

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 18 2020

Notice of Change in Water Right Ownership

Department of Water Resources
Bureau of Water Rights

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?
35-4022 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	35-14429 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
35-2385 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
35-2296 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
35-14427 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
35-14428 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Chana Duffin and Jeffrey Duffin
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Brown Echo II, LLC
New owner(s) as listed on the conveyance document Name connector and or and/or

One Embarcadero Center Suite 3860 San Francisco CA 94111
Mailing address City State ZIP

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: January 9, 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):
 - \$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: *Patricia Juan* *Authorized Signatory* *1-23-2020*
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 *JB* Date *2/18/2020* Receipt No. *E045641* Receipt Amt. *\$150.-*
Active in the Water Supply Bank? Yes No If yes, forward to the State Office for processing *JB* W-9 received? Yes No
Name on W-9 _____ Approved by *JB* Processed by *SUPPORT DATA* Date *3/16/20*

FILE # *35-2296*

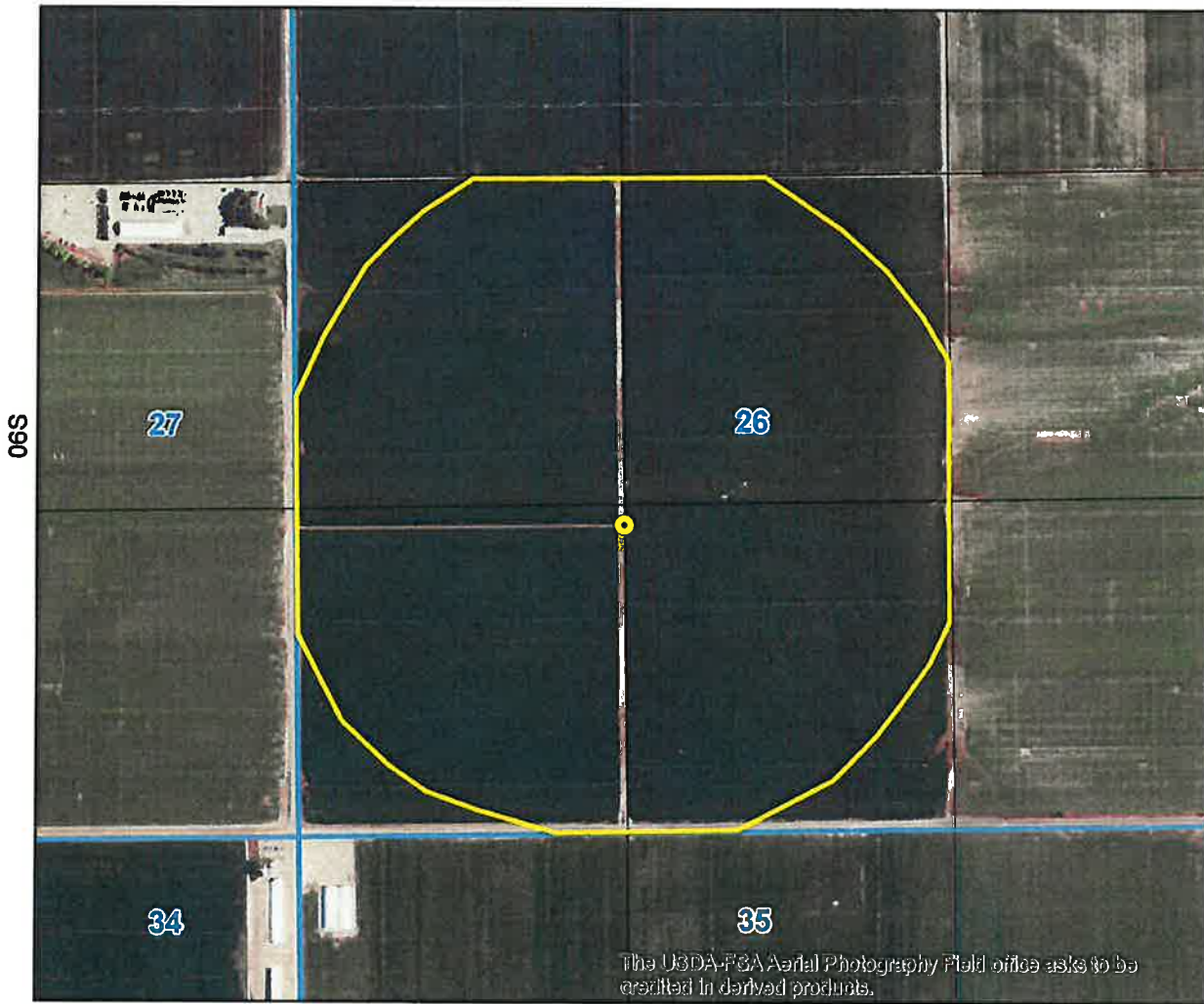
State of Idaho
Department of Water Resources

Water Right 35-4022






IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

30E



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

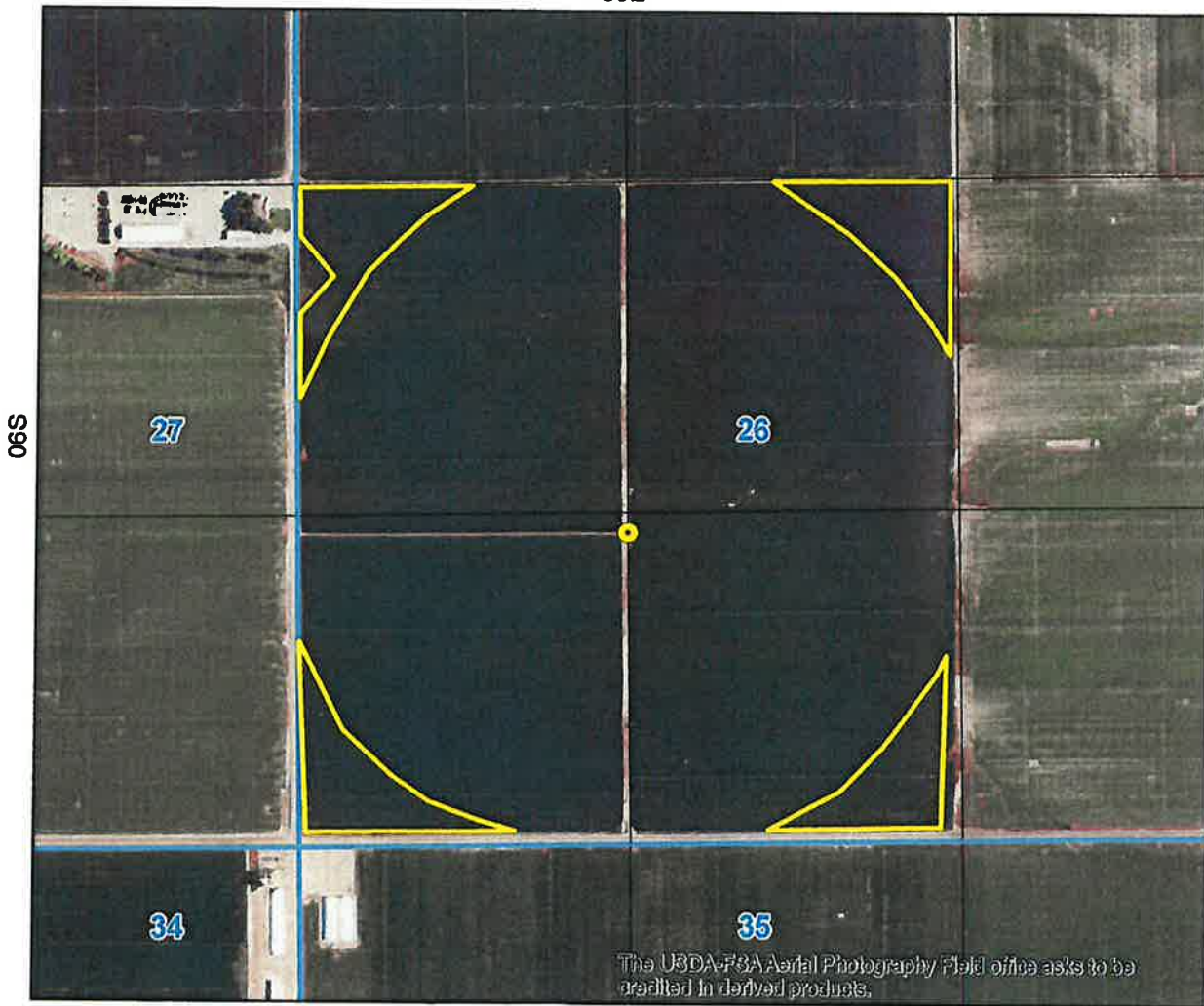
Water Right

35-14427, 35-14428, 35-14429

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

30E



● Point of Diversion

□ Place Of Use Boundary

□ Townships

□ PLS Sections

□ Quarter Quarters

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

Water Right 35-2385

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- ▭ Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters

0 0.075 0.15 0.3 Miles

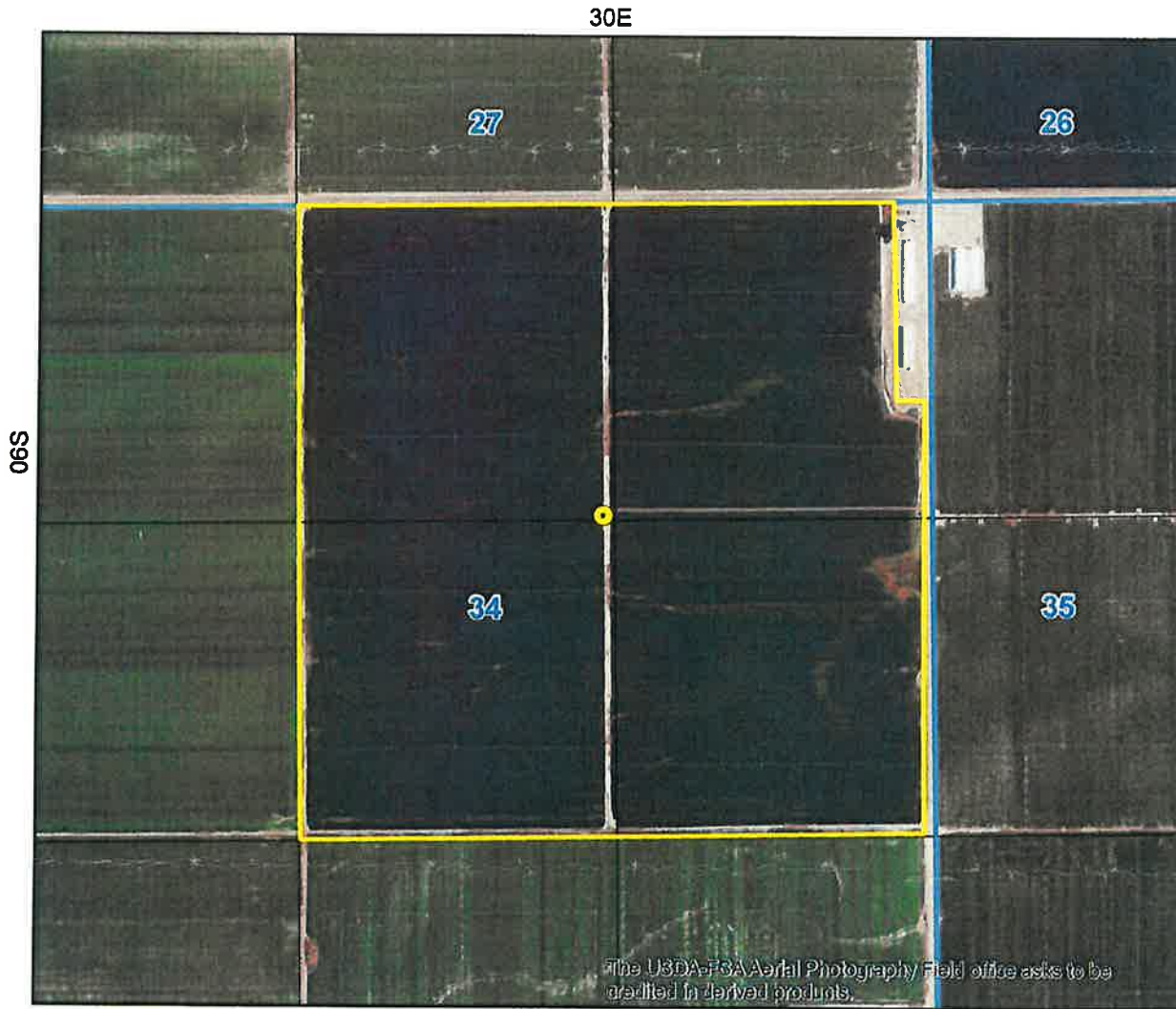


State of Idaho
Department of Water Resources

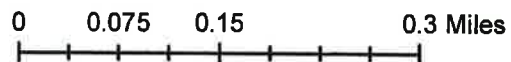
Water Right 35-2296

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- ▭ Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters





0003731666



STATE OF IDAHO
Office of the secretary of state, Lawrence Denney
AMENDMENT TO CERTIFICATE OF ORGANIZATION OF LIMITED LIABILITY COMPANY

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$30.00 - Make Checks Payable to Secretary of State

For Office Use Only

-FILED-

File #: 0003731666

Date Filed: 1/7/2020 8:59:36 AM

Amendment to Certificate of Organization of Limited Liability Company			
Select one: Standard, Expedited or Same Day Service (see descriptions below)	Standard (filing fee \$30)		
The current name of the limited liability company is:	Brown Echo II, LLC		
The file number of this entity on the records of the Idaho Secretary of State is:	0003731306		
Entity Type:	Limited Liability Company		
Entity Subtype:	Limited Liability Company		
The date the certificate of organization was originally filed:	2020-01-06 17:25:41.350		
Limited Liability Company Name			
Entity name	Brown Echo II, LLC		
2. The complete street address of the principal office is amended to:			
Principal Office Address	1EMBARCADERO CENTER SUITE 3860 SAN FRANCISCO, CA 94111		
3. The mailing address of the principal office is amended to:			
Mailing Address	1 EMBARCADERO CTR STE 3860 SAN FRANCISCO, CA 94111-3727		
4. Managers and Members			
	Name	Title	Address
	Happy Valley USA II, L.L.C.	Member	1EMBARCADERO CENTER SUITE 3860 SAN FRANCISCO, CA 94111
Signature of Authorized Person:			
<i>Patrick Trainor</i>		<i>01/07/2020</i>	
Sign Here		Date	

B0454-8933 01/07/2020 8:59 AM Received by ID Secretary of State Lawrence Denney

Instrument # 215297

POWER COUNTY, IDAHO
01-09-2020 01:43:53 PM No. of Pages: 5
Recorded for: FIRST AMERICAN TITLE - POCA TEL
SHAREE SPRAGUE Fee: \$15.00
Ex-Officio Recorder Deputy: Linda Annen
Electronically Recorded by Simplifile

WHEN RECORDED, PLEASE RETURN TO:

Attn: Judson B. Montgomery
Givens Pursley LLP
6014 W. Bannock Street
Boise, Idaho 83702

Instrument # 713812

BINGHAM COUNTY, IDAHO
2020-01-09 01:54:49 PM No. of Pages: 6
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$15.00
EX-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

FA-871553

WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, Jeffrey T. Duffin and Chana Duffin, husband and wife (hereinafter collectively referred to as the "Grantor"), hereby grants, bargains, sells, and conveys unto Brown Echo II, LLC, an Idaho limited liability company, whose current address is One Embarcadero Center, Suite 3860, San Francisco, California 94111 (hereinafter referred to as the "Grantee"), that certain real property, located in Power County, Idaho, and Bingham County, Idaho, as more particularly described on Exhibit A attached hereto and made a part hereof (hereinafter referred to as the "Premises"):

TOGETHER WITH all improvements, mineral rights, appurtenances easements and hereditaments appurtenant thereto, streets, alleys and rights of way adjacent thereto, and all water and water rights and all other entitlements to receive water for beneficial use upon the Premises, including, without limitation, all rights represented by any decree, license, permit, claim, permit application or storage entitlement, and with all easements and rights-of-way necessary to access the point of diversion for such water rights or entitlements and deliver water there from to the Premises; all ditch and canal company and irrigation district shares and entitlements to receive water from any such company, association, district or other water delivery entity; all ditch rights, easements and rights of way associated with any irrigation or other water delivery ditch canal, lateral or pipeline including, without limitation, those identified on Exhibit B, attached hereto and incorporated herein by this reference (together with the Premises, hereinafter the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular hereditaments and appurtenances thereunto belong, or in any ways appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate right, title, interest, claim and demand whatsoever of Grantor, whether in law or equity, of, in and to the Property, unto Grantee and Grantee's successors and assigns forever.

SUBJECT TO the "Approved Exceptions", which shall mean: (a) general taxes and assessments, for the year 2020 and thereafter, which are not yet due and payable, and (b) the easements, rights of way and other matters of record listed on Exhibit C attached hereto and incorporated herein.

AND Grantor does hereby covenant to and with Grantee and its successors and assigns forever, that Grantor is the sole owner of the Property and owns the Property in its entirety in fee simple; that the Property is free from all liens, claims and encumbrances except the Approved Exceptions; and that Grantor shall and will warrant and defend the quiet and peaceful possession of said Property by Grantee, against all lawful claims whatsoever except as excluded or excepted herein.

[end of text]



WHEN RECORDED, PLEASE RETURN TO:

Attn: Judson B. Montgomery
Givens Pursley LLP
6014 W. Bannock Street
Boise, Idaho 83702

FA-871553

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[end of text]

DATED effective as of the 9th day of January, 2020.

GRANTOR:

Jeffrey T. Duffin
Jeffrey T. Duffin

Chana Duffin
Chana Duffin

STATE OF IDAHO)
County of Bannock) ss.

On this 9th day of January, 2020, before me, a Notary Public in and for said State, personally appeared Jeffrey T. Duffin known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Melissa Raschke
Notary Public for the State of Idaho
Residing at Pocatello
My Commission expires: 2/5/2020

STATE OF IDAHO)
County of Bannock) ss.

On this 9th day of January, 2020, before me, a Notary Public in and for said State, personally appeared Chana Duffin known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Melissa Raschke
Notary Public for the State of Idaho
Residing at Pocatello
My Commission expires: 2/5/2020

EXHIBIT A

Legal Description

POWER COUNTY:

**TOWNSHIP 6 SOUTH, RANGE 30 E.B.M, POWER COUNTY, IDAHO
SECTION 34: NE¼**

**EXCEPTING THEREFROM: A TRACT OF LAND IN THE NE¼NE¼ OF SAID SECTION
DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS W. 25 FEET FROM THE NE
CORNER OF SAID SECTION 34; THENCE S. 0°01' E. 100 FEET; THENCE S. 89°52' W. 150 FEET;
THENCE N. 0°01' W. 100 FEET; THENCE N. 89°52' E. 150 FEET TO THE POINT OF BEGINNING.**

BINGHAM COUNTY:

PARCEL 1:

**TOWNSHIP 6 SOUTH, RANGE 30 E.B.M., BINGHAM COUNTY, IDAHO
SECTION 26: SW¼, EXCEPT THE WEST 33 FEET FOR ROAD RIGHT-OF-WAY.**

PARCEL 2:

**TOWNSHIP 6 SOUTH, RANGE 30 E.B.M., BINGHAM COUNTY, IDAHO
SECTION 26: SE¼**

EXHIBIT B

Water Rights

The following water rights identified in the records of IDWR:

35-2296	1953	Ground Water	Decreed	Irrigation	615.6	2.38	153.9	Tract D-2
35-4022	1959	Ground Water	Decreed	Irrigation	544	2.22	136	Tract D-3
35-2385	1954	Ground Water	Decreed	Irrigation	628	2.42	157	Tract D-4
35-14427	1966	Ground Water	Decreed	Irrigation	45.6	0.19	11.4	D3 Corners
35-14428	1992	Ground Water	License	Irrigation	4.4	0.02	1.1	D3 Corners
35-14429	1952	Ground Water	Decreed	Irrigation	10.8	0.04	2.7	D3 Corners

1: All data above provided by IDWR & Appraisal subject to change.

Reserving no portions of the foregoing water rights to Duffin.

EXHIBIT C

Approved Exceptions

POWER COUNTY

Levies and assessments of American Falls - Aberdeen Ground Water District and any rights or easements thereof.

Right-of-way or easement of Dean Sub Road and Schreoder Road.

Easement for power line granted to Idaho Power Company, recorded February 5, 1954, as Instrument No. 72721 (Bk 94, of Misc., Pg 473).

BINGHAM COUNTY

Levies and assessments of Aberdeen Springfield Canal Company.

Levies and assessments of American Falls - Aberdeen Ground Water District.

Power line easement granted to Idaho Power Company recorded as Instrument No. 62579.

Provisions in deed to Bingham County, recorded as Instrument No. 204388, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

Right-of-way or easement of county roads.



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

March 16, 2020

BROWN ECHO LLC
1 EMBARCADERO CTR STE 3860
SAN FRANCISCO CA 94111-3727

Re: Change in Ownership for Water Right No(s): 35-2296, 35-2385, 35-4022, 35-14427, 35-14428, 35-14429

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: Brockway Engineering PLLC
Water District 120
Aberdeen American Falls Ground Water District



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
FEB 18 2020
Department of Water Resources
Eastern Region

February 11, 2020

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Brown Echo II, LLC

Dear Mr. Cefalo:

Brown Echo II, LLC recently purchased a farm previously owned by Chana and Jeffrey Duffin and it is necessary for the water rights ownership to be updated.

I have attached copies of the warranty deeds and the ownership change forms. Maps are also included to help clarify the water right locations.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Cc: Patrick Trainer, Skye Root
Enc: Warranty Deeds, Ownership Change Forms, Aerial Maps, Idaho Annual Report
Brockway Engineering Check # 15152 for \$150.00