

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 27 2018
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?
63-169 C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-9187	Yes ☒	Yes ☐		Yes ☐	Yes ☐
63-34637	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jo Ann Egge
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): HBU, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2901 E Pine Meridian ID 83642
Mailing address City State ZIP
208-855-5514 Eric@McfarlandRitter.com
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 28, 2016, July 13, 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

SUPPORT DATA

IN FILE # 63-34637

8. Signature: [Signature] Manager, HBU LLC 9/25/2018
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by [Signature] Date 9-27-18 Receipt No. C105715 Receipt Amt. 25

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 [Signature] Date 11-21-18

Please find attached the Warranty Deed from Jo Ann Eggers to Hot 3, LLC. The land was subsequently deeded to HBU, LLC via the attached quit claim deed.. HOT 3 and HBU are under common ownership.



Order No.: 1086661-pa

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=3 DAWN TRIVOLIS
FIDELITY NATIONAL TITLE - BOISE

2016-058692
07/01/2016 10:22 AM
\$16.00

WARRANTY DEED

FOR VALUE RECEIVED

Chester Properties LLC, an Idaho Limited Liability Company

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto:

H.O.T.3, LLC, an Idaho limited liability company

GRANTEES(s), whose current address is: **PO Box 1335, Meridian, ID 83680**
the following described real property in Ada County, State of Idaho, more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Effective this 28 day of June, 2016

Chester Properties LLC


By: Jo Ann Eggers
Its: Member

 **Fidelity National Title**
Order No.: 1086661-pa



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Effective this 28 day of June, 2016

Chester Properties LLC


By: Jo Ann Eggers
Its: Member

State of Idaho

County of Ada

On this 22 day of June, 2016, before me the undersigned, a Notary Public in and for said state, personally appeared Jo Ann Eggers known or identified to me to be the person(s) whose name is are subscribed to the within instrument as the Member of Chester Properties LLC and acknowledged to me that Jo Ann Eggers executed the same as such Member.

Phillip Archer
Notary Public Name: _____
Residing at _____ Residing: Meridian, Idaho
My Commission Expires: _____ Commission Expires: 06/02/2018

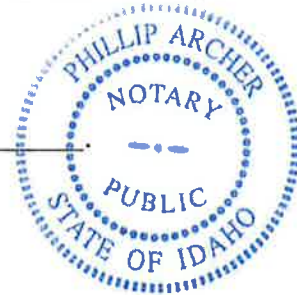


EXHIBIT "A"

Commencing at the section corner common to Sections 21, 22, 27 and 28, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho; thence

North 0 degree 16' 30" East, 40.0 feet to the REAL POINT OF BEGINNING; thence

North 0 degree 16' 30" East, 874.93 feet to a point;

thence along the centerline of an irrigation ditch on the following courses;

North 44 degrees 20' West, 137.71 feet to a point; thence

North 58 degrees 26' 30" West, 138.52 feet to a point; thence

North 83 degrees 03' West, 187.58 feet to a point; thence

South 81 degrees 20' West, 156.89 feet to a point; thence leaving the irrigation ditch and bearing North 0 degree 33' 30" East, 245.48 feet to a point; thence

North 79 degrees 31' East, 103.07 feet to a point; thence

North 67 degrees 23' East, 104.89 feet to a point; thence

North 86 degrees 32' 30" East, 357.98 feet to the section line common to Sections 21 and 22, Township 4 North, Range 1 West, Boise Meridian; thence

North 0 degree 16' 30" East, 1186.42 feet to a point on the South right of way of Phyllis Canal; thence

South 60 degrees 25' 30" West, 951.83 feet along Phyllis Canal South right of way to a point; thence

South 80 degrees 19' West, 494.26 feet along Phyllis Canal South right of way to a point; thence

South 0 degree 08' 15" West, 2000.52 feet to a point on Highway 20 North right of way; thence

South 89 degrees 50' East, 1307.57 feet along North Highway 20 right of way to the REAL POINT OF BEGINNING.

EXCEPT any portion lying within the right of way of Highway 20.

Initials J. R. E.

Initials _____



QUITCLAIM DEED

FOR VALUE RECEIVED, H.O.T. 3, LLC, an Idaho Limited Liability Company does hereby convey,
release, remise and forever quit claim unto HBU Investments, LLC whose current address is:
2901 E Pine Ave, Meridian, Idaho 83642
the following described premises:

See Exhibit A

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

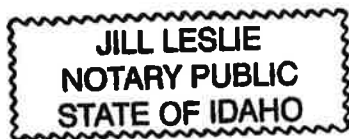
Date: July 13, 2017

By: _____

R. Orville Thompson

State of Idaho)
) S.S.
County of Ada)

On this 13th day of July, in the year 2017, before me Jill Leslie, personally appeared
R. Orville Thompson, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)
is(are) subscribed to the within instrument, and acknowledged that he(he)(they) executed the same.



Notary Public
My Commission Expires on 12/8/2020

EXHIBIT "A"

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South 89 degrees 50' East, 1307.57 feet along North Highway 20 right of way to the REAL POINT OF BEGINNING.

EXCEPT any portion lying within the right of way of Highway 20.



0003308649

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 332-2811

Filing Fee: \$0.00

B0068-9569 10/12/2018 3:45 PM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address: H.O.T. 3, LLC The file number of this entity on the records of the Idaho Secretary of State is: 0000482072 Address PO BOX 1335 MERIDIAN, ID 83680-1335								
Entity Details: Entity Status Active - Existing This entity is organized under the laws of: IDAHO The file number of this entity on the records of the Idaho Secretary of State is: 0000482072 If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W158739								
Registered Agent Name and Address Current Registered Agent ERIC RITTER Registered Agent Physical Address 2701 E PINE AVE MERIDIAN, ID 83642 Mailing Address ☐ Check here if the registered agent needs to be changed If the agent is an individual, do not put the individual's name on the attention line (then it will show in the address block twice). The attention line is used for organizations if they wish to specify a particular individual within the organization to whose attention documents should be sent.								
Limited Liability Company Managers and Members								
<table border="1"><thead><tr><th>Name of individual or organization</th><th>Title</th><th>Address</th></tr></thead><tbody><tr><td>R. ORVILLE THOMPSON</td><td>Member</td><td>2701 E PINE AVE MERIDIAN, ID 83642</td></tr></tbody></table>			Name of individual or organization	Title	Address	R. ORVILLE THOMPSON	Member	2701 E PINE AVE MERIDIAN, ID 83642
Name of individual or organization	Title	Address						
R. ORVILLE THOMPSON	Member	2701 E PINE AVE MERIDIAN, ID 83642						
The annual report must be signed by an authorized signer of the entity. R. Orville Thompson Sign Here Signer's Capacity Member 10/12/2018 Date								



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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

November 21, 2018

HBU LLC
2901 E PINE AVE
MERIDIAN ID 83642-5980

Re: Change in Water Right Ownership: 63-169C and 63-9187 (Split into 63-9187 and **63-34637**)

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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: Jo Ann Eggers
Water District 63
Settlers Irrigation District



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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

October 26, 2018

HBU LLC
2901 E PINE AVE
MERIDIAN ID 83642-5980

RE: Change in Ownership Water Right Nos: 63-169C and 63-9187

Dear Interested Party:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice). Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- ☒ Filing Fee of \$100 per water right for changes resulting from division of a water right. Water right 63-9187 requires a split, as a portion of the water right is not appurtenant to your property. I have included a map for your benefit.
- ☒ Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question. We require evidence conveying the property from H.O.T.3, LLC to HBU, LLC.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$100.

Because the Department cannot process the Notice without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4920.

Sincerely,

Debbi Judd

Technical Records Specialist

Enclosure