

MAY 29 2019

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 22 2019

WATER RESOURCES
WESTERN REGION

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?
W98 2-4013 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
Permit 2-10516	Yes ☐	Yes ☐		Yes ☐	Yes ☐
61-7569B ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
2-7436 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: H W & K LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): 124 Degrees, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2900 Nichols Street San Diego CA 92106
Mailing address City State ZIP
- 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. 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] Title, if applicable _____ Date 5/16/19
Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by KT Date 5/22/19 Receipt No. W047428 Receipt Amt. 275°
 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 RD Date 5/31/19

WARRANTY DEED

19120

For Value Received,

H W & K LLC, AN IDAHO LIMITED LIABILITY COMPANY

the Grantor does hereby grant, bargain, sell, convey and warrant unto

124 DEGREES, LLC, A NEVADA LIMITED LIABILITY COMPANY

the Grantee whose current address is:
2900 Nichols St, San Diego, CA 92106

the following described real property in Elmore County, State of Idaho more particularly described as follows, to-wit:

See Exhibit "A" attached hereto and made a part hereof.
TOGETHER WITH Water Right numbers 2-4013, 2-10516, 61-7569B, 2-7436

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner 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 he will warrant and defend the same from all lawful claims whatsoever, except those of record.

Date: May 8, 2019

By Allan D Humphries, member

By Gerald A Waller, member

By Thomas R Kruzich, member

STATE OF IDAHO)

COUNTY OF ADA)

On this 14th day of May in the year 2019, before me a Notary Public, personally appeared Allan D Humphries, Gerald A Waller and Thomas R Kruzich, known or identified to me to be one of the members in the limited liability company of H W & K, LLC and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said limited liability company name.

Signature: Carolyn L Rich
Residing at: Boise ID
Comm. Exp: 5/19/2025

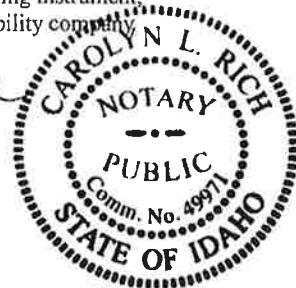


EXHIBIT "A"

Township 5 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 31: Parts of Lot 3 and the Northeast Quarter of the Southwest Quarter described as follows:

Beginning at a point on the South line of said Section 31 from which the Southwest corner of said Section 31 bears North 89°34'33" West, 1876.87 feet; thence North 0°03'13" East, 830.16 feet; thence South 89°41'12" East, 638.31 feet to a point on the East line of said Lot 3; thence North 0°01'33" West along said East line 1201.46 feet to the Southerly right of way line of the Union Pacific Railroad; thence North 76°50'30" West along said railroad right of way 925.14 feet; thence South 79°46'48" West 179.00 feet; thence South 55°55'52" West 178.43 feet; thence South 63°40'48" West 104.79 feet to the West line of said Northeast Quarter of the Southwest Quarter; thence South 0°01'16" East along said West line and along the West line of said Lot 3, 2007.33 feet to the approximate center of Cold Springs Creek; thence generally along the center of said creek the following courses and distances:

North 79°18' East, 94.6 feet;
North 63°04' West, 123.00 feet;
North 5°21' West, 44.0 feet;
North 27°51' East, 137.00 feet;
South 54°40' East 265.00 feet;
South 1°19' West, 103.00 feet;
South 39°56' East, 64.0 feet;
North 83°47' East, 41.0 feet;
South 78°00' East, 6.3 feet, to the South line of said Lot 3; thence South 89°34'33" East, along said South line 200.43 feet to the POINT OF BEGINNING

AND

Township 5 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 31:

Beginning at a point on the South Line of said Section 31 from which the SW corner of said Section 31 bears N 89°34'33" W 1876.87 feet;
thence S 89°34'33" E along said South line 93.05 feet to the high water line along the Right bank of the Snake River;
thence upstream, along said high water line the following distances;
N 62°05' E 257.4 feet;
N 55°02' E 96.4 feet;
N 44°03' E 131.4 feet;
N 40°51' E 79.0 feet;
N 26°47' E 50.1 feet;
N 13°07' E 177.0 feet;
N 2° 17' W 94.00 feet;
N 11° 23' E 190.1 feet;
Thence leaving the said River, N 89°41'12" W 638.31 feet;
thence S 0°03'13" W 830.16 feet, to the Point of Beginning.
Excepting therefrom an easement 30 feet wide for ingress and egress through the above described property.

AND

Township 5 South, Range 9 East, Boise Meridian, Elmore County, Idaho

A parcel of ground beginning at a point on the eastern boundary of the SW1/4 at the high water mark of the Snake River and extending 100 feet North along the Eastern boundary of said property;
thence West 100 feet to a point;
thence South on a line parallel to the Eastern boundary of said property to the high water mark on the Snake River;
thence northeasterly along the high water mark on the Snake River to the point of beginning.

AND

Township 6 South Range 9 East, Boise Meridian, Elmore County, Idaho

Section 6:

Beginning at a point on the North line of said Section Six, from which point the Northwest corner of said Section Six bears North $89^{\circ}34'33''$ West 1856.87 feet; running thence South $89^{\circ}34'33''$ East along the North line of said Section Six a distance of 113.05 feet to the high water line of Snake River; running thence South $66^{\circ}44'00''$ West along said high water line of Snake River 233 feet to the centerline of Cold Springs Creek; running thence North $40^{\circ}08'00''$ West along the centerline of Cold Springs Creek 123.22 feet to the North line of said Section Six; running thence South $89^{\circ}34'33''$ East along the North boundary line of said Section Six 180.43 feet, more or less, to the point of beginning.

AND

Township 5 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 31: U.S. Government Lot 8

Township 6 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 5: U.S. Government Lot 5

Township 6 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 6: U.S. Government Lots 1, 2, 3 and 5



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

May 31, 2019

124 DEGREES LLC
2900 NICHOLS ST
SAN DIEGO CA 92106-3425

Re: Change in Ownership for Water Right No(s): 61-7569B, 2-4013, and 2-7436

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 2-4013 was leased to the Water Supply Bank (Bank) in 2019. In accordance with the lease acceptance, the lessor may not use the right while it is in the Bank, even if the right is not rented from the Bank. The right will remain in the Bank until December 31, 2019, unless released earlier by the Water Resource Board or upon request by the lessor. To change the term of the lease or to release the right(s) from the Bank, the lessor must submit a request in writing to the Department.

Additionally, 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) 287-4803.

Sincerely,

Rosemary DeMond
Administrative Assistant 2

Enclosure(s)