

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 10 2019

Department of Water Resources
Eastern 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?
13-934 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
13-935 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
13-7605 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Brad P. Shumway and Janice S. Shumway, Trustees of the Janice S. Shumway Living Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Branch Creek Properties, LLC
New owner(s) as listed on the conveyance document

9449 N. Treasureton Rd.
Mailing address

Preston
City

Name connector ☐ and ☐ or ☐ and/or
ID 83263
State ZIP

208-852-3125
Telephone

janiceShumway@outlook.com
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: 9-5-2014 & 8-21-2014

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 # 13-934

8. Signature: Brad P. Shumway Manager 3-14-19
Signature of new owner/claimant Title, if applicable Date
 Signature: Janice S. Shumway Manager 3-14-19
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 4/10/2019 Receipt No. E044863 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 JB Processed by CR Date 4/19/2019

262427 1-5

Branch Creek Properties LLC
9479 North Treasureton Road
Preston ID 83263

Recorded at the request of
Northern Title
Time 10:19 Amount \$ 22.00

SEP 05 2014

SHAUNA J. GEDDES, RECORDER
By C. Spurr Deputy
Franklin County, Idaho

WARRANTY DEED

Brad P. Shumway and Janice S. Shumway, Husband and Wife

Grantor(s) of Preston, County of Franklin, State of ID hereby **CONVEY AND WARRANT** to

Branch Creek Properties LLC

Grantee(s) of Preston, County of Franklin, State of ID for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of ID:

See Exhibit A

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

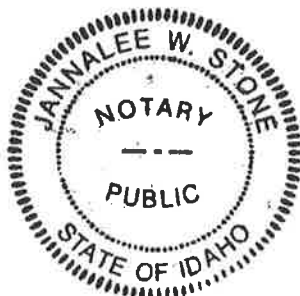
Witness, the hand(s) of said Grantor(s), this September 4, 2014

Brad P. Shumway
Brad P. Shumway

Janice S. Shumway
Janice S. Shumway

State of Idaho)
County of Franklin)

On September 4, 2014, before me, a Notary Public in and for said county and state, personally appeared, , known or proved to me to be the person(s) who executed the foregoing instrument, and acknowledged to me that he/she/they executed the same.



Jannalee W. Stone
Notary Public

Resides: Preston ID

Commission expires: 05-01-15

Exhibit "A"

PARCEL 1:

Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 24: S1/2, ALSO, Commencing at a point 110 rods West from the Southeast corner of the Northeast Quarter of Section 24, thence running West 30 rods; thence North 100 feet; thence in a Southeasterly direction to the POINT OF BEGINNING. (00426.00)

SUBJECT TO a right-of-way 40 feet wide upon the Northwest corner of the land above described; said right-of-way being further described as commencing on the North line of said Quarter Section, being circular in shape and extending along the base or bottom of a hill, and terminating the West Quarter Section Line.

Section 25: N1/2NE1/4; NE1/4NW1/4; W1/2NW1/4; NW1/4SW1/4 (00427.00)

EXCEPTING THEREFROM: Commencing at the Northeast corner of Section 25, thence running South 80 rods; thence West 700 feet; thence North 60 rods; thence Northeasterly 700 feet, more or less, to the place of beginning.

EXCEPTING THEREFROM:

TOWNSHIP 13 SOUTH, RANGE 39 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY IDAHO

SECTION 25: BEGINNING AT A POINT 400 FEET EAST AND 660 FEET NORTH OF THE SOUTHWEST CORNER OF NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY OF THE COUNTY ROAD; THENCE SOUTHEASTERLY ALONG SAID COUNTY ROAD 210 FEET; THENCE WEST 230 FEET; THENCE NORTH 210 FEET; THENCE EAST 190 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. (0427.01) (HOUSE PARCEL 2)

EXCEPTING THEREFROM:

A parcel of land located in the Northeast Quarter of Section 25, Township 13 South, Range 39 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the Southeast Corner of said Section 25, from which the Northeast Corner of Section 24, Township 13 South, Range 39 East, Boise Meridian, bears North 00°50'16" West;

Thence North 00°50'16" West 4467.19 feet;

Thence West 2134.11 feet to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at the Easterly right of way line of Treasureton Road, the point of beginning.

Thence North 53°06'40" East 343.00 feet to a 5/8" rebar and cap;

Thence North 09°18'15" West 98.00 feet to a 5/8" rebar and cap;

Thence South 78°30'00" West 90.94 feet to a 5/8" rebar and cap;

Thence North 11°11'00" West 98.80 feet to a 5/8" rebar and cap;

Thence South 58°52'30" West 220.00 feet to a 5/8" rebar and cap at the Easterly right of way line of Treasureton Road;

Thence South 04°09'00" East 125.15 feet along said right of way line to the beginning of a 570.00 foot radius curve concave to the Northeast;

Thence Southeasterly along said curve (right of way line) through a central angle of 14°41'39" a distance of 146.18 feet to the point of beginning (chord = South 11°29'50" East 145.78 feet);

SUBJECT TO a twenty (20) foot wide ingress and egress easement being ten (10) feet on each side of the following described centerline:

Commencing at the Southeast Corner of said Section 25, from which the Northeast Corner of Section 24, Township 13 South, Range 39 East, Boise Meridian, Franklin County, Idaho bears North 00°50'16" West; Thence North 25°17'46" West 5236.51 feet to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" said point being the Northwest Corner of the above described property and the point of beginning.

Thence North 55°22'10" East 225.4 feet.

SUBJECT TO and subject to an easement for the purpose of maintaining and repairing septic drainage field extending 150 feet Southeasterly from the following described line:

Commencing at the Southeast Corner of said Section 25, from which the Northeast Corner of Section 24, Township 13 South, Range 39 East, Boise Meridian, Franklin County, Idaho, bears North 00°50'16" West;

Thence North 00°50'16" West 4467.19 feet;

Thence West 2134.11 feet to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at the Easterly right of way line of Treasureton Road, the point of beginning.

Thence North 53°06'40" East 343.00 feet to a 5/8" rebar and cap.

Section 26: E1/2NE1/4; NE1/4SE1/4 (00432.00)

Section 36: Commencing at the Northeast corner of said Section 36, thence West 600 feet; thence South 20 rods; thence West 16 rods; thence North 20 rods; thence West 465 feet; thence South 80 rods; thence east 80 rods; thence North 80 rods to the POINT OF BEGINNING.

ALSO INCLUDING. Commencing at a point 14 rods West of the Southeast corner of the Northeast Quarter of the NE1/4 thence West 15 rods, thence South 16 rods; thence Northeasterly 17 rods, more or less, to the place of beginning. (00462.00)

EXCEPTING THEREFROM: Commencing at the Southwest corner of the NE1/4NE1/4 of Section 36; and running thence east 2 rods to the east side of a private road; thence Northeasterly along the east side of said road to a point of intersection with the County Road; thence Northeasterly along the West side of County Road to a point which is 600 feet West 20 rods South of the Northeast corner of the NE1/4 of Section 36; thence West 16 rods; thence North 20 rods; thence West 456 feet; thence South 80 rods to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A parcel of land being a portion of the NE1/4 of Section 36, Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho, and being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of Idaho Highway No. 34, said point being 70 left of centerline station 345+12.10 of said Highway 34, whence the Northeast corner of said Section 36 bears North 06°22'09" East 989.66 feet distant according the right-of-way drawings for said Highway 34, thence along said Westerly right-of-way line of Highway 34, 660.00 feet along the arc of a curve to the right, having a central angle of 01°19'24", a radius of 28,577.90 feet, and a chord which bears South 24°58'56" West 659.98 feet distant; thence along the Easterly right-of-way line of Treasureton Road, a County Road, for the following three courses: North 64°21'20" West a distance of 59.18 feet; North 11°07'00" West a distance of 84.00 feet; 325.60 feet along the arc of a curve to the left having a central angle of 14°00'00", a radius of 1332.53 feet, and a chord which bears North 18°07'00" West 324.79 feet; thence North 68°00'00" East along an existing fence line a distance of 484.56 feet to the POINT OF BEGINNING.

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho.
Section 19: Lots 3 and 4; E1/2SW1/4 (00547.00)

Section 31: Commencing at the Northwest corner of Lot 1, thence East 22 rods 12 feet; thence Southwesterly to a point 52 rods of the place of beginning; thence North 52 rods to the place of beginning. (00604.00)

Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho. Section 13; NE1/4SE1/4 (00409.00)

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho.

Section 18: Beginning 36 1/2 rods West of the Northeast corner of Lot 3, said Section 18, and running thence West 43.5 rods, more or less to the Northwest corner of said Lot 3; thence South 80 rods; thence East 31.5 rods, more or less to a point in an existing fence line 48.5 rods of record West of the Southeast corner of said Lot 3; thence Northeasterly in the aforesaid fence line 80 rods, more or less to beginning. (00538.00)

EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN LOT 3, SECTION 18, TOWNSHIP 13 SOUTH, RANGE 40 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 18, FROM WHICH THE EAST QUARTER CORNER OF SECTION 18 BEARS SOUTH 88°26'45" EAST 5542.46 FEET; THENCE SOUTH 88°26'45" EAST 625.35 FEET ALONG THE NORTH BOUNDARY OF SAID LOT 3 TO A 5/8" REBAR AND CAP SET ON THE EASTERLY RIGHT OF WAY LINE OF TREASURETON ROAD, A COUNTY ROAD, THE TRUE POINT OF BEGINNING. THENCE SOUTH 88°26'45" EAST 275.45 FEET ALONG THE NORTH BOUNDARY OF SAID LOT 3 TO A 5/8" REBAR AND CAP SET AT AN EXISTING FENCE LINE; THENCE SOUTH 14°40'32" WEST 251.48 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR AND CAP; THENCE NORTH 88°26'45" WEST 408.00 FEET TO A 5/8" REBAR AND CAP SET ON SAID EASTERLY RIGHT OF WAY LINE; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES: THENCE NORTH 26°01'31" EAST 53.40 FEET TO THE BEGINNING OF A 270.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°24'51" A DISTANCE OF 91.49 FEET TO THE POINT OF TANGENCY (CHORD = NORTH 35°43'56" EAST 91.05 FEET); THENCE NORTH 45°26'22" EAST 167.87 FEET TO THE TRUE POINT OF BEGINNING. (00538.00)

EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 13 SOUTH RANGE 40 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 18, LOCATED NORTH 00° 49' 14" WEST 2625.25 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE SOUTH 88° 26' 45" EAST 29.18 FEET ALONG THE NORTH BOUNDARY OF THE NORTHWEST QUARTER SOUTHWEST QUARTER OF SAID SECTION 18 TO THE NORTHEASTERLY RIGHT OF WAY OF A PRIVATE ROAD, MONUMENTED WITH A 5/8" REBAR AND CAP LABELED "BRIAN ALLEN, PLS 9163", BEING THE TRUE POINT OF BEGINNING.

THENCE SOUTH 88° 26' 45" EAST 512.92 FEET ALONG THE NORTH BOUNDARY OF SAID NORTHWEST SOUTHWEST QUARTER TO THE NORTHWESTERLY RIGHT OF WAY OF THE TREASURETON ROAD, MONUMENTED WITH A 5/8" REBAR AND CAP; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY THE FOLLOWING (4) COURSES:

262427 5-5

THENCE SOUTH $45^{\circ} 26' 22''$ WEST 110.16 FEET ALONG SAID RIGHT OF WAY TO THE BEGINNING OF A 330.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $19^{\circ} 24' 51''$ A DISTANCE OF 111.82 FEET TO THE POINT OF TANGENCY (CHORD = SOUTH $35^{\circ} 43' 56''$ WEST 111.28 FEET);
THENCE SOUTH $26^{\circ} 01' 31''$ WEST 209.49 FEET TO THE BEGINNING OF A 730.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $05^{\circ} 15' 37''$ A DISTANCE OF 67.02 FEET (CHORD = SOUTH $23^{\circ} 23' 42''$ WEST 67.00 FEET) TO A 5/8" REBAR SET AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT OF WAY OF THE TREASURETON ROAD AND THE NORTHEASTERLY RIGHT OF WAY OF A PRIVATE ROAD, SAID POINT BEING ON A 75.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE CENTER BEARS NORTH $02^{\circ} 37' 06''$ WEST;
THENCE NORTHWESTERLY ALONG SAID CURVE, COINCIDENT WITH THE NORTHEASTERLY RIGHT OF WAY OF SAID PRIVATE ROAD, THROUGH A CENTRAL ANGLE OF $52^{\circ} 14' 06''$ A DISTANCE OF 68.38 FEET (CHORD = NORTH $66^{\circ} 30' 03''$ WEST 66.03 FEET) TO THE BEGINNING OF A 170.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY ALONG SAID CURVE, COINCIDENT WITH SAID RIGHT OF WAY, THROUGH A CENTRAL ANGLE OF $40^{\circ} 09' 51''$ A DISTANCE OF 119.17 FEET TO THE POINT OF TANGENCY (CHORD = NORTH $20^{\circ} 18' 05''$ WEST 116.74 FEET); THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY THE FOLLOWING FOUR (4) COURSES:
THENCE NORTH $00^{\circ} 13' 09''$ WEST 33.33 FEET TO THE BEGINNING OF A 140.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $36^{\circ} 12' 02''$ A DISTANCE OF 88.46 FEET TO THE POINT OF TANGENCY (CHORD = NORTH $18^{\circ} 19' 10''$ WEST 86.99 FEET);
THENCE NORTH $36^{\circ} 25' 11''$ WEST 156.64 FEET TO THE BEGINNING OF A 225.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $15^{\circ} 34' 07''$ A DISTANCE OF 61.14 FEET (CHORD = NORTH $28^{\circ} 38' 08''$ WEST 60.95 FEET) TO THE TRUE POINT OF BEGINNING. (00538.01)

262326 1-5

Branch Creek Properties LLC
9479 North Treasureton Road
Preston ID 83263

Recorded at the request of
Janice Shumway
Time 1:23 Amount \$ 22.00

AUG 21 2014

SHAUNA T. GEDDES, RECORDER
By C. Lane Deputy
Franklin County, Idaho

WARRANTY DEED

PARCEL 1: Brad P. Shumway and Janice S. Shumway, Trustees of the Brad P. and Janice S. Shumway Living Trust

Grantor(s) of Preston, County of Franklin, State of ID hereby **CONVEY AND WARRANT** to

Branch Creek Properties LLC

Grantee(s) of Preston, County of Franklin, State of ID for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of ID:

See Exhibit A

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this August 20, 2014

Brad P. Shumway
Brad P. Shumway, Trustee

Janice S. Shumway
Janice S. Shumway, Trustee

State of Idaho)
County of Franklin)

On August 20, 2014, before me, a Notary Public in and for said county and state, personally appeared, Brad P. Shumway and Janice S. Shumway, Trustees of the Brad P. and Janice S. Shumway Living Trust, known or proved to me to be the person(s) who executed the foregoing instrument, and acknowledged to me that he/she/they executed the same.



Monique Bair
Notary Public
Resides: Preston ID
Commission expires: 6-19-2018

Exhibit "A"**PARCEL 1:**

Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.
 Section 24: S1/2, ALSO, Commencing at a point 110 rods West from the Southeast corner of the Northeast Quarter of Section 24, thence running West 30 rods; thence North 100 feet; thence in a Southeasterly direction to the POINT OF BEGINNING. (00426.00)

SUBJECT TO a right-of-way 40 feet wide upon the Northwest corner of the land above described; said right-of-way being further described as commencing on the North line of said Quarter Section, being circular in shape and extending along the base or bottom of a hill, and terminating the West Quarter Section Line.

Section 25: N1/2NE1/4; NE1/4NW1/4; W1/2NW1/4; NW1/4SW1/4 (00427.00)

EXCEPTING THEREFROM: Commencing at the Northeast corner of Section 25, thence running South 80 rods; thence West 700 feet; thence North 60 rods; thence Northeasterly 700 feet, more or less, to the place of beginning.

EXCEPTING THEREFROM:

TOWNSHIP 13 SOUTH, RANGE 39 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY IDAHO

SECTION 25: BEGINNING AT A POINT 400 FEET EAST AND 660 FEET NORTH OF THE SOUTHWEST CORNER OF NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY OF THE COUNTY ROAD; THENCE SOUTHEASTERLY ALONG SAID COUNTY ROAD 210 FEET; THENCE WEST 230 FEET; THENCE NORTH 210 FEET; THENCE EAST 190 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. (0427.01) (HOUSE PARCEL 2)

EXCEPTING THEREFROM:

A parcel of land located in the Northeast Quarter of Section 25, Township 13 South, Range 39 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the Southeast Corner of said Section 25, from which the Northeast Corner of Section 24, Township 13 South, Range 39 East, Boise Meridian, bears North 00°50'16" West;

Thence North 00°50'16" West 4467.19 feet;

Thence West 2134.11 feet to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at the Easterly right of way line of Treasureton Road, the point of beginning.

Thence North 53°06'40" East 343.00 feet to a 5/8" rebar and cap;

Thence North 09°18'15" West 98.00 feet to a 5/8" rebar and cap;

Thence South 78°30'00" West 90.94 feet to a 5/8" rebar and cap;

Thence North 11°11'00" West 98.80 feet to a 5/8" rebar and cap;

Thence South 58°52'30" West 220.00 feet to a 5/8" rebar and cap at the Easterly right of way line of Treasureton Road;

Thence South 04°09'00" East 125.15 feet along said right of way line to the beginning of a 570.00 foot radius curve concave to the Northeast;

Thence Southeasterly along said curve (right of way line) through a central angle of 14°41'39" a distance of 146.18 feet to the point of beginning (chord = South 11°29'50" East 145.78 feet);

SUBJECT TO a twenty (20) foot wide ingress and egress easement being ten (10) feet on each side of the following described centerline:

Commencing at the Southeast Corner of said Section 25, from which the Northeast Corner of Section 24, Township 13 South, Range 39 East, Boise Meridian, Franklin County, Idaho bears North 00°50'16" West; Thence North 25°17'46" West 5236.51 feet to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" said point being the Northwest Corner of the above described property and the point of beginning.

Thence North 55°22'10" East 225.4 feet.

SUBJECT TO and subject to an easement for the purpose of maintaining and repairing septic drainage field extending 150 feet Southeasterly from the following described line:

Commencing at the Southeast Corner of said Section 25, from which the Northeast Corner of Section 24, Township 13 South, Range 39 East, Boise Meridian, Franklin County, Idaho, bears North 00°50'16" West;

Thence North 00°50'16" West 4467.19 feet;

Thence West 2134.11 feet to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at the Easterly right of way line of Treasureton Road, the point of beginning.

Thence North 53°06'40" East 343.00 feet to a 5/8" rebar and cap.

Section 26: E1/2NE1/4; NE1/4SE1/4 (00432.00)

Section 36: Commencing at the Northeast corner of said Section 36, thence West 600 feet; thence South 20 rods; thence West 16 rods; thence North 20 rods; thence West 465 feet; thence South 80 rods; thence east 80 rods; thence North 80 rods to the POINT OF BEGINNING.

ALSO INCLUDING. Commencing at a point 14 rods West of the Southeast corner of the Northeast Quarter of the NE1/4 thence West 15 rods, thence South 16 rods; thence Northeasterly 17 rods, more or less, to the place of beginning. (00462.00)

EXCEPTING THEREFROM: Commencing at the Southwest corner of the NE1/4NE1/4 of Section 36; and running thence east 2 rods to the east side of a private road; thence Northeasterly along the east side of said road to a point of intersection with the County Road; thence Northeasterly along the West side of County Road to a point which is 600 feet West 20 rods South of the Northeast corner of the NE1/4 of Section 36; thence West 16 rods; thence North 20 rods; thence West 456 feet; thence South 80 rods to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A parcel of land being a portion of the NE1/4 of Section 36, Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho, and being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of Idaho Highway No. 34, said point being 70 left of centerline station 345+12.10 of said Highway 34, whence the Northeast corner of said Section 36 bears North 06°22'09" East 989.66 feet distant according the right-of-way drawings for said Highway 34, thence along said Westerly right-of-way line of Highway 34, 660.00 feet along the arc of a curve to the right, having a central angle of 01°19'24", a radius of 28,577.90 feet, and a chord which bears South 24°58'56" West 659.98 feet distant; thence along the Easterly right-of-way line of Treasureton Road, a County Road, for the following three courses: North 64°21'20" West a distance of 59.18 feet; North 11°07'00" West a distance of 84.00 feet; 325.60 feet along the arc of a curve to the left having a central angle of 14°00'00", a radius of 1332.53 feet, and a chord which bears North 18°07'00" West 324.79 feet; thence North 68°00'00" East along an existing fence line a distance of 484.56 feet to the POINT OF BEGINNING.

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho.
Section 19: Lots 3 and 4; E1/2SW1/4 (00547.00)

262326 4-5

Section 31: Commencing at the Northwest corner of Lot 1, thence East 22 rods 12 feet; thence Southwesterly to a point 52 rods of the place of beginning; thence North 52 rods to the place of beginning. (00604.00)

Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho. Section 13; NE1/4SE1/4 (00409.00)

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho.

Section 18: Beginning 36 1/2 rods West of the Northeast corner of Lot 3, said Section 18, and running thence West 43.5 rods, more or less to the Northwest corner of said Lot 3; thence South 80 rods; thence East 31.5 rods, more or less to a point in an existing fence line 48.5 rods of record West of the Southeast corner of said Lot 3; thence Northeasterly in the aforesaid fence line 80 rods, more or less to beginning. (00538.00)

EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN LOT 3, SECTION 18, TOWNSHIP 13 SOUTH, RANGE 40 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 18, FROM WHICH THE EAST QUARTER CORNER OF SECTION 18 BEARS SOUTH 88°26'45" EAST 5542.46 FEET; THENCE SOUTH 88°26'45" EAST 625.35 FEET ALONG THE NORTH BOUNDARY OF SAID LOT 3 TO A 5/8" REBAR AND CAP SET ON THE EASTERLY RIGHT OF WAY LINE OF TREASURETON ROAD, A COUNTY ROAD, THE TRUE POINT OF BEGINNING.

THENCE SOUTH 88°26'45" EAST 275.45 FEET ALONG THE NORTH BOUNDARY OF SAID LOT 3 TO A 5/8" REBAR AND CAP SET AT AN EXISTING FENCE LINE; THENCE SOUTH 14°40'32" WEST 251.48 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR AND CAP; THENCE NORTH 88°26'45" WEST 408.00 FEET TO A 5/8" REBAR AND CAP SET ON SAID EASTERLY RIGHT OF WAY LINE; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES:

THENCE NORTH 26°01'31" EAST 53.40 FEET TO THE BEGINNING OF A 270.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°24'51" A DISTANCE OF 91.49 FEET TO THE POINT OF TANGENCY (CHORD = NORTH 35°43'56" EAST 91.05 FEET); THENCE NORTH 45°26'22" EAST 167.87 FEET TO THE TRUE POINT OF BEGINNING. (00538.00)

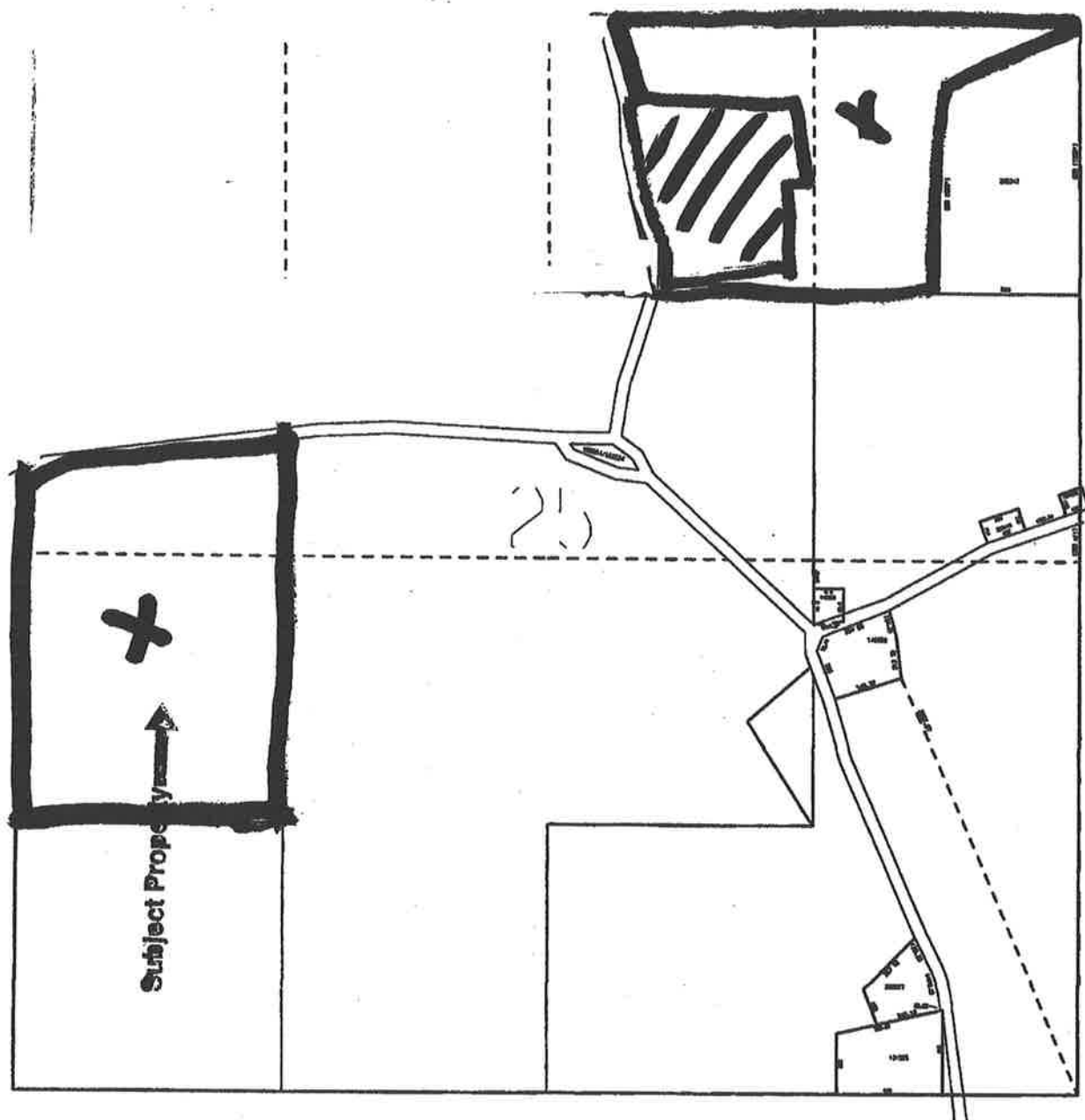
EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 13 SOUTH RANGE 40 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

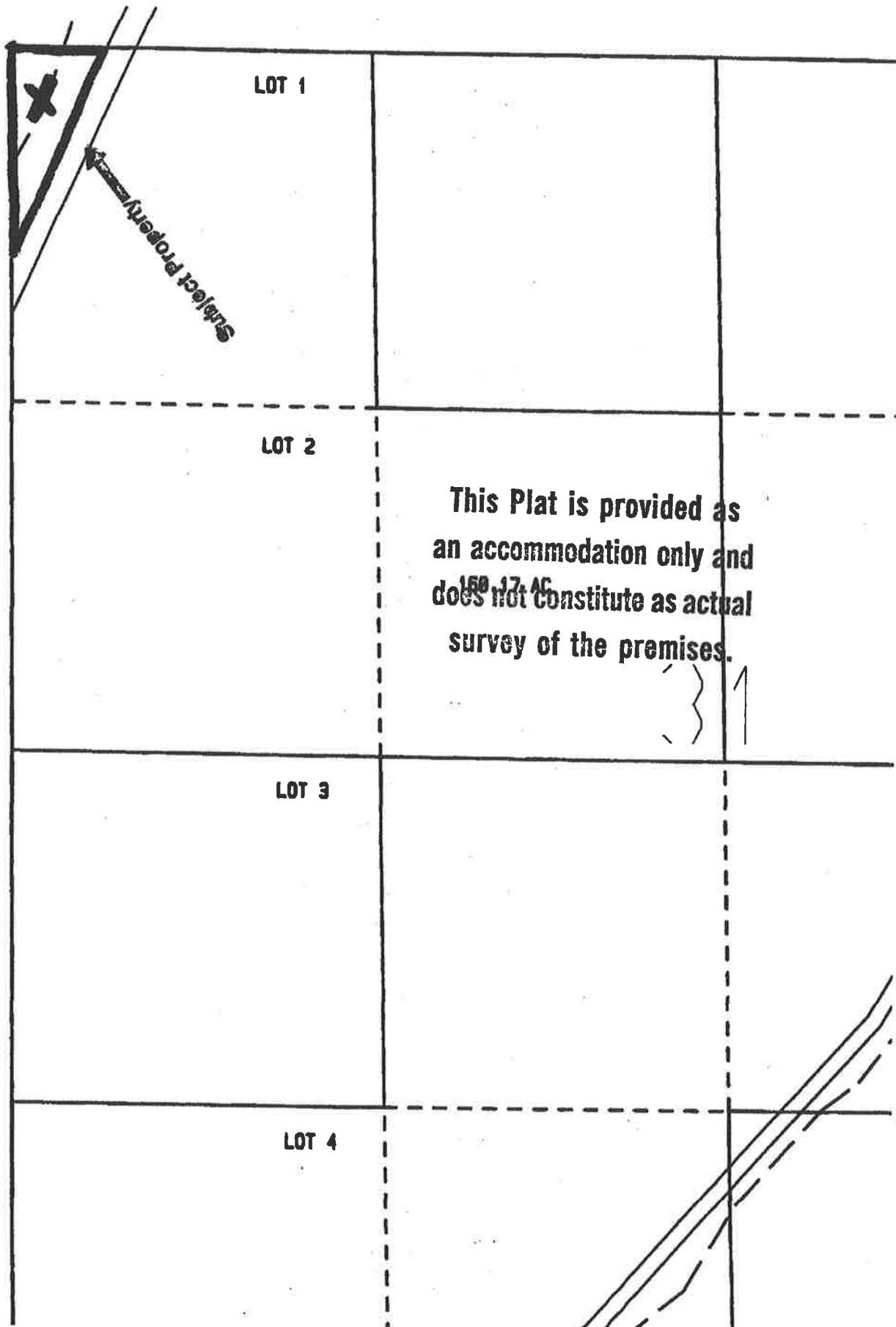
COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 18, LOCATED NORTH 00° 49' 14" WEST 2625.25 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE SOUTH 88° 26' 45" EAST 29.18 FEET ALONG THE NORTH BOUNDARY OF THE NORTHWEST QUARTER SOUTHWEST QUARTER OF SAID SECTION 18 TO THE NORTHEASTERLY RIGHT OF WAY OF A PRIVATE ROAD, MONUMENTED WITH A 5/8" REBAR AND CAP LABELED "BRIAN ALLEN, PLS 9163", BEING THE TRUE POINT OF BEGINNING.

THENCE SOUTH 88° 26' 45" EAST 512.92 FEET ALONG THE NORTH BOUNDARY OF SAID NORTHWEST SOUTHWEST QUARTER TO THE NORTHWESTERLY RIGHT OF WAY OF THE TREASURETON ROAD, MONUMENTED WITH A 5/8" REBAR AND CAP; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY THE FOLLOWING (4) COURSES:

THENCE SOUTH $45^{\circ} 26' 22''$ WEST 110.16 FEET ALONG SAID RIGHT OF WAY TO THE BEGINNING OF A 330.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $19^{\circ} 24' 51''$ A DISTANCE OF 111.82 FEET TO THE POINT OF TANGENCY (CHORD = SOUTH $35^{\circ} 43' 56''$ WEST 111.28 FEET);
THENCE SOUTH $26^{\circ} 01' 31''$ WEST 209.49 FEET TO THE BEGINNING OF A 730.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $05^{\circ} 15' 37''$ A DISTANCE OF 67.02 FEET (CHORD = SOUTH $23^{\circ} 23' 42''$ WEST 67.00 FEET) TO A 5/8" REBAR SET AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT OF WAY OF THE TREASURETON ROAD AND THE NORTHEASTERLY RIGHT OF WAY OF A PRIVATE ROAD, SAID POINT BEING ON A 75.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE CENTER BEARS NORTH $02^{\circ} 37' 06''$ WEST;
THENCE NORTHWESTERLY ALONG SAID CURVE, COINCIDENT WITH THE NORTHEASTERLY RIGHT OF WAY OF SAID PRIVATE ROAD, THROUGH A CENTRAL ANGLE OF $52^{\circ} 14' 06''$ A DISTANCE OF 68.38 FEET (CHORD = NORTH $66^{\circ} 30' 03''$ WEST 66.03 FEET) TO THE BEGINNING OF A 170.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY ALONG SAID CURVE, COINCIDENT WITH SAID RIGHT OF WAY, THROUGH A CENTRAL ANGLE OF $40^{\circ} 09' 51''$ A DISTANCE OF 119.17 FEET TO THE POINT OF TANGENCY (CHORD = NORTH $20^{\circ} 18' 05''$ WEST 116.74 FEET); THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY THE FOLLOWING FOUR (4) COURSES:
THENCE NORTH $00^{\circ} 13' 09''$ WEST 33.33 FEET TO THE BEGINNING OF A 140.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $36^{\circ} 12' 02''$ A DISTANCE OF 88.46 FEET TO THE POINT OF TANGENCY (CHORD = NORTH $18^{\circ} 19' 10''$ WEST 86.99 FEET);
THENCE NORTH $36^{\circ} 25' 11''$ WEST 156.64 FEET TO THE BEGINNING OF A 225.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $15^{\circ} 34' 07''$ A DISTANCE OF 61.14 FEET (CHORD = NORTH $28^{\circ} 38' 08''$ WEST 60.95 FEET) TO THE TRUE POINT OF BEGINNING. (00538.01)



**This Plat is provided as
an accommodation only and
does not constitute as actual
survey of the premises.**



LOT 1

Subject Property

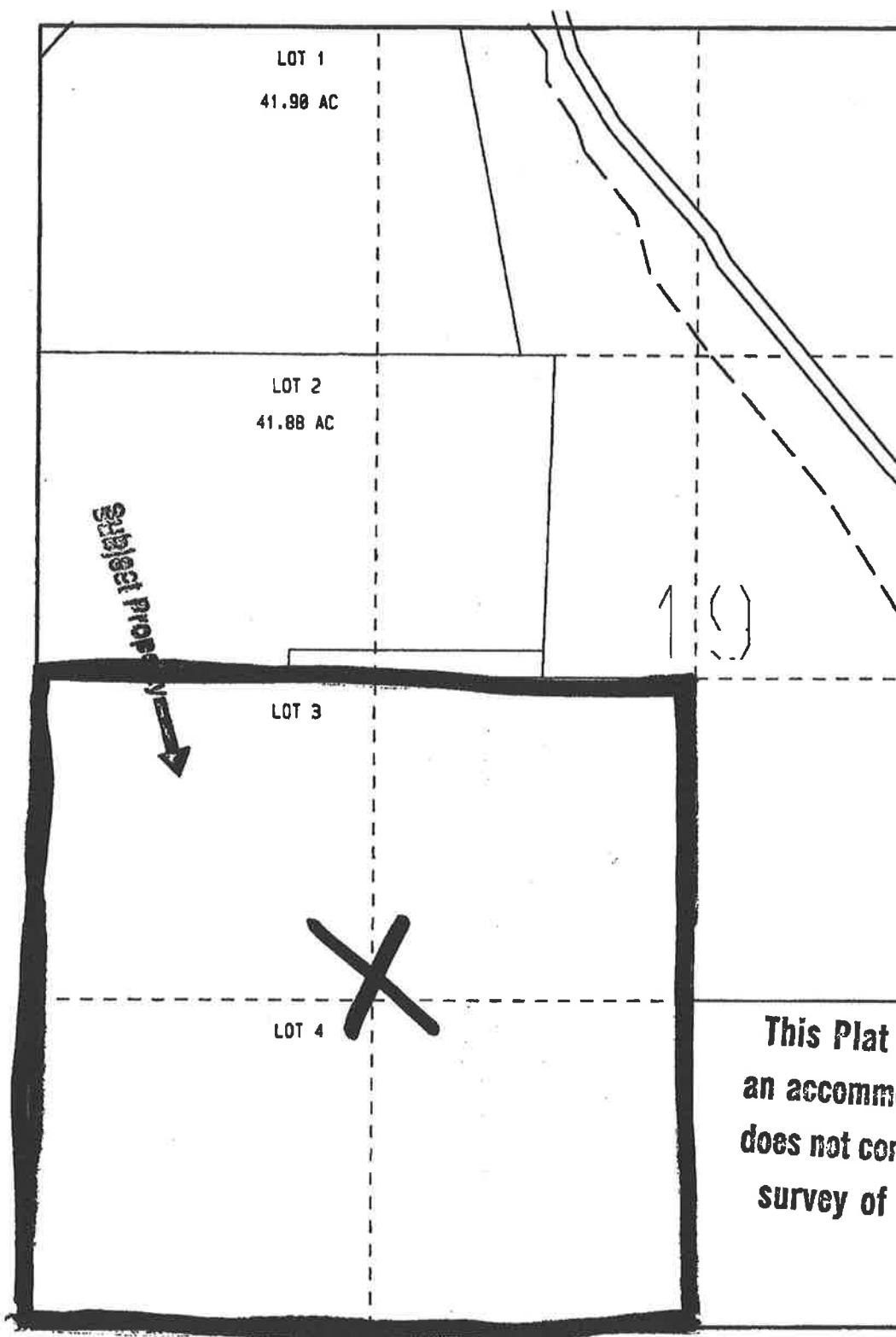
LOT 2

This Plat is provided as
an accommodation only and
does not constitute as actual
survey of the premises.

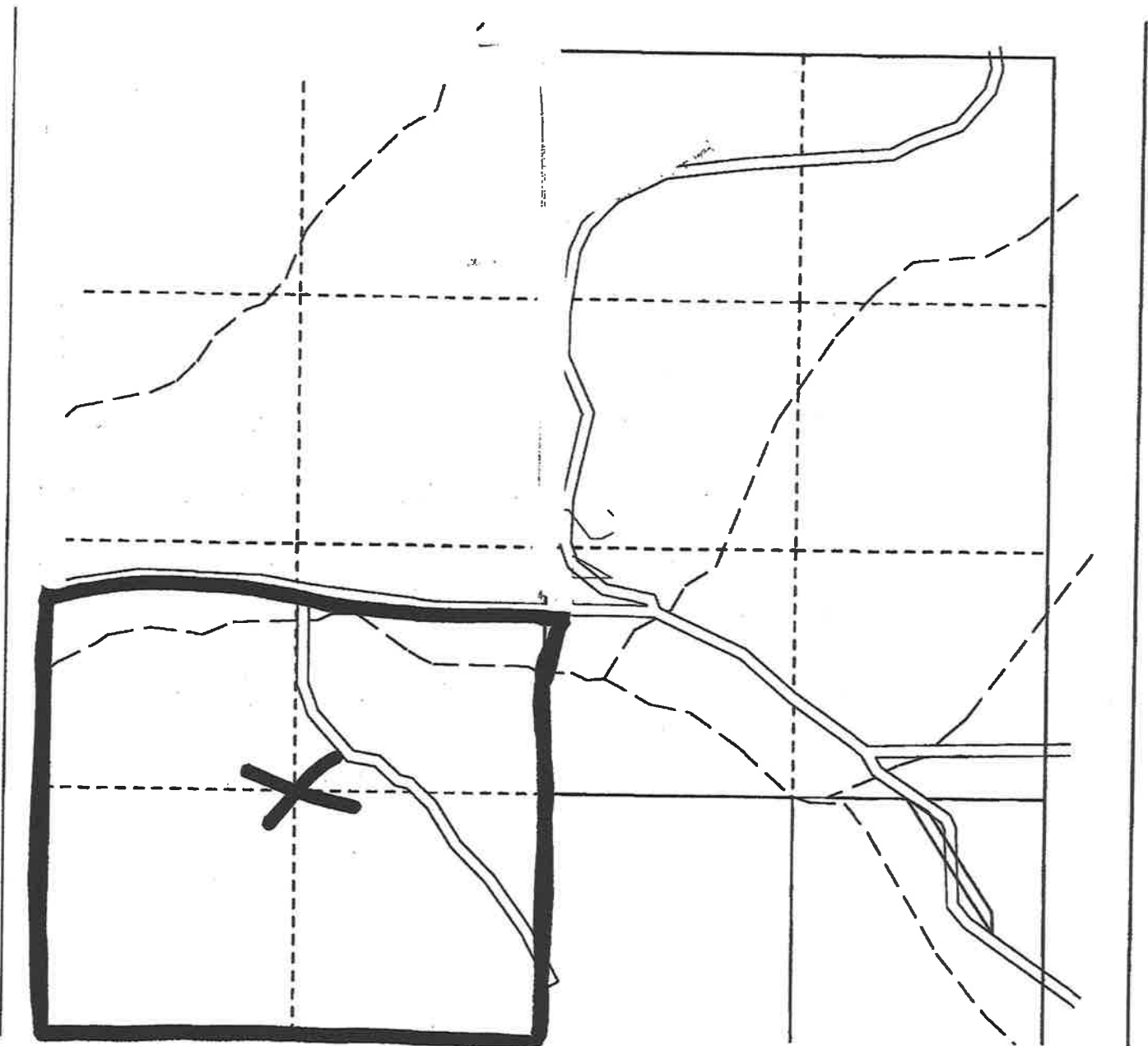
160.17 AC

LOT 3

LOT 4

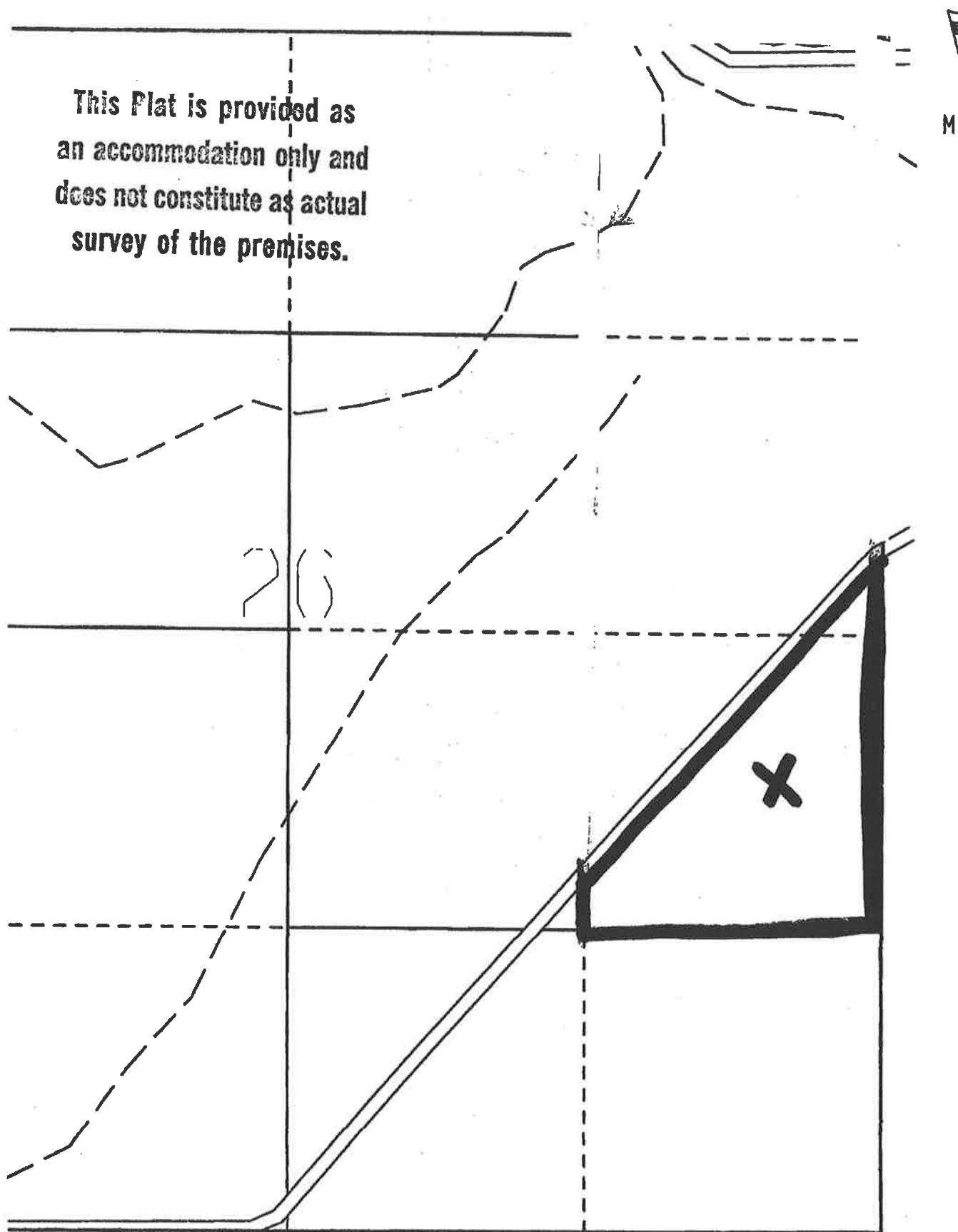


***This Plat is provided as
an accommodation only and
does not constitute as actual
survey of the premises.***



**This Plat is provided as
an accommodation only and
does not constitute as actual
survey of the premises.**

**This Plat is provided as
an accommodation only and
does not constitute as actual
survey of the premises.**

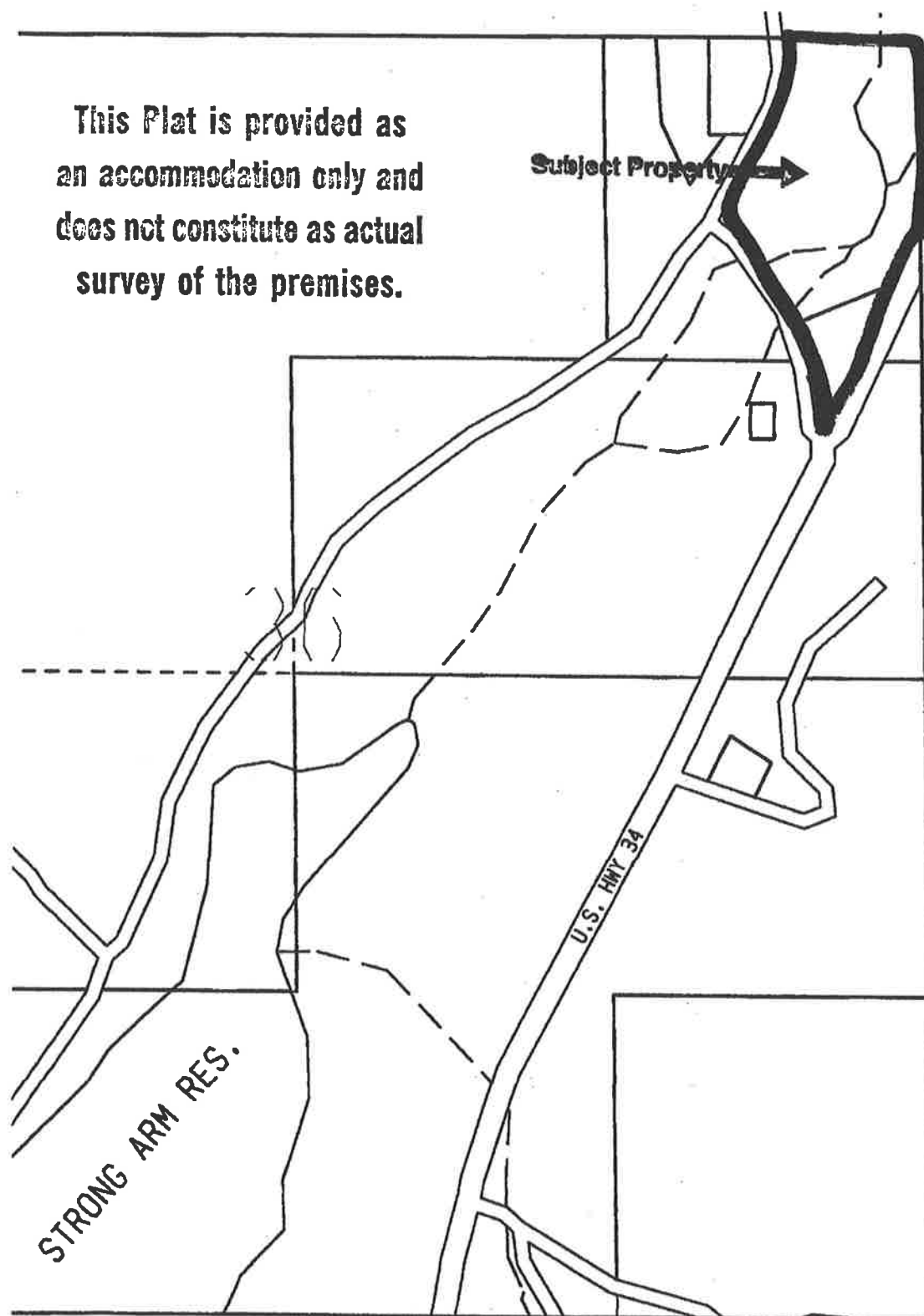


**This Plat is provided as
an accommodation only and
does not constitute as actual
survey of the premises.**

Subject Property →



M 12



IDAHO Department of Water Resources

WATER RIGHT REPORT

3/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-934

Owner Type

Name and Address

Current Owner

BRAD P & JANICE S SHUMWAY LIVING TRUST
9479 N TREASURETON RD
PRESTON, ID 83263
2088523125

Original Owner

CHARLES H SHUMWAY
622 E 1500 N
SHELLEY, ID 83274

Security Interest

LEWISTON STATE BANK
17 EAST CENTER
PO BOX 32
LEWISTON, UT 84320

Priority Date: 05/01/1870

Basis: Decreed

Status: Active

Source

Tributary

BRANCH CREEK | BATTLE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.4 CFS	
Total Diversion			0.4 CFS	

Location of Point(s) of Diversion:

BRANCH CREEK | Sec. 24 | Township 13S | Range 39E | FRANKLIN County
 BRANCH CREEK | Sec. 25 | Township 13S | Range 39E | FRANKLIN County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FRANKLIN County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acr.</u>
13S	39E	24		SWSE							
		25		NENE			NWNE				

Conditions of Approval:

1. || P/D INCOMPLETE. P/U INCOMPLETE AC. IRR. = 60.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

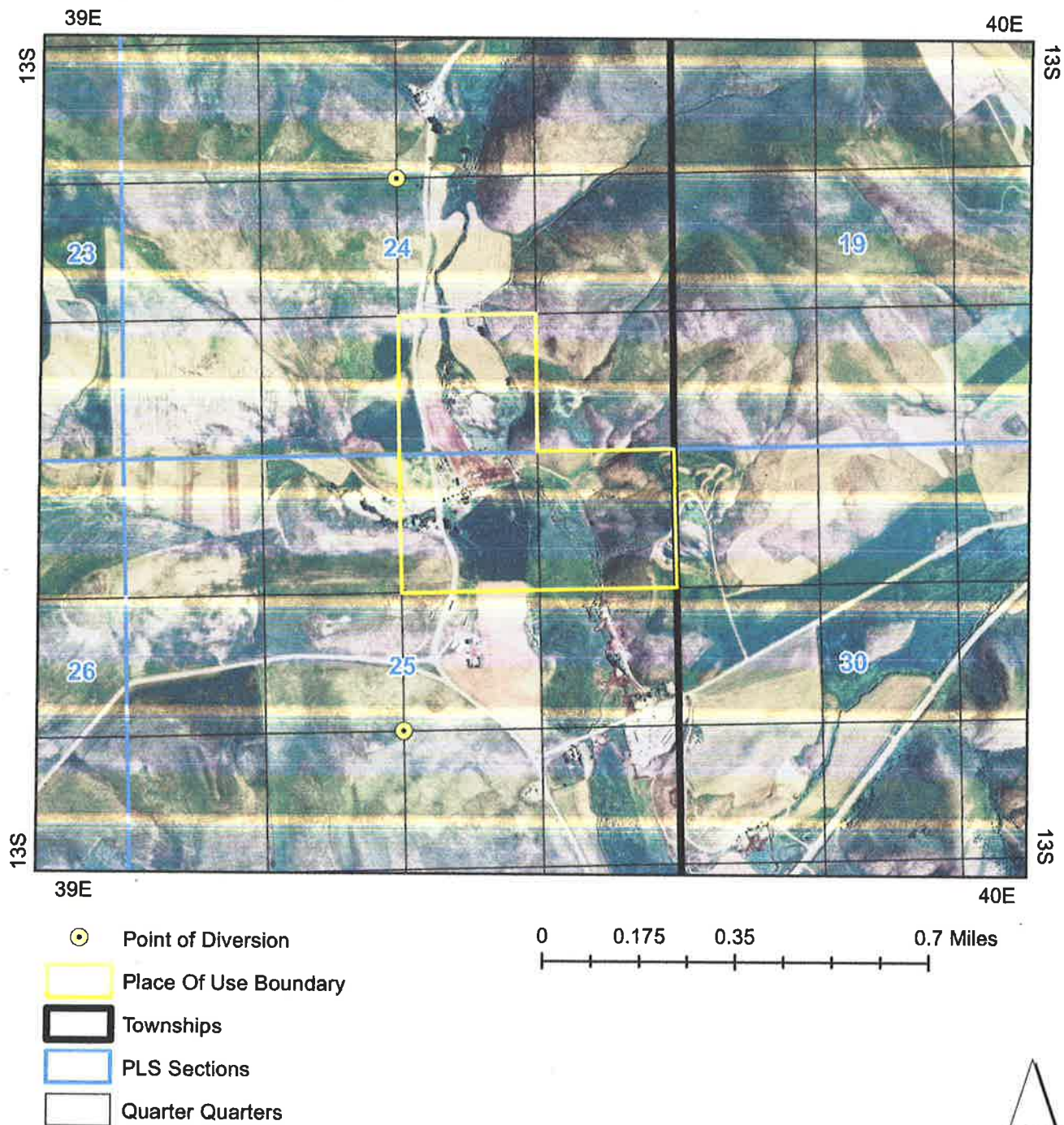
Other Information:**State or Federal:****Owner Name Connector:****Water District Number: 13M****Generic Max Rate per Acre:****Generic Max Volume per Acre:****Civil Case Number:****Old Case Number:****Decree Plaintiff:****Decree Defendant:****Swan Falls Trust or Nontrust:****Swan Falls Dismissed:****DLE Act Number:****Cary Act Number:****Mitigation Plan: False**

State of Idaho
Department of Water Resources

Water Right 13-934

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



IDAHO Department of Water Resources

WATER RIGHT REPORT

3/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-935

Owner Type

Name and Address

Current Owner

BRAD P & JANICE S SHUMWAY LIVING TRUST
9479 N TREASURETON RD
PRESTON, ID 83263
2088523125

Original Owner

CHARLES H SHUMWAY
622 E 1500 N
SHELLEY, ID 83274

Security Interest

LEWISTON STATE BANK
17 EAST CENTER
PO BOX 32
LEWISTON, UT 84320

Priority Date: 05/01/1875

Basis: Decreed

Status: Active

Source

Tributary

BATTLE CREEK

BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.8 CFS	
Total Diversion			0.8 CFS	

Location of Point(s) of Diversion:

BATTLE CREEK	SWSE	Sec. 24	Township 13S	Range 39E	FRANKLIN County
BATTLE CREEK	NENE	Sec. 25	Township 13S	Range 39E	FRANKLIN County
BATTLE CREEK	NWNE	Sec. 25	Township 13S	Range 39E	FRANKLIN County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FRANKLIN County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acr</u>
13S	39E	24		SWSE							
		25		NENE			NWNE				

Conditions of Approval:

1. || P/D INCOMPLETE. P/U INCOMPLETE AC. IRR. = 60.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 13M

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

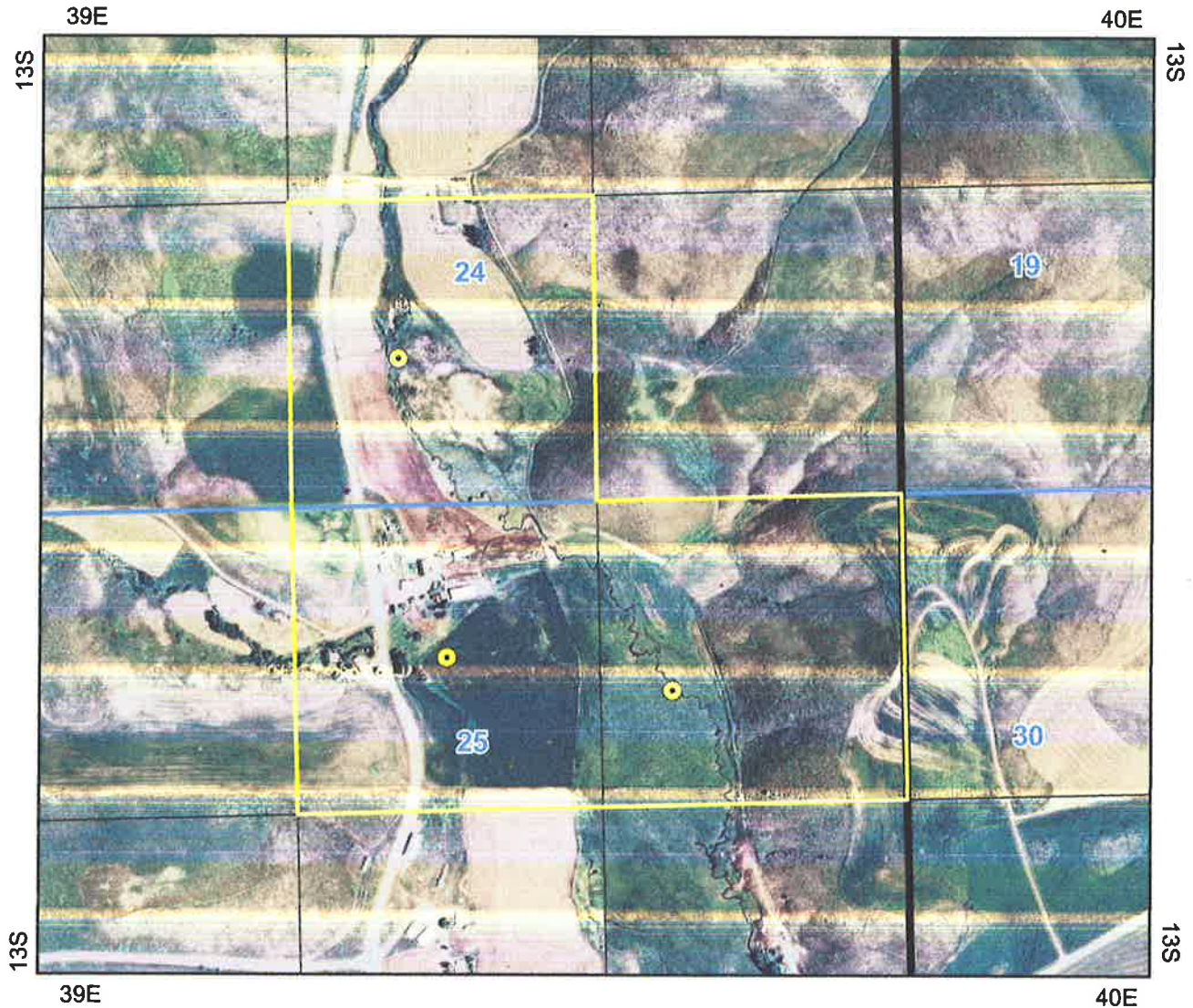
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
13-935

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles



IDAHO Department of Water Resources

WATER RIGHT REPORT

3/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-7605

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRAD SHUMWAY 9522 N TREASURETON RD PRESTON, ID 83263 2088523125
Security Interest	LEWISTON STATE BANK 17 EAST CENTER PO BOX 32 LEWISTON, UT 84320

Priority Date: 01/01/1902

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BATTLE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAM	NWNE	Sec. 25	Township 13S	Range 39E	FRANKLIN County
-------------------	------	------------	-----------------	--------------	--------------------

Place(s) of use:

Place of Use Legal Description: STOCKWATER FRANKLIN County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	39E	25		NWNE							

Conditions of Approval:

1. 107 This notice was filed in accordance with Section 42-113(3), Idaho Code. Diversion and use of water in accordance with this notice shall not exceed 13,000 gallons per day for stockwater use. The water delivery system established in accordance with this notice shall be fully enclosed and shall be equipped with an automatic shutoff valve or a mechanism for returning unused water to the source through an enclosed system. The water delivery system shall be designed to facilitate measurement of the rate of flow through the system.

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 11/09/2001

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 13M

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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

Brad Little
Governor

Gary Spackman
Director

April 19, 2019

BRANCH CREEK PROPERTIES LLC
9479 N TREASURTON RD
PRESTON ID 83263-5038

Re: Change in Ownership for Water Right No(s): 13-934, 13-935, 13-7605

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) 525-7161.

Sincerely,

A handwritten signature in cursive script that reads "Cher Ramos".

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Lewiston State Bank
Water District 13M