

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

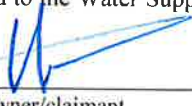
RECEIVED
MAY 29 2020
Department of Water Resources
Eastern Region

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?
35-4204 <i>OK</i>	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"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Mickelsen Properties LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): FLF Diamond Peak LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 119 South B Street San Mateo CA 94401
Mailing address City State ZIP
- (406) 750-1665 baptiste@fall-line-cap.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: 02/16/2018
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):
 ☐ \$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.

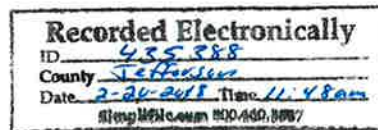
8. Signature:  Director 5-29-2020
Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by M. Pettus Date 5-29-20 Receipt No. E045957 Receipt Amt. 25.00
 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 JB Processed by CR Date 6/5/2020

200314
WD:120 GWD:BJGWD



WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:379553

FOR VALUE RECEIVED

Mickelsen Properties, LLC, an Idaho Limited Liability Company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

FLF Diamond Peak, LLC, a Delaware limited liability company

whose current address is

119 S. B Street, San Mateo, CA 94401

the grantee(s), the following described premises, in Jefferson County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that it is/are the owner(s) in fee simple of said premises; that it is free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that it will warrant and defend the same from all lawful claims whatsoever.

Dated: 15 Feb 2017

File No. 379553

RECEIVED - DO NOT
REMOVE THE COUNTY STAMP
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

Mickelsen Properties, LLC, an Idaho Limited Liability Company

Mark Mickelsen
Mark Mickelsen, Manager

State of ID } ss
County of Jefferson }

On this 15 day of February, 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared Mark Mickelsen known or identified to me to be the Manager in the Limited Liability Company known as Mickelsen Properties, LLC who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

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

J. Scherneck
Notary Public for the State of ID
Residing at: Highway 10
Commission Expires: 7-15-21

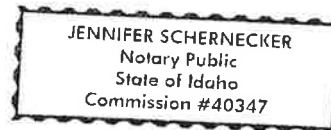


EXHIBIT "A"

(NORTH FARM – FINAL AREA)

Part of the following: the West Half of Section 25, Section 26, the East Half of Section 27, the Northeast Quarter of Section 34 and the North Half of Section 35, Township 4 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho described as follows:

Beginning at the Southeast corner of Section 26, Township 4 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho and running thence S.00°38'25"W. 1380.00 feet along the east line of Section 35, Township 4 North, Range 36 East of the Boise Meridian to the centerline of an existing field road extended; thence along said centerline the following seven (7) courses: (1) N.89°54'02"W. 1648.20 feet; thence (2) N.89°55'30"W. 1135.43 feet; thence (3) S.89°22'47"W. 820.39 feet; thence (4) S.89°58'32"W. 850.66 feet; thence (5) S.89°30'21"W. 830.62 feet to the east line of Section 34, Township 4 North, Range 36 East of the Boise Meridian; thence continuing along said centerline of a field road (6) N.89°29'19"W. 608.29 feet; thence (7) S.89°39'03"W. 2033.02 feet to the north-south centerline through said Section 34; thence N.00°08'22"E. 1385.89 feet along said north-south centerline to the South Quarter corner of Section 27, Township 4 North, Range 36 East of the Boise Meridian; thence N.00°02'34"E. 4069.23 feet along the north-south centerline of said Section 27 to the centerline of an existing County Road (200 North); thence N.89°54'37"E. 1896.34 feet; thence S.00°00'00"W. 184.27 feet; thence N.90°00'00"E. 236.16 feet; thence N.00°00'00"W. 184.64 feet to the centerline of an existing County Road (200 North); thence along said centerline the following five (5) courses: (1) N.89°54'37"E. 128.63 feet to a point of curve; thence (2) 286.55 feet along said curve to the right, Curve Data: Delta = 28°33'13", Radius = 575.00 feet, Chord bearing = S.75°48'47"E. 283.60 feet; thence (3) S.61°32'10"E. 130.50 feet to the west line of Section 26, Township 4 North, Range 36 East of the Boise Meridian; thence (4) S.61°32'10"E. 149.54 feet to a point of curve; thence (5) 124.51 feet along said curve to the left, Curve Data: Delta = 3°57'48", Radius = 1800.00 feet, Chord bearing = S.63°31'04"E. 124.49 feet to the north line of the property as described in Special Warranty Deed, Instrument No. 305064; thence along the boundary of said property the following three (3) courses; (1) S.73°27'30"E. 943.61 feet; thence (2) N.89°02'28"E. 444.00 feet; thence (3) S.79°57'32"E. 50.01 feet; thence S.16°51'31"W. 348.69 feet; thence N.77°11'42"E. 247.52 feet; thence N.22°50'22"E. 196.19 feet to the centerline of an existing County Road (200 North); thence along said centerline the following twelve (12) courses: (1) S.69°34'24"E. 115.94 feet to a point of curve; thence (2) 112.05 feet along said curve to the right, Curve Data: Delta = 4°16'48", Radius = 1500.00 feet, Chord bearing = S.67°26'00"E. 112.03 feet; thence (3) S.65°17'36"E. 490.03 feet to a point of curve; thence (4) 276.73 feet along said curve to the left, Curve Data: Delta = 13°12'47", Radius = 1200.00 feet, Chord bearing = S.71°53'59"E. 276.12 feet; thence (5) S.78°30'23"E. 423.78 feet to a point of curve; thence (6) 271.38 feet along said curve to the left, Curve Data: Delta = 47°50'35", Radius = 325.00 feet, Chord bearing = N.77°34'19"E. 263.57 feet; thence (7) N.53°39'02"E. 1194.71 feet to a point of curve; thence (8) 242.33 feet along said curve to the right, Curve Data: Delta = 5°33'14", Radius = 2500.00 feet, Chord bearing = N.56°25'39"E. 242.24 feet; thence

(9) N.59°12'15"E. 644.01 feet to a point of curve; thence (10) 133.50 feet along said curve to the left, Curve Data: Delta = 5°27'48", Radius 1400.00 feet, Chord bearing = N.56°28'21"E. 133.44 feet to the west line of Section 25, Township 4 North, Range 36 East of the Boise Meridian; thence continuing along a curve in said Section 25 and along the centerline of an existing County Road (200 North) (11) 284.22 feet along said curve to the left, Curve Data: Delta = 11°37'55", Radius = 1400.00 feet, Chord bearing = N.47°55'30"E. 283.73 feet; thence (12) N.42°06'32"E. 254.27 feet; thence leaving said centerline N.72°16'45"E. 246.17 feet; thence N.43°37'38"E. 204.47 feet; thence S.88°57'57"E. 1739.90 feet; thence S.08°26'54"E. 208.84 feet; thence S.39°58'48"E. 199.43 feet to the north-south centerline through Section 25, Township 4 North, Range 36 East of the Boise Meridian; thence S.00°01'26"W. 4502.42 feet to the South Quarter corner of said Section 25; thence N.89°41'07"W. 2646.52 feet to the point of beginning.

Excepting therefrom:

Part of the South Half of the Northeast Quarter (S 1/2 NE 1/4) Section 34 and part of the South Half of the North Half (S 1/2 N 1/2) of Section 35, Township 4 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho described as follows:

Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 35, Township 4 North, Range 36 East of the Boise Meridian that is S.00°38'25"W. 1324.30 feet along the section line from the Northeast corner of said Section 35 and running thence S.00°38'25"W. 55.70 feet to the centerline of an existing field road extended; thence along said existing centerline the following seven (7) courses: (1) N.89°54'02"W. 1648.20 feet; thence (2) N.89°55'30"W. 1135.43 feet; thence (3) S.89°22'47"W. 820.39 feet; thence (4) S.89°58'32"W. 850.66 feet; thence (5) S.89°30'21"W. 830.62 feet to the east line of the Northeast Quarter of Section 34, Township 4 North, Range 36 East of the Boise Meridian; thence (6) N.89°29'19"W. 608.29 feet; thence (7) S.89°39'03"W. 2033.02 feet to the west line of the Northeast Quarter of said Section 34; thence N.00°08'22"E. 62.88 feet to the Northwest corner of the South Half of the Northeast Quarter (S 1/2 NE 1/4) of said Section 34; thence N.89°56'46"E. 2641.73 feet to the Northeast corner of the South Half of the Northeast Quarter (S 1/2 NE 1/4); thence continuing in Section 35, N.89°53'55"E. 5285.21 feet to the point of beginning.

TOGETHER WITH:

(ACCESS EASEMENT TO PUMP HOUSE)

Beginning at the north end of a centerline of a 30 foot easement described in Book of Deeds, Page 303 that is S.89°58'28"W. 2974.76 feet and S.00°01'32"E. 260.28 feet from the Northeast corner of Section 26, Township 4 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho and running thence S.64°35'00"E. 68.08 feet to an existing power line; thence S.26°41'34"W. 1365.08 feet along said existing power line; thence S.17°42'30"W. 200.03 feet; thence S.29°12'41"E. 101.22 feet to a point on a non-tangent curve on the northerly right-of-way line of an existing County Road (200 North) thence 157.47 feet along said curve to the left, Curve Data: Delta = 7°21'55", Radius

=1225.00 feet, Chord bearing = N.79°30'35"W. 157.36 feet; thence N.25°25'00"E. 1662.09 feet; thence S.64°35'00"E. 5.00 feet to the point of beginning.

(ROBERTS FARM – TOTAL AREA)

Government Lot 1, the East Half of the Northwest Quarter (E 1/2 NW 1/4) and part of Government Lot 2 and part of the Northeast Quarter of Section 7, Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho described as follows:

Beginning at the Northeast corner of said Section 7 and running thence S.00°15'16"W. 2624.35 feet to the East Quarter corner of said Section 7; thence N.89°44'04"W. 4625.61 feet along the east-west centerline through the section; thence N.45°25'06"W. 900.40 feet to the west line of said Section 7; thence N.00°07'15"E. 2009.90 feet to the Northwest corner of said Section 7; thence S.89°20'03"E. 2629.14 feet to the North Quarter corner of said Section 7; thence S.89°48'59"E. 1623.86 feet along the section line; thence S.07°49'26"W. 354.60 feet; thence S.47°24'56"E. 272.80 feet; thence S.65°06'47"E. 76.47 feet; thence N.34°34'56"E. 288.02 feet; thence N.00°11'01"E. 329.71 feet to the north line of said Section 7; thence S.89°48'59"E. 635.01 feet to the point of beginning.

ALSO:

Government Lots 1 and 2, the South Half of the Northeast Quarter (S 1/2 NE 1/4) and the Southeast Quarter Section 6, and part of the Southwest Quarter and West Half of the Southeast Quarter (W 1/2 SE 1/4) of Section 5, Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho described as follows:

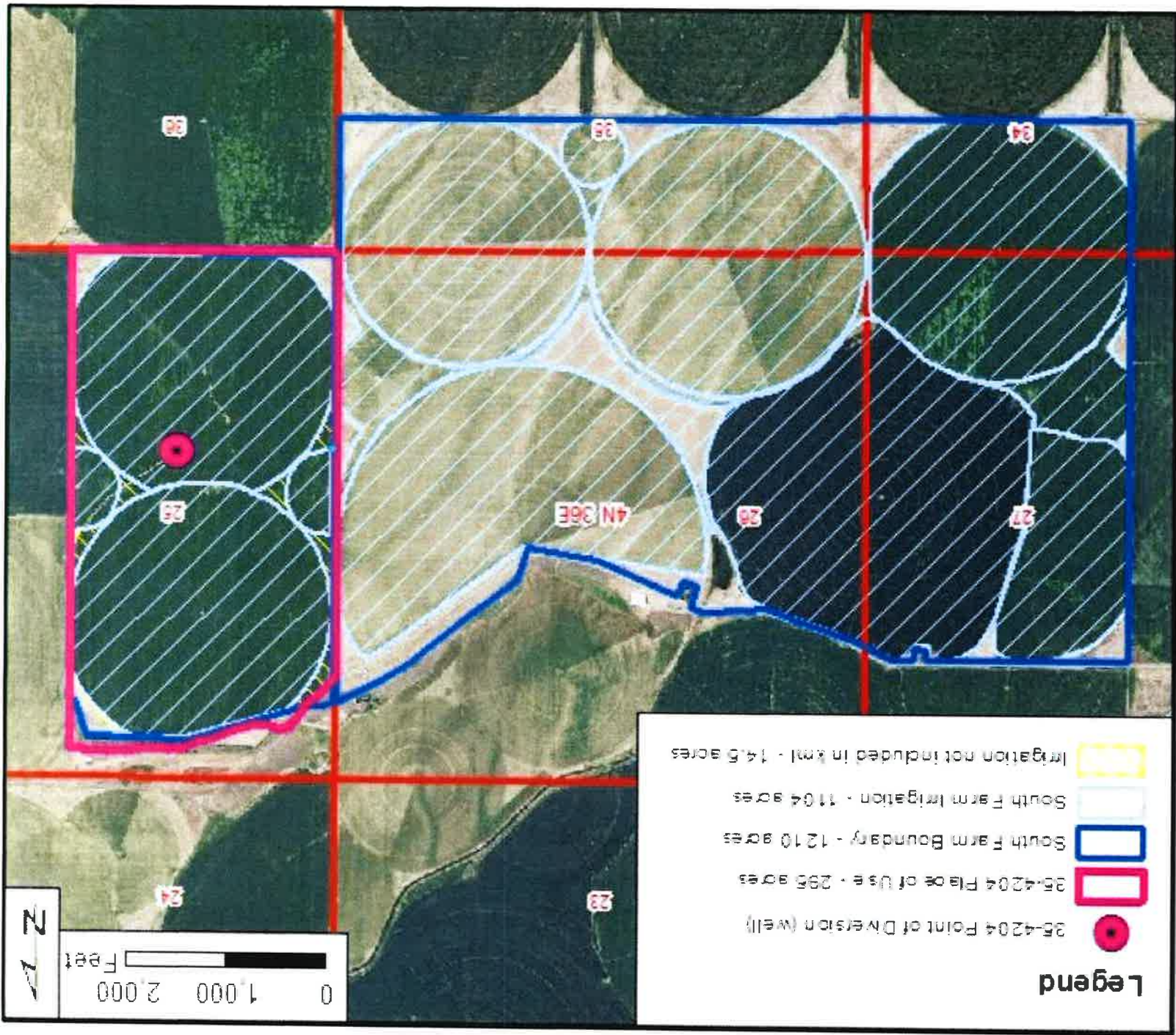
Beginning at the Southeast corner of said Section 6 and running thence N.89°48'59"W. 2645.35 feet to the South Quarter corner of said Section 6; thence N.00°21'12"E. 5269.80 feet along the north-south centerline through the section to the North Quarter corner of said Section 6; thence S.89°40'46"E. 2626.82 feet to the Northeast corner of said Section 6; thence S.00°09'06"W. 2639.62 feet to the Quarter corner common to Sections 5 and 6; thence S.89°51'37"E. 1938.89 feet along the north line of the Southwest Quarter of Section 5 to the Northwest corner of the property as described in Warranty Deed, Instrument No. 382731; thence along the boundary of said property the following six (6) courses: (1) S.45°06'35"E. 455.34 feet; thence (2) S.62°42'03"E. 163.68 feet; thence (3) N.10°47'41"E. 17.56 feet; thence (4) N.21°44'16"E. 108.59 feet; thence (5) N.27°54'34"E. 104.58 feet; thence (6) N.14°29'43"E. 190.47 feet to the north line of the Southwest Quarter of said Section 5; thence S.89°51'39"E. 66.08 feet along said north line to the westerly top of bank of the Market Lake Canal; thence along said westerly top of bank the following twenty-four (24) courses: (1) S.07°12'41"W. 120.08 feet; thence (2) S.23°49'47"W. 72.99 feet; thence (3) S.30°29'45"W. 173.37 feet; thence (4) S.16°04'26"W. 137.83 feet; thence (5) S.00°00'00"W. 59.33 feet; thence (6) S.13°09'50"E. 167.57 feet; thence (7) S.26°44'04"E. 106.19 feet;

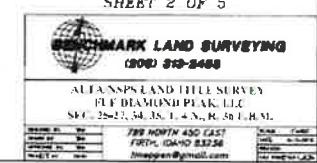
thence (8) S.31°26'50"E. 211.52 feet; thence (9) S.15°30'26"E. 97.13 feet; thence (10) S.12°11'15"E. 207.20 feet; thence (11) S.09°59'51"E. 161.31 feet; thence (12) S.20°23'42"E. 50.03 feet; thence (13) S.36°53'53"E. 153.66 feet; thence (14) S.40°30'08"E. 104.53 feet; thence (15) S.45°51'46"E. 102.62 feet; thence (16) S.58°32'01"E. 101.62 feet; thence (17) S.72°16'36"E. 214.40 feet; thence (18) S.62°53'14"E. 154.85 feet; thence (19) S.55°54'16"E. 101.30 feet; thence (20) S.34°24'52"E. 102.47 feet; thence (21) S.16°54'11"E. 102.16 feet; thence (22) S.04°27'17"E. 102.32 feet; thence (23) S.07°18'40"E. 100.82 feet; thence (24) S.17°00'40"E. 203.25 feet; thence (25) S.06°34'30"E. 64.92 feet to the south line of said Section 5; thence N.89°48'01"W. 1041.40 feet along said south line to the South Quarter corner of said Section 5; thence N.89°48'24"W. 2641.12 feet to the point of beginning.

ALSO:

Part of the East Half of the Northeast Quarter of the Southwest Quarter (E 1/2 NE 1/4 SW 1/4) of Section 5, Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho lying east of the Market Lake Canal described as follows:

Beginning at a point that is S.89°48'24"E. 2641.12 feet along the section line to the South Quarter corner of said Section 5 and N.00°09'24"E. 1758.29 feet along the north-south centerline from the Southwest corner of said Section 5 and running thence along the easterly top of bank of the Market Lake Canal the following six (6) courses: (1) N.28°30'24"W. 233.05 feet; thence (2) N.12°07'59"W. 82.12 feet; thence (3) N.05°53'39"W. 137.49 feet; thence (4) N.24°41'16"E. 162.03 feet; thence (5) N.35°47'40"E. 90.75 feet; thence (6) N.26°23'12"E. 53.42 feet to the north-south centerline through the section; thence S.00°09'24"W. 690.53 feet to the point of beginning.







State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 05, 2020

FLF DIAMOND PEAK LLC
119 S B ST
SAN MATEO CA 94401-3908

Re: Change in Ownership for Water Right No(s): 35-4204

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) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist

Enclosure(s)

cc: Conterra Agricultural Capital LLC
Water District 120
Bonneville-Jefferson Ground Water District