

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 20 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
36-07315	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-124A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Daniel H. Lee and Dadhri B. Lee
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): EF REALTY, LLC, a Delaware limited liability company
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

4074 N 2000 E Road, PO Box AG	Filer	ID	83328
Mailing address	City	State	ZIP
(208) 326-3100	jim.henderhan@evaquafarms.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: December 1, 2017

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
- o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 36-124A

8. Signature: Jim Henderhan G.M. Jim Henderhan, General Manager 11-30-17
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 12.21.2017 Receipt No. 5036501 Receipt Amt. \$50-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

Filed for Record at the Request of and
after recording mail to:

Holland Hart LLP
Attn: Anna E. Eberlin
800 W. Main Street, Suite 1750
Boise, ID 83702

Instrument # 260143
GOODING COUNTY, GOODING, IDAHO
11-30-2017 11:18:55 No. of Pages: 4
Recorded for: TITLEONE - TWIN FALLS
DENISE GILL Fee: \$16.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

Space above for recorder's use

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, **Daniel H. Lee and Dadhri B. Lee**, husband and wife (the "Grantor"), does hereby grant, bargain, sell and convey unto **EF Realty LLC**, a Delaware limited liability company (the "Grantee"), whose address is P.O. Box AG, Filer, Idaho 83328, the following described real property:

The property described in **Exhibit "A"** attached hereto and, by this reference, incorporated herein as if set forth in full.

TOGETHER WITH all buildings, structures, improvements and fixtures thereon, the tenements, hereditaments, and appurtenances thereto belonging to or in anywise appertaining, including all mineral rights and water rights, including without limitation water rights 36-07315 and 36-124A, and all other rights and privileges appurtenant thereto and all of Grantor's right, title and interest in and to the foregoing (the "Property").

TO HAVE AND TO HOLD the Property unto Grantee, its successors and assigns forever.

Grantor does hereby covenant to and with Grantee that Grantor is the sole owner in fee simple of the Property, and that the Property is free and clear from all encumbrances, except as set forth below, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

This conveyance is subject to those matters set forth in **Exhibit "B"** attached hereto and, by this reference, incorporated herein as if set forth in full (the "Permitted Exceptions").

Dated: 11/30/2017

GRANTOR:



Daniel H. Lee

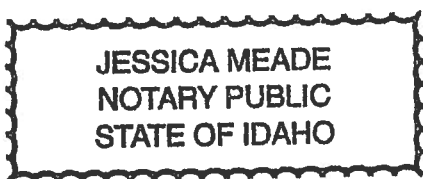


Dadhri B. Lee

STATE OF IDAHO)
) ss:
County of Twin Falls)

On this 30th day of November, 2017, before me, the undersigned notary public, personally appeared Daniel H. Lee, known or identified to me (or proven to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.

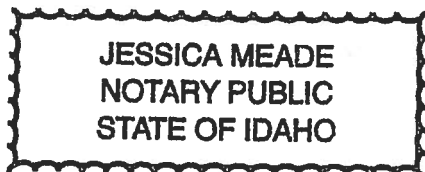


Jess Meade
Notary Public
Residing at Twin Falls, ID
Comm. Expires July 31st, 2023

STATE OF IDAHO)
) ss:
County of Twin Falls)

On this 30th day of November, 2017, before me, the undersigned notary public, personally appeared Dadhri B. Lee, known or identified to me (or proven to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



Jess Meade
Notary Public
Residing at Twin Falls, ID
Comm. Expires July 31st, 2023

Exhibit "A" to Special Warranty Deed

Legal Description of the Property

TOWNSHIP 7 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 31: A tract of land in the NE¼NW¼, described as follows:

Beginning at the North quarter corner of Section 31;
Thence North 89°41' West, 311.51 feet along the North boundary of said Section 31 to a point on the Northeasterly rim of the Snake River Canyon, said point being THE TRUE POINT OF BEGINNING;
Thence North 89°41' West, 781.46 feet to a point in the Northeasterly right-of-way of a certain highway known as Idaho Department of Highway project No. FAS 1-B(1) as constructed May, 1939;
Thence South 56°09'30" East, 212.89 feet along the cord of a 9°27' curve right with right-of-way arc length of 214.00 feet and radius of 606.00 feet to a point. Said point being 33.00 feet left of highway centerline Station P.T. 73+23.0;
Thence South 46°02'30" East, 127.8 feet along said highway right-of-way to a point. Said point being 33.00 feet left of highway centerline Station 74+50.7;
Thence South 54°58'42" East, 282.86 feet along the cord of a 6°27'36" curve left, with right-of-way arc length of 283.98 feet and radius of 922.0 feet, to a point on the highway right-of-way 33.00 feet left of highway centerline Station P.T. 77+44.0;
Thence South 63°43'30" East, 312.16 feet along said highway right-of-way;
Thence leaving said right-of-way North 0°08'30" East, 603.12 feet to THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM that portion deeded to the Hagerman Highway District by Warranty Deed recorded May 10, 1934 in Book 23 Page 629 as Instrument Number 59126, Gooding County records.

Exhibit "B" to Special Warranty Deed

Permitted Exceptions

1. Liens, levies and assessments of any local irrigation district.
2. 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 58-1604 Idaho Code.
3. Negative easements, conditions, restrictions, and access rights contained in the Deed to the State of Idaho recorded June 21, 1938 as Instrument No. 71098.

10461640_1.docx

State of Idaho
Department of Water Resources

Water Right
36-7315

FISH PROPAGATION

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 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources

Water Right 36-124A

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 0.045 0.09 0.18 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

February 02, 2018

EF REALTY LLC
PO BOX AG
FILER ID 83328-0935

Re: Change in Ownership for Water Right No(s): 36-124A and 36-7315

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) 736-3033.

Sincerely,

A handwritten signature in cursive script, reading "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosure(s)

c: Linda Jones, Holland & Hart



Linda B. Jones
Phone (208) 342-5000
Fax (208) 343-8869
ljones@hollandhart.com

December 5, 2017

RECEIVED

DEC 20 2017

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

Idaho Department of Water Resources
650 Addison Ave W
Twin Falls, ID 83301

Re: Notice of Change in Water Right Ownership

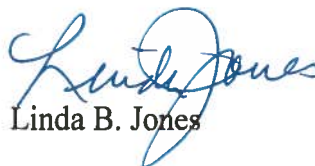
Dear sir or madam:

Enclosed are an original and one copy of a Notice of Change in Water Right Ownership reflecting the conveyance of land and water rights by Daniel H. Lee and Dadhri B. Lee to EF Realty, LLC; a copy of the recorded Special Warranty Deed; a map of Water Right 36-7315, a map of Water Right 36-124A; and a check in the amount of \$50.00 to cover the filing fee.

Please file the original Notice of Change in Water Right Ownership and provide us with the Department's acknowledgement of the change and a printout of the revised water rights profiles.

Please let me know if you require additional information in order to process the change. Thank you for your assistance.

Very truly yours,



Linda B. Jones

LBJ:tah
Enclosures
cc (w/o encl.) Jim Henderhan (via email)

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