

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
NOV 18 2019
Department of Water Resources

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?
13-2239 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Hedin, etc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Battle Mountain LLC
New owner(s) as listed on the conveyance document
- 6350 N Hwy 91
Mailing address
208-221-0971
Telephone
- Preston
City
geddesfarms@gmail.com
Email
- Name connector ☐ and ☐ or ☐ and/or
ID 83263
State ZIP
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: May 31, 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.

8. Signature: [Signature] MANAYAK 11/18/2019
 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 11/18/2019 Receipt No. E045454 Receipt Amt. \$25 -
 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 11/22/2019

DL COPY

278391

1.3

Recorded at the request of

Bacine Olson

Time: 12:17 Amount \$ 15.00

Recorded Electronically

ID 277780

County Franklin

Date 5-31-19 Time 2:55

Simplifile.com 800.460.5657

WHEN RECORDED MAIL TO:

AUG 05 2019

Battle Mountain, LLC
c/o Daryl L. Geddes, Manager
6350 N. Highway 91
Preston, Idaho 83263

CAMILLE LARSEN, RECORDER
By [Signature] Deputy
Franklin County, Idaho

FA-706788

CORRECTION

WARRANTY DEED

This Instrument corrects and supersedes Instrument No. 277780 recorded May 31, 2019, to correct the legal description.

<u>Grantors</u>	<u>Grantee</u>
Vance Hedin and Ofilia Hedin, husband and wife	Battle Mountain, LLC, an Idaho limited liability company, in care of Daryl L. Geddes, Manager, whose address is 6350 N. Highway 91, Preston, Idaho 83263

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the Grantors hereby sell and forever transfer the following parcels of real property (the "Property") to the Grantee, including the Grantors' right, title and interest therein:

**SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED BY REFERENCE**

TOGETHER WITH AND INCLUDING any and all fixtures, improvements and water rights, any and all appurtenances, tenements, and hereditaments, and any and all rents, issues, and profits that relate or otherwise pertain to the foregoing parcels of real property.

TO HAVE AND TO HOLD the foregoing parcels of real property unto the Grantee and its successors and assigns forever.

Grantors do hereby covenant with and warrant the Grantee that Grantors are lawfully seized in fee simple of the Property, have good right and lawful authority to sell and convey the Property, and that Grantors fully warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantors, but against none other.

SUBJECT TO taxes, levies, and assessments for the current year not yet due and payable and the following items: conflicts in boundary lines, easements and rights-of-way not of public record, shortage in area, encroachments, easements, right of ways, boundary line agreements, development agreements, water supply agreements, plats, covenants, conditions, restrictions, reservations, all zoning, building and use laws or restrictions.

WARRANTY DEED - 1

278391

23

IN WITNESS WHEREOF, the Grantors hereunto set their hands this 30th day of May, 2019.

Ofilia H. Hedin
VANCE HEDIN, by OFILIA HEDIN, as Power of Attorney for Vance Hedin

Ofilia H. Hedin
OFILIA HEDIN

STATE OF New Mexico)
County of Bernalillo) : ss.

This record was acknowledged before me on this 30th day of May, 2019, by Ofilia Hedin individually and as attorney-in-fact for Vance Hedin.



Stephanie Taylor
NOTARY PUBLIC FOR NM
My Commission Expires June 23, 2020

278391

3-3

EXHIBIT A

Real property in the County of Franklin, State of Idaho, described as follows:

PARCEL 1

**Township 14 South, Range 39 East of the Boise Meridian, Franklin County, Idaho
Section 17: W $\frac{1}{2}$ NE $\frac{1}{4}$.**

ALSO INCLUDING a parcel beginning at the center of said Section 17, and running thence North 160 rods; thence West 80 rods; thence South 34 rods, more or less, to the intersection of the East boundary line of the State Highway; thence Southeasterly along the East side of said Highway to a point 28 rods, more less, West from the Point of Beginning; thence East 28 rods, more or less, to the Point of Beginning.

PARCEL 2

The Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of Section 17, Township 14 South, Range 39 East of the Boise Meridian. EXCEPTING THEREFROM that property lying east of the irrigation ditch conveying Strongarm Reservoir Irrigation District water in a Southerly direction in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17. This ditch, which lies approximately 200 feet west of the Battle Creek, shall constitute the East boundary of the property being conveyed to the Grantees under this description.

TOGETHER with One Hundred Sixty (160) shares in the Strongarm Reservoir Irrigation District.

268764 1-2

Recorded at the request of
Davis Miles McGuire Gardner
Time 2:51 Amount \$ 13.00

SEP 26 2016

SHAUNA T. SEDGES, RECORDER
By C. Carter Deputy
Franklin County, Idaho

WARRANTY DEED

For Value Received

OFILIA M. HEDIN, President of VOMH, Inc., General Partner of HEDIN-MARTINEZ FAMILY LIMITED PARTNERSHIP, grantor, does hereby grant, bargain, sell and convey unto VANCE HEDIN AND OFILIA HEDIN, husband and wife, grantees, whose address is 16 Avenida Estrellas, Sandia Park, NM 87047-8401, the following described premises, in Franklin County Idaho, to wit:

Township 14 South, Range 39 East of the Boise Meridian, Franklin County, Idaho
Section 17:

W 1/2 NE 1/4, EXCEPTING THEREFROM a parcel beginning 80 rods West of the East 1/4 corner of said Section 17, and running thence North 370 feet, thence West 510 feet, thence South 370 feet, thence East 510 feet to the point of beginning.

ALSO INCLUDING a parcel beginning at the center of said Section 17, and running thence North 160 rods; thence West 80 rods; thence South 34 rods, more or less, to the intersection of the East boundary line of the State Highway, thence Southeasterly along the East side of said Highway to a point 28 rods, more or less, West from the point of beginning, thence East 28 rods, more or less, to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that the property is free from all encumbrances except any listed above, and that it will warrant and defend the same from all lawful claims whatsoever.

Dated: 15 Sept 2016



OFILIA M. HEDIN, President of VOMH, Inc., General Partner of HEDIN-MARTINEZ FAMILY LIMITED PARTNERSHIP

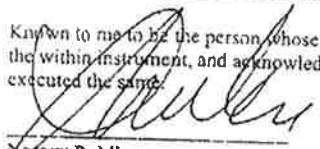
265764 2-2

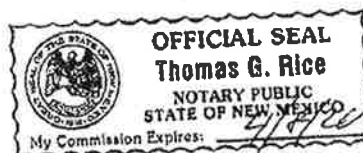
STATE OF NEW MEXICO

COUNTY OF BERNAILLO

On this 15th day of September 2016,
before me, a notary public in and for said State, personally
appeared OFILIA M. HEDIN President of VOMH,
Inc., General Partner of HEDIN-MARTINEZ
FAMILY LIMITED PARTNERSHIP,

Known to me to be the person whose name is subscribed to
the within instrument, and acknowledged to me that she
executed the same.


Notary Public
Residing at Albuquerque, New Mexico
Commission expires 4/8/20



224189

WARRANTY DEED

For Value Received

VANCE A. HEDIN and OFILIA M. HEDIN, Husband and Wife, the grantors, do hereby grant, bargain, sell and convey unto

HEDIN-MARTINEZ LIMITED PARTNERSHIP,

whose current address is

8060 Galena

Boise, Idaho 83709

the grantees, the following described premises, in Franklin County Idaho, to wit:

Township 14 South, Range 39 East of the Boise Meridian, Franklin County, Idaho

Section 17:

W 1/2 NE 1/4, EXCEPTING THEREFROM a parcel beginning 80 rods West of the East 1/4 corner of said Section 17, and running thence North 370 feet, thence West 510 feet, thence South 370 feet, thence East 510 feet to the point of beginning. PROVIDED, HOWEVER, that a right of first refusal to the above excepted parcel is granted to Vance A. Hedin and Ofilia M. Hedin.

ALSO INCLUDING a parcel beginning at the center of said Section 17, and running thence North 160 rods; thence West 80 rods; thence South 34 rods, more or less, to the intersection of the East boundary line of the State Highway, thence Southeasterly along the East side of said Highway to a point 28 rods, more or less, West from the point of beginning, thence East 28 rods, more or less, to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances

except those listed above

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 4, 2003

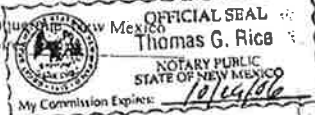
Vance A. Hedin
Vance A. Hedin

Ofilia M. Hedin
Ofilia M. Hedin

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
On this 4th day of November, 2003,
before me, a notary public in and for said State, personally
appeared VANCE A. HEDIN AND OFILIA M. HEDIN,
a married couple

Known to me to be the person whose name is subscribed to
the within instrument, and acknowledge to me that they
executed the same.

Thomas G. Rica
Notary Public
Residing at Albuquerque, New Mexico
Commission expires October 1, 2006



Recorded at the request of
Hall & Rice

8 a.m. NOV 17 2003 2:00 p.m.

V. ELLIOTT LARSEN, RECORDER
By Thomas G. Rica Deputy
FRANKLIN COUNTY, IDAHO

194351

WARRANTY DEED

For Value Received

JOSEPH C. HEDIN, a single man conveying his sole and separate property

the grantor, do es hereby grant, bargain, sell and convey unto

VANCE A. HEDIN and OFILIA M. HEDIN, Husband and Wife,

whose current address is

HQIDF, Box 1

FBO New York, NY 09571

the grantee, the following described premises, in Franklin County Idaho, to wit:

Township 14 South, Range 39 East of the Boise Meridian,
Franklin County, Idaho

Section 17: W1/2NE1/4, EXCEPTING THEREFROM a parcel beginning 80 rods West of the East 1/4 corner of said Section 17, and running thence North 370 feet, thence West 510 feet, thence South 370 feet, thence East 510 feet to the point of beginning. PROVIDED, HOWEVER, that a right of first refusal to the above-excepted parcel is granted to VANCE A. HEDIN and OFILIA M. HEDIN.

ALSO INCLUDING a parcel beginning at the center of said Section 17, and running thence North 160 rods; thence West 80 rods; thence South 34 rods, more or less, to the intersection of the East boundary line of the State Highway, thence Southeasterly along the East side of said Highway to a point 28 rods, more or less, West from the point of beginning, thence East 28 rods, more or less, to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 30, 1982

Joseph C. Hedin

STATE OF IDAHO, COUNTY OF FRANKLIN

On this 30th day of July, 1982,
before me, a notary public in and for said State, personally
appeared

JOSEPH C. HEDIN, a single
man conveying his sole and
separate property

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Lewis J. Gustaf

Notary Public

Residing at Preston, Idaho
Comm. Expires Lifetime

Vance A. Hedin

945

Camille Hansen

194351

WARRANTY DEED

For Value Received

JOSEPH C. HEDIN, a single man conveying his sole and separate property

the grantor, do es hereby grant, bargain, sell and convey unto

VANCE A. HEDIN and OFILIA H. HEDIN, Husband and Wife,

whose current address is

HQ107, Box 1

FBO New York, NY 09571

the grantee, the following described premises, in Franklin County Idaho, to wit:
Township 14 South, Range 39 East of the Boise Meridian,
Franklin County, Idaho

Section 17: W1/2NE1/4, EXCEPTING THEREFROM a parcel beginning 80 rods West of the East 1/4 corner of said Section 17, and running thence North 370 feet, thence West 510 feet, thence South 370 feet, thence East 510 feet to the point of beginning. PROVIDED, HOWEVER, that a right of first refusal to the above-excepted parcel is granted to VANCE A. HEDIN and OFILIA H. HEDIN.

ALSO INCLUDING a parcel beginning at the center of said Section 17, and running thence North 160 rods; thence West 80 rods; thence South 34 rods, more or less, to the intersection of the East boundary line of the State Highway, thence Southeasterly along the East side of said Highway to a point 28 rods, more or less, West from the point of beginning, thence East 28 rods, more or less, to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 30, 1982

Joseph C. Hedin

STATE OF IDAHO, COUNTY OF FRANKLIN

On this 30th day of July, 1982,
before me, a notary public in and for said State, personally
appeared

JOSEPH C. HEDIN, a single
man conveying his sole and
separate property
known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Laurie A. Foster
Notary Public
Residing at Preston, Idaho
Comm. Expires Lifelong



Brad Little
Governor

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

Gary Spackman
Director

November 22, 2019

BATTLE MOUNTAIN LLC
6350 N HIGHWAY 91
PRESTON ID 83263-5181

Re: Change in Ownership for Water Right No(s): 13-2239

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

Enclosure(s)

cc: Water District 13M



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 19, 2019

Battle Mountain LLC
6350 N Hwy 91
Preston ID 83263

RE: Change in Ownership for Water Right No. 13-2239

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Water Right Ownership:** The department acknowledges receipt of the Warranty Deed to you instrument number 278391, from Vance and Ofilia Hedin, however the current owner of the water right listed above is Fred Gregersen, Hugh Geddes, Cluff Gibson, Joseph Christensen, RW Geddes, WS Geddes and Joseph Hedin. In order for the department to update the ownership a full chain of title is required. Please submit a copy of the deed or deeds going from the current owner of the water right to Vance and Ofilia Hedin. You can usually access these records at the county recorder office or you can contact a local title company.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist