

MEMORANDUM

Date: 2/25/2020
To: Water Right File 65-2851, 65-11341, 65-11342, 65-23861, 65-23862, 65-23863
From: Anna Kaiser
Re: Ownership Change Processed Prior to Transfer No. 83891

Ownership change (including applicable fee) requested with transfer filing. A separate Notice of Ownership Change form was not received nor required. Ownership change processed prior to transfer resulting in:

WR 65-2851 to:

65-2851 (CAROL & TIM MUSSELL)

65-23861 (ALCES MANAGEMENT & FINANCIAL SERVICES LLC)

WR 65-11341 to:

65-11341 (CAROL & TIM MUSSELL)

65-23862 (ALCES MANAGEMENT & FINANCIAL SERVICES LLC)

WR 65-11342 to:

65-11342 (CAROL & TIM MUSSELL)

65-23863 (ALCES MANAGEMENT & FINANCIAL SERVICES LLC)

Transfer no. 83891 will affect WRS 65-23861, 65-23862, and 65-23863. The transfer applicant was not required to amend the transfer application form.

SUPPORT DATA
IN FILE # 65-2851

Escrow No.: 34601913708-KY

WARRANTY DEED

FOR VALUE RECEIVED

Victory Greens Enterprises Inc., an Idaho corporation

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto:

Alces Management & Financial Services LLC, an Alaska limited liability company

GRANTEE(S), whose current address is: **5701 Willow Creek Rd, Eagle, ID 83616**

the following described real property in Boise County, Idaho, more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Effective this 27th day of September, 2019.

Victory Greens Enterprises, Inc.

BY: _____

Timothy J. Mussell
President

STATE OF Idaho, COUNTY OF Ada, -ss.

On this 26th day of September, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Timothy J. Mussell, known or identified to me to be the President of the corporation that executed the instrument or the persons who executed on behalf of Victory Greens Enterprises, Inc., an Idaho Corporation and acknowledged to me that he/she executed the same as such _____.

Signature: _____

Name: _____

Residing at: _____

My Commission Expires: _____

(SEAL)

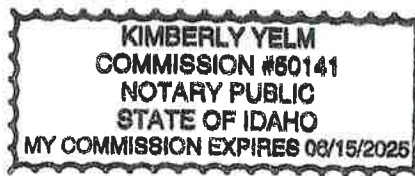


Exhibit 'A'

A portion of the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 10, Township 9 North, Range 4 West, Boise Meridian, Boise County, Idaho, being more particularly described as follows:

Commencing at the Northeast corner of said Section 10; thence

South 00°09'56" West, 1,257.78 feet along the Easterly boundary of the Northeast Quarter of said Section 10 to the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 10; thence continuing

South 00°09'56" West, 1,257.77 feet along the Easterly boundary of the Southeast Quarter of the Northeast Quarter of said Section 10 to the East Quarter corner of said Section 10; thence

South 00°01'06" East, 1,287.56 feet along the Easterly boundary of the Northeast Quarter of the Southeast Quarter of said Section 10 to the Southeast corner of the Northeast corner of the Southeast Quarter of said Section 10; thence

North 89°30'39" West, 1,319.74 feet along the Southerly boundary of the Northeast Quarter of the Southeast Quarter of said Section 10 to the Southwest corner of the Northeast Quarter of the Southeast Quarter of said Section 10; thence

North 00°24'10" East, 824.72 feet along the Westerly boundary of the Northeast Quarter of the Southeast Quarter of said Section 10 to the approximate centerline of the Middle Fork of the Payette River and to the Point of Beginning;

Thence the following courses and distances along the approximate centerline of the Middle Fork of the Payette River:

North 59°53'08" West, 490.49 feet;

North 38°49'15" West, 228.39 feet;

North 07°37'20" West, 138.29 feet;

North 22°35'15" East, 405.64 feet;

North 14°42'29" West, 251.48 feet;

North 36°12'28" West, 689.23 feet to the Northerly boundary of the Southwest Quarter of the Northeast Quarter of said Section 10;

Thence South 89°19'30" West, 915.97 feet along the northerly boundary of the Southwest Quarter of the Northeast Quarter of said Section 10 to the northeast corner of the Southwest Quarter of the Northeast Quarter of said Section 10;

Thence South 00°31'45" West, 1,265.00 feet along the easterly boundary of the Southwest Quarter of the Northeast Quarter of said Section 10 to the southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 10;

Thence S00°24'12" West, 459.26 feet along the easterly boundary of the Northeast Quarter of the Southeast Quarter of said Section 10 to the POINT OF BEGINNING.

Instrument # 264786

IDAHO CITY, BOISE COUNTY, IDAHO
09-04-2019 08:02:19 AM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE INSURANCE
MARY T. PRISCO Fee: \$15.00
Ex-Officio Recorder Deputy Kristi Coffelt
Index to: DEEDS
Electronically Recorded by Simplifile

AFTER RECORDING MAIL TO:

Alces Management & Financial Services LLC
5701 Willow Creek Rd.
Eagle, ID 83616

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

WARRANTY DEED

File No.: 4102-3281504 and #812751-MC (PC)

Date: **August 27, 2019**

For Value Received, **Tim J. Mussell and Carol M. Mussell, husband and wife**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Alces Management & Financial Services LLC, an Alaska limited liability company**, hereinafter referred to as Grantee, whose current address is **5701 Willow Creek Rd., Eagle, ID 83616**, the following described premises, situated in **Boise County, Idaho**, to wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto 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.

APN: RP09N04E101252

Warranty Deed
- continuedFile No.: 4102-3281504 (PC)
Date: 08/27/2019**EXHIBIT A****LEGAL DESCRIPTION:** Real property in the County of Boise, State of Idaho, described as follows:

The following describes a parcel of real property being a portion of that certain parcel described in Warranty Deed, Instrument Number 198163, records of Boise County, Idaho, located within the NW1/4 SE1/4 and the NE1/4 SW1/4 of Section 10, Township 9 North, Range 4 East, B.M., Boise County, Idaho, more particularly described as follows:

Commencing at the West 1/4 Corner of said Section 10; Thence, along the Northerly Line of the NW 1/4 SW 1/4 of said Section 10, South 89°40'42" East, 1324.43 feet to the Northwest Corner of said NE1/4 SW1/4 (CW 1/16 Corner) of Section 10; Thence, along the Westerly Line of said NE 1/4 SW 1/4 of Section 10, South 01°01'08" West, 456.24 feet to the POINT OF BEGINNING, said point marked by an iron pin; THENCE, leaving said Westerly Line, South 89°36'26" East, 2639.41 feet to the Easterly Line of said NW1/4 SE1/4, said point witnessed by an iron pin, which bears, North 89°36'26" West, 195.00 feet; THENCE, along said Easterly Line, South 00°24'12" West, 824.72 feet to the Southeast Corner of said NW1/4 SE1/4 (SE 1/16 Corner) of Section 10, marked by an iron pin; THENCE, leaving said Easterly Line, and along the Southerly Line of said NW1/4 SE1/4 of Section 10, North 89°32'01" West, 1320.99 feet to the Southwest Corner of said NW1/4 SE1/4 of Section 10, marked by an iron pin; THENCE, leaving said Southerly Line, and along the Southerly Line of said NE 1/4 SW 1/4 of said Section 10, North 89°40'57" West, 1327.29 feet to the Southwest Corner of said NE1/4 SW1/4 (SW 1/16 Corner) of Section 10, marked by an iron pin; THENCE, leaving said Southerly Line, and along said Westerly Line of said NE1/4 SW1/4, North 01°01'08" East, 824.80 feet to the POINT OF BEGINNING.

APN: RP09N04E101252



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 25, 2020

CAROL MUSSELL
TIM MUSSELL
3800 S MERIDIAN RD
MERIDIAN ID 83642

Re: Notice of Change in Water Right Ownership No: 65-2851, 65-11341, and 65-11342

Original: Water Right No. **65-2851** *Split into:* Water Right No. 65-23861

Original: Water Right No. **65-11341** *Split into:* Water Right No. 65-23862

Original: Water Right No. **65-11342** *Split into:* Water Right No. 65-23863

Dear Water Right Holders:

The Department has received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is created to represent the portion obtained by the new owners. For your records proof reports for **65-2851, 11341, and 11342** and maps depicting the place of use (POU) and the point of diversion (POD) are enclosed. Please refer to your new water right number when corresponding with our office.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Water Resource Agent
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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BRAD LITTLE
Governor

GARY SPACKMAN
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February 25, 2020

ALCES MANAGEMENT & FINANCIAL SERVICES LLC
5701 WILLOW CREEK RD
EAGLE ID 83616-2025

Re: Notice of Change in Water Right Ownership No: 65-2851, 65-11341, and 65-11342

Original: Water Right No. 65-2851 *Split into:* Water Right No. **65-23861**

Original: Water Right No. 65-11341 *Split into:* Water Right No. **65-23862**

Original: Water Right No. 65-11342 *Split into:* Water Right No. **65-23863**

Dear Water Right Holders:

We have received and processed a Change of Ownership for a portion of the original Water Right as referenced above. This Change of Ownership required a split of the original water right.

When a portion of the original water right has been conveyed to another, a new water right number is created to represent the portion obtained by the new owners. For your records proof reports for **65-23861, 65-23862, and 65-23863** and maps depicting the place of use (POU) and the point of diversion (POD) are enclosed. Please refer to your new water right numbers when corresponding with our office.

The Department is currently reviewing your transfer application for the water rights referenced above and will notify you upon completion.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Sincerely,

Anna Kaiser
Water Resource Agent
Western Regional Office

Enclosures