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# STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

JAN 2 1 2020

### 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.

	fire.								
	Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?			
1	65-7653E	Yes 🛛	Yes 🗆		Yes 🔲	Yes 🗆			
/	65-7576C	Yes 🛛	Yes 🗌		Yes 🗌	Yes 🗆			
1	65-23422	Yes 🗌	Yes 🗌		Yes 🗌	Yes 🗆			
1	65-8121	Yes 🔲	Yes 🗆		Yes 🔲	Yes 🗆			
		Yes 🗀	Yes 🗌		Yes 🔲	Yes 🔲			
	Previous Owner's Name:	Name of current water right holder/claimant							
3.	New Owner(s)/Claimant(s):								
	New owner(s) as listed on the conveyance document  Name connector  and  or  and/  2775 W. Navigator Dr., Ste. 220  Meridian  ID  83642								
	Mailing address		City						
	208-616-1050								
	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:	November 20, 2019					
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).								
	This form must be signed and submitted with the following <b>REQUIRED</b> 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.  □ \$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 Manager of Ahlquist Development, L.L.C., an Idaho limited liability company, a Manager of AB West Mountain								
8.	Signature: Signature of new	owner/claima		, LLC, an Idaho limited liabili if applicable		7. /6.20 Date			
	Signature: Signature of new	owner/claima	nt Title,	if applicable	j	Date			
	IDWR Office Use Only:								
Receipted by Date Date Receipt No Receipt Amt									
	Active in the Water Supply Bank? Yes No Mo If yes, forward to the State Office for processing W-9 received? Yes No								
	Name on W-9		Approved by	Processed by <u>JS</u>	Da	te 06/05/2020			

Instrument # 425070

VALLEY COUNTY, CASCADE, IDAHO
11-20-2019 13:00:67 No. of Pages: 6
Recorded for: FIRST AMERICAN TITLE AND ESCROW COM
DOUGLAS A. MILLER Fee: \$15.00

EX-Officio Recorded Deputy: GK
Electronically Recorded by Simplifile

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

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Clark Wardle LLP PO Box 639 Boise, Idaho 83701

3246789-TD 132960-MC

SPACE ABOVE FOR RECORDER'S USE

#### QUITCLAIM DEED AND BILL OF SALE

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, The McCall Associates, LLC, an Idaho limited liability company and Blackhawk on the River LLC, an Idaho limited liability company ("Grantor"), does hereby release and forever quitclaim and assign to AB West Mountain Holdings, LLC an Idaho limited liability company, whose address is 2775 W. Navigator Dr., Ste. 220, Meridian, Idaho 83642 ("Grantee"), and its successors and assigns forever any and all interest of Grantor in and to the water rights and permits more particularly described on Exhibit A attached hereto and incorporated by reference located in Valley County, Idaho:

IN WITNESS WHEREOF, the Grantor has executed this instrument effective as of November 19, 2019.

**GRANTOR:** 

The McCall Associates, LLC

Name: Brian Dickens

Its: Manager

Blackhawk on the River LLC

Name: Brian Dickens

Its: Manager

State of Idaho	)
State of Idaho County ofAda	) ss
County of Man	)

This record was acknowledged before me on Manager of The McCall Associates, LLC, an Idaho limited liability company.

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

RESEKAH TWAY
COMMISSICH #84944
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 10/01/2020

NOTARY PUBLIC
Residing at Caldwell, D
My Commission Expires 10/1/2020

State of Idaho County of \_\_\_\_\_ ) ss.

This record was acknowledged before me on November 19, 2019 by Brian Dickens as Manager of Blackhawk on the River LLC, an Idaho limited liability company.

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

REDEKAH TWAY
COMMISSION #84344
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 10/01/2020

NOTARY PUBIL

Residing at Callwell

My Commission Expires

1/2020

#### Exhibit A

#### To Quitclaim Deed and Bill of Sale

#### Water Rights

Water Right No. 65-23422

Water Right No. 65-8121

That portion of Water Right No. 65-7653E consisting of approximately 1.87 cfs and 288.0 afa for irrigation of 96 acres in Sections 1 and 12, Township 17 North, Range 2 East subject to Grantee's submission to and approval by the Idaho Department of Water Resources of a Notice of Change in Water Right Ownership and request for bifurcation based on the acreage set forth below:

#### Water Right 65-7653E

(Irrigation Use)

Total Acres: 127
Total Diversion Rate (cfs): 2.48 cfs
Total Diversion Volume (afa): 381.0 afa

#### Acre Split Portions:

					<b>Authorized</b>	Conveyed	Retained
Twp	Rng	Sec	Q-Q	Lot	Acres	Acres	Acres
17 <b>N</b>	02Ē	1	NWNE	2	21	21	
			SENE	5	1	1	
			NENW	3	2	2	
			NWNW	4	4	4	
			NESE	8	9	9	
			SWSE	9	27	27	
		12	NWNE	2	10	10	
			SWNE	3	14	14	
			NESW	6	7	7	
			NWSE	6	1	1	
18N	02E	36	NENE	2	1		1
			NWNE	2	13		13
			NENW		3		3
			SWSW	7	12		12
			SESW	7	2	96	2
Totals					127	96	31

#### Flow Rate & Volume Split Portions:

#### Conveyed Property (Sections 1 & 12)

Total Acres: 96
Total Diversion Rate (cfs): 1.87 cfs
Total Diversion Volume (afa): 288.0 afa

#### **Retained Property (Section 36)**

Total Acres: 31
Total Diversion Rate (cfs): 0.61 cfs
Total Diversion Volume (afa): 93.0 afa

That portion of Water Right No. 65-7576C consisting of approximately 7.89 cfs and 1181.4 afa for irrigation of 393 acres and 0.02 cfs and 2.4 afa for stockwater use in Sections 1 and 12, Township 17 North, Range 2 East subject to Grantee's submission to and approval by the Idaho Department of Water Resources of a Notice of Change in Water Right Ownership and request for bifurcation based on the acreage set forth below:

### Water Right 65-7576C

(Irrigation & Stockwater Uses)

Total Acres:

Comment.

448

Total Diversion Rate (cfs):

8.99 cfs

Total Diversion Volume (afa):

1346.74 afa

#### **Acre Split Portions:**

					Authorized	Conveyed	Retained
Twp	Rng	Sec	Q-Q	Lot	Acres	Acres	Acres
17 <b>N</b>	02E	1	NWNE	2	22	22	
			SWNE	5	31	31	
			SENE	5	1	1	
			NENW	3	33	33	
			WNW	4	4	4	
			SENW		29	29	
			NESW		40	40	
			NWSW		18	18	
			SWSW		33	33	
			SESW		40	40	
			NESE	8	9	9	
			NWSE	8	40	40	
			SWSE	9	28	28	
		12	NWNW		31	31	
			SWNW		33	33	
			NWSE	6	1	1	
18N	02E	25	SESW		1		1
			SWSE		2		2
		36	NWNE	2	19		19
			NENW		3		3
			SENW	3	2 5		3 2 5
			NESW	6			5
			NWSW	6	9		9
			SWSW	7	12		12
			SESW	7	2		2
Totals					448	393	55

#### **IRRIGATION USE**

#### Flow Rate & Volume Split Portions:

#### Conveyed Property (Sections 1 & 12)

Total Acres: 393
Total Diversion Rate (cfs): 7.89 cfs
Total Diversion Volume (afa): 1181.4 afa

#### Retained Property (Section 25 & 36)

Total Acres: 55
Total Diversion Rate (cfs): 1.1 cfs
Total Diversion Volume (afa): 165.3 afa

#### INCIDENTAL STOCKWATER USE

#### Flow Rate & Volume Split Portions:

Conveyed Property (Sections 1 & 12)

Total Acres:n/aTotal Diversion Rate (cfs):0.02 cfsTotal Diversion Volume (afa):2.4 afa

#### Retained Property (Section 25 & 36)

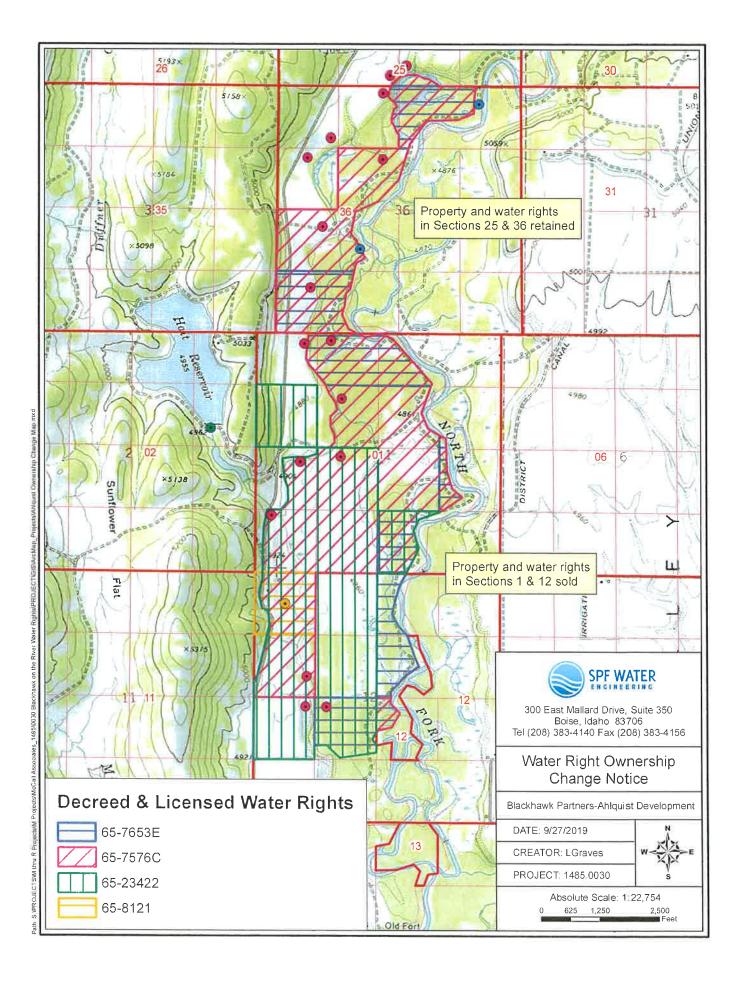
Total Acres: n/a
Total Diversion Rate (cfs): 0.01 cfs
Total Diversion Volume (afa): 0.3 afa

# Water Permits

Permit No. 65-23042

Permit No. 65-23043

Permit No. 65-23120





# 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

> Gary Spackman Director

June 05, 2020

AB WEST MOUNTAIN HOLDINGS LLC 2775 W NAVIGATOR DR STE 220 MERIDIAN ID 83642-7592

Re: Change in Water Right Ownership: 65-8121, 65-23422, 65-7576C (split into 65-23927), 65-7653E (split into 65-23928)

Dear Water Right Holder(s):

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

Water right nos. 65-8121 and 65-23422 have been changed to your ownership in their entirety. Water right nos. 65-7576C and 65-7653E have been split, and the new portion nos. 65-23927 and 65-23928 have been changed to your ownership.

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 this matter, please contact our office at (208) 334-2190.

Sincerely.

Office Specialist II

Enclosure

c: BLACKHAWK PARTNERS LLC

### **MEMORANDUM**

May 20, 2020

Water Right: 65-7653E, 65-7576C, 65-23422, 65-8121, 65-23927, and 65-23928

Author: JShearer

Subject: Ownership Change/Split

Ownership Change for rights 65-7653E, 65-7576C, 65-23422, and 65-8121 was submitted on January 21, 2020 by AB West Mountain Holdings, LLC. Rights 65-7653E and 65-7576C were split and as a result created child rights 65-23927 and 65-23928. Ownership of 65-7653E and 65-7576C will remain in the ownership of Blackhawk Partners LLC and child rights 65-23927 and 65-23928 were created under the ownership of AB West Mountain Holdings. Ownership change was completed 5/20/2020.



Sara C. Cousineau, Paralegal (208) 388-0035 scousineau@clarkwardle.com

January 16, 2019

Idaho Department of Water Resources Western Regional Office 2735 W. Airport Way Boise, ID 83705-5082 JAN 2 1 2020

Re: Water Right Nos. 65-7653E, 65-7576C, 65-23422, 65-8121 CW File No. 23414.1

Enclosed please find a Notice of Change in Water Right Ownership form for the above referenced water rights on behalf of AB West Mountain Holdings, LLC, an Idaho limited liability company ("AB West"), along with a check in the amount of \$250.00 for filing fees.

Once the ownership has been updated, please send confirmation to the AB West at the address on the form, as well as to the undersigned. If you have any questions please do not hesitate to call.

Thank you for your assistance with this matter.

Sincerely,

Sara C. Cousineau

Paralegal