

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 18 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. DE ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
31-7627B <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
31-7651 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Brown Delta II, LLC c/o Homestead Capital USA, LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Mickelsen Properties, LLC

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

PO Box 438

Rigby

ID

83442

Mailing address

City

State

ZIP

208-709-1295

sjwmick@gmail.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: March 31, 2020

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 # 31-7627B

8. Signature: *[Signature]*

Signature of new owner/claimant

Title, if applicable CFO

Date 5/12/20

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by CA DE Date 5/18/2020 Receipt No. E045919 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 JB

Processed by CR

Date 5/22/2020

**Hamer Potato Warehouse Water Rights Transfer to new owner
From Brown Delta II, LLC to Mickelsen Properties, LLC**

Water Right Number	
1	31-7627B
2	31-7651

RR

(Space above for Recorder's use)

SPECIAL WARRANTY DEED

Grantor: Brown Delta II, LLC, an Idaho limited liability company
c/o Homestead Capital USA, LLC
One Embarcadero Center, Suite 3860
San Francisco, CA 94111

Grantee: Mickelsen Properties, LLC, an Idaho limited liability company
P.O. Box 438
Rigby, ID 83442

For value received, Grantor hereby conveys, grants, and warrants unto Grantee its entire right, title, and interest in and to the real property in Jefferson County, Idaho, described below, together with all fixtures, improvements, appurtenances, rents, issues, and profits that relate or pertain thereto (collectively, the "Property"), to have and to hold the same unto Grantee and its successors and assigns forever:

Township 7 North, Range 36 East, Boise Meridian:

Section 4: E $\frac{1}{2}$ SE $\frac{1}{4}$ lying East of the Easterly right-of-way of the Union Pacific Railroad.

Section 9: Those parts of the E $\frac{1}{2}$ E $\frac{1}{2}$ lying east of the Easterly right-of-way of the Union Pacific Railroad.

Grantor conveys the Property subject to: a) encumbrances of record; b) taxes accruing after January 1, 2020; c) ordinances, and federal and state rights and reservations, including, without limitation, patents, oil, gas, and minerals; d) conflicts in boundary lines, shortage in area, encroachments, or any other fact that a correct survey would disclose; e) easements or claims of easement not shown by the public records; f) use restrictions and building and zoning regulations and ordinances of any governmental unit. Subject to the foregoing exceptions, Grantor does hereby covenant with and warrant to Grantee that Grantor is lawfully seized in fee simple of the Property, has good right and lawful authority to sell and convey the Property, and that Grantor warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

GRANTOR:

Brown Delta II, LLC

An Idaho limited liability company

By: Happy Valley USA II, L.L.C.

Its: Sole Member

By: Homestead Capital USA Farmland Fund II, L.P.

Its: Managing Member

By: Homestead Capital USA Farmland Fund II GP, L.P.

Its: General Partner

By: Homestead Capital USA Farmland Fund II UGP, LLC

Its: General Partner

By: 
Gabe Santos, Managing Member

By: 
Daniel Little, Managing Member

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Francisco

On March 26, 2020 before me, Elizabeth Amaya-Nowak, Notary Public
(insert name and title of the officer)

personally appeared Rabe Santos and Daniel Little
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Elizabeth Amaya-Nowak

(Seal)





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

May 22, 2020

MICKELSEN PROPERTIES LLC
PO BOX 438
RIGBY ID 83442-0438

Re: Change in Ownership for Water Right No(s): 31-7627B, 31-7651

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 1

Enclosure(s)

cc: RABO AGRIFINANCE LLC
WATER DISTRICT 31
WATER DISTRICT 110
JEFFERSON CLARK GROUND WATER DISTRICT