

RECEIVED

JAN 31 2018

WATER RESOURCES
WESTERN REGION

MAR 02 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPARTMENT 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?
63-7123	Yes ☐	Yes ☐	63-32266	Yes ☐	Yes ☐
63-4086B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-17454	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-4023B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-2535	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: BHH Investors 1414, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dry Creek Water Company, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 729 S. Bridgeway Pl. Eagle ID 83616
Mailing address City State ZIP
- 208-484-6401 jameshunter1@hotmail.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: 11 December 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):
☐ \$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: [Signature] Manager 1/30/2018
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 [Signature] Date 1/31/2018 Receipt No. W046012 Receipt Amt. \$150

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 [Signature] Approved by _____ Processed by [Signature] Date 3-13-18



00444800201701210470250259

Please record then send to:

Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Suite 102
P.O. Box 2139
Boise, ID 83701-2139

QUIT CLAIM DEED FOR WATER RIGHTS

BHH INVESTORS 1414, LLC, an Idaho limited liability company ("Grantor"), with an address of 729 S. Bridgeway Place, Suite 290, Eagle, ID 83616, for good cause and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey and quitclaim all right, title and interest unto DRY CREEK WATER COMPANY, LLC, ("Grantee"), whose address is 729 S. Bridgeway Place, Suite 290, Eagle, ID 83616, the following described Water Right Nos.:

Water Right No. 63-2535:

0.7 cfs irrigation, including 0.02 domestic, for a total volume of 157.5 AFA with a place of use of 35 acres within 739 acres, as set forth in the partial decree for said water right entered on April 11, 2007, *In Re SRBA*, Twin Falls Case No. 39576, as modified by Transfer No. 73817, dated January 21, 2009, copy of which is attached hereto as Exhibit A.

Water Right No. 63-4023B:

3.0 cfs irrigation, including 0.04 stock water, with a total volume of 810 AFA with a place of use of 180 acres within 739 acres, as set forth in the partial decree for said water right entered on April 11, 2007, *In Re SRBA*, Twin Falls Case No. 39576, as modified by Transfer No. 73817, dated January 21, 2009, copy of which is attached hereto as Exhibit B.

Water Right No. 63-4086B:

5.0 cfs irrigation with a total volume of 1615.5 AFA with a place of use of 359 acres within 739 acres, as set forth in the partial decree for said water right entered on April 11, 2007, *In Re SRBA*, Twin Falls Case No. 39576, as modified by Transfer No. 73817, dated January 21, 2009, copy of which is attached hereto as Exhibit C.

Water Right No. 63-7123:

0.79 cfs irrigation with a total volume of 1615.5 AFA with a place of use of 351 acres within 739 acres, as set forth in the partial decree for said water right entered on April 11, 2007, *In Re SRBA*, Twin Falls Case No. 39576, as modified by Transfer No. 73817, dated January 21, 2009, copy of which is attached hereto as Exhibit D.

Water Right No. 63-17454:

1.7 cfs irrigation with a place of use of 85 acres within 739 acres, as set forth in the partial decree for said water right entered on April 11, 2007, *In Re SRBA*, Twin Falls Case No. 39576, as modified by Transfer No. 73817, dated January 21, 2009, copy of which is attached hereto as Exhibit E.

Water Right No. 63-32266:

0.23 cfs irrigation with a total volume of 54 AFA with a place of use of 12 acres, as set forth in the partial decree for said water right entered on May 13, 2009, *In Re SRBA*, Twin Falls Case No. 39576, copy of which is attached hereto as Exhibit F.

TO HAVE AND TO HOLD, the above-described Water Right Nos. 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266 unto the Grantee and to the successors and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this Quit Claim Deed this 11 day of December, 2017.

DATED this 11 day of December, 2017.

GRANTOR

BHH INVESTORS 1414, LLC, an Idaho limited liability company

By: [Signature]

Name:

Its: Member/Manager

STATE OF IDAHO)

) ss.

County of Ada)

On this 11th day of December, 2017, before me, a Notary Public for said County and State, personally appeared James H. Hunter, Member/Manager of BHH Investors 1414, LLC, an Idaho limited liability company, known to me to be the person named in the foregoing and who executed this Quit Claim Deed.

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

[Signature]
NOTARY PUBLIC FOR IDAHO

Residing at: Ada County

My commission expires: 9-2-21

QUIT CLAIM DEED FOR WATER RIGHTS
Version 1, 12/1/17



EXHIBIT A

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

AMENDED**TRANSFER OF WATER RIGHT****AMENDED****TRANSFER NO. 73817**

This is to certify that: JMM DRY CREEK LLC
C/O LAND BARON INVESTMENTS
5275 S DURANGO DR
LAS VEGAS NV 89113
(702) 851-3999

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-2535	WR/Decreed	08/24/1937	0.7 cfs	157.5 af	35.0	35.0	GROUND WATER
63-4023B	WR/Decreed	07/01/1927	3 cfs	810 af	180.0	180.0	GROUND WATER
63-4086B	WR/Decreed	07/20/1960	5 cfs	1615.5 af	359.0	359.0	GROUND WATER
63-7123	WR/Decreed	07/11/1968	0.79 cfs	1615.5 af	351.0	351.0	GROUND WATER
63-17454	WR/Decreed	03/20/1938	1.7 cfs	N/A	85.0	85.0	DRY CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-2535	NO	NO	YES	YES	NO	NO
63-4023B	NO	NO	YES	YES	NO	NO
63-4086B	NO	NO	YES	YES	NO	NO
63-7123	NO	NO	YES	YES	NO	NO
63-17454	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-2535	63-2535	0.7 cfs	157.5 af	35.0	739.0		N/A	N/A		N/A
63-4023B	63-4023B	3 cfs	810 af	180.0	739.0		N/A	N/A		N/A
63-4086B	63-4086B	5 cfs	1615.5 af	359.0	739.0		N/A	N/A		N/A
63-7123	63-7123	0.79 cfs	1615.5 af	351.0	739.0		N/A	N/A		N/A
63-17454	63-17454	1.7 cfs	N/A	85.0	739.0		N/A	N/A		N/A
COMBINED										
TOTALS		7.84 cfs	1764 af	392	739		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of January, 2009**SUPPORT DATA****IN FILE #** 63-2535


John Westra, Western Regional Manager

This approval document also contains an associated right, No. 63-32266 (expansion right), whose conditions have been updated as a result of this transfer (shown on page 12).

WATER RIGHT NO. 63-2535
As Modified by Transfer No. 73817

In accordance with the approval of Transfer No. 73817, Water Right No. 63-2535 is now described as follows.

Right Holder: JMM DRY CREEK LLC
 C/O LAND BARON INVESTMENTS
 5275 S DURANGO DR
 LAS VEGAS NV 89113

Priority Date: August 24, 1937

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01 to 12/31		0.02 CFS	
IRRIGATION	03/01 to 11/15		0.70 CFS	157.5 AF
			0.70 CFS	157.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 35 Twp 05N	Rge 01E	ADA County
GROUND WATER	NENE	Sec. 36 Twp 05N	Rge 01E	ADA County
GROUND WATER	NENE	Sec. 36 Twp 05N	Rge 01E	ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	25									14.4	.4	9.0	35.7		10.9	29.7	32.8	132.9
05N	01E	35	40.3	37.0	39.2	40.3				27.9			1.9	36.4	25.7	.4	15.8		264.9
05N	01E	36	40.5	40.5	34.9	20.2	40.5	40.5	38.9	37.9	13.0				1.2	8.9			317.0
05N	02E	30											24.2						24.2

Total Acres: 739

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 63-2535
As Modified by Transfer No. 73817

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right is limited to the irrigation of 35 acres within the place of use described above in a single irrigation season.
7. Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454 and 63-32266 when combined shall not exceed a total diversion rate of 7.84 cfs, a total annual maximum diversion volume of 1764.0 af at the field headgate, and the irrigation of 404 acres in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of January, 20 09



John Westra, Western Regional Manager

EXHIBIT B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 73817

This is to certify that: JMM DRY CREEK LLC
C/O LAND BARON INVESTMENTS
5275 S DURANGO DR
LAS VEGAS NV 89113
(702) 851-3999

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
63-2535	WR/Decreed	08/24/1937	0.7 cfs	157.5 af	35.0	35.0	GROUND WATER
63-4023B	WR/Decreed	07/01/1927	3 cfs	810 af	180.0	180.0	GROUND WATER
63-4086B	WR/Decreed	07/20/1960	5 cfs	1615.5 af	359.0	359.0	GROUND WATER
63-7123	WR/Decreed	07/11/1968	0.79 cfs	1615.5 af	351.0	351.0	GROUND WATER
63-17454	WR/Decreed	03/20/1938	1.7 cfs	N/A	85.0	85.0	DRY CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-2535	NO	NO	YES	YES	NO	NO
63-4023B	NO	NO	YES	YES	NO	NO
63-4086B	NO	NO	YES	YES	NO	NO
63-7123	NO	NO	YES	YES	NO	NO
63-17454	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

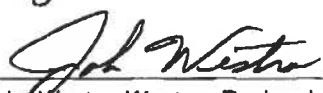
Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-2535	63-2535	0.7 cfs	157.5 af	35.0	739.0		N/A	N/A		N/A
63-4023B	63-4023B	3 cfs	810 af	180.0	739.0		N/A	N/A		N/A
63-4086B	63-4086B	5 cfs	1615.5 af	359.0	739.0		N/A	N/A		N/A
63-7123	63-7123	0.79 cfs	1615.5 af	351.0	739.0		N/A	N/A		N/A
63-17454	63-17454	1.7 cfs	N/A	85.0	739.0		N/A	N/A		N/A
COMBINED										
TOTALS		7.84 cfs	1764 af	392	739		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of January, 2009

SUPPORT DATA

IN FILE # 63-2535


John Westra, Western Regional Manager

This approval document also contains an associated right, No. 63-32266 (expansion right), whose conditions have been updated as a result of this transfer (shown on page 12).

WATER RIGHT NO. 63-4023B
As Modified by Transfer No. 73817

In accordance with the approval of Transfer No. 73817, Water Right No. 63-4023B is now described as follows.

Right Holder: JMM DRY CREEK LLC
 C/O LAND BARON INVESTMENTS
 5275 S DURANGO DR
 LAS VEGAS NV 89113

Priority Date: July 01, 1927

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	3.00 CFS	810.0 AF
STOCKWATER	01/01	to 12/31	0.04 CFS	
			3.00 CFS	810.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 35 Twp 05N	Rge 01E	ADA County
GROUND WATER	NENE	Sec. 36 Twp 05N	Rge 01E	ADA County
GROUND WATER	NENE	Sec. 36 Twp 05N	Rge 01E	ADA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 01E 25									14.4	.4	9.0	35.7		10.9	29.7	32.8	132.9
05N 01E 35	40.3	37.0	39.2	40.3					27.9			1.9	36.4	25.7	.4	15.8	264.9
05N 01E 36	40.5	40.5	34.9	20.2	40.5	40.5	38.9	37.9	13.0				1.2	8.9			317.0
05N 02E 30											24.2						24.2

Total Acres: 739

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 63-4023B
As Modified by Transfer No. 73817

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right is limited to the irrigation of 180 acres within the place of use described above in a single irrigation season.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454 and 63-32266 when combined shall not exceed a total diversion rate of 7.84 cfs, a total annual maximum diversion volume of 1764.0 af at the field headgate, and the irrigation of 404 acres in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of January, 20 09



John Westra, Western Regional Manager

EXHIBIT C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 73817

This is to certify that: JMM DRY CREEK LLC
C/O LAND BARON INVESTMENTS
5275 S DURANGO DR
LAS VEGAS NV 89113
(702) 851-3999

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
63-2535	WR/Decreed	08/24/1937	0.7 cfs	157.5 af	35.0	35.0	GROUND WATER
63-4023B	WR/Decreed	07/01/1927	3 cfs	810 af	180.0	180.0	GROUND WATER
63-4086B	WR/Decreed	07/20/1960	5 cfs	1615.5 af	359.0	359.0	GROUND WATER
63-7123	WR/Decreed	07/11/1968	0.79 cfs	1615.5 af	351.0	351.0	GROUND WATER
63-17454	WR/Decreed	03/20/1938	1.7 cfs	N/A	85.0	85.0	DRY CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-2535	NO	NO	YES	YES	NO	NO
63-4023B	NO	NO	YES	YES	NO	NO
63-4086B	NO	NO	YES	YES	NO	NO
63-7123	NO	NO	YES	YES	NO	NO
63-17454	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-2535	63-2535	0.7 cfs	157.5 af	35.0	739.0		N/A	N/A		N/A
63-4023B	63-4023B	3 cfs	810 af	180.0	739.0		N/A	N/A		N/A
63-4086B	63-4086B	5 cfs	1615.5 af	359.0	739.0		N/A	N/A		N/A
63-7123	63-7123	0.79 cfs	1615.5 af	351.0	739.0		N/A	N/A		N/A
63-17454	63-17454	1.7 cfs	N/A	85.0	739.0		N/A	N/A		N/A
COMBINED										
TOTALS		7.84 cfs	1764 af	392	739		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of January, 2009

SUPPORT DATA

IN FILE # 63-2535


John Westra, Western Regional Manager

This approval document also contains an associated right, No. 63-32266 (expansion right), whose conditions have been updated as a result of this transfer (shown on page 12).

WATER RIGHT NO. 63-4086B
As Modified by Transfer No. 73817

In accordance with the approval of Transfer No. 73817, Water Right No. 63-4086B is now described as follows.

Right Holder: JMM DRY CREEK LLC
 C/O LAND BARON INVESTMENTS
 5275 S DURANGO DR
 LAS VEGAS NV 89113

Priority Date: July 20, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	5.00 CFS	1,615.5 AF
			5.00 CFS	1,615.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 35 Twp 05N	Rge 01E	ADA County
GROUND WATER	NENE	Sec. 36 Twp 05N	Rge 01E	ADA County
GROUND WATER	NENE	Sec. 36 Twp 05N	Rge 01E	ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	25									14.4	.4	9.0	35.7		10.9	29.7	32.8	132.9
06N	01E	35	40.3	37.0	39.2	40.3				27.9			1.9		36.4	25.7	.4	15.8	264.9
05N	01E	36	40.5	40.5	34.9	20.2	40.5	40.5	38.9	37.9	13.0				1.2	8.9			317.0
05N	02E	30											24.2						24.2

Total Acres: 739

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 63-4086B
As Modified by Transfer No. 73817

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right is limited to the irrigation of 359 acres within the place of use described above in a single irrigation season.
7. Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454 and 63-32266 when combined shall not exceed a total diversion rate of 7.84 cfs, a total annual maximum diversion volume of 1764.0 af at the field headgate, and the irrigation of 404 acres in a single irrigation season.
8. Rights 63-4086B and 63-7123 when combined shall not exceed a total annual maximum diversion volume of 1615.5 af at the field headgate, and the irrigation of 359 acres in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of January, 2009

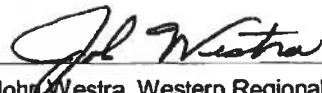

John Westra, Western Regional Manager

EXHIBIT D

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

AMENDED**TRANSFER OF WATER RIGHT****AMENDED****TRANSFER NO. 73817**

This is to certify that: JMM DRY CREEK LLC
C/O LAND BARON INVESTMENTS
5275 S DURANGO DR
LAS VEGAS NV 89113
(702) 851-3999

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-2535	WR/Decreed	08/24/1937	0.7 cfs	157.5 af	35.0	35.0	GROUND WATER
63-4023B	WR/Decreed	07/01/1927	3 cfs	810 af	180.0	180.0	GROUND WATER
63-4086B	WR/Decreed	07/20/1960	5 cfs	1615.5 af	359.0	359.0	GROUND WATER
63-7123	WR/Decreed	07/11/1968	0.79 cfs	1615.5 af	351.0	351.0	GROUND WATER
63-17454	WR/Decreed	03/20/1938	1.7 cfs	N/A	85.0	85.0	DRY CREEK

Purpose of Transfer (Changes Proposed)

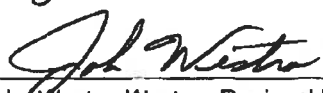
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-2535	NO	NO	YES	YES	NO	NO
63-4023B	NO	NO	YES	YES	NO	NO
63-4086B	NO	NO	YES	YES	NO	NO
63-7123	NO	NO	YES	YES	NO	NO
63-17454	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-2535	63-2535	0.7 cfs	157.5 af	35.0	739.0		N/A	N/A		N/A
63-4023B	63-4023B	3 cfs	810 af	180.0	739.0		N/A	N/A		N/A
63-4086B	63-4086B	5 cfs	1615.5 af	359.0	739.0		N/A	N/A		N/A
63-7123	63-7123	0.79 cfs	1615.5 af	351.0	739.0		N/A	N/A		N/A
63-17454	63-17454	1.7 cfs	N/A	85.0	739.0		N/A	N/A		N/A
COMBINED										
TOTALS		7.84 cfs	1764 af	392	739		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of January, 2009**SUPPORT DATA****IN FILE #** 63-2535


John Westra, Western Regional Manager

This approval document also contains an associated right, No. 63-32266 (expansion right), whose conditions have been updated as a result of this transfer (shown on page 12).

WATER RIGHT NO. 63-7123
As Modified by Transfer No. 73817

In accordance with the approval of Transfer No. 73817, Water Right No. 63-7123 is now described as follows.

Right Holder: JMM DRY CREEK LLC
 C/O LAND BARON INVESTMENTS
 5275 S DURANGO DR
 LAS VEGAS NV 89113

Priority Date: July 11, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.79 CFS	1,615.5 AF
			0.79 CFS	1,615.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 35 Twp 05N	Rge 01E	ADA County
GROUND WATER	NENE	Sec. 36 Twp 05N	Rge 01E	ADA County
GROUND WATER	NENE	Sec. 36 Twp 05N	Rge 01E	ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	25									14.4	.4	9.0	35.7		10.9	29.7	32.8	132.9
05N	01E	35	40.3	37.0	39.2	40.3					27.9			1.9	36.4	25.7	.4	15.8	264.9
05N	01E	36	40.5	40.5	34.9	20.2	40.5	40.5	38.9	37.9	13.0				1.2	8.9			317.0
05N	02E	30											24.2						24.2

Total Acres: 739

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

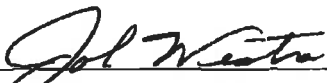
WATER RIGHT NO. 63-7123
As Modified by Transfer No. 73817

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right is limited to the irrigation of 351 acres within the place of use described above in a single irrigation season.
7. Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454 and 63-32266 when combined shall not exceed a total diversion rate of 7.84 cfs, a total annual maximum diversion volume of 1764.0 af at the field headgate, and the irrigation of 404 acres in a single irrigation season.
8. Rights 63-4086B and 63-7123 when combined shall not exceed a total annual maximum diversion volume of 1615.5 af at the field headgate, and the irrigation of 359 acres in a single irrigation season.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/11/2007.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of January, 20 09



John Westra, Western Regional Manager

EXHIBIT E

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

AMENDED**TRANSFER OF WATER RIGHT****AMENDED****TRANSFER NO. 73817**

This is to certify that: JMM DRY CREEK LLC
C/O LAND BARON INVESTMENTS
5275 S DURANGO DR
LAS VEGAS NV 89113
(702) 851-3999

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
63-2535	WR/Decreed	08/24/1937	0.7 cfs	157.5 af	35.0	35.0	GROUND WATER
63-4023B	WR/Decreed	07/01/1927	3 cfs	810 af	180.0	180.0	GROUND WATER
63-4086B	WR/Decreed	07/20/1960	5 cfs	1615.5 af	359.0	359.0	GROUND WATER
63-7123	WR/Decreed	07/11/1968	0.79 cfs	1615.5 af	351.0	351.0	GROUND WATER
63-17454	WR/Decreed	03/20/1938	1.7 cfs	N/A	85.0	85.0	DRY CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-2535	NO	NO	YES	YES	NO	NO
63-4023B	NO	NO	YES	YES	NO	NO
63-4086B	NO	NO	YES	YES	NO	NO
63-7123	NO	NO	YES	YES	NO	NO
63-17454	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-2535	63-2535	0.7 cfs	157.5 af	35.0	739.0		N/A	N/A		N/A
63-4023B	63-4023B	3 cfs	810 af	180.0	739.0		N/A	N/A		N/A
63-4086B	63-4086B	5 cfs	1615.5 af	359.0	739.0		N/A	N/A		N/A
63-7123	63-7123	0.79 cfs	1615.5 af	351.0	739.0		N/A	N/A		N/A
63-17454	63-17454	1.7 cfs	N/A	85.0	739.0		N/A	N/A		N/A
COMBINED										
TOTALS		7.84 cfs	1764 af	392	739		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of January, 2009**SUPPORT DATA**IN FILE # 63-2535


John Westra, Western Regional Manager

This approval document also contains an associated right, No. 63-32266 (expansion right), whose conditions have been updated as a result of this transfer (shown on page 12).

WATER RIGHT NO. 63-17454
As Modified by Transfer No. 73817

In accordance with the approval of Transfer No. 73817, Water Right No. 63-17454 is now described as follows.

Right Holder: JMM DRY CREEK LLC
 C/O LAND BARON INVESTMENTS
 5275 S DURANGO DR
 LAS VEGAS NV 89113

Priority Date: March 20, 1938

Source: DRY CREEK

Tributary: BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01	to 11/15	1.70 CFS
			1.70 CFS

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK NENE Sec. 36 Twp 05N Rge 01E ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	25									14.4	.4	9.0	35.7		10.9	29.7	32.8	132.9
05N	01E	35	40.3	37.0	39.2	40.3					27.9			1.9	36.4	25.7	.4	15.8	264.9
05N	01E	36	40.5	40.5	34.9	20.2	40.5	40.5	38.9	37.9	13.0				1.2	8.9			317.0
05N	02E	30											24.2						24.2

Total Acres: 739

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

WATER RIGHT NO. 63-17454
As Modified by Transfer No. 73817

CONDITIONS OF APPROVAL

6. This right is limited to the irrigation of 85 acres within the place of use described above in a single irrigation season.
7. Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454 and 63-32266 when combined shall not exceed a total diversion rate of 7.84 cfs, a total annual maximum diversion volume of 1764.0 af at the field headgate, and the irrigation of 404 acres in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of January, 20 09

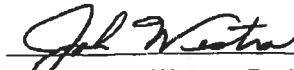

John Westra, Western Regional Manager

EXHIBIT F

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-32266

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY 13 2009

NAME AND ADDRESS: JMM DRY CREEK LLC
C/O LAND BARON INVESTMENTS
5275 S DURANGO DR
LAS VEGAS, NV 89113

SOURCE: GROUND WATER

QUANTITY: 0.23 CFS
54.00 AFY

By _____
Clerk
Deputy Clerk

Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454 and
63-32266 when combined shall not exceed a total diversion rate of
7.84 cfs, a total annual maximum diversion volume of 1764.0 af at
the field headgate, and the irrigation of 404 acres in a single
irrigation season.

PRIORITY DATE: 03/01/1987

This water right is subordinate to all water rights with a
priority date earlier than April 12, 1994, that are not decreed
as enlargements pursuant to Section 42-1426, Idaho Code. As
between water rights decreed as enlargements pursuant to Section
42-1426, Idaho Code, the earlier priority right is the superior
right.

POINT OF DIVERSION: T05N R01E S35 NENE Within Ada County
S36 NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.23 CFS 54.00 AFY

PLACE OF USE: Irrigation Within Ada County
T05N R01E S25 SESW 12.0
12.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

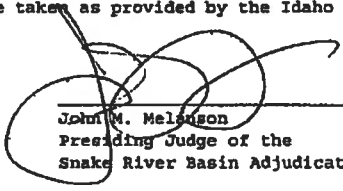
This right is based upon an enlargement of Right Nos. 63-2535,
63-4023B, 63-4086B and 63-7123 pursuant to Section 42-1426,
Idaho Code.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

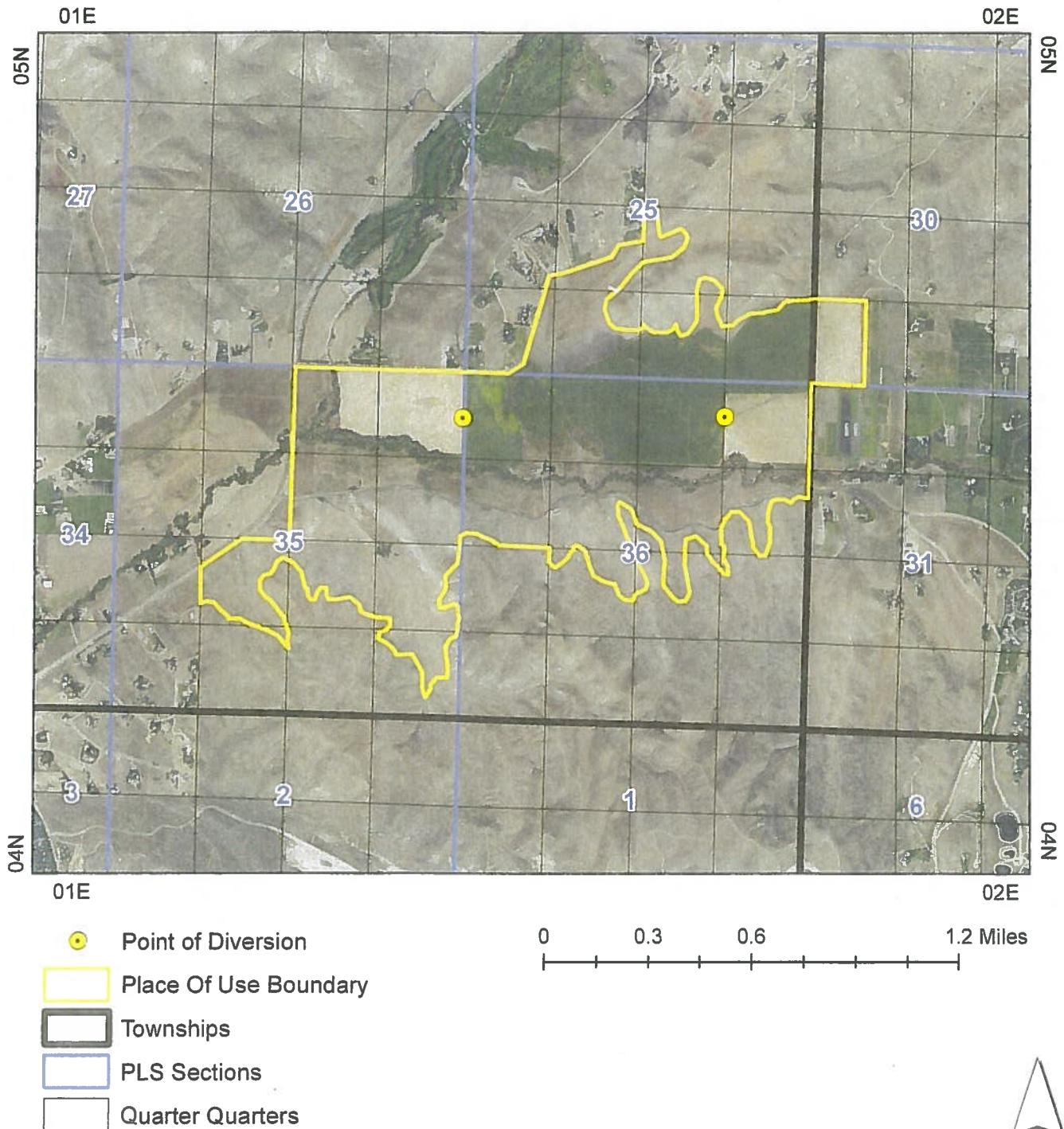
Aerial Exhibits
Point of Diversions

State of Idaho
Department of Water Resources

Water Right
63-7123

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.

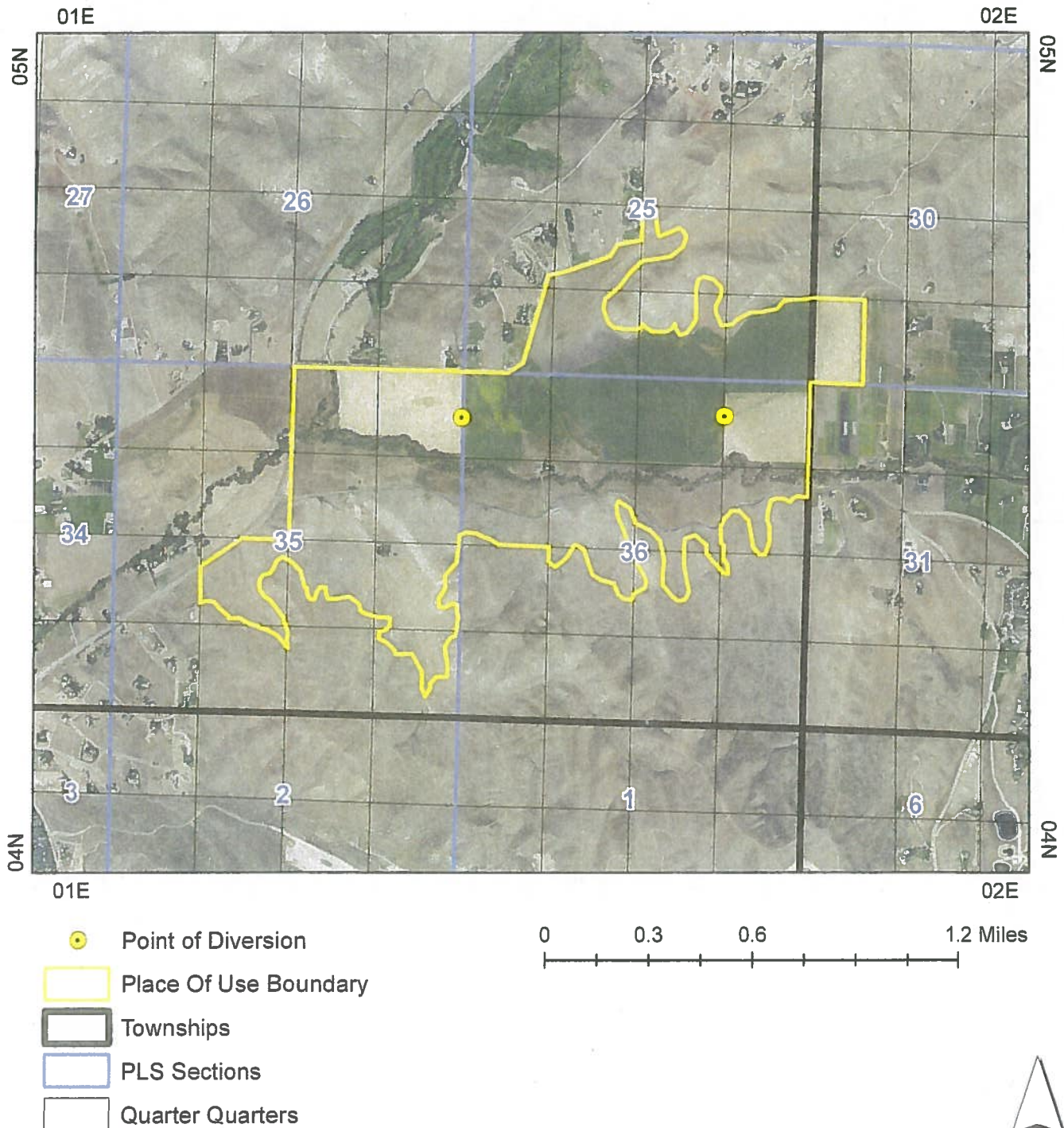


State of Idaho
Department of Water Resources

Water Right 63-4086B

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.

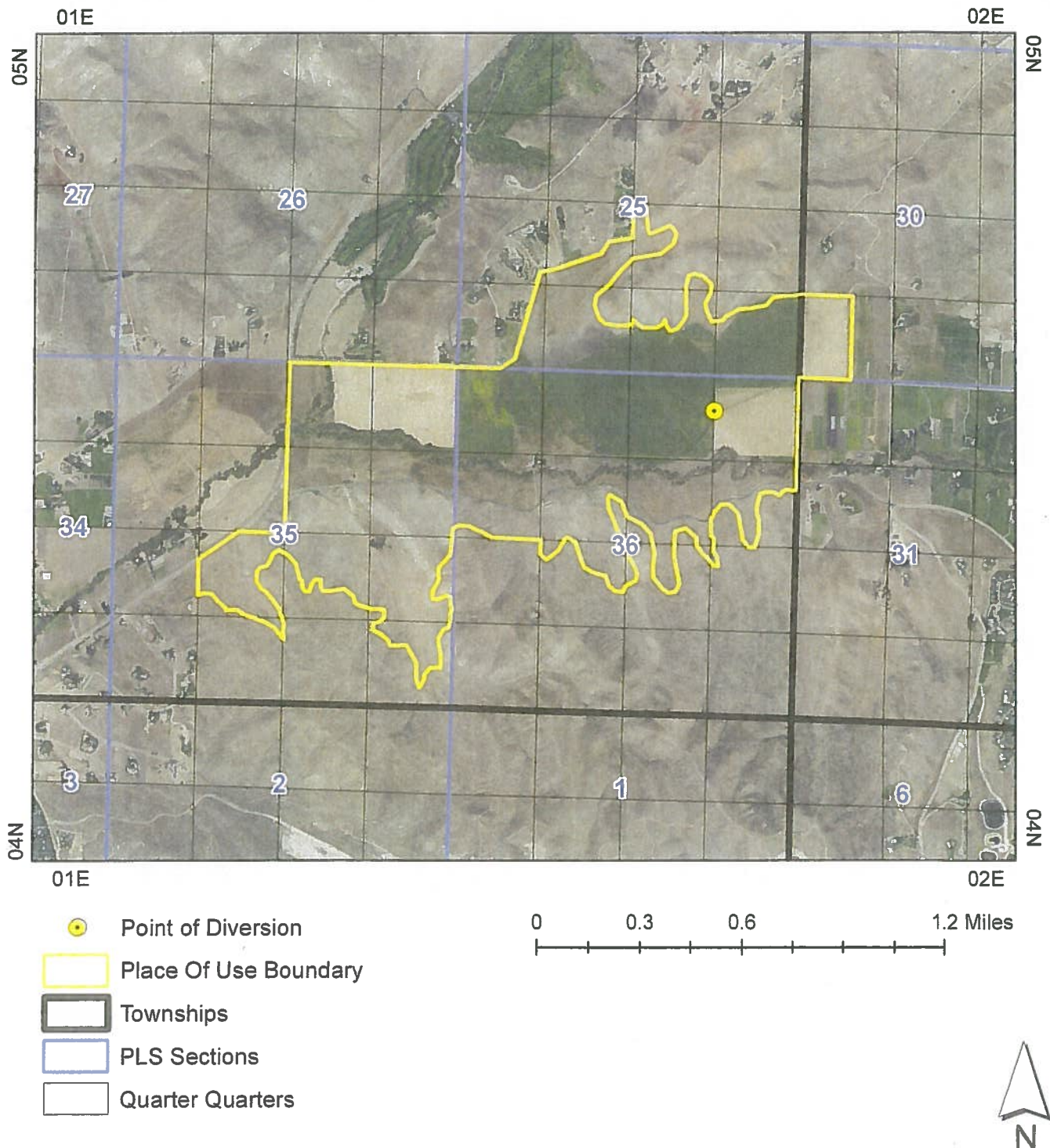


State of Idaho
Department of Water Resources

Water Right
63-17454

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.

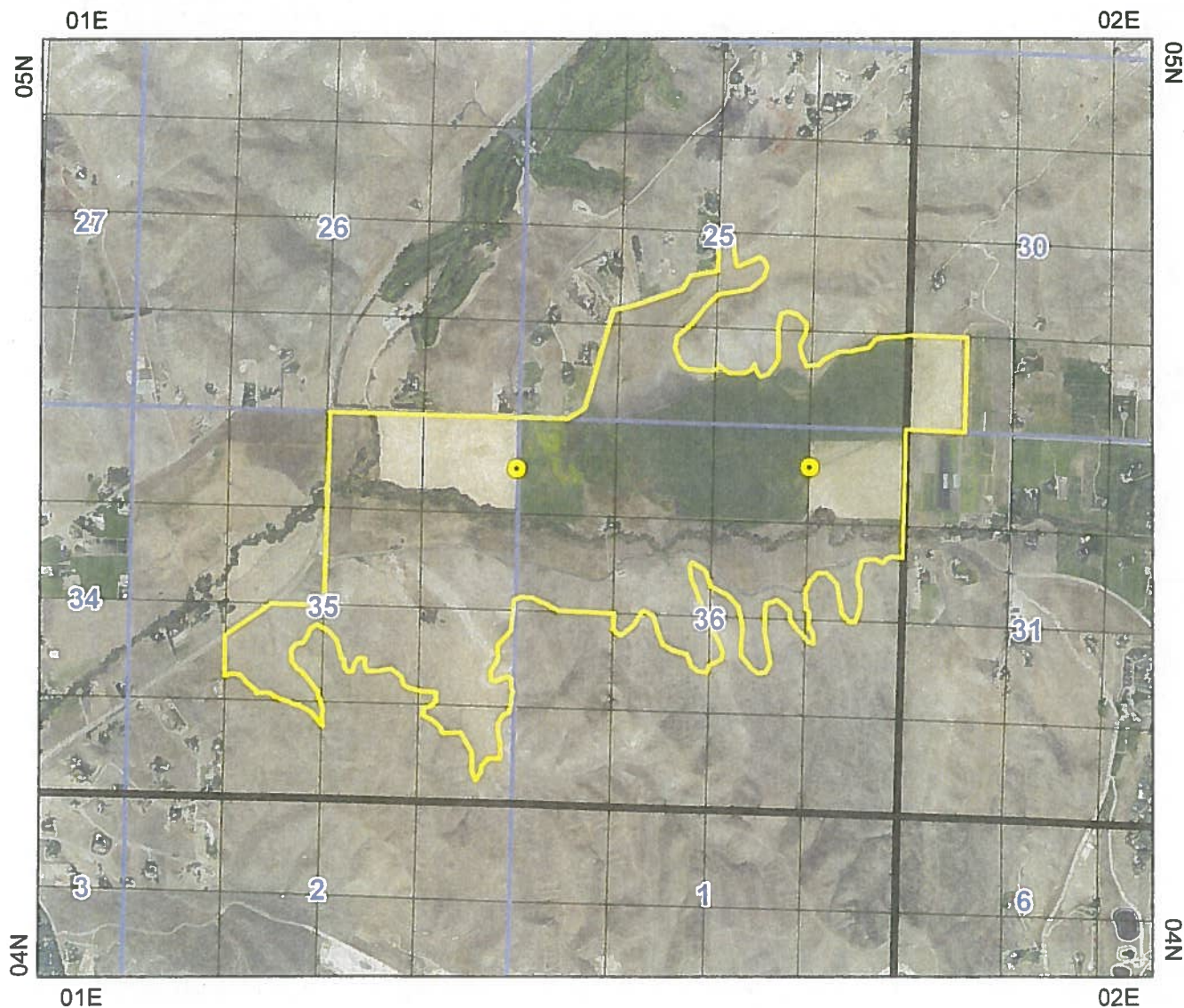


State of Idaho
Department of Water Resources

Water Right
63-4023B

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 0.3 0.6 1.2 Miles

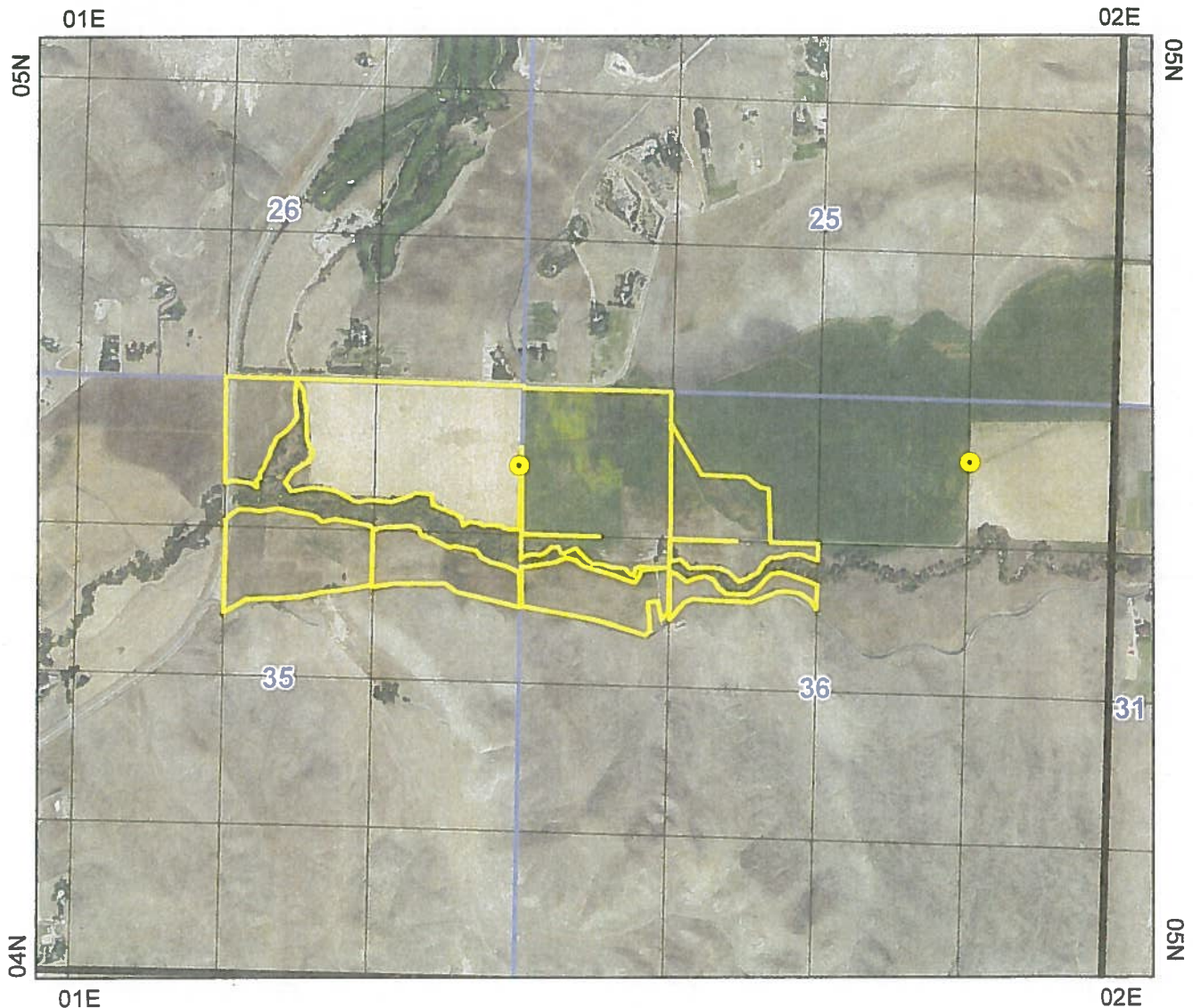


State of Idaho
Department of Water Resources

Water Right
63-4023B

STOCKWATER

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 0.175 0.35 0.7 Miles

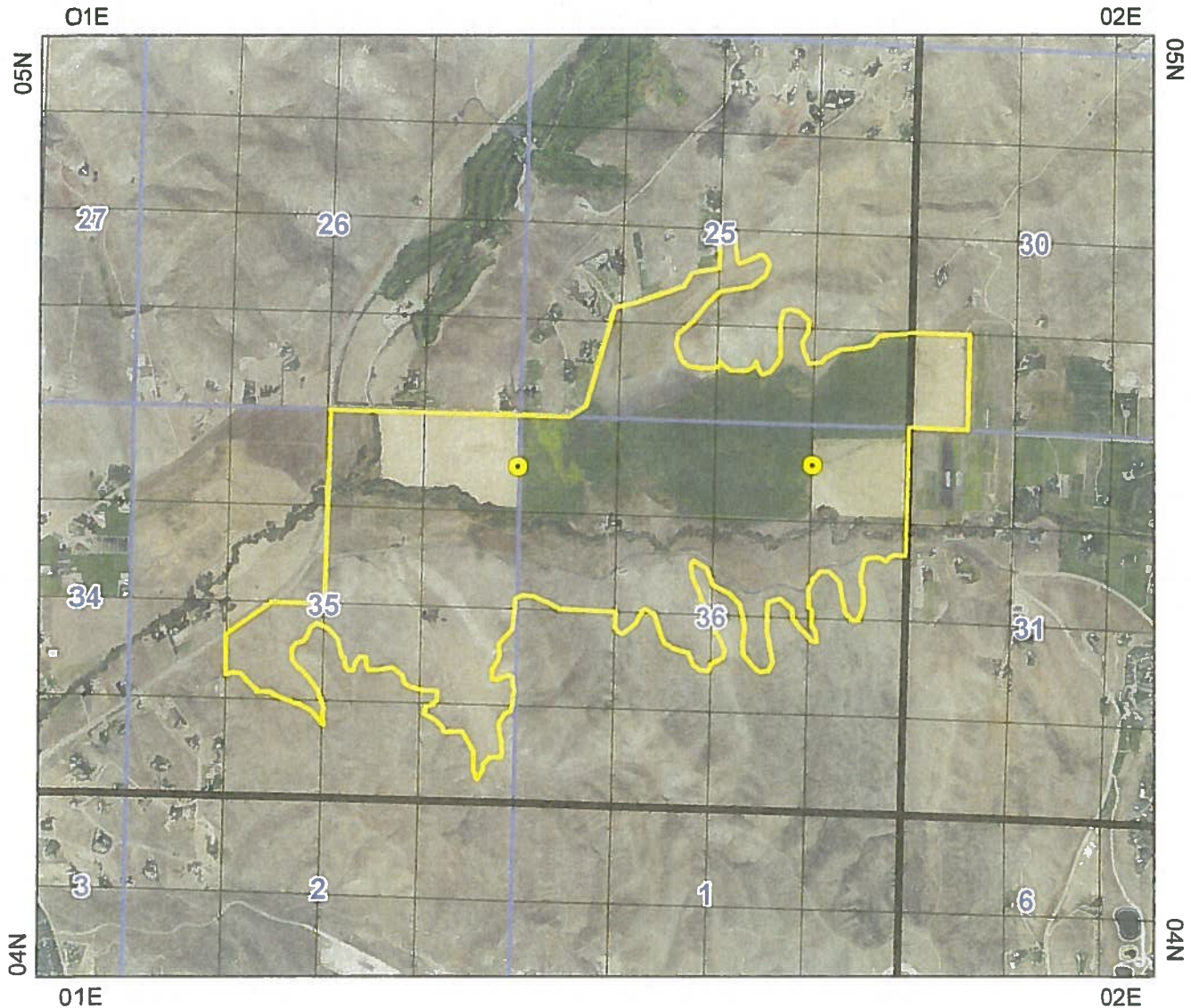


State of Idaho
Department of Water Resources

Water Right
63-2535

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 0.3 0.6 1.2 Miles

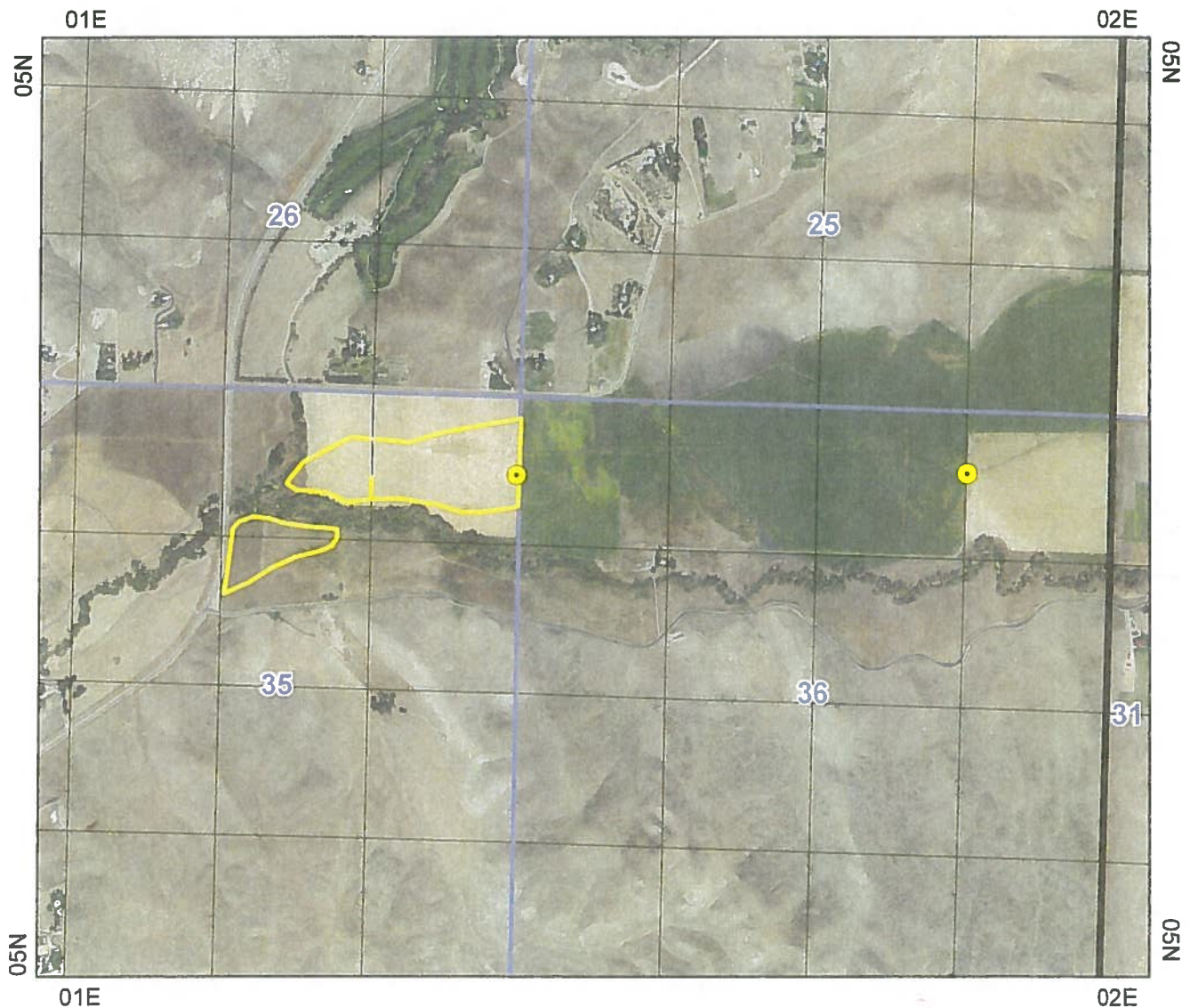


State of Idaho
Department of Water Resources

Water Right
63-2535

DOMESTIC

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 0.175 0.35 0.7 Miles

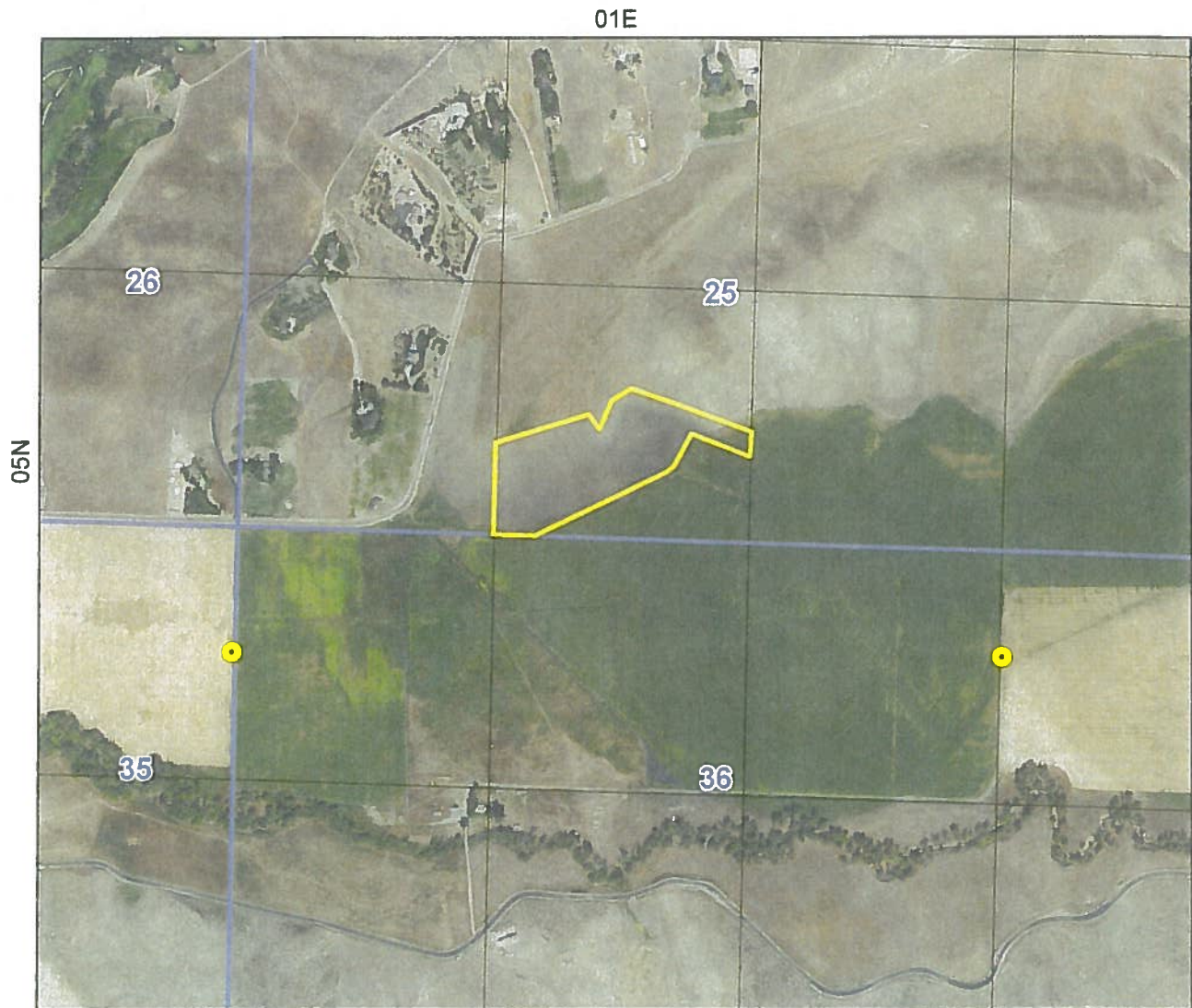


State of Idaho
Department of Water Resources

Water Right
63-32266

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 0.1 0.2 0.4 Miles



When recorded, please return to:

BHH LLC
d/b/a Boise Hunter Homes
Attn: James H. Hunter, Manager
1025 S. Bridgeway Place, Suite 290
Eagle, ID 83616

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

16271019 HH/SD

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, P&F Dry Creek, LLC, a Delaware limited liability company, successor by name change to JMM Dry Creek, L.L.C., a Delaware limited liability company (the "Grantor"), whose address is 24151 Ventura Blvd., Calabasas, CA 91302, does hereby grant, bargain, sell, and convey unto BHH Investors 1414, LLC, an Idaho limited liability company, whose address is 1025 S. Bridgeway Place, Suite 290, Eagle, ID 83616 ("Grantee"), all of Grantor's right, title and interest in and to that certain real property located in Ada County, Idaho, legally described on Exhibit A, attached hereto and incorporated herein together with all appurtenant water and water rights, ditches and ditch rights, ditch or irrigation company shares, streets, alleys and rights of way adjacent thereto, all mineral rights appurtenant thereto (if any), and all and singular tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all of Grantor's estate, right, title, and interest, as well in law as in equity, of, in and to the premises (the "Premises").

TO HAVE AND TO HOLD the Premises, with its appurtenances unto Grantee, and Grantee's successors and assigns forever.

Grantor does hereby covenant to and with Grantee, that the Grantor is the owner in fee simple of the Premises; that the Premises are free from all encumbrances created or suffered by Grantor, except those made, suffered or done by Grantee, and except the matters set forth on Exhibit B to this Special Warranty Deed and except general taxes and assessments, including utility assessments for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same forever from all other lawful claims. By accepting this Special Warranty Deed, and subject to the covenants and warranties in this Special Warranty Deed, Grantee acknowledges and understands that Grantee is accepting the Premises from Grantor in an "As-Is" condition with all faults, including both latent and patent defects.

[end of text]

When recorded, please return to:

BHH LLC
d/b/a Boise Hunter Homes
Attn: James H. Hunter, Manager
1025 S. Bridgeway Place, Suite 290
Eagle, ID 83616

16271019 HH/SD

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, P&F Dry Creek, LLC, a Delaware limited liability company, successor by name change to JMM Dry Creek, L.L.C., a Delaware limited liability company (the "Grantor"), whose address is 24151 Ventura Blvd., Calabasas, CA 91302, does hereby grant, bargain, sell, and convey unto BHH Investors 1414, LLC, an Idaho limited liability company, whose address is 1025 S. Bridgeway Place, Suite 290, Eagle, ID 83616 ("Grantee"), all of Grantor's right, title and interest in and to that certain real property located in Ada County, Idaho, legally described on Exhibit A, attached hereto and incorporated herein together with all appurtenant water and water rights, ditches and ditch rights, ditch or irrigation company shares, streets, alleys and rights of way adjacent thereto, all mineral rights appurtenant thereto (if any), and all and singular tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all of Grantor's estate, right, title, and interest, as well in law as in equity, of, in and to the premises (the "Premises").

TO HAVE AND TO HOLD the Premises, with its appurtenances unto Grantee, and Grantee's successors and assigns forever.

Grantor does hereby covenant to and with Grantee, that the Grantor is the owner in fee simple of the Premises; that the Premises are free from all encumbrances created or suffered by Grantor, except those made, suffered or done by Grantee, and except the matters set forth on Exhibit B to this Special Warranty Deed and except general taxes and assessments, including utility assessments for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same forever from all other lawful claims. By accepting this Special Warranty Deed, and subject to the covenants and warranties in this Special Warranty Deed, Grantee acknowledges and understands that Grantee is accepting the Premises from Grantor in an "As-Is" condition with all faults, including both latent and patent defects.

[end of text]

31 IN WITNESS WHEREOF, Grantor has caused its name to be hereunto subscribed this day of August, 2016.

GRANTOR:

P&F Dry Creek, LLC, a Delaware limited liability company, successor by name change to JMM Dry Creek, L.L.C. a Delaware limited liability company

By: Hearthstone, Inc., a California corporation, Its Manager

By: 
Steven C. Porath, SVP

State of California)
) ss.
County of)

On _____, 2016, before me, _____, personally appeared _____, who 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 to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person (s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

see attached

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Los Angeles)
 On August 31, 2016 before me, Cheryl A. Studley, Notary Public,
 Date Here Insert Name and Title of the Officer
 personally appeared Steven C Porath
 Name(s) of Signer(s)

who 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 to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Cheryl A Studley
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: SPECIAL WARRANTY DEED Document Date: 8/31/16
 Number of Pages: 8 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: STEVEN C. PORATH #
☒ Corporate Officer — Title(s): SVP HEARTHSTONE
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: MANAGER OF
P & F DRY CREEK, LLC

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

Exhibit A

The South half of the Northeast quarter; the Southeast quarter; and that portion of the Southwest quarter lying Southeasterly of Brookside Lane in Section 25; the North half, the Southeast quarter, and the Northeast quarter of the Southwest quarter of Section 36; the East half of Section 35 lying East of State Highway 55, and the East half of the Southwest quarter of Section 35 lying Southeasterly of State Highway 55, Township 5 North, Range 1 East, Boise Meridian; and Government Lot 4 of Section 1, Government Lots 1, 2, and 3 of Section 2, Township 4 North, Range 1 East, Boise Meridian; and the "West 23 acres" of Government Lot 4 of Section 30, Township 5 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the corner common to Sections 25, 26, 35 and 36, Township 4 North, Range 1 East, Boise Meridian; thence North 00°06'52" East, 25.46 feet to the apparent center of Brookside Lane; thence along the center of said lane South 88°10'32" East, 414.96 feet; thence North 84°26'48" East, 277.62 feet; thence 321.30 feet along the arc of a curve to the left, having a radius of 260.00 feet, a central angle of 70°48'16", and a long chord bearing North 49°02'40" East, 301.24 feet; thence North 13°38'31" East, 1286.35 feet; thence 81.82 feet along the arc of a curve to the right, having a radius of 70.00 feet, a central angle of 66°58'28", and a long chord bearing North 47°07'45" East, 77.25 feet; thence North 80°37'00" East, 181.40 feet; thence North 69°10'10" East, 415.26 feet; thence North 66°37'43" East, 384.36 feet; thence 60.97 feet along the arc of a curve to the left, having a radius of 100.00 feet, a central angle of 34°56'01", and a long chord bearing North 49°09'42" East, 60.03 feet; thence North 31°41'42" East, 130.05 feet; thence 68.84 feet along the arc of a curve to the right, having a radius of 80.00 feet, a central angle of 49°18'14", and a long chord bearing North 56°20'49" East, 66.74 feet; thence North 80°59'55" East, 314.34 feet to a point on the North-South midsection line of said Section 25; thence departing said center of Brookside Lane along said midsection line and the East boundaries of Spring Creek Estates and Spring Creek Estates Subdivision No. 3, as same are recorded in Book 26 of Plats at Page 1638, and Book 78 of Plats at Page 8270, respectively, records of Ada County, Idaho North 00°31'05" East, 740.09 feet to the Northeast corner of said Spring Creek Estates; thence continuing along said mid-section line North 00°46'19" East, 546.81 feet to the Southeast corner of Lot 11 in Block 3 of said Spring Creek Estates Subdivision No. 3; thence continuing and along the East line of said lot North 00°33'02" East 536.09 feet to the center North 1/16 corner; thence along the North line of the South half of the Northeast quarter of said Section 25, common to the South line of said Spring Creek Estates Subdivision No. 3 South 89°19'47" East, 417.16 feet to the Southwest corner of Lot 4 in Block 3 of Spring Creek Estates No. 2, as same is recorded in Book 36 of Plats at Page 3070, records of Ada County, Idaho; thence continuing and along the South line of said Spring Creek Estates No. 2 South 88°47'29" East, 2244.49 feet to the Southeast corner of said Spring Creek Estates No. 2, common to the Northeast corner of the South half of the Northeast quarter of said Section 25; thence South 00°24'44" West, 1334.19 feet to the quarter corner common to said Sections 25 and 30; thence South 00°38'53" West, 1302.17 feet to the Northwest corner of Government Lot 4 of said Section 30; thence along the North line of said lot South 88°15'28" East, 782.14 feet; thence South 00°38'53" West, 1302.59 feet to a point on the South line of said Lot 4; thence along said line North 88°17'01" West, 782.13 feet to the corner common to said Section 25, 30, 31 and 36; thence South 00°09'29" West, 2700.86 feet to the quarter corner common to said Section 36 and 31; thence South 00°22'41" West, 2612.62 feet to the Southeast corner of said Section 36; thence North 89°20'55" West, 2632.43 feet to the quarter corner common to said Sections 1 and 36; thence North 00°02'04" West, 1317.63 feet to the center South 1/16 corner of said Section 36; thence North 89°06'13" West, 1319.24 feet to the Southwest 1/16 corner of said Section 36; thence North 00°09'52" West, 1323.24 feet to the center West 1/16 corner of said Section 36; thence North 88°51'46" West, 1322.34 feet to the quarter corner common to said Sections 35 and 36; thence South 00°17'36" East, 2657.71 feet to the corner common to said Sections 1, 2, 35 and 36; thence South 89°20'44" East, 1316.16 feet to the Northeast corner of Government Lot 4 of said Section 1; thence South 00°01'40" East, 1335.45 feet to the Northwest 1/16 corner of said Section 1; thence North 89°28'42" West, 1319.47 feet to the North 1/16 corner common to said Sections 1 and 2; thence along the South line of Lots 1 and 2 of said Section 2 North 89°16'39" West, 2630.92 feet to a found 5/8 inch iron pin marking the center North 1/16 corner of said Section 2; thence along the South line of Government Lot 3

North 88°12'56" West, 1335.70 feet to a found 1/2 inch iron pin marking the Southeast corner of Mary Glen Subdivision No. 2, as same is recorded in Book 30 of Plats at Page 1880, records of Ada County, Idaho, said point accepted as the Southwest corner of said Government Lot 3; thence along the West line of said Lot 3 and the West line of the East half of the Southwest quarter of said Section 35 as established by the East lines of said Mary Glen Subdivision No. 2 and Maryglen Subdivision No. 1, as same is recorded in Book 29 of Plats at Page 1781, records of Ada County, Idaho

North 00°14'11" West, 305.44 feet to a found 1/2 inch iron pin; thence

North 00°09'48" West, 652.45 feet to a found 1/2 inch iron pin; thence

North 00°14'28" West, 2467.41 feet to a point on the Southeasterly right-of-way of State Highway 55, said point common to the most Northerly corner of Lot 1 in Block 2 of said Maryglen Subdivision No. 1; thence along said right-of-way

North 54°28'08" East, 854.51 feet; thence 46.40 feet along the arc of a curve to the left, having a radius of 1697.02 feet, a central angle of 1°33'59", and a long chord bearing North 53°41'08" East, 46.40 feet to a point on the East-West mid-section line of said Section 35; thence departing said right-of-way along said line

South 89°30'17" East, 592.76 feet to the center of said Section 35; thence along the North-South mid-section line

North 00°21'27" West, 609.22 feet to a point on the Southerly line of Dry Creek Road right-of-way described in Instrument No.

95055006; thence 90.01 feet along said right-of-way and along the arc of a non-tangent curve to the left, having a radius of 380.00 feet, a central angle of 13°34'17", and a long chord bearing South 80°40'35" East, 89.80 feet; thence

North 57°17'39" East, 38.80 feet; thence 296.23 feet along the arc of a curve to the right, having a radius of 611.27 feet, a central angle of 27°45'59", and a long chord bearing North 71°10'42" East, 293.34 feet; thence

North 85°03'42" East, 55.13 feet; thence

North 4°56'17" West, 5.00 feet; thence 152.13 feet along the arc of a non-tangent curve to the left, having a radius of 930.00 feet, a central angle of 9°22'21", and a long chord bearing South 80°22'33" West, 151.96 feet; thence

South 75°41'23" West, 122.86 feet; thence 187.79 feet along the arc of a curve to the right, having a radius of 320.00 feet, a central angle of 33°37'27", and a long chord bearing North 87°29'54" West, 185.11 feet to a point on the Easterly right-of-way of State Highway 55 lying on the North-South mid-section line of said Section 35; thence along said Easterly right-of-way

North 00°21'27" West, 10.28 feet; thence 258.12 feet along the arc of a non-tangent curve to the left, having a radius of 858.60 feet, a central angle of 17°13'29", and a long chord bearing North 9°10'33" East, 257.15 feet; thence

North 00°33'58" East, 39.68 feet; thence 369.18 feet along the arc of a non-tangent curve to the left, having a radius of 1697.02 feet, a central angle of 12°27'52", and a long chord bearing North 6°47'55" East, 368.45 feet; thence

North 00°33'58" East, 1324.59 feet to a point on the North line of the Northeast quarter of said Section 35, said point bears South 89°19'03" East, 110.50 feet from the North quarter corner of said Section 35; thence along said North line

South 89°19'03" East, 2532.31 feet to the Point of Beginning.

Excepting Therefrom the following described right-of-way parcel described in Instrument No. 95055309, Ada County Records, more particularly described as follows:

Commencing at the center of Section 35, Township 5 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence along the North-South mid-section line

North 00°21'27" West, 478.89 feet to a point on the Southerly right-of-way of Dry Creek Road; thence along said right-of-way

North 57°17'42" East, 175.22 feet; thence 75.20 feet along the arc of a curve to the right, having a radius of 561.27 feet, a central angle of 7°40'34", and a long chord bearing North 61°07'58" East, 75.14 feet to the Real Point of Beginning; thence continuing 196.82 feet along the arc of said 561.27 foot radius curve to the right, having a central angle of 20°15'29", and a long chord bearing North

75°01'00" East, 195.81 feet; thence

North 85°03'42" East, 55.12 feet; thence

South 4°56'22" East, 5.00 feet; thence 142.31 feet along the arc of a non-tangent curve to the left, having a radius of 870.00 feet, a central angle of 9°22'19", and a long chord bearing South 80°22'34" West, 142.15 feet; thence

South 75°41'13" West, 107.69 feet to the Point of Beginning.

**The total acreage is 1,414.67 acres

EXHIBIT B

Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land, and that is not shown by the Public Records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings whether or not shown by the records of such agency, or by the public records.
7. Taxes, including any assessments collected therewith, for the year 2016 which are a lien not yet due and payable.

Taxes for the year 2015 are paid in full.
Parcel Number: S0130332000
Original Amount: \$175.28

Taxes for the year 2015 are paid in full.
Parcel Number: S0225131200
Original Amount: \$53.70

Taxes for the year 2015 are paid in full.
Parcel Number: S0225315000
Original Amount: \$314.32

Taxes for the year 2015 are paid in full.
Parcel Number: S0225417200
Original Amount: \$53.70

Taxes for the year 2015 are paid in full.
Parcel Number: S0225438400
Original Amount: \$243.44

Taxes for the year 2015 are paid in full.
Parcel Number: S0235111100
Original Amount: \$205.76

Taxes for the year 2015 are paid in full.
Parcel Number: S0235112106
Original Amount: \$498.32

Taxes for the year 2015 are paid in full.
Parcel Number: S0235314805
Original Amount: \$133.72

Taxes for the year 2015 are paid in full.
Parcel Number: S0236100000
Original Amount: \$3,669.66

Taxes for the year 2015 are paid in full.
Parcel Number: S0236417200
Original Amount: \$107.42

Taxes for the year 2015 are paid in full.
Parcel Number: S0501223000
Original Amount: \$27.46

Taxes for the year 2015 are paid in full.
Parcel Number: S0502110500
Original Amount: \$13.74

Taxes for the year 2015 are paid in full.
Parcel Number: S0502121100
Original Amount: \$67.46

8. The land described herein is located within the boundaries of Ada County (208-287-6800) and is subject to any assessments levied thereby.

9. Right-of-way for Brookside Lane.

10. Right-of-way for Dry Creek Road.

11. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.

12. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded February 29, 1876 in Book 1 of Patents, at Page 90, March 22, 1879 in Book 1 of Patents at Page 183, October 22, 1879 in Book 1 of Patents at Page 204, September 22, 1916 in Book 5 of Patents at Page 376, and March 11, 1921 in Book 6 of Patents at Page 97, records of Ada County, Idaho.

13. Conditions, restrictions, and access rights contained in a Right of Way Deed in favor of the State of Idaho.

Recorded: September 20, 1927, January 9, 1935, and March 15, 1935

Instrument No.: 127316, 160906, 160903, 162008

Book 178 of Deeds at Page 625, Book 208 of Deeds at Page 598, 599, 600 and 601, and Book 210 of Deeds at Page 184, records of Ada County, Idaho.

14. Terms and provisions contained in an Agreement by and between D. S. Potter, T. Healy and D. E. Clements.

Recorded: April 17, 1917

Instrument No.: 68673

Book 7 of Contracts at Page 289, records of Ada County, Idaho.

15. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company

Purpose: Public Utilities

Recorded: December 18, 1941

Instrument No.: 209384

Book 17 of Miscellaneous Records at Page 599, records of Ada County, Idaho.

(Affects Sections 35 and 36)

NOTE: The exact location and extent of said easement is not disclosed of record.

16. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company

Purpose: Public Utilities

Recorded: July 15, 1942

Instrument No.: 213257

Book 18 of Miscellaneous Records at Page 143, records of Ada County, Idaho.

(Affects Sections 35 and 36)

NOTE: The exact location and extent of said easement is not disclosed of record.

17. Exceptions and reservations contained in a Deed from the State of Idaho, wherein mineral rights are reserved to the state (47-701 Idaho Code).

Recorded: December 21, 1944

Instrument No.: 232471

Book 277 of Deeds at Page 383, records of Ada County, Idaho.

(Affects Section 36)

18. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company

Purpose: Public Utilities

Recorded: April 30, 1946

Instrument No.: 249120

Book 19 of Miscellaneous Records at Page 437, records of Ada County, Idaho.

(Affects Section 25)

Terms and provisions contained in an Agreement by and between Idaho Power Company and Intermountain Gas Company.

Recorded: October 15, 2008

Instrument No.: 108114226, records of Ada County, Idaho.

NOTE: The exact location and extent of said easement is not disclosed of record.

19. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company

Purpose: Public Utilities

Recorded: July 31, 1961

Instrument No.: 508014, records of Ada County, Idaho.

(Affects Section 36)

NOTE: The exact location and extent of said easement is not disclosed of record.

20. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company

Purpose: Public Utilities

Recorded: August 20, 1980

Instrument No.: 8039265, records of Ada County, Idaho.

(Affects Section 36 as plotted)

21. An easement for the purpose shown below and rights incidental thereto as set forth in an Easement.

Granted to: State of Idaho, Idaho Transportation Department, by and through the Idaho Transportation Board

Purpose: constructing or installing thereon a drainage ditch and facilities

Recorded: August 9, 1995

Instrument No.: 95055310, records of Ada County, Idaho.

(Affects Section 35 as plotted)

22. Exceptions and reservations contained in a Deed from the State of Idaho, wherein mineral rights are reserved to the state (47-701 Idaho Code).

Recorded: December 15, 2000

Instrument No.: 100100545, records of Ada County, Idaho.

(Affects Southeast quarter of Section 36)

23. All matters, and any rights, easements, interests or claims as disclosed by Record of Survey No. 6938 recorded June 15, 2005 as Instrument No. 105077675, records of Ada County, Idaho.

24. An easement for the purpose shown below and rights incidental thereto as set forth in an Underground Public Utility Easement.

Granted to: Intermountain Gas Company, an Idaho corporation and Cable One Inc., a Delaware corporation

Purpose: construct and maintain gas distribution facilities and/or communication facilities

Recorded: August 22, 2007

Instrument No.: 107118287, records of Ada County, Idaho.

(Affects Section 25 as plotted)

25. All matters, and any rights, easements, interests or claims as disclosed by Record of Survey No. 8167 recorded December 19, 2007 as Instrument No. 107167106, records of Ada County, Idaho.

26. Terms and provisions contained in a Water Rights Agreement by and between Dry Creek Rural Neighborhood Association, an unincorporated association and JMM Dry Creek, LLC.

Recorded: January 26, 2009

Instrument No.: 109008451, records of Ada County, Idaho.

(Affects entire property)

27. Terms and provisions contained in a Development Agreement by and between County of Ada, State of Idaho and JMM Dry Creek, LLC, a Texas limited liability company.

Recorded: February 22, 2010

Instrument No.: 110015780, records of Ada County, Idaho.

(Affects entire property)

28. An easement for the purpose shown below and rights incidental thereto as set forth in a Permanent Slope Easement.

Granted to: Ada County Highway District

Purpose: construction and for the placement of rock, dirt and related clean fill creating a slope supporting and holding up the adjacent Highway, and for the maintenance and repair of such slope, and access for planting grass and other landscaping on the surface and for related Improvements

Recorded: July 14, 2011

Instrument No.: 111056356, records of Ada County, Idaho.

(Affects Sections 35 and 36 as plotted)

29. Rights of tenants in possession, as tenants only, under prior unrecorded leases.

State of Idaho

Office of the Secretary of State

AMENDED CERTIFICATE OF AUTHORITY

OF

JMM DRY CREEK, L.L.C.

File Number W 71519

I, BEN YSURSA, Secretary of the State, hereby certify that an Application for Amended Certificate of Authority, has been received in this office and is found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Amended Certificate of Authority to reflect the name change **JMM DRY CREEK, L.L.C.** to **P&F DRY CREEK, LLC** and attach hereto a duplicate of the application for such amended certificate.

Dated: July 14, 2014



Ben Yursa

SECRETARY OF STATE

By

Donna Gitterman

287



APPLICATION FOR AMENDED CERTIFICATE OF AUTHORITY OF FOREIGN LIMITED LIABILITY COMPANY

(Instructions on back of application)

2014 JUL 14 AM 8:52

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the foreign limited liability company prior to this amendment is:
JMM Dry Creek, L.L.C.
2. If the foreign limited liability company was required to adopt an assumed name in order to register in Idaho, the name the foreign limited liability company used in Idaho is:
N/A
3. The date the original application for certificate of authority was filed in Idaho:
02/21/2008
4. The application for certificate of authority for foreign limited liability company is amended as follows: (check one or more)
 - ☒ a. The name of the limited liability company has been changed to:
P&F Dry Creek, LLC
If the new name is not available or permissible in Idaho, the name to be used in Idaho is: _____
 - ☐ b. The LLC has changed its jurisdiction of registration, without a change of formation to: _____
 - ☒ c. Other amendment: See attached: Certificate of Amendment of domestic LLC for name change Delaware. Delete old manager, Richard Tettamant & add new manager: Western Housing Manager, LLC. Address: 4100 Harry Hines Blvd. Ste. 100 Dallas, TX 75219.

5. Signature of a manager, member or authorized person:

Signature

Typed Name

Donald C. Rohan

Capacity

Manager of Western Housing Manager, LLC,

Secretary of State uses only

IDAHO SECRETARY OF STATE

07/14/2014 05:00

CK:2053560 CT:172099 BH:1432927
10 30.00 = 30.00 FOR LLC AM #2

W71519

Delaware

PAGE 1

The First State

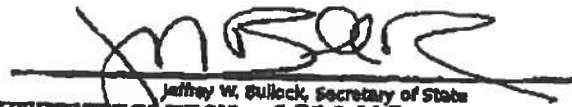
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "JMM DRY CREEK, L.L.C.", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "P&F DRY CREEK, LLC", THE TWENTY-SIXTH DAY OF JUNE, A.D. 2014, AT 12:29 O'CLOCK P.M.



4768570 8320

140929353

You may verify this certificate online
at corp.delaware.gov/authvar.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 1518637

DATE: 07-09-14



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

March 13, 2018

DRY CREEK WATER COMPANY LLC
729 S BRIDGE WAY PL
EAGLE ID 83616-6096

Re: Change in Ownership for Water Right No(s): 63-2535, 63-4023B 63-4086B, 63-7123, 63-17454 and 63-32266

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 of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

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: Water District No. 63
Barker Rosholt & Simpson LLP

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, March 13, 2018 10:51 AM
To: 'Rex Barrie'
Subject: Ownership change for 63-17454
Attachments: DOC008

For your information and records. This ownership change only conveyed water rights. No land.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

ALBERT P. BARKER
JOHN A. ROSHOLT
JOHN K. SIMPSON
TRAVIS L. THOMPSON
SHELLEY M. DAVIS
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Albert P. Barker
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January 31, 2018

RECEIVED

JAN 31 2018

WATER RESOURCES
WESTERN REGION

VIA HAND DELIVERY

Idaho Department of Water Resources
Western Region
2735 W. Airport Way
Boise, ID 83705-5082

Re: Notice of Change in Water Right Ownership, Water Right Nos. 63-7123, 63-4086B, 63-17454, 63-4023B, 63-2535, and 63-32266

Dear Clerk:

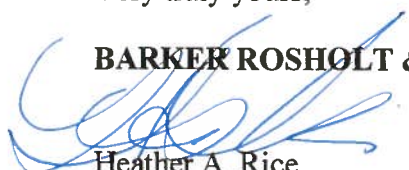
Attached for filing is an original *Notice of Change in Water Right Ownership* for the above referenced water rights. The following enclosures are also being submitted as attachments to the *Notice of Change in Water Right Ownership*:

1. Quit Claim Deed for Water Rights, Instrument No. 2017-121047 from BHH Investors 1414, LLC to Dry Creek Water Company, LLC;
2. Aerial photographs of point of diversion and place of use for each right;
3. Special Warranty Deed, Instrument No. 2016-082296 from P&F Dry creek, LLC to BHH Investors 1414, LLC; and
4. Amended Certificate of Authority of JMM Dry Creek, LLC from the records of the Idaho Secretary of State showing the name change from JMM Dry Creek, LLC to P&F Dry Creek, LLC.

A check made payable to the Idaho Department of Water Resources in the amount of \$150.00 for the appropriate filing fees is also enclosed. Please contact our office if you have any questions.

Very truly yours,

BARKER ROSHOLT & SIMPSON LLP


Heather A. Rice,
Assistant to Albert P. Barker

/har
Enclosures