

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

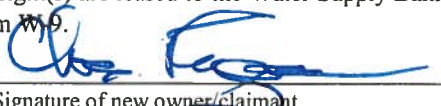
JAN 29 2018

Notice of Change in Water Right Ownership Department of Water Resources
Eastern Region

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?
34-81 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Earl Bruce McAfee and Theresa A. McAfee
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Boweta, LLC a Colorado limited liability company
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|------------------------|------------------------------|-----------|--------------|
| <u>HC 64, Box 8028</u> | <u>Ketchum</u> | <u>ID</u> | <u>83340</u> |
| Mailing address | City | State | ZIP |
| <u>(208) 725-5980</u> | <u>chrisflanigan@mac.com</u> | | |
| 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: November 14, 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:  Managing Member
 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  Date 1/29/2018 Receipt No. E043690 Receipt Amt. \$25 -

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

Name on W-9 _____ Approved by  Processed by  Date 2/8/18

WARRANTY DEED

For Value Received, WE, EARL B. MCAFFEE AND THERESA A. MCAFFEE, TRUSTEES OF THE EARL B. AND THERESA A. MCAFFEE 2013 LIVING TRUST UTD OCTOBER 30, 2013, do hereby grant, bargain, sell and convey unto BOWETA LLC, a Colorado limited liability company, whose address is: HC 64 Box 8028, Ketchum, ID 83340

the following described premises in CUSTER County, Idaho, to-wit:

TOWNSHIP 7 NORTH, RANGE 23 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 8: Lots 2 and 3; the SW $\frac{1}{4}$ NE $\frac{1}{4}$; and the NW $\frac{1}{4}$ SE $\frac{1}{4}$.

SECTION 5: SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners of said premises; and that they are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 11-14-2017

Earl B. McAfee Trustee
EARL B. MCAFFEE, Trustee of
The Earl B. McAfee and Theresa A.
McAfee 2013 Living Trust UTD
October 30, 2013

Theresa A. McAfee Trustee
THERESA A. MCAFFE, Trustee of
The Earl B. McAfee and Theresa A.
McAfee 2013 Living Trust UTD
October 30, 2013

STATE OF Idaho)ss:
COUNTY OF CUSTER)

On this 14 day of November, in the year of 2017, before me, a Notary Public, in and for the said State, personally appeared EARL B. MCAFFEE AND THERESA A. MCAFFEE, Trustees of The Earl B. and Theresa A. McAfee 2013 Living Trust UTD October 30, 2013, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Patsy Kindt
Notary Public for the State of Idaho



254033

#

Custer County Req. of

Custer County Title

Time 1:28 P.M. Date 11-14-2017

Lura H. Baker, Clerk

Cherry Lusk
Deputy

\$15.00

CORRECTED QUITCLAIM DEED

FOR VALUE RECEIVED, Earl Bruce McAfee and Theresa A. McAfee, also known as Terry McAfee and Terri McAfee, husband and wife, do hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto The Earl B. and Theresa A. McAfee 2013 Living Trust UTD October 30, 2013, Earl B. McAfee and Theresa A. McAfee, Trustees, or any Successor Trustees, whose present address is 231 North, 100 West, Rupert, Minidoka County, Idaho 83350, the following described real property located in Custer County, Idaho, to-wit:

Lots Two (2) and Three (3); the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4); and the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Eight (8); and the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) and the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section Five (5), all in Township 7 North, Range 23 East, Boise Meridian, Custer County, Idaho.

together with appurtenances. This Corrected Quitclaim Deed is being recorded to correct an error in the date of The Earl Bruce and Theresa A. McAfee 2013 Living Trust UTD October 30, 2013 from October 31, 2013 to October 30, 2013 which original Quitclaim Deed was recorded November 14, 2013 as Instrument No. 248146, Custer County, Idaho records; AND also to clarify that the above-grantor, Theresa A. McAfee, is the same person set forth as Terry McAfee in that certain Quitclaim Deed dated May 4, 1971 and recorded October 1, 1971 as Instrument No. 132236, Custer County, Idaho records, and the same person set forth as Terri McAfee in that certain Warranty Deed dated February 11, 1982 and recorded January 30, 1990 as Instrument No. 194500, Custer County, Idaho records.

DATED this 14th day of November, 2017.

Earl Bruce McAfee
Earl Bruce McAfee

Theresa A. McAfee
Theresa A. McAfee

254003

STATE OF IDAHO

County of Custer

)
) ss.
)

On this 14 day of November, 2017, before me the undersigned Notary Public in and for said state personally appeared Earl Bruce McAfee and Theresa A. McAfee, also known as Terry McAfee and Terri McAfee, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

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

(SEAL)



Patsy Kindt
Notary Public
Residing at: Challis
Comm. Expires: 3-28-22

248146

Custer County Reg. of
Boadwin Law Office
Time 10:49 AM Date 11-14-2013
Barbara C. Tiemey, Clerk
Boadwin Law Office #10.00
Deputy

QUITCLAIM DEED

FOR VALUE RECEIVED, Earl Bruce McAfee and Theresa A. McAfee, husband and wife, do hereby release, remise, grant, bargain, sell, convey and forever quit claim unto The Earl B. and Theresa A. McAfee 2013 Living Trust UTD Oct. 31, 2013, Earl B. McAfee and Theresa A. McAfee, Trustees, or any Successor Trustees, whose present address is 231 North 100 West, Rupert, Idaho 83350, the following described premises, located in Custer County, Idaho, to wit:

Lots Two (2) and Three (3); the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$); and the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Eight (8); and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Five (5), all in Township 7 North, Range 23 East, Boise Meridian, Custer County, Idaho.

together with their appurtenances.

DATED this 7th day of November, 2013.

Earl Bruce McAfee
Earl Bruce McAfee

Theresa A. McAfee
Theresa A. McAfee

STATE OF IDAHO)
) SS.
County of Minidoka.)

On this 7th day of November, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Earl Bruce McAfee and Theresa A. McAfee, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

(SEAL)

WILLIAM T. GORDON
NOTARY PUBLIC
STATE OF IDAHO

William T. Gordon
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12-24-16

QUITCLAIM DEED



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 09, 2018

BOWETA LLC
HC 64 BOX 8028
KETCHUM ID 83340-9703

Re: Change in Ownership for Water Right No(s): 34-81

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) 525-7161.

Sincerely,

Jonie Barg
Technical Records Spec I

Enclosure(s)

cc: Water District 34
Speck & Aanestad

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

RECEIVED
JAN 29 2018
Department of Water Resources
Eastern Region

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

January 24, 2018

Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline Drive, Ste. A
Idaho Falls, ID 83402-1718

RE: *Boweta, LLC a Colorado limited liability company*
Water Right No. 34-81

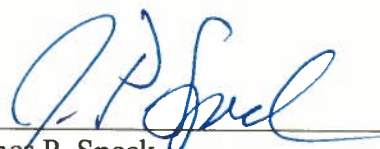
Dear Representative:

Enclosed for processing you will find an *original* and one (1) copy of a Notice of Change in Water Right Ownership form and my firm's check in the amount of \$25.00 for the required filing fee. If this document meets with your approval, please process and receipt date-stamp the copy and return it to me in the enclosed self-addressed, postage-paid envelope.

If you have questions, please contact me. Thank you for your assistance.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

Enclosures

cc: Chris Flanigan w/ copies of form