

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 17 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?
72-219A	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
72-219B	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
72-219C	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
72-10343	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: East Fork Land & Cattle, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): J & J Idaho Holdings, LP c/o Jeffrey R Chapman
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
340 Jolly School Road Washington PA 15301
Mailing address City State ZIP
412-217-7349 jeffc@chapmancorporation.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: December 30, 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):
 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 # 72-219A

8. Signature: Jeffrey R. Chapman J & J Idaho Holdings, LP by J & J GP, LLC, its General Partner 12-30-19
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant By: Jeffrey R. Chapman, President Date
Title, if applicable

For IDWR Office Use Only:

Received by SG Date 1/17/20 Receipt No. 5037705 Receipt Amt. \$100.00
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 BW Date 1/30/2020

257524

#

Custer County Req. of

Custer County Title

Time 10:50 AM Date 12-30-2019

Lura H. Baker, Clerk

Tara Vargen \$15.00
Deputy**WARRANTY DEED**

East Fork Land & Cattle, LLC, an Idaho limited liability company, c/o Debra B. Saye, 11166 Tottenham Road, Chappell Hill, Texas 77426 (Grantor), for and in consideration of \$10.00 and other good and valuable consideration, hereby transfers, grants, conveys, and warrants unto **J & J Idaho Holdings, LP**, a Pennsylvania limited partnership, c/o Jeffrey R. Chapman, 340 Jolly School Road, Washington, Pennsylvania 15301 (Grantee), all of Grantor's right, title, and interest whatsoever in the following described real property located in Custer County, Idaho, to wit:

See attached Exhibit A.

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, and all estate, right, title, and interest in and to the said property, as well in law as in equity.

Also together with all buildings, fixtures, standing timber, water shares, storage water, ditches and ditch rights, and existing wells and well rights, easements, tenements, hereditaments, and appurtenances thereto. Nothing in the preceding sentence shall be deemed in any way to limit the conveyance by Grantor to Grantee pursuant to this instrument.

Also together with all water rights appurtenant to the real property described in Exhibit A, including without limitation water rights nos. 72-219A, 72-219B, 72-219C, and 72-10343, as shown on the records of the Idaho Department of Water Resources. Nothing in the preceding sentence shall be deemed in any way to limit the water rights conveyed by Grantor to Grantee pursuant to this instrument.

Subject to: All easements, encumbrances, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, all facts and circumstances that would be revealed by inspection of the property of inquiry of persons in possession thereof, and payment of present year's property taxes, which are an accruing lien not yet due.

Grantor, for itself, its heirs, successors, and assigns, warrants and represents as follows:

Grantor is the owner of the interest described in this Warranty Deed and has the legal right to convey its interest to Grantee.

The property described in this deed is free from all liens, encumbrances, and defects in title, except as otherwise shown in this deed or of record.

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Grantor will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to Grantee, its successors in interest, heirs, and assigns against all lawful claims.

Date: _____, 20____.

EAST FORK LAND & CATTLE, LLC

Debra B. Saye, member
By: Debra B. Saye, Member

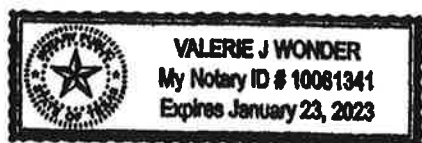
Connor B. Saye, member
By: Connor B. Saye, Member

Acknowledgment

State of TEXAS
County of Washington ss.

On this 20th day of December, 2019, before me, the undersigned, a notary public, personally appeared Debra B. Saye in her capacity as member of East Fork Land & Cattle, LLC, an Idaho limited liability company, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that said limited liability company executed the same.

Valerie J. Wonder
Notary Public
Residing at: Chappell Hill Bank 5060 Main St. Chappell Hill TX
My commission expires: 1-23-23
(Seal)



257824

Acknowledgment

State of TEXAS
County of Washington ss.

On this 20th day of December, 2019, before me, the undersigned, a notary public, personally appeared Connor B. Saye in his capacity as member of East Fork Land & Cattle, LLC, an Idaho limited liability company, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that said limited liability company executed the same.

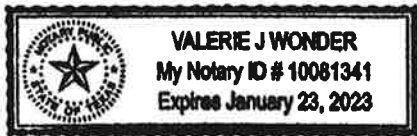
Valerie J. Wonder

Notary Public

Residing at: Chappell Hill Bank, 5260 MAIN ST. Chappell Hill, TX 77426

My commission expires: 1-23-23

(Seal)



257824

Exhibit A

The following real property located in Custer County, Idaho, as more specifically described:

TOWNSHIP 8 NORTH, RANGE 17 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 4: LOT 4

SECTION 5: LOTS 1 AND 2

TOWNSHIP 9 NORTH, RANGE 17 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 33: W $\frac{1}{2}$ E $\frac{1}{2}$ AND THE W $\frac{1}{2}$.



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

January 30, 2020

J & J IDAHO HOLDINGS LP
C/O JEFFREY R CHAPMAN
340 JOLLY SCHOOL RD
WASHINGTON PA 15301-9085

Re: Change in Ownership for Water Right No(s): 72-219A, 72-219B, 72-219C, and 72-10343

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) 293-9904.

Sincerely,

Benny Walker
Senior Water Resource Agent

Enclosure(s)

Cc: John F. Nobbs Esq. Bowles Rice Attorneys at Law
WD 72D

Bowles Rice

Attorneys at Law

Southpointe Town Center
1800 Main Street, Suite 200, Canonsburg, PA 15317
724.514.8915

John F. Nobbs
jnobbs@bowlesrice.com
T 724.514.8945
F 724.514.8954

RECEIVED

JAN 17 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

600 Quarrier Street
Charleston, WV 25301

101 South Queen Street
Martinsburg, WV 25401

125 Granville Square, Suite 400
Morgantown, WV 26501

501 Avery Street
Parkersburg, WV 26101

1217 Chapline Street
Wheeling, WV 26003

480 West Jubal Early Drive, Suite 130
Winchester, VA 22601

bowlesrice.com

January 13, 2020

Idaho Department of Water Resources
Southern Region
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858

Re: **J & J Idaho Holdings, LP**
Notice of Change in Water Right Ownership
Water Rights: 72-219A, 72-219B, 72-219C, 72-10343

Dear Sir or Madam:

This law firm has the pleasure of representing J & J Idaho Holdings, LP ("J & J") in its legal matters. On December 30, 2019, J & J purchased real estate located in Custer County, Idaho, which real estate has an address of 22000 East Fork Road, Clayton, ID 83227. In connection therewith, enclosed for processing please find a *Notice of Change in Water Right Ownership* (the "Notice") for each of the four (4) water rights identified above. In addition, please find the following items:

- A. A copy of the Warranty Deed recorded in Custer County on December 30, 2019, by which J & J acquired the real estate and the water rights;
- B. Copies of aerial photographs associated with each of the water rights showing place of use and point of diversion; and,
- C. Bowles Rice LLP Check No. 5690 in the amount of \$100.00 made payable to the "Idaho Department of Water Resources" and representing the filing fee for the transfer of the water rights.

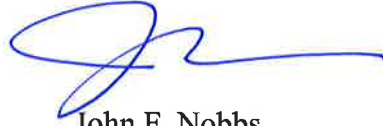
If any questions result following your review of the contents of the Notice please contact the undersigned directly at (724) 514-8915, or our client's local counsel, Lindsay M. Lofgran, Esq., at (208) 359-5885.

Bowles Rice

January 13, 2020
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Thank you very much for your attention to this matter.

Very truly yours,



John F. Nobbs
Special Counsel

JFN/lc
Enclosures

cc: J & J Idaho Holdings, LP c/o Jeffrey R. Chapman (w/ copy of Enclosures)
Lindsay M. Lofgran, Esq. (w/ copy of Enclosures)
K. Brad Mellor, Esq. (w/o Enclosures)