

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 11 2018

WATER RESOURCES
WESTERN 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?
63-22078	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-22079	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-22081	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-22076 - CJ (see applicant letter)	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kathryn Albertson / Joseph B Scott (63-22076)
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Alscott Farms, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|--------------------|---------------------|-------|-------|
| 501 Baybrook Court | Boise | Idaho | 83706 |
| Mailing address | City | State | ZIP |
| 208-424-3865 | dmoeyer@alscott.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: _____
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.

SUPPORT DATA
IN FILE # 63-22076

8. Signature: [Signature] Vice President Real Estate Jan. 9, 2018
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by CJ Date 1/11/18 Receipt No. W045972 / W045973 Receipt Amt. \$100⁰⁰

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 X Approved by CJ Processed by CJ Date 1/25/18

- 63-22076
(only)

0360362

SCANNED

QUITCLAIM DEED

FOR VALUE RECEIVED, JOSEPH B. SCOTT, an unmarried man, hereinafter called GRANTOR, does hereby convey, release, remise and forever quit claim unto ALSCOTT FARMS, LLC, an Idaho limited liability company, hereinafter called the GRANTEE, whose address is: 501 Baybrook Court, Boise, Idaho, 83706, the following described premises:

All interests in real property in Payette County, Idaho as follows:

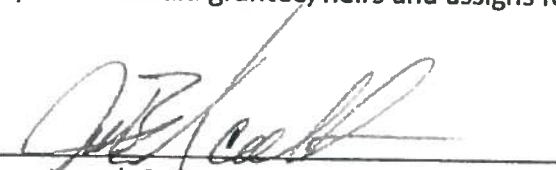
A portion of Government Lot 1 in Section 31 and a portion of Government Lot 6 in Section 32, Township 7 North, Range 5 West, B.M., Payette County, Idaho, more particularly described as follows:

Commencing at the Southwestern tip of Government Lot 1 in Section 31, being also known as the Southwestern tip of Gambel Island;
and then proceeding approximately 1,040 feet North along the West line of said Government Lot 1, being East line of the Snake River on the West Side of Gambel Island, which is the Point of Beginning;
thence continuing North along that line approximately 480 feet in a line extending beyond the turnaround curve in the Snake River;
thence due East approximately 470 feet;
thence South along the East side of an existing roadway approximately 350 feet;
thence 300 feet West;
thence West-Southwest approximately 180 feet;
thence South-Southwest approximately 180 feet;
thence West approximately 80 feet to the Point of Beginning.

All of which is marked on the sketch which is attached hereto.

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

Date: 5/18/09.

By: 

Joseph B. Scott

Instrument # 360362

STATE OF IDAHO, PAYETTE COUNTY

5-19-2009 03:17:29 No. of Pages: 3

Recorded for : DENNIS MOYER

BETTY J DRESSEN

Ex-Officio Recorder Deputy

Index to: QUITCLAIM DEED - DEEDS

Fee: 9.00

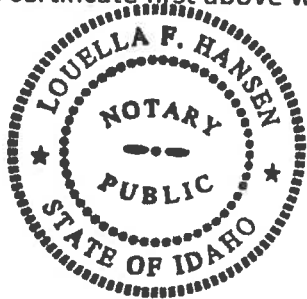


0360362

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

On this 18th day of May, in the year 2009, before me, a Notary Public, personally appeared Joseph B. Scott, known or identified to me on the basis of satisfactory evidence to be the person whose name is subscribed and that he executed the within instrument.

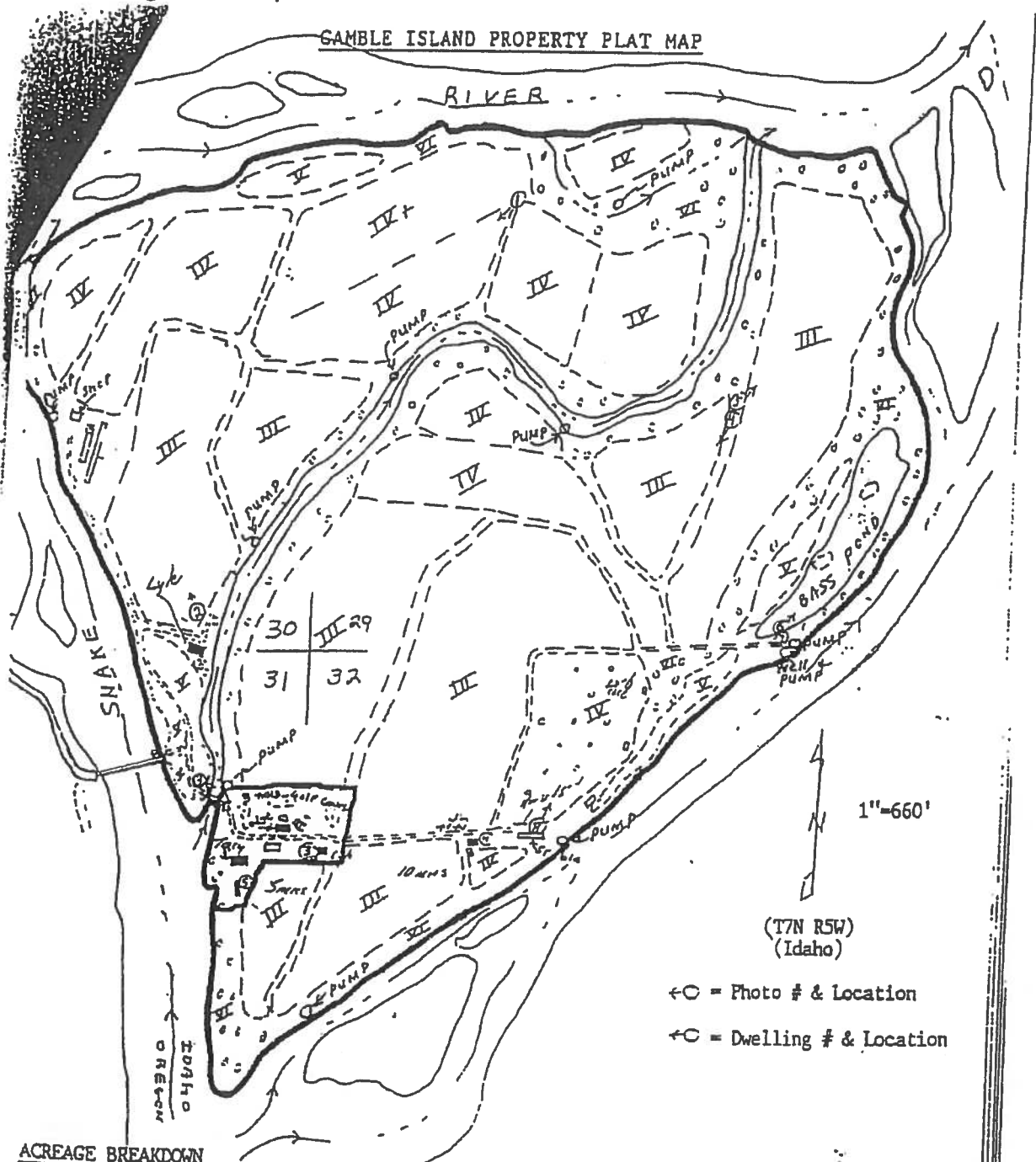
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Louella F. Hansen
Notary Public of Idaho
Residing at : Caldwell ID
My commission expires on 12/02/2010

0360362

Figure 1 First Sketch (Map 1) (6 acres outlined in black and indicated as three hole golf course).



ACREAGE BREAKDOWN

6.0 Acres Improved Home & Building Sites
 130.6 Ac III Deep silt to fine sandy loam irrigated cropland
 89.2 Ac IV Mostly excessively drained sandy loam irrigated cropland
 10.1 Ac V Shallower sandy soils, small fields, handline sprinkled pasture
 28.54 Ac VI Brushy pasture, river banks, ponds
 16.5 Ac Roads/waste
 280.94 Acres Total

263815

SECOND
CORRECTION
WARRANTY DEED

SEP 13 1996

Post
700/
97

This deed is executed to correct the description contained in a deed from Alscott Limited Partnership #1 to Alscott Farms, LLC recorded as document #256788. The correction is indicated by underlining:

Alscott Limited Partnership #1, a Texas Limited Partnership, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Alscott Farms, LLC, herein referred to as grantee, whose current address is

Suite 100
380 E. Park Center Blvd.
Boise, Idaho 83708

the following described real property situated in Payette County, State of Idaho, together with all improvements thereon and appurtenances thereunto appertaining.

Government Lots 5, 6, 7 and 8 in Section 29, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 1, 2 and 3 in Section 30, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 1 and 2 in Section 31, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 5 and 6 in Section 32, Twp. 7 N, R.5 WBM, Payette County, Idaho

also known as Gambel Island; provided, however, that a six (6) acre tract described as:

Commencing at the Southwestern tip of Gambel Island and then proceeding approximately 1,040 feet north along the east line of the Snake River on the West Side of Gambel Island which is the point of beginning; thence continuing North along that line approximately 480 feet in a line extending beyond the turnaround curve in the Snake River; thence due east approximately 470 feet; thence south along the east side of an existing roadway approximately 350 feet; thence 300 feet west; thence; thence south-southwest approximately 180 feet; thence west approximately 80 feet to the point of beginning less a 42' x 80' building located approximately 157 feet north northeast of the point of beginning

all of which is marked on the sketch which is attached hereto is excluded from the property

Gamble Island Property

- 1 -

263815

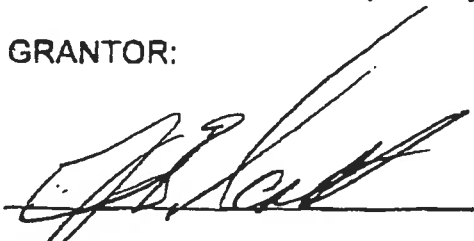
SEP 13 1996

conveyed and was retained by Kathryn Albertson.

Grantor, for itself, its successors and assigns, hereby covenants that it is the owner in fee simple of said premises and that it does warrant and will defend the quiet and peaceable possession of said premises by Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument on this 3rd day of August, 1995.

GRANTOR:



STATE OF IDAHO }
)ss
County of Ada)

On this 9th day of September, 1996, before me, a Notary Public in and for the State of Idaho, personally appeared Joseph B. Scott, known or identified to me to be the President of Alscott, Inc., the Corporation that executed the instrument as a General Partner of Alscott Limited Partnership #1, a Texas Limited Partnership, the person who executed the instrument on behalf of the corporation, and acknowledged to me that such corporation executed the instrument as such General Partner and Thomas J. Wilford, known or identified to me as the Secretary of Alscott, Inc. acknowledged that he attested said instrument on behalf of said corporation.

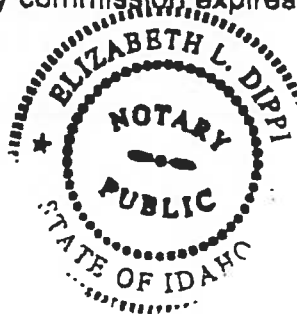
IN WITNESS I have hereunto set my hand and affixed my notary seal the date last above written.

Elizabeth L. Dippi

NOTARY PUBLIC in and for the State of Idaho.

Residing at Boise, Idaho

My commission expires Jan. 11, 2001



263815

State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of Peterson Law Office
Time 12:12 P M Date Sept. 13, 1996 Instrument # 263815 - Alscott
Laura L. Stigite, Ex-Officio Recorder by Judy B. Lamore Deputy Fee 6.00

Gamble Island Property

- 2 -

State of Idaho, County of Payette

464634

I certify that this instrument was filed for record at the request of Alscott Farms, LLCTime 1:30 P M Date July 15 1996 Instrument # 252692 - DeedsLaura L. Stiggle, Ex-Officio Recorder by [Signature] Deputy Fee \$900

JUL 15 1996

CORRECTION
WARRANTY DEED

700/97

This deed is executed to correct the description contained in a deed from Alscott Limited Partnership #1 to Alscott Farms, LLC recorded as document #256788:

Alscott Limited Partnership #1, a Texas Limited Partnership, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Alscott Farms, LLC, herein referred to as grantee, whose current address is

Suite 100
380 E. Park Center Blvd.
Boise, Idaho 83706

the following described real property situated in Payette County, State of Idaho, together with all improvements thereon and appurtenances thereunto appertaining.

Government Lots 5, 6, 7 and 8 in Section 29, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 1 and 3 in Section 30, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 1 and 2 in Section 31, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 5 and 6 in Section 32, Twp. 7 N, R.5 WBM, Payette County, Idaho

also known as Gambel Island; provided, however, that a six (6) acre tract described as:

Commencing at the Southwestern tip of Gambel Island and then proceeding approximately 1,040 feet north along the east line of the Snake River on the West Side of Gambel Island **which is the point of beginning**; thence continuing North along that line approximately 480 feet in a line extending beyond the turnaround curve in the Snake River; thence due east approximately 470 feet; thence south along the east side of an existing roadway approximately 350 feet; thence 300 feet west; thence; thence south-southwest approximately 180 feet; thence west approximately 80 feet to the point of beginning less a 42' x 80' building located approximately 157 feet north northeast of the point of beginning

all of which is marked on the sketch which is attached hereto is excluded from the property conveyed and was retained by Kathryn Albertson.

Gamble Island Property

- 1 -

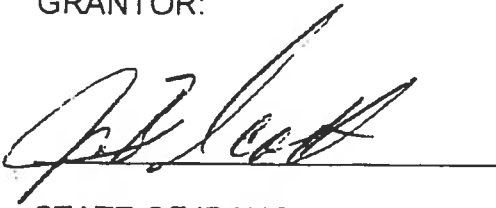
262692

JUL 15 1996

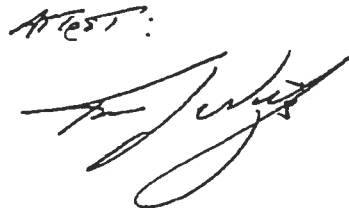
Grantor, for itself, its successors and assigns, hereby covenants that it is the owner in fee simple of said premises and that it does warrant and will defend the quiet and peaceable possession of said premises by Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument on this 3 day of August, 1995.

GRANTOR:

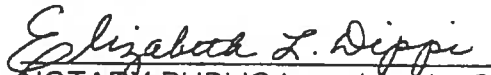


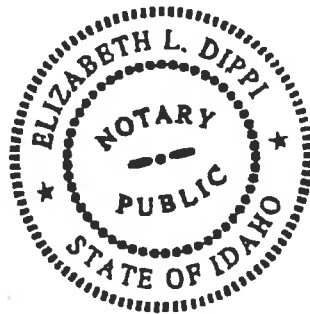
STATE OF IDAHO }
)ss
County of Ada)

Attest:


On this 10th day of July, 1996, before me, a Notary Public in and for the State of Idaho, personally appeared Joseph B. Scott, known or identified to me to be the President of Alscott, Inc., the Corporation that executed the instrument as a General Partner of Alscott Limited Partnership #1, a Texas Limited Partnership, the person who executed the instrument on behalf of the corporation, and acknowledged to me that such corporation executed the instrument as such General Partner and Thomas J. Wilford, known or identified to me as the Secretary of Alscott, Inc. acknowledged that he attested said instrument on behalf of said corporation.

IN WITNESS I have hereunto set my hand and affixed my notary seal the date last above written.

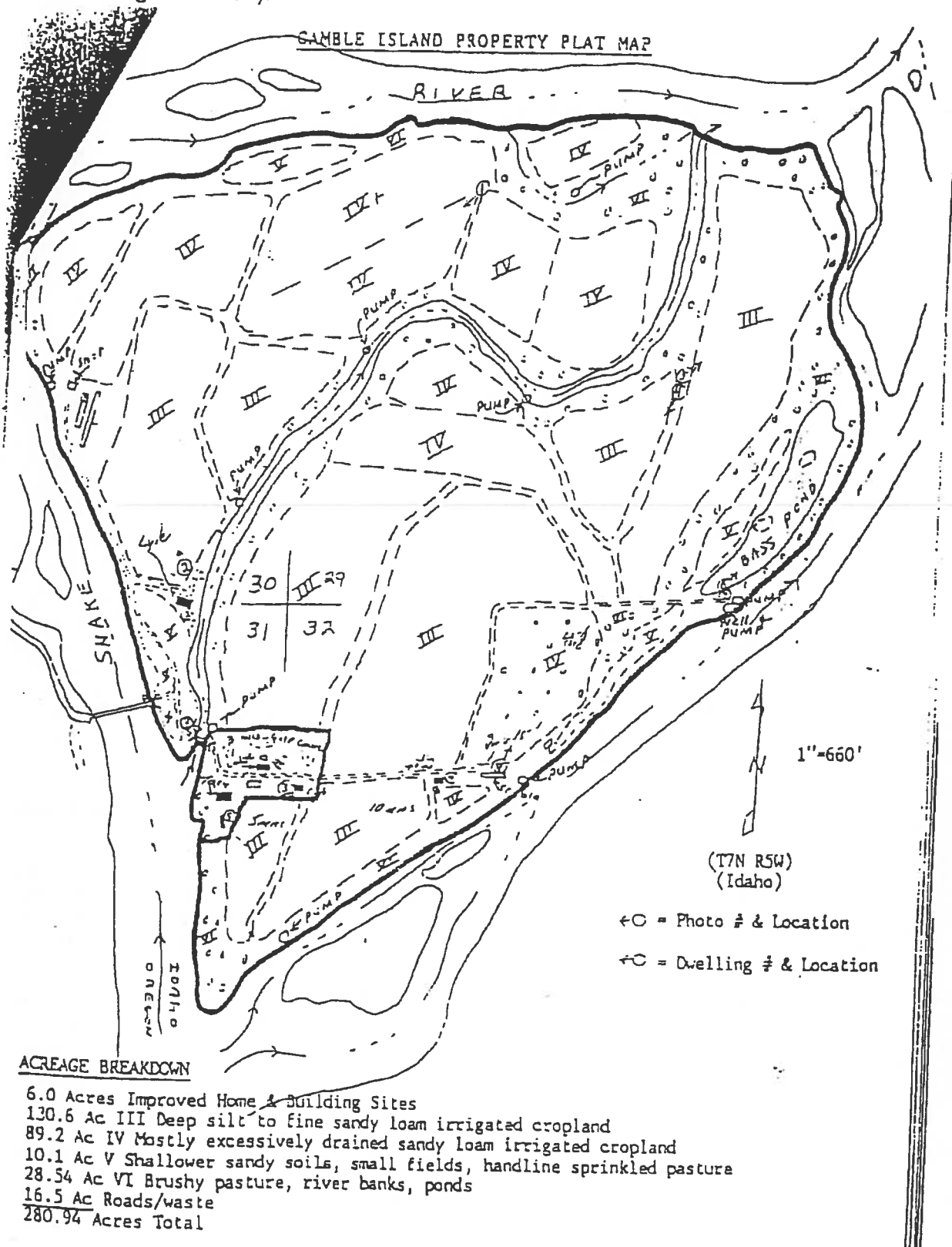

NOTARY PUBLIC in and for the State of Idaho.
Residing at Boise, Idaho
My commission expires Jan 11, 2001.



262692

JUL 15 1996

Figure 1 First Sketch (Map 1) (Exluded 6 acres outlined in black and indicated as three hole golf course).



State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of Alscott Farms, LLCTime 1:32 P M Date July 15, 1996 Instrument # 262693 - DeedsLaura L. Stigile, Ex-Officio Recorder by [Signature] Deputy Fee \$9.00

JUL 15 1996

CORRECTION
WARRANTY DEED

This deed is executed to correct the description contained in a deed from Kathryn Albertson to Alscott Limited Partnership #1, a Texas Limited Partnership authorized to do business in Idaho, recorded as document #256787:

Kathryn Albertson, for good and valuable consideration, the receipt of which s hereby acknowledged, does hereby grant, bargain, sell and convey unto Alscott Limited Partnership #1, an Idaho limited partnership, herein referred to as grantee, whose current address is

Suite 100

380 E. Park Center Blvd.

Boise, Idaho 83706

the following described real property situated in Payette County, State of Idaho, together with all improvements thereon and appurtenances thereunto appertaining.

Government Lots 5, 6, 7 and 8 in Section 29, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 1 and 3 in Section 30, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 1 and 2 in Section 31, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 5 and 6 in Section 32, Twp. 7 N, R.5 WBM, Payette County, Idaho

also known as Gambel Island; provided, however, that a six (6) acre tract described as:

Commencing at the Southwestern tip of Gambel Island and then proceeding approximately 1,040 feet north along the east line of the Snake River on the West Side of Gambel Island **which is the point of beginning**; thence continuing North along that line approximately 480 feet in a line extending beyond the turnaround curve in the Snake River; thence due east approximately 470 feet; thence south along the east side of an existing roadway approximately 350 feet; thence 300 feet west; thence west-southwest approximately 180 feet; thence south-southwest approximately 180 feet; thence west approximately 80

Gambel Island Property

- 1 -

262693

JUL 15 1996

feet to the point of beginning less a 42' x 80' building located approximately 157 feet north northeast of the point of beginning

all of which is marked on the sketch which is attached hereto is excluded from the property conveyed and is retained by the grantor.

Grantor, for herself, her heirs, successors and assigns, hereby covenants that she is the owner in fee simple of said premises and that she does warrant and will defend the quiet and peaceable possession of said premises by Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument on this ~~3rd~~ ^{9th} day of August, 1995.

GRANTOR:

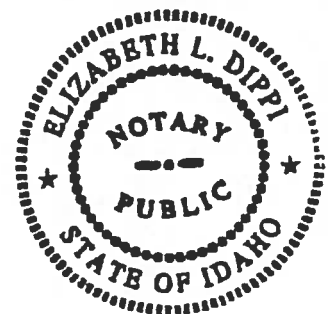
Kathryn Albertson
Kathryn Albertson

STATE OF IDAHO)
)ss
County of Ada)

On this 9th day of July, 1996, before me, a Notary Public in and for the State of Idaho, personally appeared Kathryn Albertson, a widow, known or identified to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS I have hereunto set my hand and affixed my notary seal the date last above written.

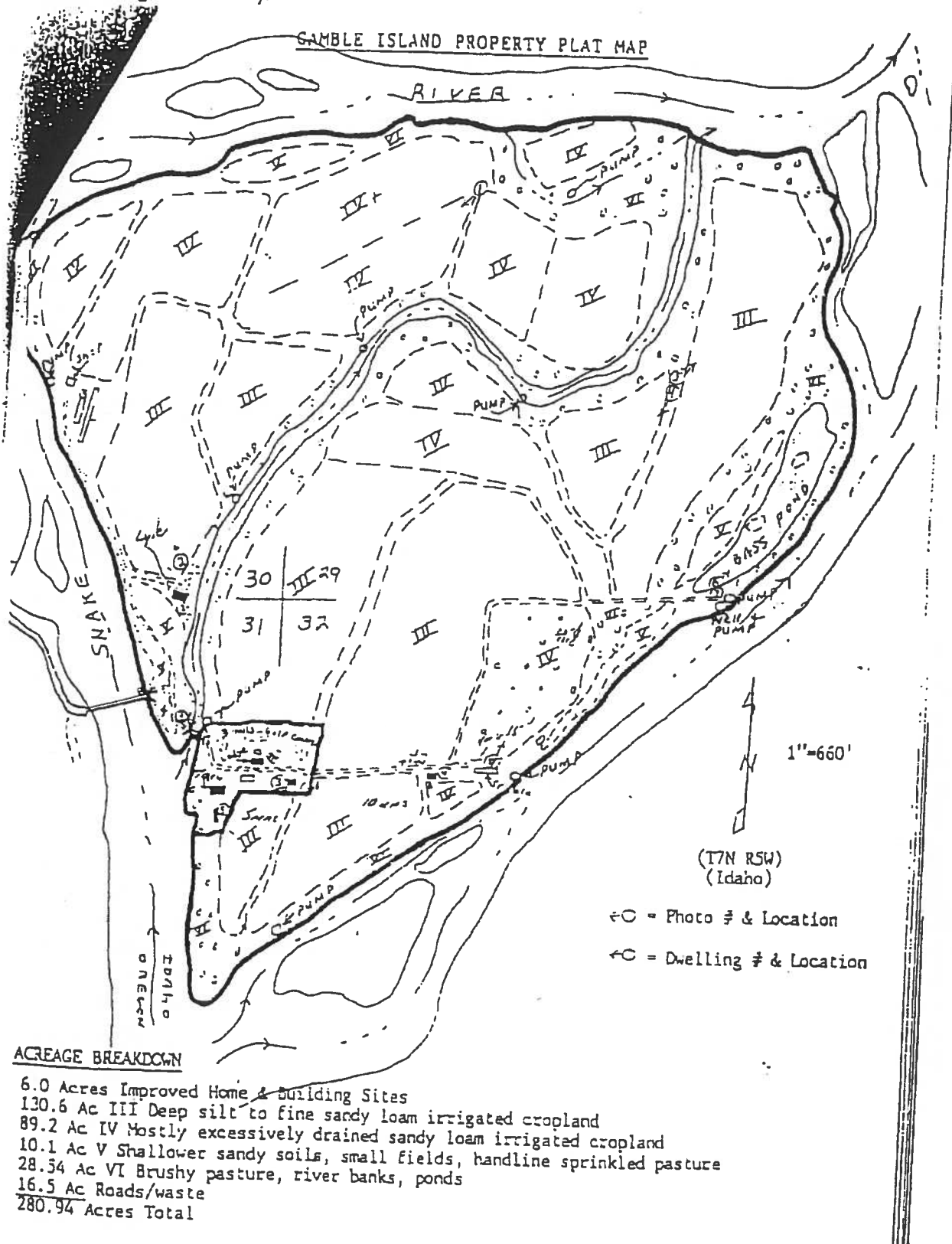
Elizabeth L. Dippi
NOTARY PUBLIC in and for the State of Idaho.
Residing at Boise. My commission expires Jan. 11, 2001



Gambel Island Property

- 2 -

Figure 1 First Sketch (Map 1) (Excluded 6 acres outlined in black and indicated as three hole golf course).



AUG. 7 1995

256788

WARRANTY DEED
IDAHO FARM

Alscott Limited Partnership #1, a Texas limited partnership, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **Alscott Farms, LLC, an Idaho Limited Liability Company**, herein referred to as grantee, whose current address is

Suite 100
380 E. Park Center Blvd.
Boise, Idaho 83706

the following described real property situated in Payette County, State of Idaho, together with all improvements thereon and appurtenances thereunto appertaining.

Government Lots 5, 6, 7 and 8 in Section 29, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 1, 2 and 3 in Section 30, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 1 and 2 in Section 31, Twp. 7 N, R.5 WBM, Payette County, Idaho
Government Lots 5 and 6 in Section 32, Twp. 7 N, R.5 WBM, Payette County, Idaho

also known as Gambel Island; provided, however, that a six (6) acre tract marked in black on the first sketch which is attached hereto is excepted from this description, but there is excepted from this exception, that building designated as Building #1 which appears in the South Center of this tract as seen on the second map. This building to be conveyed to the grantee.

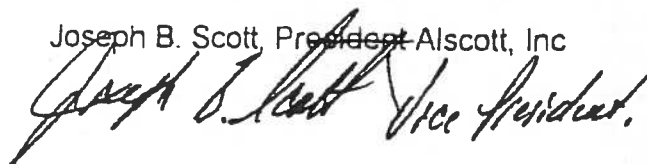
Grantor, for itself, heirs, successors and assigns, hereby covenants that it is the owner in fee simple of said premises and that it does warrant and will defend the quiet and peaceable possession of said premises by Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument on this 3 day of August, 1995.

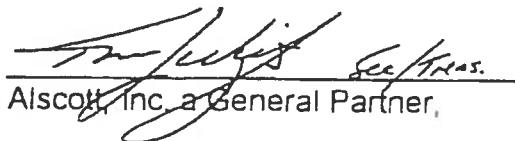
GRANTOR:

Alscott Limited Partnership #1, a Texas
Limited Partnership

Joseph B. Scott, President Alscott, Inc


Vice President.

by


Alscott, Inc. a General Partner,WARRANTY DEED
IDAHO FARM

- 1 -

AUG. 7 1995

256788

Attest:

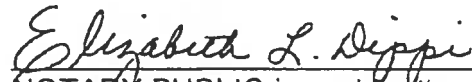


Thomas J. Wilford, Secretary Alscott, Inc

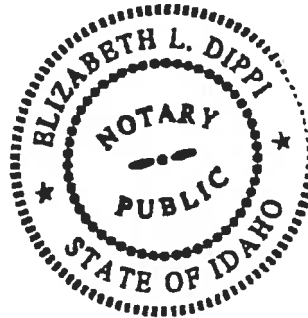
STATE OF IDAHO)
)ss
County of Ada)

On this 3rd day of August, 1995, before me, a Notary Public in and for the State of Idaho, personally appeared Joseph B. Scott, known or identified to me to be the Vice President of Alscott, Inc., the Corporation that executed the instrument as a General Partner of Alscott Limited Partnership #1, a Texas Limited Partnership, the person who executed the instrument on behalf of the corporation, and acknowledged to me that such corporation executed the instrument as such General Partner and Thomas J. Wilford, known or identified to me as the Secretary of Alscott, Inc. acknowledged that he attested said instrument on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notary seal the date last above written.



NOTARY PUBLIC in and for the State of Idaho.

Residing at Boise, IdahoMy commission expires Jan. 11, 2001.

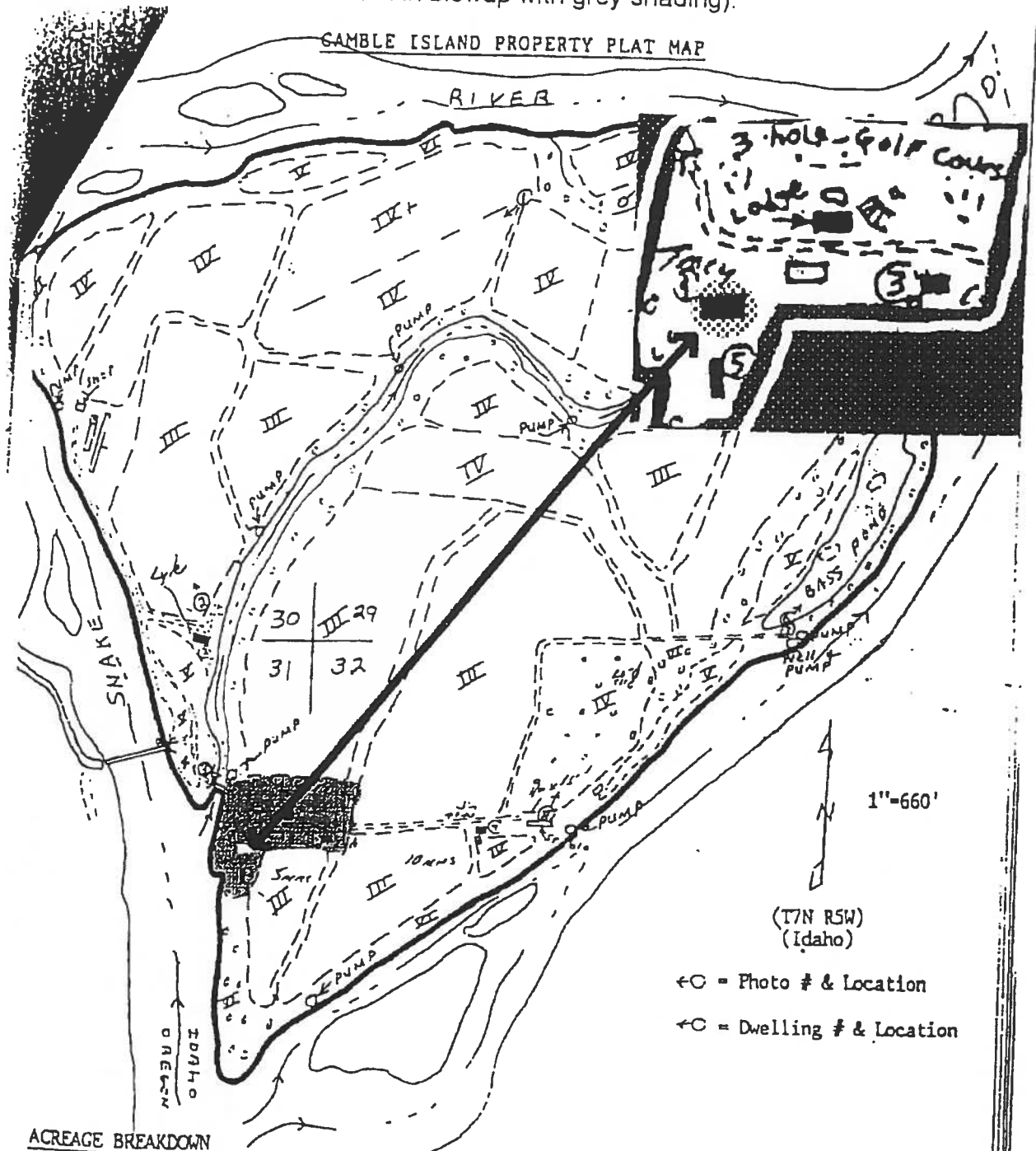
WARRANTY DEED
IDAHO FARM

- 2 -

AUG. 7 1995

256788

Figure 1 Second Sketch (Map 2) (Excluded 6 acres shaded in grey with building excluded from 6 acres indicated in blowup with grey shading).

ACREAGE BREAKDOWN

6.0 Acres Improved Home & Building Sites
 130.6 Ac III Deep silt to fine sandy loam irrigated cropland
 89.2 Ac IV Mostly excessively drained sandy loam irrigated cropland
 10.1 Ac V Shallower sandy soils, small fields, handline sprinkled pasture
 28.54 Ac VI Brushy pasture, river banks, ponds
 16.5 Ac Roads/waste
 280.94 Acres Total

256788

State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of Peterson Law Office

August 7, 1995 11:22 AM in Book 48 Decdes pg 256788

Laura L. Sigile, Ex-Officio Recorder by [Signature] Deputy for \$900

#1
243223

APR. 9 1993

700
97
Gambel Island

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made this 4 day of April, 1993, between WEST ONE BANK, IDAHO, acting by and through Robert Schoeler, Vice President, Personal Representative of the Estate of J.A. Albertson ("Grantor"), and Kathryn Albertson, whose address is 380 E. ParkCenter Blvd., Boise, Idaho, 83706 ("Grantee").

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. 3P-15584, in Ada County, Idaho;

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Payette County, Idaho:

In Twp. 7 N. R. 5 W., B.M., Payette County,
Idaho:
In Sec. 29: Government Lots 5, 6, 7 and 8;
In Sec. 30: Government Lots 1, 2, and 3;
In Sec. 31: Government Lots 1 and 2;
In Sec. 32: Government Lots 5 and 6.

with all appurtenances.

PERSONAL REPRESENTATIVE'S DEED - 1

243223

APR. 9 1993

IN WITNESS WHEREOF, the Grantor has hereunto set its hands
and seal the day and year first above written.

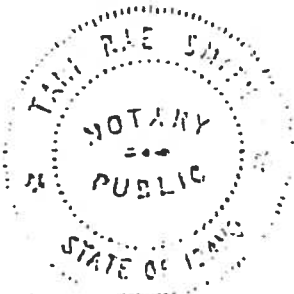
WEST ONE BANK, IDAHO

By: Robert Schoeler
Robert Schoeler
Its: Vice President

STATE OF IDAHO)
) ss:
County of Ada)

On this 6 day of April, in the year 1993, before
me, _____, notary public, personally
appeared ROBERT SCHOELER, known or identified to me to be the
Vice President, of the corporation that executed the instrument
or the person who executed the instrument on behalf of said
corporation, and acknowledged to me that such corporation
executed the same.

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



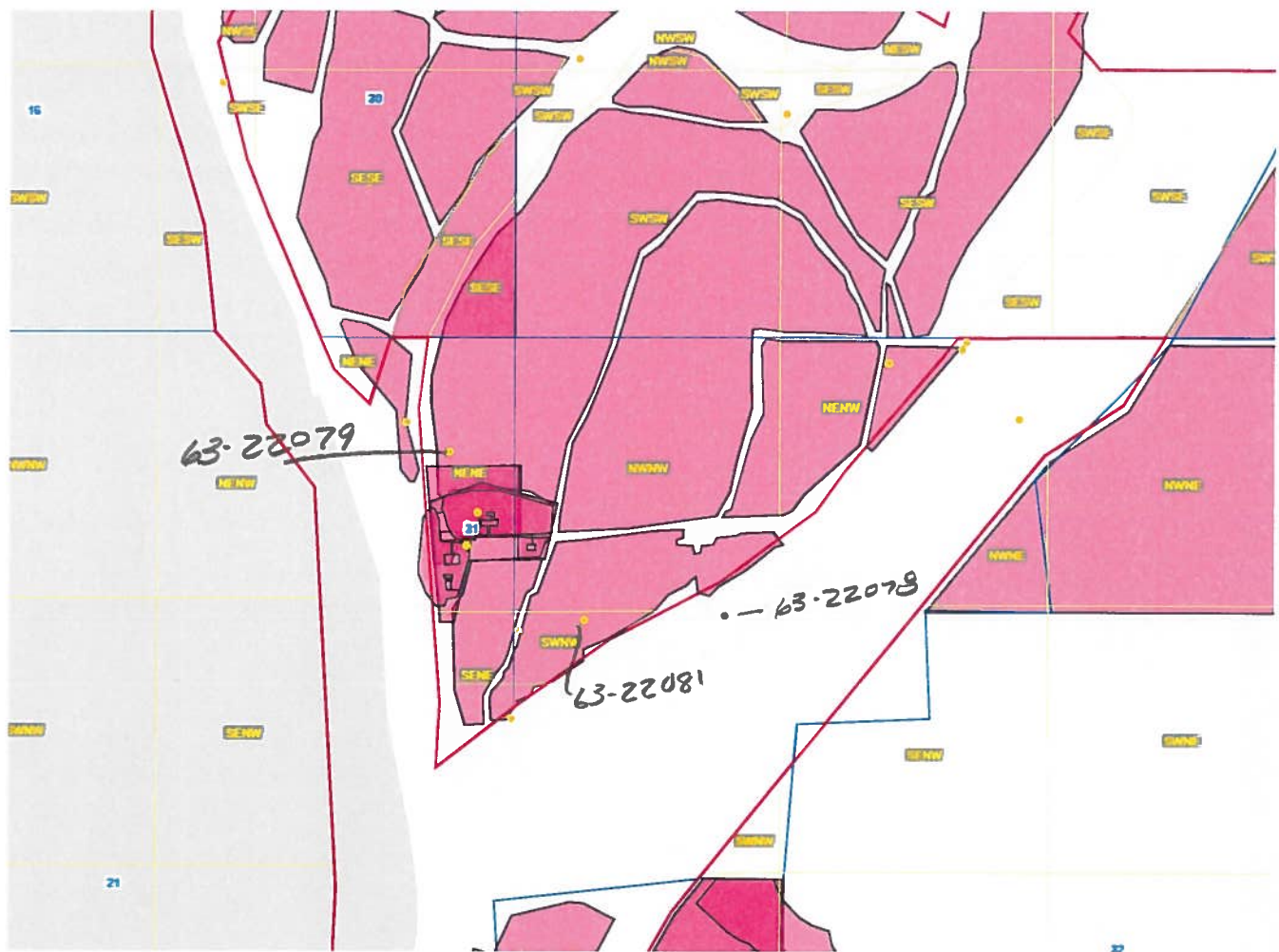
Tamm Rae Smith
Notary Public for Idaho
Residing at Meridian Idaho
My Commission Expires 3/10/99

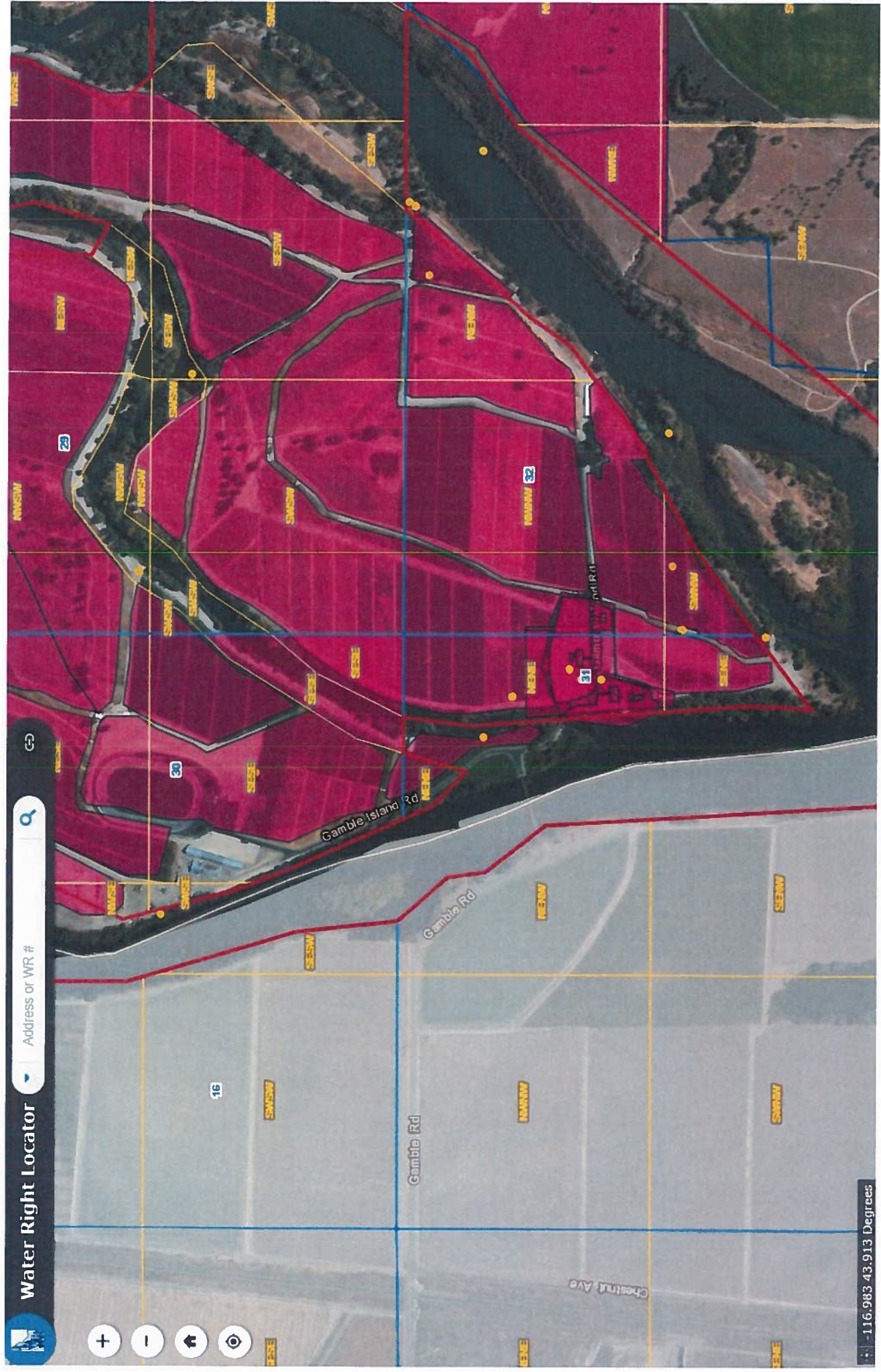
243223

State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of Holland & Hart, attys
April 9, 1993 2:00 PM, in Book 48 Deeds pg. 243223
Laura L. Stigile, Ex-Officio Recorder by Robert Schoeler, Deputy fee \$600

PERSONAL REPRESENTATIVE'S DEED - 2





State of Idaho
Department of Water Resources

Water Right
63-22076

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 0.035 0.07 0.14 Miles



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SCANNED

HOLLAND & HART^{LLP}
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
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CHEYENNE • JACKSON HOLE
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TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

LINDA B. JONES
ljones@hollandhart.com

October 26, 2000

Dennis Moyer
Alscott Farms, LLC
501 Baybrook Court
Boise, Idaho 83706-3963

DM 10-30-00
Tom

Re: Transfer of Water Rights/Gamble Island
Nos. 63-22078, 63-22079, 63-22080, 63-22081

Dear Dennis:

This letter is to follow up our phone conversation. In connection with our work on Joe Albertson's estate, we were asked to transfer ownership of the Gamble Island water rights to Kathryn Albertson's name. Enclosed is the letter we recently received from the Department of Water Resources concerning the request to transfer. Three of the rights (for the three homes) were transferred, but the third, 63-22080 (for the shop), could not be transferred because the deed we filed did not cover the land to which the water right is appurtenant.

Water right 63-22080 is appurtenant to Government Lot 2 in Section 30 and is for groundwater for domestic use for a shop building. In reviewing the matter, we find the following:

1. Government Lot 2 (along with the other Gamble Island parcels) was conveyed by Personal Representative's Deed (Instrument No. 243223) to Kathryn in April 1993.
2. In August 1995, Kathryn conveyed the Gamble Island property, including Government Lot 2, to Alscott Limited Partnership #1 (Instrument No. 256787), except for a small six acre parcel upon which a lodge, two other houses and small golf course were located (excepting from the exception, a building which was conveyed to the Partnership). I understand that the excepted building is the shop.
3. On the same day in 1995, Alscott Limited Partnership #1 conveyed the Gamble Island property, including Government Lot 2, to Alscott Farms, LLC (Instrument No. 256788). This Deed contained the same exceptions.

Dennis Moyer
October 26, 2000
Page 2

4. Two subsequently recorded (in July 1996) Correction Deeds, dated as of August 1995, added a surveyed metes and bounds description for the excepted lodge/golf course property. The Correction Deed from Kathryn to Alscott Limited Partnership #1 is Instrument No. 262693; the Correction Deed from Alscott Limited Partnership #1 to Alscott Farms, LLC is Instrument No. 262692. These Correction Deeds did not list Government Lot 2, Section 30. By omitting Lot 2 from the Correction Deed legal description, title to Lot 2 returned to Kathryn. Alliance Title confirmed this conclusion (that is how they would view the chain of events, as a title matter).

5. A Second Correction Deed (dated September 1996) from Alscott Limited Partnership #1 to Alscott Farms, LLC (Instrument No. 263815) appears to have been recorded to put Government Lot 2 back into the description of conveyed properties. The Title Company did not find a Second Correction Deed from Kathryn to the Partnership doing the same. The Title Company's position is that Government Lot 2 is now owned by Kathryn, but there is a cloud on the title due to the Second Correction Deed.

I understand from you that everything (including the shop) was intended to be conveyed to Alscott Farms, LLC. Kathryn intended to keep only the lodge/golf course property (including the lodge and two other houses). This is consistent with the initial deeds. This is also consistent with the current IDWR water rights record following our transfer of ownership request. However, since the Correction Deeds apparently inadvertently omitted Government Lot 2, and only one Second Correction Deed corrected this omission, Kathryn still holds title to Government Lot 2, upon which the shop is located, and its appurtenant water right (63-22080). If the intent was to convey Government Lot 2, it appears that a Second Correction Deed conveying Government Lot 2 by Kathryn to Alscott Limited Partnership #1 should be recorded. This would correct and complete the conveyance of Government Lot 2 (and its appurtenant water right) of record to Alscott Farms and would allow the IDWR to change ownership of record of the water right to Alscott Farms.

Once the title to Government Lot 2 is correctly vested in Alscott Farms' name, Alscott Farms can file a change in ownership form with IDWR with copies of the deeds running from J.A. Albertson to Alscott Farms to document the conveyance, complete the change in ownership request, and change the owner of record with the IDWR of water right 63-22080 to Alscott Farms. Water right 63-22080 currently remains in J.A. Albertson's name.

Dennis Moyer
October 26, 2000
Page 3

If you have questions or if I have missed something in this transaction, please give me a call. At this time, we do not intend to take further action on this matter, as we have changed ownership of record with the IDWR of the three water rights to Kathryn's name.

Sincerely,

HOLLAND & HART LLP

A handwritten signature in cursive script, appearing to read "Linda", written in black ink.

Linda B. Jones

LBJ:cd
Enclosures
cc: Kathryn Albertson
(w/encls.)
2724500_1.DOC/19103.6001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 25, 2018

ALSCOTT FARMS LLC
501 BAYBROOK CT
BOISE ID 83706

RE: Notice of Ownership Change in Water Right No's:

63-22076, 63-22078, 63-22079 & 63-22081

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the Department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please note that as of July 1, 1996, 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. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience and cooperation. Please call (208)334-2190 if you have any questions concerning the enclosed information.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures

ALSCOTT

501 Baybrook Court
Boise, Idaho 83706-3963
~~P.O. Box 70001 - Boise, Idaho 83707-0101~~

TELEPHONE: (208) 424-3840

FAX: (208) 424-3850

January 10, 2018

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-2190

RECEIVED
JAN 11 2018
WATER RESOURCES
WESTERN REGION

Re: Water Right No.'s 63-22078 Kathryn Albertson
63-22079 Kathryn Albertson
63-22081 Kathryn Albertson
63-22076 Joseph B. Scott

Dear IDWR:

Please find attached a request to transfer ownership of the above water rights in Payette County. The current owner of the property is Alscott Farms, LLC and the water rights should be in that name.

I have included the following to facilitate these transfers:

1. Notice of Change of Ownership forms, dated January 9, 2018
2. Copies of Deeds documenting ownership in Alscott Farms, LLC.
3. A check in the amount of \$75.00 for transfer of #63-2078; #63-22079; and #63-22081.
4. A check in the amount of \$25.00 for the transfer of #63-22076.

Please let me know if additional information is required by contacting me by phone at 208-424-3865 or email dmoyer@alscott.com.

Thank you.

Sincerely,



Dennis Moyer
Vice President, Real Estate

enclosures