

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 23 2020
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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?
37-10718	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: Carol R. Harlig and Leonard M. Harlig
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Hartley Rogers and Amy Falls
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 610 Fifth Avenue Suite 401 New York NY 10020
Mailing address City State ZIP
917-414-8452 hrogers@hamiltonlane.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: November 12, 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).

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: [Signature] Title, if applicable _____ Date 1/13/2020
Signature: [Signature] Title, if applicable _____ Date 1/13/2020

For IDWR Office Use Only:

Received by SG Date 1/23/20 Receipt No. 5037718 Receipt Amt. 125.00
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 _____ Processed by MR Date 3/10/20

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
120 2nd Avenue Suite 101, PO Box 7999
Ketchum, ID 83340

Instrument # 664809
HAILEY, BLAINE, IDAHO
11-12-2019 3:18:12 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - KETCHUM
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **861716K (smw)**

Date: **October 28, 2019**

For Value Received, **Leonard M. Harlig, as Trustee of The Leonard M. Harlig 1999 Revocable Trust dated April 7, 1999, as amended, as to an undivided 1/2 community property interest and Carol R. Harlig, as Trustee of The Carol R. Harlig 1999 Revocable Trust dated April 7, 1999, as amended, as to an undivided 1/2 community property interest.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Hartley Rogers and Amy Falls, husband and wife**, hereinafter called the Grantee, whose current address is **610 Fifth Avenue, Suite 401, New York, NY 10020**, the following described premises, situated in **Blaine County, Idaho**, to-wit:

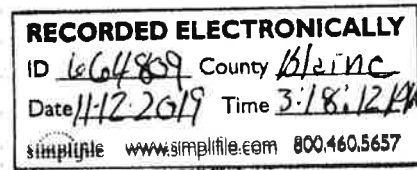
A parcel of land located within H.E.S. #128, Township 5 North, Range 17 East, Boise Meridian, Blaine County, Idaho, said parcel previously described by a metes and bounds description in a deed recorded as Instrument Number 427358, records of Blaine County, Idaho, said property being more particularly described below based on a more accurate survey of found, undisturbed original monumentation on said property:

Commencing at a Brass Cap marking Corner #3 of the Homestead Entry Survey (HES) 128 as depicted on a survey recorded as Instrument 260160, records of Blaine County, Idaho;

Thence proceeding south easterly along the western boundary of HES 128 South 39° 26'34" East, 297.51 feet to the northwest corner of Tax Lot 4576 and the south west corner of Tax Lot 4401, said corner being marked by a witness monument which is a 1/2" rebar accepted as an original monument falling North 43° 26'06" East 61.87 feet from the corner, said corner being the TRUE POINT OF BEGINNING; thence proceeding north easterly along the common boundary of Tax Lot 4576 & 4401 to a 1/2" rebar which is accepted as an original monument marking a corner common to Tax Lots 4576 & 4401, said corner being North 43° 26'06" East 302.49 feet from the previous corner; Thence proceeding north easterly along the common boundary of Tax Lots 4576 & 4401 to the westerly boundary of State Highway 75, said point being marked with a 1/2" rebar which is accepted as an original monument marking the north east corner of Tax Lot 4576 and the South east corner of Tax Lot 4401, said corner being North 56° 24'56" East 298.45 feet from the previous corner; Thence proceeding south easterly along the westerly boundary of State Highway 75 to a 1/2" rebar which is accepted as an original monument marking the southeast corner of Tax Lot 4576 and the north east corner of Tax Lot 4577, said corner being South 23° 23'59" East 299.83 feet from the previous corner; Thence proceeding south westerly along the common boundary of Tax Lots 4576 & 4577 to a 1/2" rebar which is

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:First American Title Company
120 2nd Avenue Suite 101, PO Box 7999
Ketchum, ID 83340

Space Above This Line for Recorder's Use Only

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**accepted as an original monument, said point being
South 58° 51'40" West 419.59 feet from the previous corner; Thence continuing south
westerly along the common boundary of Tax Lots 4576 & 4577 to the westerly boundary of
HES 128, said point also being the south west corner of Tax Lot 4576 and the north west
corner of Tax Lot 4577, said corner being
South 58° 51'40" West 100.05 feet from the previous point; Thence proceeding north
westerly along the westerly boundary of HES 128 to the north west corner of Tax Lot 4576
and the South west corner of Tax Lot 4401, said corner being
North 39° 26'34" West 206.06 feet from the previous corner, and said corner being the TRUE
POINT OF BEGINNING.**

**Together with any and all water rights appurtenant thereto including, but not limited to
Water Right 37-10718**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 10/28/2019

Warranty Deed
- continued

File No.: 861716K (smw)

The Leonard M. Harlig 1999 Revocable Trust
dated April 7, 1999, as amended

Leonard M. Harlig

By: Leonard M. Harlig, Trustee

The Carol R. Harlig 1999 Revocable Trust dated
April 7, 1999, as amended

Carol R. Harlig

By: Carol R. Harlig, Trustee

STATE OF Idaho)
COUNTY OF Blaine)

On this 11-5-19, before me, a Notary Public in and for said State, personally appeared **Leonard M. Harlig**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Leonard M. Harlig 1999 Revocable Trust dated April 7, 1999, as amended**, Trust, and acknowledged to me that he executed the same as such Trustee.



STATE OF Idaho)
COUNTY OF Blaine)

On this 11-5-19, before me, a Notary Public in and for said State, personally appeared **Carol R. Harlig**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Trustee of Carol R. Harlig 1999 Revocable Trust dated April 7, 1999, as amended**, and acknowledged to me that he/she/they executed the same as such Trustee.



Stephanie Wright
Notary Public for the State of Idaho
Residing at: Belleuve Id
My Commission Expires: 4-25-24

ORIGINAL IN RED

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Terry G. Hogue, Esq.
HOGUE & DUNLAP, L.L.P.
Post Office Box 460
Hailey, Idaho 83333

Instrument # 590934

HAILEY, BLAINE, IDAHO
9-29-2011 03:55:00 No. of Pages: 4
Recorded for : HOGUE & DUNLAP, LLP
JOLYNN DRAGE Fee: 19.00
Ex-Officio Recorder Deputy
Index to: CORRECTION DEED

mfp

(space above line for Recorder's use)

CORRECTION QUITCLAIM DEED

FOR VALUE RECEIVED, we, LEONARD M. HARLIG and CAROL R. HARLIG, husband and wife, of Post Office Box 2010, Sun Valley, Idaho 83353, (hereinafter collectively referred to as "Grantor"), do hereby convey, release, remise and forever quitclaim unto LEONARD M. HARLIG, as Trustee of THE LEONARD M. HARLIG 1999 REVOCABLE TRUST dated April 7, 1999, as amended, as to an undivided one-half (½) community property interest, and to CAROL R. HARLIG, as Trustee of THE CAROL R. HARLIG 1999 REVOCABLE TRUST dated April 7, 1999, as amended, as to an undivided one-half (½) community property interest, both of whose addresses are Post Office Box 2010, Sun Valley, Idaho 83353, (hereinafter collectively referred to as "Grantee"), any and all interest we may have in the following described premises, situated in Blaine County, Idaho, to wit:

See Exhibit A attached hereto and made a part hereof.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantee, and to Grantee's heirs and assigns forever.

DATED this 29 day of September, 2011.

GRANTORS:

Leonard M. Harlig
LEONARD M. HARLIG


CORRECTION QUITCLAIM DEED - 1

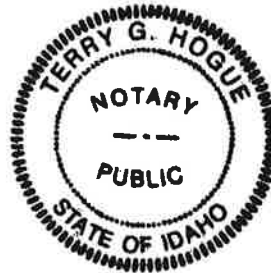

CAROL R. HARLIG

STATE OF IDAHO)
) ss.
County of Blaine)

On this 29th day of SEPTEMBER, 2011, before me, the undersigned, a notary public in and for said state, personally appeared LEONARD M. HARLIG and CAROL R. HARLIG, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.


Notary Public for Idaho
Residing at Blaine County
Comm. expires: 6/11/11



CORRECTION QUITCLAIM DEED - 2

A LEGAL DESCRIPTION FOR TAX LOT 4576

A parcel of land located within H.E.S. #128, Township 5 North, Range 17 East, Boise Meridian, Blaine County, Idaho, said parcel previously described by a metes and bounds description in a deed recorded as Instrument Number 427358, records of Blaine County, Idaho, said property being more particularly described below based on a more accurate survey of found, undisturbed original monumentation on said property:

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said corner being North 39°26'34" West 206.06 feet from the previous corner,
and said corner being the TRUE POINT OF BEGINNING.

Said parcel containing 148,844 square feet, which is 3.42 acres, more or less.



Water Right 37-10718





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 11, 2020

AMY FALLS AND HARTLEY ROGERS
610 5TH AVE STE 401
NEW YORK NY 10020-2403

RE: Change in Ownership for Water Right No: 37-10718

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges receipt of correspondence changing ownership of the above referenced water right 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 of 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.

Furthermore, while reviewing your water right, an inconsistency was identified between the recorded and the actual physical location for the Place of Use (POU) and Point of Diversion (POD). The recorded water right lists the location of the POU and POD as the SENW of Section 23, Twp 05N, Rge 17E. Your property actually spans the NWNE and SWNE of Section 23, Twp 05N, Rge 17E (see enclosed map). If you wish to correct these errors, you may file an Application for Transfer of Water Right with the Department. Idaho Code §§ 42-221 allows for such corrections to be made with a \$50 filing fee. The form may be found at: <https://idwr.idaho.gov/files/forms/application-for-transfer-of-a-water-right.pdf>.

If you have any questions, please contact our office at (208) 736-3033.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Richman".

Michelle Richman
Engineer

Enclosure(s)

c: James Speck of Speck & Aanestad

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
(retired)

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE NORTH
P. O. BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208)726-4421
FACSIMILE
(208)726-0752

January 20, 2020

RECEIVED
JAN 23 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

Denise Maline
Idaho Department of Water Resources
650 Addison Ave. W
Suite 500
Twin Falls, ID 83301

**Re: Notice of Change of Water Right Ownership
No. 37-10718**

Dear Denise:

Enclosed you will find an *original* and one copy of the above-referenced Notice of Change of Water Right Ownership accompanied by our firm's check for the \$25.00 Application filing fee.

Please return the receipt date-stamped copy to me in the postage prepaid self-addressed envelope I have included for that purpose. Please call me if you have any questions, comments or concerns.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

Enclosures

cc: Client (w/enclosure) via Email