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JUN 13 2018

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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APR 04 2018

WATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
78-10246	Yes ☐		Yes ☐		Yes ☐
78-12313	Yes ☒	- Needs to	Yes ☐		Yes ☐
78-12494	Yes ☐	be split, see	Yes ☐		Yes ☐
	Yes ☐	deed.	Yes ☐		Yes ☐
	Yes ☐	-cd	Yes ☐		Yes ☐

2. Previous Owner's Name: BROWN'S INDUSTRIES INC.

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): KIM L. HELMICH

Name of each new owner as listed on the conveyance document

TERRIE K. HELMICH

New owner continued

Name connector ☐ and ☐ or ☒ and/orPO Box 156

Mailing address

RIGGINS

City

IDAHO 83549

State

ZIP

Telephone

HELMICH@HOTMAIL.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: APRIL 2, 2018

6. 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.

SUPPORT DATA

IN FILE # 78-102467. Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature]

Date

4/4/18/5/16/18

Receipt No.

WD46199/WD46340

Receipt Amt.

\$50⁰⁰/\$75⁰⁰

Approved by

Processed by [Signature]

Date

6-14-18

Instrument # 132136

COUNCIL, ADAMS, IDAHO

4-2-2018 01:39:08 PM No. of Pages: 2

Recorded for : TIMBERLINE TITLE & ESCROW

SHERRY WARD

Ex-Officio Recorder Deputy

Index to: DEED

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APR 26 2018

WATER RESOURCES
WESTERN REGION

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, BROWN'S INDUSTRIES, INC., an Idaho corporation as Grantor, does hereby grant, bargain, sell, and convey unto KIM L. HELMICH and TERRIE K. HELMICH, husband and wife, as Grantees, whose current address is PO Box 156, Riggins, ID, 83549, the following described real property situated in Adams County, Idaho, to-wit:

See EXHIBIT A attached hereto and incorporated herein by reference.

To have and to hold the said premises, together with improvements and appurtenances unto the said Grantees, their heirs and assigns forever, specifically including Water Right #78-10246 and the appurtenant portion of Water Right #78-12313. And the said Grantor does hereby covenant to and with said Grantees, that it is the owner in fee simple of said premises; that the said premises are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 28th day of March 2018.

BROWN'S INDUSTRIES, INC.

An Idaho corporation

By: Judd W. DeBoer

Judd W. DeBoer

Title: Director

STATE OF IDAHO,)

) ss.

County of Adams)

On this 28th day of March, 2018, before me, a Notary Public in and for said State, personally appeared JUDD W. DeBOER, known or identified to me to be the Director of BROWN'S INDUSTRIES, INC., an Idaho corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such Corporation 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.

Karen L. Amidon
NOTARY PUBLIC FOR IDAHO

My Commission Expires: 6-26-2021

KAREN L. AMIDON
Notary Public
State of Idaho

EXHIBIT 'A'

Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 11: W1/2NE1/4, the NW1/4SE1/4, and portions of the N1/2NW1/4, SE1/4NW1/4, SW1/4NW1/4, and the NE1/4SW1/4 more particularly described as follows:

Commencing at an aluminum cap on a 5/8" rebar marking the Quarter Corner common to Sections 2 and 11, T20NR1EBM, Adams County, Idaho, as shown on that particular Record of Survey recorded as Instr. No. 130977 in the Office of the Recorder of Adams County, Idaho, the REAL POINT OF BEGINNING:

Thence N 89°46'33" E., 1,320.98 feet along said section line to an aluminum cap marking the East 1/16 corner common to said Sections 2 and 11;

Thence S 0°18'10" W., 1,344.07 feet to an aluminum cap marking the NE1/16 corner of said Section 11;

Thence S 0°18'10" W., 1,344.07 feet to an aluminum cap marking the CE1/16 corner of said Section 11;

Thence S 0°18'10" W., 1,344.13 feet to an aluminum cap marking the SE1/16 corner of said Section 11;

Thence N 89°56'57" W., 1,321.42 feet to an aluminum cap marking the CS1/16 corner of said Section 11;

Thence continuing N 89°56'57" W., 742.93 feet along the southerly boundary of the NE1/4SW1/4 of said Section 11 to a 5/8" rebar on the easterly right-of-way of U.S. Highway 95;

Thence N 10°25'41" W., 288.05 feet along said easterly right-of-way to a brass cap right-of-way monument marking PT Sta. 422+09.80;

Thence 621.42 feet along said easterly right-of-way on a curve to the left, whose radius is 2,934.79 feet, delta angle is 12°07'55", and whose long chord bears N 16°27'43" W., 620.26 feet to a brass cap right-of-way monument marking PC Sta. 428+15.03;

Thence N 22°31'40" W., 543.87 feet along said easterly right-of-way to a brass cap right-of-way monument marking PT Sta. 433+60.18;

Thence 623.33 feet along said easterly right-of-way on a curve to the right, whose radius is 2,794.79 feet, delta angle is 12°46'44", and whose long chord bears N 16°08'18" W., 622.04 feet to a brass cap right-of-way monument marking Sta. 441+00;

Thence N 15°24'37" W., 101.36 feet along said easterly right-of-way to a brass cap right-of-way monument marking POT Sta. 440+21.70;

Thence N 9°44'56" W., 921.15 feet along said easterly right-of-way to a brass cap right-of-way monument marking PC Sta. 450+21.15;

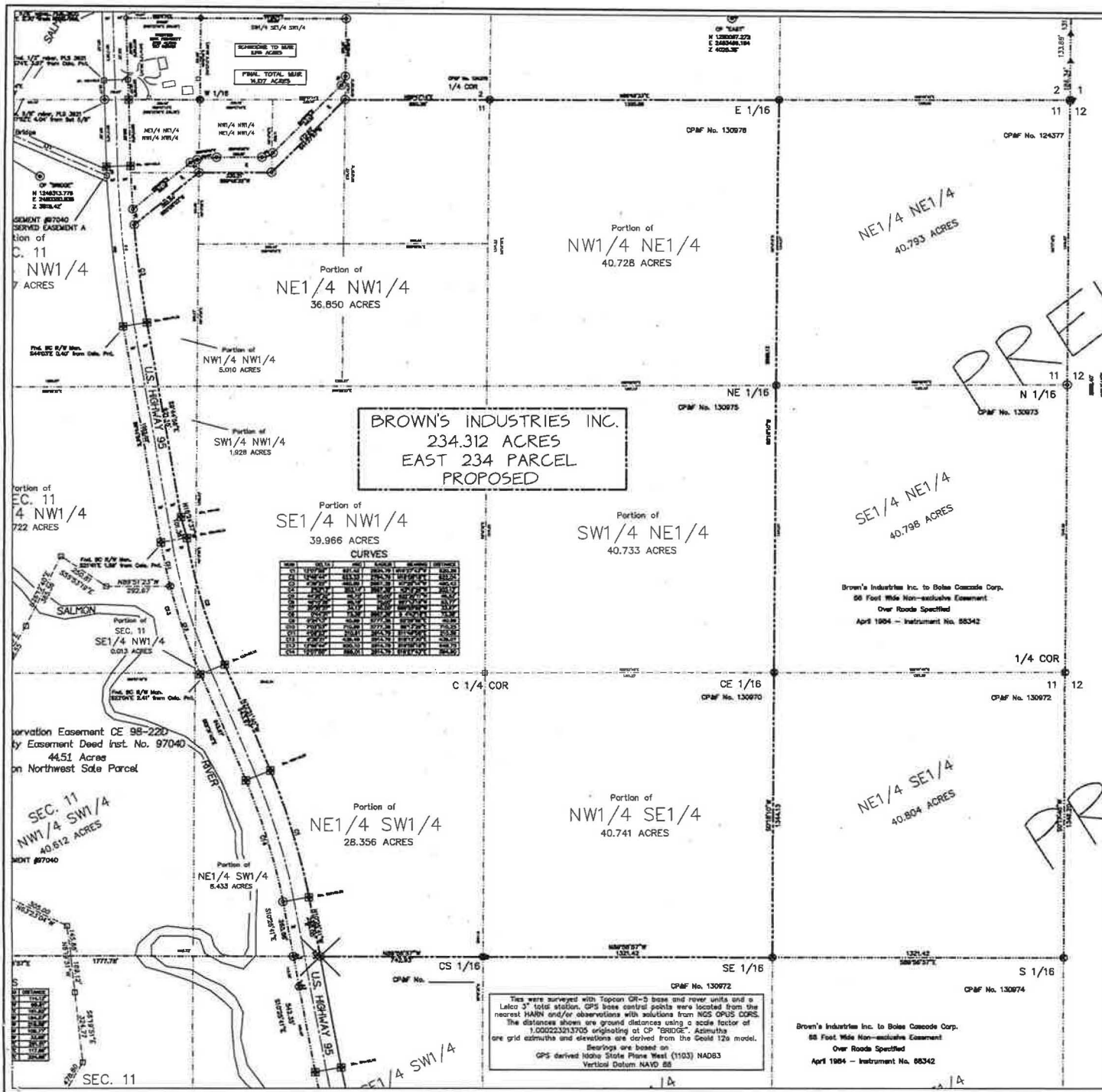
Thence 460.56 feet along said easterly right-of-way on a curve to the right, whose radius is 5,667.38 feet, delta angle is 4°39'22", and whose long chord bears N 7°25'14" W., 460.43 feet to a 5/8" rebar;

Thence N 50°08'03" E., 382.54 feet to a 5/8" rebar;

Thence N 89°48'32" E., 330.21 feet to a 5/8" rebar;

Thence N 44°37'57" E., 472.62 feet to a 5/8" rebar;

Thence N 89°47'14" E., 660.38 feet to an aluminum cap marking the Quarter Corner common to said Sections 2 and 11, the REAL POINT OF BEGINNING.



I, Rod M. Skiftun, a Professional Land Surveyor, do hereby certify that this plat was prepared from notes taken during an actual survey made under my direct supervision in April of 2018, and that it correctly represents the points, courses and distances as recorded in said field notes.



Scale 1" = 300'

LEGEND

- found brass cap
- set aluminum cap
- ⊙ set 5/8" rebar w/ plastic cap
- calc. point, no monument set
- ⊗ found aluminum cap
- ⊙ found 5/8" rebar
- found 1/2" rebar
- found R.O.W. monument
- △ found monument as noted
- O&P — overhead power lines
- set 1/2" rebar w/ plastic cap

SURVEY REFERENCES

ROS ITD, Sep. 1986, Inst. No. 74472
 ROS Brown's Industries, Dec. 1998, Inst. No. 95293
 ROS Harris Property, Sep. 2004, Inst. No. 107150
 ROS Potlatch Corp., Nov. 2012, Inst. No. 124380
 ROS PPH Investment LLC, Nov. 2013, Inst. No. 126099
 ROS Brees Ranch, April 2014, Inst. No. 126585
 ROS U.S.D.A., Oct. 2015, Inst. No. 129020
 ROS Brown's Industries, May 2017, Inst. No. 130977
 ROS Brown's Industries, June 2017, Inst. No. 131121
 ROS Brown's Industries, Aug. 2017, Inst. No. 131341
 ROS Brown's Industries, Oct. 2017, Inst. No. 131510

RECORD OF SURVEY
 Adams County, State of Idaho

BROWN'S INDUSTRIES INC.
EAST 234 PARCEL
 situate in Section 11,
 T. 20 N., R. 1 E., B.M.,
 Adams County, Idaho

DRAWN BY: RMS FILE NAME: BROWN'S RANCH HIGHWAY 95.DWG REVISION: 12 MAR 2018 LOCATOR CODE: 2001E11



SKIFTUN LAND SURVEYING, INC.
 13784 HIGHWAY 55
 McALL, IDAHO 83638
 208-634-3696/FAX 208-634-8475

Instrument # 132134

COUNCIL, ADAMS, IDAHO

3-30-2018 02:52:54 PM No. of Pages: 2

Recorded for : TIMBERLINE TITLE & ESCROW

SHERRY WARD

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 15.00

AMENDMENT TO
CORPORATE WARRANTY DEED

Pursuant To Corporate Warranty Deed Recorded With The Adams County, Idaho Recorder as Instrument No. 130861 ("2017 Deed"), BROWN'S INDUSTRIES, INC., an Idaho corporation as Grantor, conveyed unto RYAN S. SCHNEIDER, a married man as his sole and separate property, as Grantee, whose current address is 990 W. Waterfront Drive, Eureka, CA 95501, the following described real property situated in Adams County, Idaho, to-wit:

See **EXHIBIT A** attached hereto and incorporated herein by reference.

Water Right #78-12313 was specifically excluded in the 2017 Deed. Grantor hereby amends the 2017 Deed to include the appurtenant portions of Water Right #78-12313.

DATED this 28th day of March, 2018.

BROWN'S INDUSTRIES, INC.
An Idaho corporation

By:

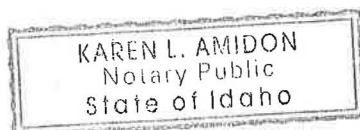
Judd W. DeBoer
Judd W. DeBoer

Title: Director

STATE OF IDAHO,)
) ss.
County of Adams)

On this 28th day of March, 2018, before me, a Notary Public in and for said State, personally appeared JUDD W. DeBOER, known or identified to me to be the Director of BROWN'S INDUSTRIES, INC., an Idaho corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such Corporation 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.



Karen L. Amidon
NOTARY PUBLIC FOR IDAHO

My Commission Expires: 6-26-2021

EXHIBIT 'A'

Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 2: SE1/4SW1/4 and the S1/2SE1/4

Section 11: E1/2NE1/4 and the NE1/4SE1/4

And

A parcel of land situate in the NW1/4 of Section 11, Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho being the NW1/4NW1/4NE1/4NW1/4, that portion of the NE1/4NE1/4NW1/4NW1/4 lying East of U.S. Highway 95, and a portion of the SE1/4NE1/4NW1/4NW1/4, more particularly described as follows:

Commencing at an aluminum cap on a 5/8" rebar marking the West 1/16 corner common to Section 2 and 11, T20NR1EBM, Adams County, Idaho, shown as the Southeast corner of the Muir property, as shown on the official plat of Black Bear Subdivision, recorded as Instr. No. 83419, in the Office of the Recorder of Adams County, Idaho, the REAL POINT OF BEGINNING;

Thence N 89°47'14" E., 330.19 feet along the boundary common to said Sections 2 and 11, to a 5/8" rebar;

Thence S 0°19'00" W., 335.11 feet to a 5/8" rebar;

Thence S 89°48'32" W., 330.21 feet to a 5/8" rebar;

Thence S 50°08'03" W., 382.54 feet to a 5/8" rebar on the easterly right-of-way of U.S. Highway 95, as shown on that particular Record of Survey, recorded as Instr. No. 95293, in the Office of the Recorder of Adams County, Idaho;

Thence 276.52 feet along said easterly right-of-way on a non-tangent curve to the right, whose radius is 5,667.38 feet, delta angle is 2°47'44", and whose long chord bears N 3°41'41" W., 276.49 feet to a concrete right-of-way monument at Station 457+66.60, as shown on Sheet 17 of the ROW plans for F.A.P. No. F-FR-3112(45);

Thence N 2°17'49" W., 303.30 feet along said easterly right-of-way to a concrete right-of-way monument on the line common to Sections 2 and 11, T20NR1EBM, Adams County, Idaho;

Thence N 89°47'14" E., 325.46 feet along said section line to the POINT OF BEGINNING.



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

June 14, 2018

KIM L HELMICH
TERRIE K HELMICH
PO BOX 156
RIGGINS ID 83549-0156

Re: Change in Water Right Ownership: 78-12313 (Split into 78-12313 and **78-12494**) & 78-10246

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) 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(s) 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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Browns Industries Inc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 2, 2018

KIM L & TERRIE K HELMICH
PO BOX 156
RIGGINS ID 83549

RE: Notice of Ownership Change in Water Right No. 78-12313

Dear Applicants:

The purpose of this letter is to request clarification regarding the above referenced application.

The deed that you provided does not cover the entire place of use (POU) for water right 78-12313. This does not apply to water right 78-10246, the POU is covered on the deed. The following items must be completed for the processing of your ownership change to continue:

- Submit \$75. The filing fee for a Notice of Change in Water Right Ownership is \$25.00 per undivided water right or a **fee of \$100.00 per split water right**. The \$25 already submitted to the Department will be applied to the balance. The deed contains the following passage regarding water right 78-12313: *"To have and to hold the said premises, together with improvements and appurtenances unto the said Grantees, their heirs and assigns forever, specifically Water Right #78-10246 and **the appurtenant portion of Water Right #78-12313.**"*

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 19, 2018

KIM L & TERRIE K HELMICH
PO BOX 156
RIGGINS ID 83549

RE: Ownership Change for Water Right No's: 78-10246 & 78-12313

Dear Applicants,

The Department of Water Resources acknowledges receipt of your request for an ownership change on the water right mentioned above. However, after reviewing the request, it was determined the form was not completed and additional documentation is needed to complete this request.

Please complete and submit the requested documentation listed below:

- 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. **The deed received is in the name of RYAN S SCHNEIDER, please submit a conveyance document granting the property into your name(s) in order for the application to be processed.**
- Water right 78-12313 may need to be split. The place of use (POU) overlaps multiple properties not conveyed on the deed. Please draw/outline your property on the map you submitted indicating where your portion of the water right is located. I have included an additional map, proof report and copy of the survey map submitted with the application for reference.
- If you determine that 78-12313 does indeed need to be split, please submit \$75.00. The filing fee for a Notice of Change in Water Right Ownership is \$25.00 **per** undivided water right or a fee of **\$100.00 per split water right**. The \$25.00 already submitted for 78-12313 will be applied to the balance.

Because the Department cannot process this request at this time, we will hold any action on your notice pending receipt of the necessary documentation. If we do not receive the required documentation within 30 days, the notice will be returned and will not be processed.

Thank you for your cooperation. If you have any questions please, contact this office at 208-334-2190.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures