parcel 8:
 All those portions of Lots 1 through 3 in Block 10, together with any private roads, of Oreana Subdivision according
 to the official plat filed as Instrument No. 165543, official records of Owyhee County, Idaho, all lying easterly of the
 following described line:

COMMENCING at the Northeast corner of Block 11 of said Oreana subdivision; thence
 South 0°22'34" West along the East boundary line of Blocks 10 and 11 a distance of 2033.03 feet to the
 TRUE POINT OF BEGINNING located at a point North 0°22'34" East 65.73 feet from the Southeast corner of Lot
 1 in Block 10; thence
 South 69°43'51" West a distance of 701.55 feet, more or less, to a point on the West boundary line of Lot 1
 in Block 10 located North 0°17'23" East 93.22 feet from the Southwest corner of Lot 1 in Block 10; thence
 continuing
 South 69°43'51" West a distance of 138.10 feet; thence
 North 88°50'32" West a distance of 527.21 feet, more or less to a point on the West boundary line of Lot 2
 in Block 10 located North 0°12'12" East 128.6 feet from the Southwest corner of Lot 2 in Block 10; thence
 continuing
 North 88°50'32" West a distance of 27.15 feet; thence
 North 48°39'14" West a distance of 763.86 feet; thence
 North 69°14'21" East a distance of 645.09 feet, more or less, to a point on the East boundary line of Lot 3
 in Block 10 located North 0°17'23" East 862.43 feet from the Southeast corner of Lot 3 in Block 10; thence
 continuing
 North 69°14'21" East a distance of 561.54 feet, more or less, to a point on the North boundary line of Lot 2
 in Block 10 located South 89°41'52" West 133.51 feet from the Northeast corner of Lot 2 in Block 10; thence
 continuing
 North 69°14'21" East a distance of 143.05 feet, more or less, to the POINT OF TERMINUS on the North
 boundary line of Block 10 located at the Southwest corner of Lot 1 in Block 11 of said Oreana Subdivision.

Parcel 9:
 All that portion of Lot 1 in Block 11, together with any private roads, of Oreana Subdivision according to the official
 plat filed as Instrument No. 165543, official records of Owyhee County, Idaho, lying Easterly of the following
 described line:

BEGINNING at the Northeast corner of Block 11 of said Oreana Subdivision; thence
 South 89°37'56" West along the North boundary line of said Block 11 a distance of 59.64 feet; thence
 South 0°22'34" West, parallel to the East boundary line of said Block 11 a distance of 50.00 feet, more or
 less, to a point on the North boundary line of Lot 1 in Block 11 located North 89°37'56" East 600.26 feet from the
 Northwest corner of Lot 1 in Block 11; thence continuing
 South 0°22'34" West, parallel to the East boundary line of said Block 11 a distance of 1051.90 feet; thence
 South 69°14'21" West a distance of 641.44 feet, more or less, to the POINT OF TERMINUS at the
 Southwest corner of Lot 1 in Block 11 of said Oreana Subdivision.

All parcels are TOGETHER WITH all Private Roads for Ingress and Egress to said lots and all Parcels are
 SUBJECT TO any encumbrances of record according to the Official Plat of Oreana Subdivision on file as Instrument
 No. 165543 or other record documents on file in the office of the recorder for Owyhee County, Idaho.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

BRAD LITTLE
Governor

GARY SPACKMAN

Director

August 13, 2020

HART CREEK RANCH LLC
24597 COLLETT RD
OREANA ID 83650

Re: Notice of Change in Water Right Ownership No: 57-10525

Dear Water Right Holders:

The Department has received and processed a Change of Ownership for a portion of your original Water Right. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is created to represent the portion obtained by the new owners. Please note your original water right numbers do not change as a result of these splits. For your records proof report for **67-10525** and map depicting the place(s) of use (POU) after split and the point(s) of diversion (POD) are enclosed.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Water Resource Agent
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

August 13, 2020

MFKT Real Estate LLC
1320 S University DR
Suite 701
Fort Worth TX 76107

Re: Notice of Change in Water Right Ownership No: 57-11711 & 57-10525

Original: Water Right Nos. 10525

Split into: Water Right Nos. **57-12017**

Dear Water Right Holders:

We have received and processed a Change of Ownership for a portion of the original Water Right as referenced above. This Change of Ownership required a split of the original water right.

When a portion of the original water right has been conveyed to another, a new water right number is created to represent the portion obtained by the new owners. For your records proof report for **65-23939** and a map depicting the place of use (POU) and the points of diversion (POD) is enclosed. Please refer to your new water right number when corresponding with our office.

Ownership change for water right no. 57-11711 cannot be processed. Department records show the 4 acres of irrigation allocated by water right 57-11711 exist entirely outside your property, and therefore cannot be fully or partially granted to you. The Department will refund you \$100.00.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Your portion of this water right has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Water Resource Agent
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 28, 2020

MFKT REAL ESTATE LLC
1320 S UNIVERSITY DR STE 701
FORT WORTH TX 76107-8061

RE: Notice of Change in Ownership for Water Right No(s): 57-10525, 57-11711

Dear Interested Parties,

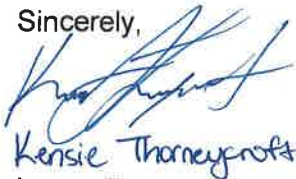
The Department of Water Resources (Western) acknowledges the receipt of correspondence changing the ownership of the above referenced water right(s) to you. The purpose of this letter is to request clarification regarding the above referenced Notice of Change in Ownership.

Upon review, the Department found that the deed that you provided does not cover the entire place of use (POU) for the above mentioned water rights. Based on the information provided to the Department, the right may need to be split. If you do own the entirety of the water right, please submit a deed conveying ownership of the land not included within the deed that was provided to the Department with your application. A proof report for the water right along with a map is included to illustrate where the portion of the POU lies outside of the property conveyed on your provided deed.

If you do not own the entirety of the water right, an additional fee will be required to process the split change in ownership. 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 right already submitted to the Department will be applied towards the balance.

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

Sincerely,



For: Lynne Evans
Office Specialist II

Enclosures



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 02, 2020

MFKT REAL ESTATE LLC
1320 S UNIVERSITY DR STE 701
FORT WORTH TX 76107-8061

RE: Change in Ownership for Water Right No(s): 57-10525, 57-11711

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:

_____ Original "wet" ink signature

The submitted notice is a photocopy or fax of the original document. The Department requires the owner's (or representative's) original ink signature on the document.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary documentation. If we do not receive the necessary information within 30 days (May 3, 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,

Kersie Thornycroft

For: Lynne Evans
Office Specialist II

Enclosure