

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 25 2019
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?
65-10316	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-10317	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): Hardy Properties LLLP
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):
 ☐ \$25 per *undivided* water right.
 ☐ \$100 per *split* water right.
 ☐ 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* General Partner 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. Shawl Date 2/25/2019 Receipt No. C106284 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 RD Date 2/23/2019

RECORDING:

Instrument # 279166

VALLEY COUNTY, CASCADE, IDAHO

2004-01-05

11:02:35 No. of Pages: 3

Recorded for : RINGERT CLARK

LELAND G. HEINRICH

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: DEEDS

GRANT DEED

FOR VALUE RECEIVED, Barbara Jane Hardy, as "Grantor," does hereby GRANT, BARGAIN, SELL AND CONVEY to Hardy Properties LP, an Idaho limited partnership, whose current address is 1301 S. Vista Avenue, Boise, Idaho, 83705, as "Grantee," all of Grantor's interest in that certain real property located in Valley County, Idaho, and particularly described on Exhibit "A" attached hereto and made a part hereof by this reference.

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

- A. Certain rights reserved in that certain Warranty Deed dated January 25, 1963, recorded as Instrument No. 59600, records of Valley County, Idaho, and;
- B. The second half of real property taxes for 2003, due on or before June 20, 2004.

IN WITNESS WHEREOF Grantor has hereunto executed this Grant Deed this 29th day of December, 2003.

GRANTOR:

Barbara Jane Hardy

Barbara Jane Hardy
Barbara Jane Hardy

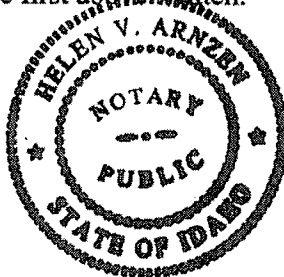
STATE OF IDAHO)

) ss

County of Ada)

On this 29th day of December, 2003, before me, a notary public in and for said state, appeared Barbara Jane Hardy, personally known, identified or proved to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.



Helen V. Arnzen
Notary Public for Idaho
Commission Expires 1/24/2009

EXHIBIT A

A tract of land in the north part of Government Lot 1, Section 35, Township 19 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Beginning at the North Quarter Corner of said Section 35, the REAL POINT OF BEGINNING: thence, S. 0° 10' E. along the quarter section line a distance of 222.5 feet to a point; thence, S. 89° 42' W., a distance of 279.73 feet to a point; thence, N. 8° 26' 23" E., 45.60 feet to a point; thence N. 81° 33' 37" W., 45.23 feet to a point; thence N. 0° 18' W., 48.20 feet to a point; thence N. 66° 35' W., 49.98 feet to a point; thence N. 5° 02' E., 6.00 feet to a point; thence, N. 84° 58' W., 93.6 feet, more or less, to the shore of Big Payette Lake; thence, in a North Easterly direction along said lake shore 104 feet, more or less, to a point on the North line of said Section 35; thence, N. 89° 42' E., along said section line 398.5 feet to the POINT OF BEGINNING, and containing 1.82 acres, more or less.

Along with and subject to the following described access and utility easement;

Beginning at the North Quarter Corner of said Section 35, thence S. 0° 10' E., along the quarter section line a distance of 222.5 feet to a ¾" pipe, thence S. 89° 42' 00" W., a distance of 185.50 feet, to the REAL POINT OF BEGINNING;

Thence N. 80° 05' 00" W., 121.93 feet,
thence N. 0° 18' 00" W., 63.61 feet to a ½" rebar,
thence N. 82° 11' 00" W., 12.12 feet to a ½" rebar,
thence S. 0° 18' 00" E., 86.94 feet to a ¾" pipe,
thence N. 89° 42' 00" E., 132.00 feet to the Point of Beginning.

Subject to current year's taxes, irrigation district assessments, public utility easements, subdivision restrictions, and U.S. Patents Reservations.

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
1101 WEST RIVER STREET, SUITE 340
POST OFFICE BOX 7156
BOISE, ID 83707-1156
208/344-8600

Instrument # 277705

VALLEY COUNTY, CASCADE, IDAHO
2003-11-06 02:22:13 No. of Pages: 3
Recorded for: THORNTON BYRON
LELAND G. HEINRICH
Ex-Officio Recorder Deputy
Index to: DEEDS

Fee: 9.00

(SPACE ABOVE LINE FOR RECORDER'S USE)

CORRECTION DEED

* * * * *

FOR VALUE RECEIVED, ANITA KAY HARDY, AS PERSONAL REPRESENTATIVE OF THE 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 of the Grantor's interest in that certain real property located in Valley County, Idaho, and 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; subject, however, to certain rights reserved unto Grantor in that certain Warranty Deed dated January 25, 1963, recorded as Instrument No. 59600, records of Valley County, Idaho.

THIS DEED IS RECORDED TO CORRECT THE LEGAL DESCRIPTIONS SET FORTH IN THOSE CERTAIN BARGAIN AND SALE DEEDS RECORDED AS FOLLOWS:

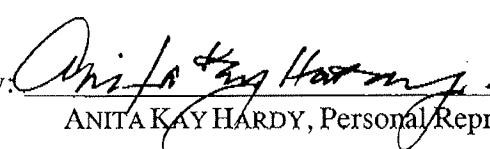
1. INSTRUMENT NUMBER 241970, DATED EFFECTIVE AUGUST 3, 1999, AND RECORDED AUGUST 4, 1999, RECORDS OF VALLEY COUNTY RECORDER; AND
2. INSTRUMENT NUMBER 242438, DATED EFFECTIVE AUGUST 1, 1999, AND RECORDED AUGUST 25, 1999, RECORDS OF VALLEY COUNTY RECORDER.

IN WITNESS WHEREOF, Grantor has hereunto subscribed said Estate's name to this instrument effective the third day of August, 1999.

GRANTOR:

ESTATE OF EARL M. HARDY DECEASED

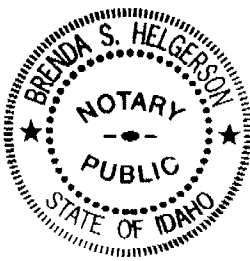
By:


ANITA KAY HARDY, Personal Representative

STATE OF IDAHO)
 ss.
COUNTY OF ADA)

On this 4th day of November, 2003, before me, the undersigned notary public in and for said state, personally appeared, ANITA KAY HARDY, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the ESTATE OF EARL M. HARDY, DECEASED, and acknowledged to me that she executed the same as such Personal Representative.

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



Brenda Helgeson
NOTARY PUBLIC, State of Idaho
Residing at: Nampa Idaho
Commission expires: 11/13/07

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Subject to current year's taxes, irrigation district assessments, public utility easements, subdivision restrictions, and U.S. Patents Reservations.



AMENDMENT TO CERTIFICATE OR REGISTRATION OF LIMITED PARTNERSHIP

(instructions on back of application)

12 MAY -7 PM 2:57

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited partnership is:

Hardy Properties L.P.

If the Limited Partnership has been administratively dissolved and the name is no longer available for use, #3a below must include an amendment of name.

2. The date of which its certificate or registration of limited partnership was filed with the Idaho

Secretary of State was August 29, 1997 and its domestic state is: Idaho

3. The certificate of limited partnership is amended as follows: [check appropriate box(es)]

☒ a. The name of the limited partnership is amended to read:

Hardy Properties LLLP

☐ b. The name of each withdrawing general partner is:

☐ c. The name and business address of each new general partner is: (if more space is needed, continue in block g)

☐ d. The statement that this limited liability limited partnership is hereby deleted.

☒ e. This limited partnership [☒ is] [☐ is not] a limited liability limited partnership.

☐ f. The business of the limited partnership is continued following an event of withdrawal of a general partner.

☐ g. Other amendments (optional):

Signature of all general partners:

Signature Anita Kay Hardy
Typed Name Anita Kay Hardy, General Partner

Signature _____

Typed Name _____

Signature _____

Typed Name _____

Secretary of State use only

g:\optform\lp\form\stamend lp.pmd
Revised 11/2006

Web Form

IDAHO SECRETARY OF STATE
05/07/2012 05:00
CK: 5556 CT: 44531 BH: 1323112
1 @ 30.00 = 30.00 LP AMEND # 2
1 @ 20.00 = 20.00 EXPEDITE C # 3

L 3492

FEB 25 2019

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.

DEPARTMENT OF
WATER RESOURCES

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 / Hardy Properties LLLP
Notice of Change in Water Right Ownership

To Whom It May Concern:

Enclosed are the following documents for processing:

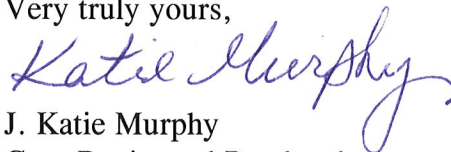
1. Correction Deed from Anita Kay Hardy, as Personal Representative of the Estate of Earl M. Hardy, Deceased, as Grantor, to Hardy Properties L.P., an Idaho limited partnership, recorded on November 6, 2003 as Instrument No. 277705, Valley County, Idaho;
2. Grant Deed from Barbara Jane Hardy, as Grantor, to Hardy Properties L.P., an Idaho limited partnership, recorded on January 5, 2004 as Instrument No. 279166, Valley County, Idaho;
3. Amendment to Certificate of Limited Partnership filed May 7, 2012 with the Idaho Secretary of State to Amend the name to Hardy Properties LLLP;
4. Notice of Change in Water Right Ownership for water rights 65-10316 and 65-10317; and
5. Check in the amount of \$50.00.

Pursuant to the above documents, the water rights should now be vested in Hardy Properties LLLP, an Idaho limited liability limited partnership. 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,



J. Katie Murphy
Core Registered Paralegal

/jkm
Enclosures



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 06, 2019

HARDY PROPERTIES L P
1301 S VISTA AVE STE 101
BOISE ID 83705-2501

Re: Change in Ownership for Water Right No(s): 65-10317 and 65-10316

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) 287-4803.

Sincerely,

Rosemary DeMond
Administrative Assistant 2

Enclosure(s)