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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
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?
80 63-10594	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-34797	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Anne McKellip; Lewis McKellip; McKellip Farms Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Owyhee Holdings, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 839 S. Bridgeway Place Eagle ID 83616
Mailing address City State ZIP
- (208)-866-2405 emily@markbottles.com ; mark@markbottles.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: 6/27/2019
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 #

63-10594

8. Signature:  Mark Bottles, Authorized Agent 7-8-2019
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 KT Date 7/15/19 Receipt No. W047602 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 X Approved by CJ Processed by CJ Date 09/27/2019

AFTER RECORDING MAIL TO:

Owyhee Holdings, LLC
839 S. Bridgeway Place
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.: **4101-3198705 (TD)**

Date: **May 07, 2019**

For Value Received, **McKellip Farms, Inc., an Idaho corporation**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Owyhee Holdings, LLC, an Idaho limited liability company**, hereinafter referred to as Grantee, whose current address is **839 S. Bridgeway Place, Eagle, ID 83616**, the following described premises, situated in **Ada County, Idaho**, to wit:

LEGAL DESCRIPTION: Real property in the County of Ada, State of Idaho, described as follows:

A PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, STATE OF IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE BOISE MERIDIAN, ADA COUNTY, IDAHO; RUNNING THENCE EAST 1017 FEET ALONG THE SECTION LINE TO A POINT 50 FEET WEST FROM THE CENTER LINE OF THE PHYLLIS CANAL; RUNNING THENCE SOUTH AND WEST ALONG SAID PHYLLIS CANAL AND 50 FEET DISTANT FROM THE CENTER LINE THEREOF TO THE INTERSECTION WITH THE WEST LINE OF SAID QUARTER SECTION, THENCE NORTH ALONG THE QUARTER SECTION LINE 2373 FEET TO THE PLACE OF BEGINNING.

EXCEPT THAT PORTION CONTAINED IN RIGHT-OF-WAY DEED DATED MARCH 18, 1916, EXECUTED BY JOHN W. SMITH, AN UNMARRIED MAN, TO THE UNITED STATES OF AMERICA, ACTING UNDER THE PROVISIONS OF THE ACT OF CONGRESS OF JUNE 17, 1902 (32 STAT. 388) KNOWN AS THE RECLAMATION ACT, RECORDED MARCH 23, 1916, IN BOOK 119 OF DEEDS AT PAGE 296, RECORDS OF ADA COUNTY, IDAHO

ALSO INCLUDING, LOTS 1 AND 2 AND THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE BOISE MERIDIAN, ADA COUNTY, IDAHO.

EXCEPT THAT PORTION CONTAINED IN RIGHT-OF-WAY DEED DATED MAY 8, 1916, EXECUTED BY SARAH ANN SMITH, A WIDOW, TO THE UNITED STATES OF AMERICA, ACTING UNDER THE PROVISIONS OF THE ACT OF CONGRESS OF JUNE 17, 1902 (32 STAT. 388)

KNOWN AS THE RECLAMATION ACT, RECORDED MAY 15, 1916, IN BOOK 120 OF DEEDS AT PAGE 113, RECORDS OF ADA COUNTY, IDAHO.

ALSO EXCEPT A PARCEL OF LAND SITUATED IN THE NORTH HALF OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, STATE OF IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Intermountain Gas Co. Parcel

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 31; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31, SOUTH 89°58'07" EAST 33.00 FEET TO A POINT IN THE EAST RIGHT-OF-WAY LINE OF CANADA AVENUE, BEING THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN TO BE DESCRIBED; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 0°07'58" EAST 1168.35 FEET; THENCE SOUTH 85°38'37" EAST 2234.00 FEET; THENCE SOUTH 9°34'55" WEST 240.00 FEET; THENCE SOUTH 49°43'11" EAST 584.13 FEET; THENCE SOUTH 0°01'54" EAST 102.00 FEET TO A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF THE PHYLLIS CANAL ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 82°00'00" WEST 113.00 FEET TO A POINT IN THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31; THENCE ALONG SAID EAST LINE SOUTH 0°01'54" EAST 268.00 FEET TO THE CENTER OF SAID SECTION 31; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31, NORTH 89°58'07" WEST 2524.25 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING A PORTION OF GOVERNMENT LOT 1 AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO, AND ALSO BEING THE LEWIS MCKELLIP SURVEY IN RECORD OF SURVEY 827, ACCORDING TO THE SURVEY THEREOF, FILED IN BOOK F OF SURVEYS AT PAGE 839, RECORDED AS INSTRUMENT NO. 8567169, RECORDS OF ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 1; THENCE NORTH 89°54'00" EAST, ALONG THE NORTH BOUNDARY OF SAID GOVERNMENT LOT 1, 122.52 FEET TO A POINT BEING THE REAL POINT OF BEGINNING; THENCE CONTINUING NORTH 89°54'00" EAST, ALONG THE NORTH BOUNDARY OF SAID NORTHWEST QUARTER OF SAID SECTION 31, 1727.21 FEET (SHOWN ON SURVEY AS 1706.2 FEET) TO A POINT; THENCE SOUTH 0°42'20" EAST 532.62 FEET TO A POINT ON THE NORTH BOUNDARY OF FIVE MILE DRAIN; THENCE NORTH 86°39'48" WEST (FORMERLY OF RECORD AS NORTH 86°27' WEST) ALONG THE NORTH BOUNDARY OF SAID FIVE MILE DRAIN, 499.80 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT 126.52 FEET, SAID CURVE HAVING A RADIUS OF 350.00 FEET, A DELTA OF 20°42'41", TANGENTS OF 63.96 FEET AND A LONG CHORD OF 125.83 FEET WHICH BEARS NORTH 76°18'27" WEST TO A POINT; THENCE NORTH 65°57'06" WEST (FORMERLY OF RECORD AS NORTH 65°58" WEST) ALONG THE NORTHERLY BOUNDARY OF SAID FIVE MILE DRAIN, 1125.46 FEET TO A POINT; THENCE NORTH 81°54'35" WEST (FORMERLY OF RECORD AS NORTH 89°46' WEST) ALONG THE

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Warranty Deed
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NORTHERLY BOUNDARY OF SAID FIVE MILE DRAIN, 85.63 FEET TO A POINT BEING THE REAL POINT OF BEGINNING.

ALSO EXCEPTING:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 31 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 31 BEARS NORTH 00°37'26" EAST, 2629.80 FEET; THENCE ALONG THE SOUTH BOUNDARY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31
NORTH 89°24'51" WEST, 1684.34 FEET; THENCE LEAVING SAID SOUTH BOUNDARY LINE NORTH 00°35'08" EAST, 689.23 FEET TO A 1/2" IRON PIN ON THE EASTERLY BOUNDARY LINE OF THAT PARCEL OF LAND AS DESCRIBED IN THAT WARRANTY DEED RECORDED AS INSTRUMENT NO. 9172555, RECORDS OF ADA COUNTY, IDAHO, SAID POINT ALSO BEING THE REAL POINT OF BEGINNING; THENCE
NORTH 37°40'22" WEST, 102.36 FEET TO A 1/2" IRON PIN; THENCE
NORTH 00°05'43" EAST, 365.72 FEET TO A 1/2" IRON PIN; THENCE
SOUTH 46°41'21" EAST, 64.20 FEET TO A 1/2" IRON PIN; THENCE
SOUTH 46°34'38" EAST, 68.82 FEET TO A 1/2" IRON PIN; THENCE
SOUTH 02°20'47" WEST, 38.66 FEET TO A 1/2" IRON PIN; THENCE
SOUTH 36°09'06" EAST, 14.22 FEET TO A 1/2" IRON PIN; THENCE
NORTH 89°41'08" EAST, 32.06 FEET TO A 1/2" IRON PIN ON THE EASTERLY BOUNDARY LINE OF THAT PARCEL OF LAND AS DESCRIBED IN THAT WARRANTY DEED RECORDED AS INSTRUMENT NO. 9172555, RECORDS OF ADA COUNTY, IDAHO, SAID POINT ALSO BEING ON A CURVE TO THE RIGHT; THENCE ALONG SAID WESTERLY BOUNDARY LINE AND SAID CURVE BEING 50.00 FEET WESTERLY OF THE CENTERLINE OF THE PHYLLIS CANAL 317.29 FEET, SAID CURVE HAVING A RADIUS OF 655.59 FEET, A CENTRAL ANGLE OF 27°43'49" AND A LONG CHORD OF 314.21 FEET WHICH BEARS
SOUTH 13°33'02" WEST TO THE REAL POINT OF BEGINNING.**

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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 (a) 2019 real property taxes, levies, and assessments, (b) U.S. Patent reservations, (c) all applicable zoning ordinances, building codes, laws and regulations, (d) all easements, restrictions, covenants, agreements and encumbrances of record, (e) any matter or circumstance that would be disclosed by an accurate survey or physical inspection of the premises, and (f) that certain unrecorded Farm Lease dated January 1, 2019, and that Grantor will warrant and defend the same from all other claims whatsoever.

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Warranty Deed
- continued

File No.: 4101-3198705 (TD)
Date: 05/07/2019

McKellip Farms, Inc., an Idaho corporation

By: Mary Lou Ellis president MFI

Name: Mary Lou Ellis
Title: President

STATE OF Idaho)
COUNTY OF Ada)
ss.

This record was acknowledged before me on May 13th, 2019 by Mary Lou Ellis as President of McKellip Farms, Inc.

[Signature]
Signature of Notary Public
My Commission Expires: 9-12-2022





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

September 27, 2019

OWYHEE HOLDINGS LLC
839 S BRIDGEWAY PL
EAGLE ID 83616-6097

Re: Change in Water Right Ownership: 63-10594 (Split into 63-10594 and **63-34797**),

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) 334-2190.

Sincerely,

Chad Jones
Technical Records Specialist 1

Enclosure(s)

c: Anne & Lewis McKellip & McKellip Farms Inc.