

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
FEB 25 2019
DEPARTMENT OF
WATER RESOURCES

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?
37-14265 <i>DE</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-8319	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Earl M. Hardy
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Hagerman Valley LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1301 S. Vista Ave. Ste 101 Boise ID 83705
Mailing address City State ZIP
- 208-342-0090 _____
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: 11-8-2018
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: *Earl M. Hardy* Manager 2/22/2019
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 S. Shaul Date 2/25/2019 Receipt No. C106287 Receipt Amt. \$50.00
 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 *dj* Date 3-8-19

Instrument # 263525
GOODING COUNTY, GOODING, IDAHO
12-06-2018 16:26:55 No. of Pages: 4
Recorded for: THORNTON BYRON LLP
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JM
Electronically Recorded by Simplifile

RECORDATION REQUESTED BY:
THORNTON BYRON LLP
PO Box 7156
BOISE, ID 83707-1156

WHEN RECORDED, MAIL TO:

THORNTON BYRON LLP
PO Box 7156
BOISE, ID 83707-1156

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

QUITCLAIM DEED

(White Springs, RP07S13E020787A & RP07S13E022400A, Gooding County, Idaho)

Hardy Properties LLLP, an Idaho limited liability limited partnership, f/k/a Hardy Properties L.P., an Idaho limited partnership, Grantor, does hereby convey, release, remise and forever quitclaim unto Hagerman Valley LLC, an Idaho limited liability company, Grantee, all of the right, title and interest in and to that certain real property located in Gooding County, Idaho, more particularly described in Exhibit A attached hereto.

Together with all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

In witness whereof, Grantor has hereunto subscribed its name to this instrument effective the 4th day of December, 2018.

Grantor:

Hardy Properties LLLP

By: Anita Kay Hardy
Anita Kay Hardy, General Partner

RECORDATION REQUESTED BY:
THORNTON BYRON LLP
PO BOX 7156
BOISE, ID 83707-1156

WHEN RECORDED, MAIL TO:

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BOISE, ID 83707-1156

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(White Springs, RP07S13E020787A & RP07S13E022400A, Gooding County, Idaho)

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Together with all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

In witness whereof, Grantor has hereunto subscribed its name to this instrument effective the 4th day of December, 2018.

Grantor:

Hardy Properties LLLP

By: Anita Kay Hardy
Anita Kay Hardy, General Partner

State of Idaho)
 ss.
County of Ada)

On this 4th day of December, 2018, before me, the undersigned Notary Public in and for said State, personally appeared Anita Kay Hardy, known or identified to me to be a General Partner of Hardy Properties LLLP, the limited liability limited partnership that executed the foregoing instrument and the person whose name is subscribed to the within instrument, and acknowledged to me that said limited liability limited partnership executed the same.

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





Notary Public, State of Idaho
Residing at: Nampa, Idaho
My commission expires: 11/13/2019

Exhibit A

Legal Description

Parcel RP07S13E022400A

Township 7 South, Range 13 E.B.M. described as follows:

A tract of land in Lots 3 and 6 of Section 2, excepting therefrom the following:

Beginning at the Southeast corner of said Lot 6;

Thence West 746.4 feet;

Thence North 14°40' E. 1120.0 feet;

Thence North 5°13' E. 370.0 feet;

Thence North 59°08' E. 500 feet to the East line of said Lot 3;

Thence South, along the East boundaries of Lots 3 and 6, 1708.5 feet to the Southeast corner of Lot 6, the Point of Beginning.

Parcel RP07S13E020787A

Parcel 1

Township 7 South Range 13 East of the Boise Meridian, Gooding County, Idaho.

Section 2: Part of Lot 2 described as follows:

Beginning at the North quarter corner of Section 2, the true point of beginning;

Thence N 89° 47' 20" E, 739.22 feet along the North boundary of Section 2 to the Westerly right-of-way of U.S. Highway 30, State Highway Project No. F 2361(18);

Thence S 0° 42' 29" E, 191.80 feet to a concrete right-of-way monument marked "50' Rt. Sta. 221 + 97.10 P.S.C.";

Thence S 4° 17' 29" E, 313.53 feet along the chord of a 1° 30' curve left having a radius of 3869.17 and an arc length of 313.61 to a concrete right-of-way monument marked "50' Rt. Sta. 225 + 07";

Thence S 0° 15' 57" W, 112.82 feet to a point on the Westerly right-of-way of said Highway;

Thence N 82° 05' 32" W, 68.11 feet to the center of a certain stream;

Thence continuing along said stream the following courses:

N 58° 07' 45" W, 179.13 feet;

N 28° 10' 07" W, 73.71 feet;

S 72° 29' 05" W, 83.65 feet;

N 82° 48' 56" W, 111.87 feet;

N 21° 03' 11" W, 131.78 feet;

Thence departing from center of said stream S 53° 13' 39" W, 66.55 feet along the top of a rim rock;
Thence S 58° 06' 45" W, 164.96 feet along said rim rock;
Thence S 41° 06' 12" W 113.94 feet along said rim rock to a point in the Westerly boundary of Lot 2;
Thence N 0° 24' 56" W, 546.67 feet along said Westerly boundary of Lot 2 to the true point of beginning.

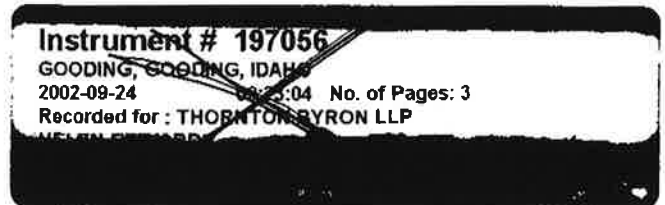
Parcel 2

Easement for ingress and egress for benefit of Parcel (1) as created by deed by the State of Idaho, recorded May 23, 1974 as microfilmed instrument No. 50419, records of Gooding County, over and upon the following described land: A parcel of land 30.0 feet in width, to, from, and between the right of way of the public way identified as U.S. Highway No. 30, Project No. F-2361(18) Highway Survey as described in that certain Warranty Deed dated July 6, 1962, recorded August 3, 1962, as microfilmed instrument No. 5263, records of Gooding County, State of Idaho, and the abutting property being on the right (Westerly) side of the Highway opposite and centering on Station 220+88 of said Highway Survey, and that no additional approaches will be allowed between Station 220+13.6 (Northerly property line) and Station 226+35 (Southerly property line) of said Highway Survey.

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW Ident. Number A36-10912 and NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW Ident. Number A37-04366 in accordance with the general and adjudication of rights to the use of water from the Snake River Basin Water System.

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
1101 W. RIVER STREET, SUITE 340
P.O. Box 7156
Boise, ID 83707-1156
208/344-8600



(SPACE ABOVE LINE FOR RECORDER'S USE)

RE-RECORDED TO CORRECT LEGAL DESCRIPTION

BARGAIN AND SALE DEED

FOR VALUE RECEIVED, ESTATE OF EARL M. HARDY, DECEASED, and LAVANE M. HARDY, as Grantors, do hereby grant, bargain, sell and convey unto HARDY PROPERTIES L.P., an Idaho limited partnership, whose current address is 1301 S. Vista Avenue, Boise, Idaho 83705, as Grantee, all that certain real property located in Gooding County, Idaho, as more particularly described on Exhibit A attached hereto and made a part hereof by this reference.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument effective the first day of August, 2002.

GRANTORS:

ESTATE OF EARLY M. HARDY, DECEASED

Instrument # 197293 *Re-record*
GOODING, GOODING, IDAHO
2002-10-11 09:38:26 No. of Pages: 3
Recorded for: THORNTON BYRON LLP
HELEN EDWARDS Fee: 9.00
Ex-Officio Recorder Deputy *H. Edwards*

By: *Anita Kay Hardy Personal Representative*
ANITA KAY HARDY, Personal Representative

Lavane M. Hardy
LAVANE M. HARDY

Barbara J. Hardy
BY: BARBARA J. HARDY, HER ATTORNEY-IN-FACT

BARBARA J. HARDY, HER ATTORNEY-IN-FACT

STATE OF IDAHO)
SS.
COUNTY OF ADA)

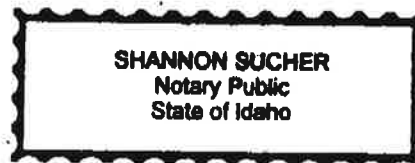
On this 22 day of August, 2002, before me, the undersigned Notary Public in and for said State, personally appeared ANITA KAY HARDY, known or identified to me to be the Personal Representative of the ESTATE OF EARL M. HARDY, DECEASED, the within named Estate, and the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for and in behalf of said Estate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

My Commission Expires On
May 17, 2008

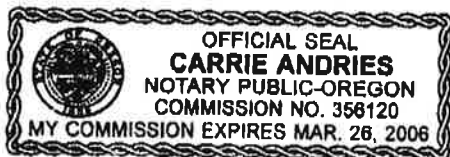
Shannon Sucher
NOTARY PUBLIC, State of Idaho
Residing at US Bank
My commission expires: 5-17-2008

Oregon
STATE OF ~~IDAHO~~)
Jackson SS.
COUNTY OF ~~ADA~~)



On this 19 day of September, 2002, before me, the undersigned Notary Public in and for said State, personally appeared BARBARA J. HARDY, known or identified to me to be the attorney-in-fact for LAVANE M. HARDY and the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same for and in behalf of LAVANE M. HARDY as her attorney-in-fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Carrie Andries
NOTARY PUBLIC, State of Idaho Oregon
Residing at Jackson County
Commission expires: 3-26-06

EXHIBIT A

Parcel RP07S13E022400A

Township 7 South, Range 13 E.B.M. described as follows:

A tract of land in Lots 3 and 6 of Section 2, excepting therefrom the following:

Beginning at the Southeast corner of said Lot 6;
thence West 746.4 feet;
thence North 14° 40' E. 1120.0 feet;
thence North 5° 13' E. 370.0 feet;
thence North 59° 08' E. 500 feet to the East line of said Lot 3;
thence South, along the East boundaries of Lots 3 and 6, 1708.5 feet to the southeast corner
of Lot 6, the point of beginning.

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
1101 W. RIVER STREET, SUITE 340
P.O. Box 7156
BOISE, ID 83707-1156
208/344-8600

Instrument # 196626

GOODING, GOODING, IDAHO

2002-08-26

09:46:47 No. of Pages: 4

Recorded for : THORNTON BYRON LLP

HELEN EDWARDS

Fee: 12.00

Ex-Officio Recorder Deputy

[Signature]

(SPACE ABOVE LINE FOR RECORDER'S USE)

BARGAIN AND SALE DEED

* * * * *

FOR VALUE RECEIVED, ESTATE OF EARL M. HARDY, DECEASED, as Grantor, does hereby grant, bargain, sell and convey unto HARDY PROPERTIES L.P., an Idaho limited partnership, whose current address is 1301 S. Vista Avenue, Boise, Idaho 83705, as Grantee, all that certain real property located in Gooding County, Idaho, more particularly described as follows:

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument effective the first day of August, 2002.

GRANTOR:

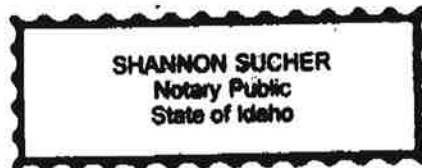
ESTATE OF EARLY M. HARDY, DECEASED

By: *Anita Kay Hardy, Personal Representative*
ANITA KAY HARDY, Personal Representative

STATE OF IDAHO)
)
) SS.
COUNTY OF ADA)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Shannon Tucker
NOTARY PUBLIC, State of Idaho
Residing at US Bank
My commission expires: May 17 2008



**My Commission Expires On
May 17, 2008**

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Parcel RP07S13E020787A

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N 28° 10' 07" W, 73.71 feet;

S 72° 29' 05" W, 83.65 feet;

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N 21° 03' 11" W, 131.78 feet;

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August 3, 1962, as microfilmed instrument No. 5263, records of Gooding County, State of Idaho, and the abutting property being on the right (Westerly) side of the Highway opposite and centering on Station 220+88 of said Highway Survey, and that no additional approaches will be allowed between Station 220+13.6 (Northerly property line) and Station 226+35 (Southerly property line) of said Highway Survey.

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW Ident. Number A36-10912 and NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW Ident. Number A37-04366 in accordance with the general and adjudication of rights to the use of water from the Snake River Basin Water System.



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

March 8, 2019

HAGERMAN VALLEY LLC
1301 S VISTA AVE STE 101
BOISE ID 83705-2501

Re: Change in Ownership for Water Right Nos: 36-8319 and 37-14265

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records for water right 37-14265 and has enclosed a computer-generated report for you. Water right 36-8319 is an application for permit and requires an Assignment of Application for Permit. I have enclosed an Assignment of Application for Permit form for your convenience. There is no fee for the assignment and a refund has been requested, which will arrive under separate cover from the State Controller's Office.

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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

C. Water District 130
Thornton Byron LLP

Judd, Debbi

From: Judd, Debbi
Sent: Friday, March 08, 2019 11:11 AM
To: Financial
Subject: Refund request

TO: Sascha Marston

FROM: Debbi Judd

DATE: March 8, 2019

RE: Refund: Ownership change

Please refund \$25. Ownership change for one water right was not processed.

NAME: THORNTON BYRON LLP

ADDRESS: PO BOX 7156
BOISE ID 83707-1156

RECEIPT #: C106287

Thank you.

Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov

RECEIVED

FEB 25 2019

DEPARTMENT OF
WATER RESOURCES

LAW OFFICE
THORNTON ♣ BYRON LLP
TAX • ESTATE PLANNING • BUSINESS • WEALTH PRESERVATION

RIVERFRONT PLAZA
3101 W. MAIN, SUITE 200
BOISE, IDAHO 83702-2099

P.O. BOX 7156
BOISE, IDAHO 83707-1156

TELEPHONE: 208-344-8600
FACSIMILE: 208-344-8720

WWW.THORNTONBYRON.COM

D. JOHN THORNTON, P.A.
GREGORY A. BYRON, LL.M., P.A.
KEVIN C. BELEW, LL.M., P.A.
JUSTIN C. JONES, LL.M., P.C.

JOSHUA G. HILLYARD, LL.M.
CORY B. FIELDING, LL.M.

OF COUNSEL
JENYA SHANAYEVA, LL.M., P.C.

PRACTICE LIMITED TO:
IDAHO, CALIFORNIA, NEVADA,
OREGON, UTAH, WASHINGTON

February 22, 2019

IDWR State Office
PO Box 83720
Boise, Idaho 83720-0098

Re: Earl M. Hardy / Hagerman Valley LLC
Notice of Change in Water Right Ownership

To Whom It May Concern:

Enclosed are the following documents for processing:

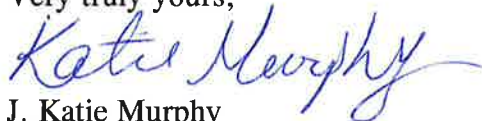
1. Quitclaim Deed from Hardy Properties LLLP, an Idaho limited liability limited partnership f/k/a Hardy Properties L.P., an Idaho limited partnership, to Hagerman Valley LLC, an Idaho limited liability company, recorded on December 6, 2018 as Instrument No. 263525, Gooding County, Idaho;
2. Bargain and Sale Deed from Estate of Earl M. Hardy, Deceased, and LaVane M. Hardy, as Grantors, to Hardy Properties L.P., an Idaho limited partnership, recorded on October 11, 2002 as Instrument No. 197293, Gooding County, Idaho;
3. Bargain and Sale Deed from Estate of Earl M. Hardy, Deceased, as Grantor, to Hardy Properties L.P., an Idaho limited partnership, recorded on August 26, 2002 as Instrument No. 196626, Gooding County, Idaho;
4. Notice of Change in Water Right Ownership for water rights 37-14265 and 36-8319; and
5. Check in the amount of \$50.00.

Pursuant to the above documents, the water rights should now be vested in Hagerman Valley LLC, an Idaho limited liability company. Please process this Notice of Change in Water Right Ownership. If you need any additional information to make this change, please let us know immediately.

February 22, 2019
Page 2

If you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink that reads "Katie Murphy". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

J. Katie Murphy
Core Registered Paralegal

/jkm
Enclosures