

RECEIVED

MAY 14 2019

Form 42-248/42-1409(6) Rev. 1/15

DEPARTMENT OF STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
APR 10 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?
65-2950	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: Boise Cascade Wood Products LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Idaho Foundation For Parks & Lands Inc
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 1543 Boise IDAHO 83701
Mailing address City State ZIP
- 208 412 5250 chas@McDevitt.org
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: JUNE 1, 2017
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: Chas J. McDevitt lawyer 4/9/19
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 CS Date 04/10/19 Receipt No. W047299 Receipt Amt. \$25⁰⁰

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 gmh Date 5-15-19

AFTER RECORDING MAIL TO:

Charles McDevitt
Idaho Foundation for Parks and Land
5657 East Warm Springs Avenue
Boise, ID 83716

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

2903288-TD

QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made by BOISE CASCADE WOOD PRODUCTS, L.L.C., A Delaware Limited Liability Company, qualified to do and doing business in the State of Idaho, here after referred as GRANTOR and IDAHO FOUNDATION FOR PARKS AND LANDS, INC., an Idaho nonprofit corporation with an address at 5657 Warm Springs Avenue, Boise, Idaho 83716, GRANTEE.

NOW THEREFORE, for and in consideration of the covenants hereinafter set forth to be performed by GRANTEE, GRANTOR does hereby convey and confirm unto GRANTEE all of its right, title and interest in and to that certain real property located in Gem County, Idaho, being more particularly described in Exhibit A appended hereto and made a part hereof as if set forth at length herein (the "Property").

Together with a surface water right diverted from the Payette River for 300.0 AF (annual volume) from Water Right Certificate 65-2950, attached hereto and incorporated herein as Exhibit B. Grantor shall cooperatively work with Grantee in granting or securing an access easement to the Property.

The foregoing is subject to all matter of record, all real estate taxes and assessments affecting the premises; any state of facts an accurate survey and inspection of the premises, and rights of parties in possession.

AS CONSIDERATION FOR THIS DEED, GRANTEE covenants and agrees as follows:

The Property shall be used for passive recreational use only, including but not limited to, pedestrian walking trails, wildlife viewing, placement of park benches, fences, gates, and shade structures, and maintenance of wildlife habitat. No other structures shall be erected or permitted on the Property. Other than placement of park benches and shade structures, no other digging shall be permitted on the Property.

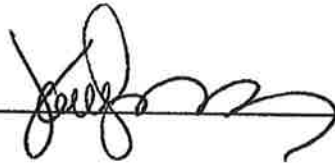
No hunting of game birds, waterfowl or game of any kind or nature shall be permitted on the Property save and except predators threatening farm or domestic animals.

Grantee, or its successors and assigns, shall not use the groundwater at the Property for domestic purposes. Use of the groundwater shall be limited to industrial use only.

Grantee, or its successors and assigns, shall grant easements necessary for any required utilities, including but not limited to easements for installation, maintenance, and ingress and egress to and from the adjacent property, and water diverted from the Payette River to the adjacent commercial property. Such easements shall not unreasonably interfere with Grantee's, or its successors and assigns, operations.

Dated June 7, 2017

BOISE CASCADE COMPANY

By: 

On this 7 day of **June, 2017**, before me, a Notary Public in and for said State, personally appeared JOHN T. SAHLBERG of Boise Cascade Company known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for the State of Idaho

My Commission Expires: 6/29/2017



Exhibit A

Legal Description



1515 S. Shoshone St., Boise, ID 83705
Office (208)342-7957 Fax (208)342-7437

PARCEL B

A portion of Government Lots 6, 7, and 8, and a portion of the Northwest Quarter of the Southeast Quarter, and a portion of the Northeast Quarter of the Southwest Quarter, all lying north of the Idaho Northern and Pacific Railroad Right-of-Way within Section 12, Township 6 North, Range 2 West, Boise Meridian, Emmett, Gem County, Idaho, more particularly described as follows:

COMMENCING at a found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" at the Center Quarter corner of said Section 12 as shown on Corner Record Instrument No. 220495, from which a found 1/2" rebar with plastic cap stamped "FLSI PLS 7612" marking the South Quarter Corner of said Section 12 as shown on Corner Record Instrument No. 243284, bears South 01°12'37" West, a distance of 2641.90 feet; thence along the Center of Section line of Section 12, South 01°12'37" West, a distance of 187.19 to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612", the **POINT OF BEGINNING**;

- 1) thence continuing along said Center of Section line of Section 12, South 01°12'37" West, a distance of 26.61 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" on the South bank of a slough;
- 2) thence along the said South bank of a slough the following four (4) courses;
 1. South 77°21'31" West, a distance of 146.10 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
 2. North 75°26'30" West, a distance of 237.16 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
 3. South 84°58'30" West, a distance of 94.06 feet to a found brass cap monument;
 4. South 73°19'30" West, a distance of 47.13 feet to the southeasterly corner of the parcel described in Warranty Deed Instrument No. 277058, shown on Record of Survey Instrument No. 277109, marked by a found 1/2" rebar with no cap;

- 3) thence along the easterly and northerly lines of the parcel described in said Warranty Deed Instrument No. 277058, shown on Record of Survey Instrument No. 277109, the following three (3) courses;
1. North 06°22'01" West, a distance of 83.21 feet to a found 1/2" rebar with plastic cap stamped "PLS 6552";
 2. North 53°25'33" West, a distance of 129.92 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
 3. North 86°51'32" West, a distance of 92.88 feet to a 1/2" rebar with plastic cap stamped "PLS 6552" marking the northwesterly corner of said Warranty Deed;
- 4) thence North 00°21'02" East, a distance of 352.02 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
- 5) thence North 13°14'11" West, a distance of 26.46 feet to a set copper disk stamped "FLSI PLS 7612";
- 6) thence South 86°36'16" East, a distance of 27.73 feet to a set copper disk stamped "FLSI PLS 7612";
- 7) thence North 03°57'32" West, a distance of 81.62 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
- 8) thence North 27°39'12" West, a distance of 41.97 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
- 9) thence North 14°38'39" West, a distance of 29.77 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
- 10) thence North 28°38'10" East, a distance of 15.03 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
- 11) thence North 74°40'39" East, a distance of 111.33 feet to the southwesterly extension of the Ordinary High Water Line as described in the Disclaimer of Interest Instrument No. 239286, marked by a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

- 12) thence along the said southerly extension and the Ordinary High Water Line as described in the Disclaimer of Interest Instrument No. 239286 the following nine (9) courses;
1. North 46°00'38" East, a distance of 124.31 feet;
 2. South 88°28'49" East, a distance of 60.17 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
 3. North 75°58'38" East, a distance of 348.85 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
 4. North 80°31'00" East, a distance of 123.36 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
 5. North 71°13'20" East, a distance of 79.68 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
 6. North 62°43'57" East, a distance of 74.01 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
 7. North 66°43'59" East, a distance of 172.74 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
 8. North 62°24'07" East, a distance of 262.79 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
 9. North 56°16'44" East, a distance of 106.65 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
- 13) Thence leaving said Ordinary High Water Line, South 75°23'47" East, a distance of 902.54 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
- 14) thence South 29°29'33" West, a distance of 287.50 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
- 15) thence South 87°31'04" West, a distance of 718.03 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

- 16) thence South 00°01'29" West, a distance of 631.09 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612" on the northerly right-of-way of Idaho Northern and Pacific Railroad;
- 17) thence along the said northerly right-of-way, South 75°06'37" West, a distance of 422.53 feet;
- 18) thence North 80°01'11" West, a distance of 228.45 feet to the **POINT OF BEGINNING.**

Containing 35.249 acres, more or less.

END OF DESCRIPTION

Refer to the Record of Survey to be recorded.
Any modification of this description shall render it void.

Fox Land Surveys, Inc.
Timothy J. Fox, President, PLS 7612



TJF:csf
W:\PROJECTS\2016\16105-BOISE CASCADE EMMETT.PRA\PROJ\FLSI DOCS\DESCRIPTIONS\16105 PARCEL B.DOC

Exhibit B

Water Right Certificate



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 15, 2019

IDAHO FOUNDATION OF PARKS & LAND
PO BOX 1543
BOISE ID 83701-1543

Re: Change in Ownership for Water Right No(s): 65-2950

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(s) 65-2950 was leased to the Water Supply Bank (bank) in 2004. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. The right(s) will remain in the bank until December 31, 2020 unless released earlier by the Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

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,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 65