

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 08 2019

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

- 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?
2-2262 -split	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
2-2262 + 2-16579	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: Grindstone Butte Mutual Canal Company
Name of current water right holder/claimant
 - 3. New Owner(s)/Claimant(s): Farm Development Corporation
New owner(s) as listed on the conveyance document Name connector and or and/or
- | | | | |
|---------------------|-------------------------------|-----------|--------------|
| <u>PO Box 1201</u> | <u>Boise</u> | <u>ID</u> | <u>83701</u> |
| Mailing address | City | State | ZIP |
| <u>208-342-6524</u> | <u>damont@farmdevcorp.com</u> | | |
| 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: April 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):
 - \$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.

SUPPORT DATA

IN FILE # 2-2262

8. Signature: [Signature] President Nov 6, 2019
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 11/9/19 Receipt No. C101928 Receipt Amt. 100

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 [Signature] Date 11-13-19

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

Instrument # 0000472558
ELMORE COUNTY, ID
11:24:42 AM Apr 30, 2019
For FIRST AMERICAN TITLE AND ESC
No. of Pages: 2 Fee: \$15.00
SHELLEY ESSL, Recorder
DE, Deputy
Electronically Recorded by Simplifile

When Recorded Return To:

John M. Marshall
575 W Bannock St, Ste B
Boise, Idaho 83702

#3165795-1

WATER RIGHT GRANT DEED

For value received, Grindstone Butte Mutual Canal Company ("Grantor") hereby grants, bargains, sells assigns and conveys unto Farm Development Corporation, whose address is 575 W. Bannock, Boise, Idaho 83702, all of Grantor's right, title, and interest in and to the following portion of licensed water right no. 2-2262:

A portion of water right no. 2-2262 that is appurtenant to a total of 1,432 acres within the permissible place of use, and providing for diversion of 19.30 cubic feet per second and 5,728 acre feet per year (the "Water Right").

TO HAVE AND TO HOLD the Water Right unto Grantee, its successors and assigns, forever. Grantor hereby covenants to Grantee that Grantor has ceased to divert and use the Water Right and that Grantor has not conveyed, mortgaged, or pledged the Water Right to any other person or entity.

IN WITNESS WHEREOF, Grantor has caused her name to be subscribed to this Water Right Grant Deed effective this 30 day of April 2019.

GRANTOR:

Grindstone Butte Mutual Canal Company.



By Mark Noble, President



0003449057



STATE OF IDAHO
 Office of the secretary of state, Lawrence Denney
ANNUAL REPORT
 Idaho Secretary of State
 PO Box 83720
 Boise, ID 83720-0080
 (208) 334-2301
 Filing Fee: \$0.00

For Office Use Only
-FILED-
 File #: 0003449057
 Date Filed: 3/12/2019 8:57:25 AM

B0199-6725 03/12/2019 8:57 AM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:
GRINDSTONE BUTTE MUTUAL CANAL COMPANY
 The file number of this entity on the records of the Idaho Secretary of State is: 0000127384
 Address: PO BOX 2673
 BOISE, ID 83701-2673

Entity Details:
 Entity Status: Active-Good Standing
 This entity is organized under the laws of: IDAHO
 If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C38313

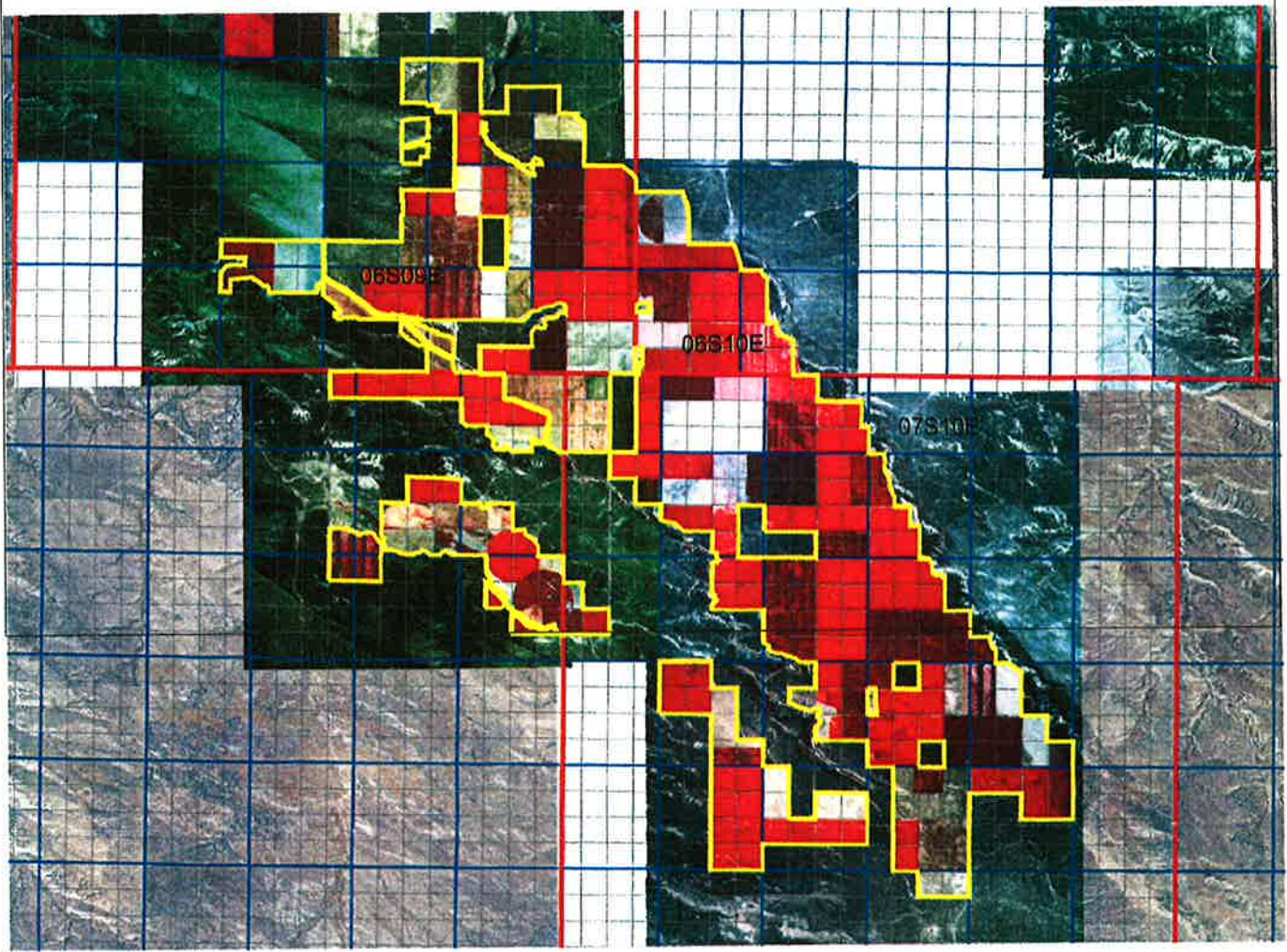
The registered agent on record is:
 Registered Agent: ALLEN NOBLE
 Registered Agent
 Physical Address: 575 W BANNOCK ST
 BOISE, ID 83702
 Mailing Address:

Corporate Officers and Directors:





Name	Title	Address
Mark Noble	President	P.O. BOX 2673 BOISE, ID 83701
Damon Thompson	Secretary	P.O. BOX 1201 BOISE, ID 83701
Allen Noble	Director	P.O. BOX 1582 BOISE, ID 83701
Mark Noble	Director	P.O. BOX 1201 BOISE, ID 83701
Lynn Johnson	Director	P.O. BOX 1201 BOISE, ID 83701
Craig Castagneto	Director	P.O. BOX 2822 BOISE, ID 83701

The annual report must be signed by an authorized signer of the entity.
Allen Noble
 Sign Here _____ Date 03/12/2019
 Signer's Title: Director

Grindstone Butte Mutual Canal Co. Service Area Boundary Water Right No. 2-2262



Legend

-  **Boundary Lines**
-  **Township/Range**
-  **Sections**
-  **Quarter Quarter/Govt Lot**

IDWR
1987-88, 2004 Aerial Photography
Date: 5/18/2006
Prepared by: D. Shaff



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 13, 2019

FARM DEVELOPMENT CORP
PO BOX 1201
BOISE ID 83701-1201

Re: Change in Water Right Ownership: 2-2262 (Split into 2-2262 and **2-10579**)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 287-4942.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: GRINDSTONE BUTTE MUTUAL CANAL CO
JOHN MARSHALL LAW PLLC

John Marshall Law PLLC

575 W Bannock, Suite B
Boise, ID 83702

phone 208-991-2701
fax 208-906-8043
john@jmarshalllaw.com

November 8, 2019

Remington Buyer
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

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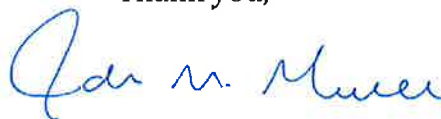
Re: 2-2262 Water Bank Applications

Dear Mr. Buyer,

On behalf of Farm Development Corporation, I enclose an executed Water Bank Lease Application for a portion of water right 2-2262 along with a check for \$350.00 to cover the required fee, which includes the fee for the associated Notice of Change of Ownership. I have also enclosed a corresponding Application to Rent in the name of the Anderson Family Irrevocable Trust that seeks to rent the portion of 2-2262 offered for lease. Please process these applications in tandem.

The Notice of Change of Ownership is atypical because the water right includes a digital boundary for the place of use. The intent of the parties is that the 1,432-acre right being split from the parent right will exclusively be assigned to the approximately 1,073-acre portion of the digital boundary lying within Sections 10 -15 of Township 7 South, Range 9 East, and Section 18 of Township 7 South, Range 10 East, which would leave a 359-acre portion within the remaining digital boundary. However, I do not know that there is a way address this through a change of ownership split, and we presume that both rights after the split will continue to share the same digital boundary. If you see that differently, please contact me to discuss.

Thank you,



John M. Marshall