

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 25 2016

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?
78-12457	Yes ☒	Yes ☐		Yes ☐	Yes ☐
78-12458	Yes ☒	Yes ☐		Yes ☐	Yes ☐
78-12459	Yes ☒	Yes ☐		Yes ☐	Yes ☐
78-12460	Yes ☒	Yes ☐		Yes ☐	Yes ☐
78-12461	Yes ☒	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Johnson & Roehler Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Fair-James, LLC
New owner(s) as listed on the conveyance document
- P.O. Box 927 McCall Name connector ☐ and ☐ or ☐ and/or
Mailing address City ID 83638
State ZIP
- 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: 2002
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

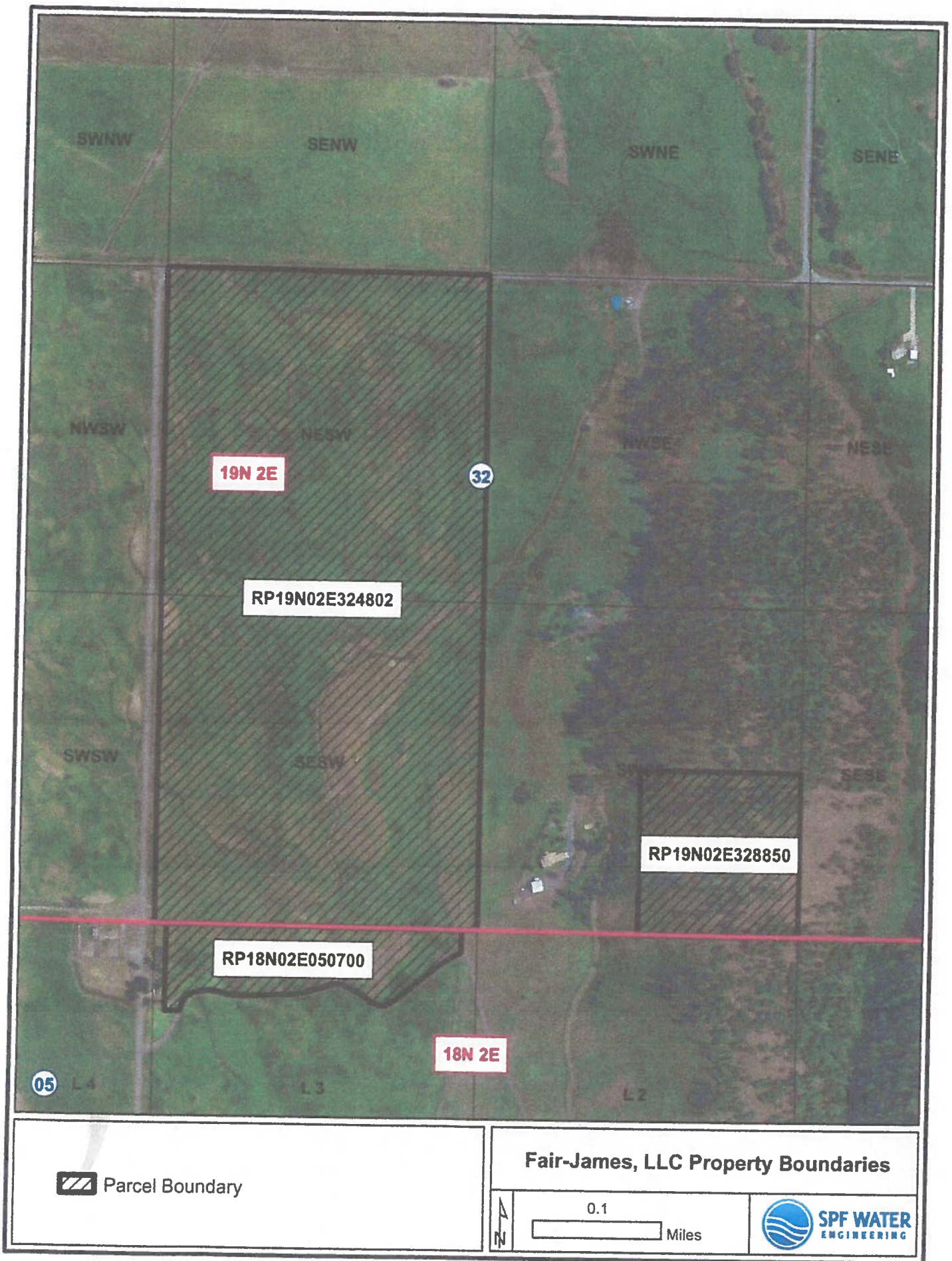
IN FILE # 78-2056

8. Signature: [Signature] Title, if applicable: member Date: 10-20-16
 Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by: [Signature] Date: 10/25/2016 Receipt No. W044752 Receipt Amt. \$500.00
 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: _____

No. W 19467		Due no later than May 31, 2016		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Annual Report Form		WILLIAM D FAIRFIELD 318 MCBRIDE ST MCCALL ID 83638	
		1. Mailing Address: Correct in this box if needed. FAIR-JAMES LLC WILLIAM D FAIRFIELD PO BOX 927 MCCALL ID 83638		3. New Registered Agent Signature:*	
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.					
Office Held	Name	Street or PO Address	City	State	Country
MEMBER	WILLIAM D FAIRFIELD	3494 RANEY RD	NEW MEADOWS	ID	83654
MEMBER	JAMES G GERBLICK	PO BOX 927	MCCALL	ID	USA 83638
5. Organized Under the Laws of: ID W 19467		6. Annual Report must be signed.* Signature: James G Gerblick Name (type or print): James G Gerblick Date: 05/11/2016 Title: Member			
Processed 05/11/2016		* Electronically provided signatures are accepted as original signatures.			



RP19N02E324807

INSTRUMENT NO. **101949**
PAGE 1 OF 1

WARRANTY DEED

THIS INSTRUMENT IS A
KNOWINGLY AND VOLUNTARILY
EXECUTED BY THE PARTIES
HEREIN AND IS NOT A
FIDUCIARY INSTRUMENT
EFFECTIVE DATE: 07/05/02

For Value Received William D. Fairfield and Donna M. Fairfield, husband and wife, of Ventura, California

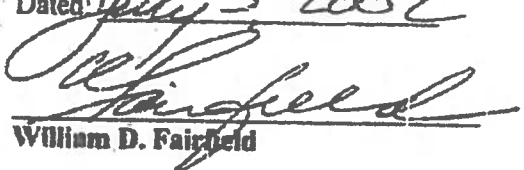
Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Fair-James, LLC, a Idaho Limited Liability Company

Hereinafter called the Grantee, the following described premises situated in Adams County, Idaho, to-wit:

The east one-half (1/2) of the southwest one-quarter (1/4) of Section 32, Township 19 North, Range 2 East, Boise Meridian, in the County of Adams, State of Idaho, containing approximately 80 acres

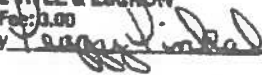
Subject to current year's taxes, irrigation district assessments, public utility easements, subdivision restrictions and U.S. Patent reservations.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 5 2002

William D. Fairfield

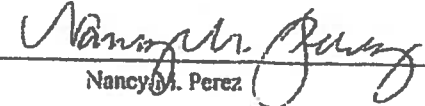

Donna M. Fairfield

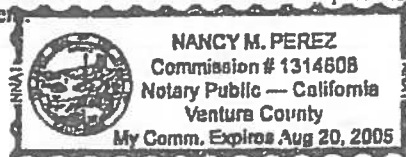
State of California)
County of Ventura) ss.

Instrument # **101949**
COUNCIL, ADAMS, IDAHO
2002-07-10 01:54:15 No. of Pages: 1
Recorded for : TIMBERLINE TITLE & ESCROW
MICHAEL FISK Fee: 0.00
Ex-Officio Recorder Deputy 
Inherits: DEED

On July 5, 2002, before me, the undersigned, Notary Public, personally appeared William D. Fairfield and Donna M. Fairfield, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.


Nancy M. Perez



Notary Public, State of California

Residing at: Oxnard, CA

Comm. Expires: 8-20-05

Fair-James LLC
199 Figueroa St, 3rd Floor
Ventura, CA 93001

All Parcels

INSTRUMENT NO. **101950** WARRANTY DEED
PAGE 1 OF 2

THIS INSTRUMENT WAS FILED FOR RECORD IN THE PUBLIC RECORDS OF THE COUNTY OF ADAMS, IDAHO, ON 07/19/2002 AT 02:04:32 PM. THE FEE FOR THIS INSTRUMENT WAS \$5.00. THE INSTRUMENT IS VALID FOR 10 YEARS FROM THE DATE OF RECORDING.

For Value Received William D. Fairfield, Trustee of the Decedent's Trust of the Johnson-Rochler Family Trust dated October 31, 1980, as amended October 2, 1981 as to an undivided one-half (½) interest, and William D. Fairfield, Trustee of the Survivor's Trust of the Johnson-Rochler Family Trust dated October 31, 1980, as amended October 2, 1981 as to an undivided one-half (½) interest

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Fair-James, LLC, a Idaho Limited Liability Company

Hereinafter called the Grantee, the following described premises situated in Adams County, Idaho, to-wit: Township 18 North, Range 2 East, Boise Meridian, Adams County, Idaho
Section 5: Lots 2 and 3 EXCEPTING THEREFROM any part of Whitney Ranch Sub-division No. 1 as shown on the official plat thereof on file in the office of the Adams County Recorder in Book 2 of Plats, page 11.
Township 19 North, Range 2 East, Boise Meridian, Adams County, Idaho
Section 32: E1/2SW1/4, SE1/4SW1/4SE1/4

Subject to current year's taxes, irrigation district assessments, public utility easements, subdivision restrictions and U.S. Patent reservations.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 5, 2002

William D. Fairfield, Trustee of the
Decedent's Trust of the Johnson-Rochler
Family Trust dated 10/31/80, as amended
10/2/81

William D. Fairfield, Trustee of the
Survivor's Trust of the Johnson-Rochler
Family Trust dated 10/31/80, as amended
10/2/81

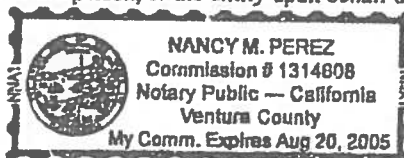
State of California)
County of Ventura) ss.

Instrument # **101950**
COUNCIL, ADAMS, IDAHO
2002-07-19 02:04:32 No. of Pages: 2
Recorded for: **TIMBERLINE TITLE & ESCROW**
MICHAEL FISK Fee: \$5.00
Ex-Officio Recorder Deputy Michael Fisk
Index to: DEED

On JULY 5 2002, before me, the undersigned, Notary Public, personally appeared William D. Fairfield, personally known to me (or proved 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 his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Nancy M. Perez
Nancy M. Perez



Notary Public, State of California
Residing at: Oxnard, CA
Comm. Expires: 8-20-05

INSTRUMENT NO. 101950
PAGE 2 OF 2

Township 18 North, Range 2 East, Boise Meridian, Adams
County, Idaho

Section 5: Lots 2 and 3 EXCEPTING THEREFROM any part of
Whitney Ranch Subdivision No. 1 as shown on the official
plat thereof on file in the office of the Adams County
Recorder in Book 2 of Plats, page 11 .

Township 19 North, Range 2 East, Boise Meridian, Adams
County, Idaho

Section 32: E1/2SW1/4, SE1/4SW1/4SE1/4

Fair-James LLC
199 Figueroa St, 3rd Floor
Ventura, CA 93001

Exceptions creating
RP18N02E050760

INSTRUMENT NO. 409666

QUIT CLAIM DEED

For Value Received, FAIR-JAMES, L.L.C., an Idaho limited liability company

does hereby convey, release, remise and forever quit claim unto ROBERT E. LENIGAN and JUNE TERRI LENIGAN, husband and wife

whose address is: 10605 W. Deep Canyon, Star, ID 83669-5339

the following described premises, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

Date: August 4, 2005

William D. Fairfield
WILLIAM D. FAIRFIELD
FAIR-JAMES, L.L.C., an Idaho
Limited liability company

Instrument # 109666

COUNCIL, ADAMS, IDAHO

2005-08-08 03:33:27 No. of Pages: 3

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK Fee 9.00

Ex-Officio Recorder Deputy Michael Fisk

Index to: DEED

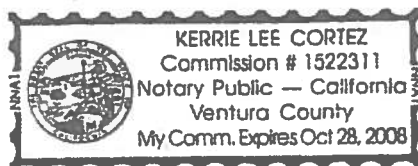
STATE OF)

) ss

County of)

On this 4th day of August, 2005, before me, a Notary Public in and for the said State, personally appeared, WILLIAM D. FAIRFIELD, known or identified to me (~~ex proved to me on the oath of~~), to be the manager or member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

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



Kerrie Lee Cortez

Notary Public

Residing at: 199 Figueroa St. Ventura CA

Commission expires: 10/28/2008

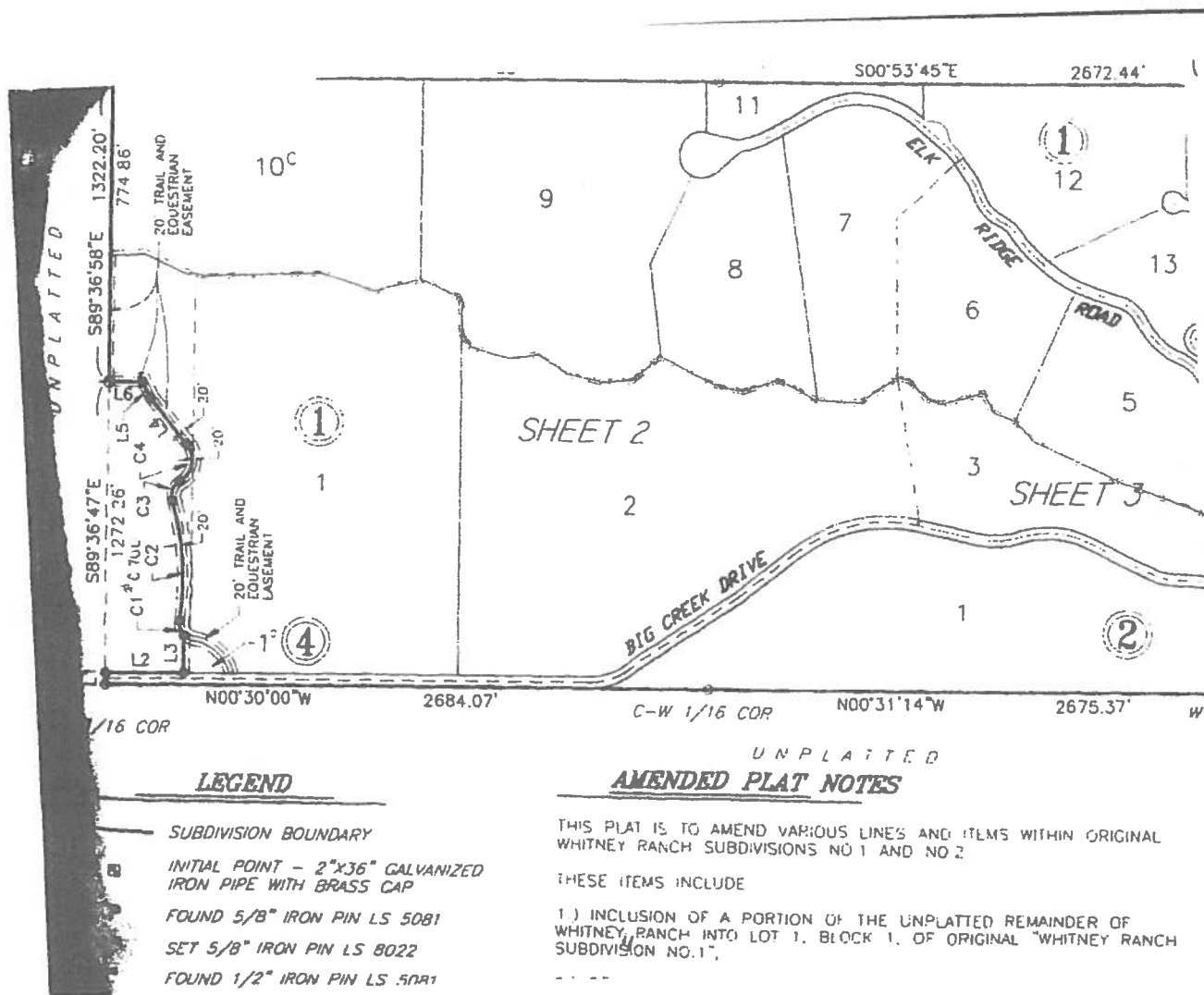


EXHIBIT 'A'

**LEGAL DESCRIPTION
UNPLATTED REMAINDER TO
LOT 1 BLOCK 1 WHITNEY RANCH SUBDIVISION NO. 1**

Two parcels of land, located in the NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4 of Section 5, T.18N., R.2 E., B.M., Adams County, Idaho, more particularly described as;

Parcel A:

COMMENCING at the N 1/4 corner of said Section 5, as shown on the plat of said Whitney Ranch No. 1; thence,

- A.) S.0°13'47"E., 353.69 feet; thence,
- B.) N.89°36'58"W., 357.24 feet to the POINT OF BEGINNING; thence,
- 1.) N.89°36'58"W., 774.19 feet to a point on a non-tangent curve; thence,
- 2.) Northeasterly along said curve to the right having a radius of 100.00 feet, an arc length of 110.43 feet, through a central angle of 63°16'13", and a chord bearing and distance of N.67°19'00"E., 104.90 feet; thence,
- 3.) Northeasterly along a curve to the left having a radius of 1135.00 feet, an arc length of 516.83 feet, through a central angle of 26°05'24", and a chord bearing and distance of N.85°54'29"E., 512.37 feet; thence,
- 4.) Southeasterly along a curve to the right having a radius of 95.00 feet, an arc length of 125.55 feet, through a central angle of 75°43'12", and a chord bearing and distance of S.69°16'37"E., 116.61 feet; thence,

- 5.) Southeasterly along a curve to the left having a radius of 90.00 feet, an arc length of 72.31 feet, through a central angle of $46^{\circ}02'08''$, and a chord bearing and distance of $S.54^{\circ}26'05''E.$, 70.38 feet to the **POINT OF BEGINNING**.

Parcel A CONTAINING 0.76 Acres, more or less.

Together with Parcel B:

BEGINNING at the N $1/4$ corner of said Section 5, as shown on the plat of said Whitney Ranch No. 1; thence,

- 1.) $S.89^{\circ}36'58''E.$, 547.34 feet; thence,
- 2.) $S.4^{\circ}01'09''E.$, 152.14 feet; thence,
- 3.) $S.25^{\circ}09'02''W.$, 222.44 feet; thence,
- 4.) $N.89^{\circ}36'58''W.$, 781.36 feet to a point on a non-tangent curve; thence,
- 5.) Northeasterly along said curve to the left having a radius of 90.00 feet, an arc length of 43.19 feet, through a central angle of $27^{\circ}29'42''$, and a chord bearing and distance of $N.64^{\circ}28'21''E.$, 43.78 feet; thence, tangent from said curve,
- 6.) $N.50^{\circ}43'30''E.$, 260.72 feet; thence,
- 7.) $N.63^{\circ}27'51''E.$, 87.16 feet; thence;
- 8.) $N.0^{\circ}13'47''W.$, 129.13 feet to the **POINT OF BEGINNING**.

Parcel B CONTAINING 5.13 Acres, more or less.

Parcel A and B:

CONTAINING 5.89 Acres, more or less.

SUBJECT TO all Covenants, Rights-of-Way and Easements of Record.



5

505.70

242.59' 214.08' 178.9'

20' TRAIL AND
EQUESTRIAN
EASEMENT

Leucophaea Robert E
E June Term
1-17-00 19800

1
52.75 AC.

UNPLATTED
REMAINDER OF WHITNEY RANCH

40' ACCESS
EASEMENT

20' TRAIL AND
EQUESTRIAN
EASEMENT

4

353.78'
S00°30'00"E

202.89'

1018.07'

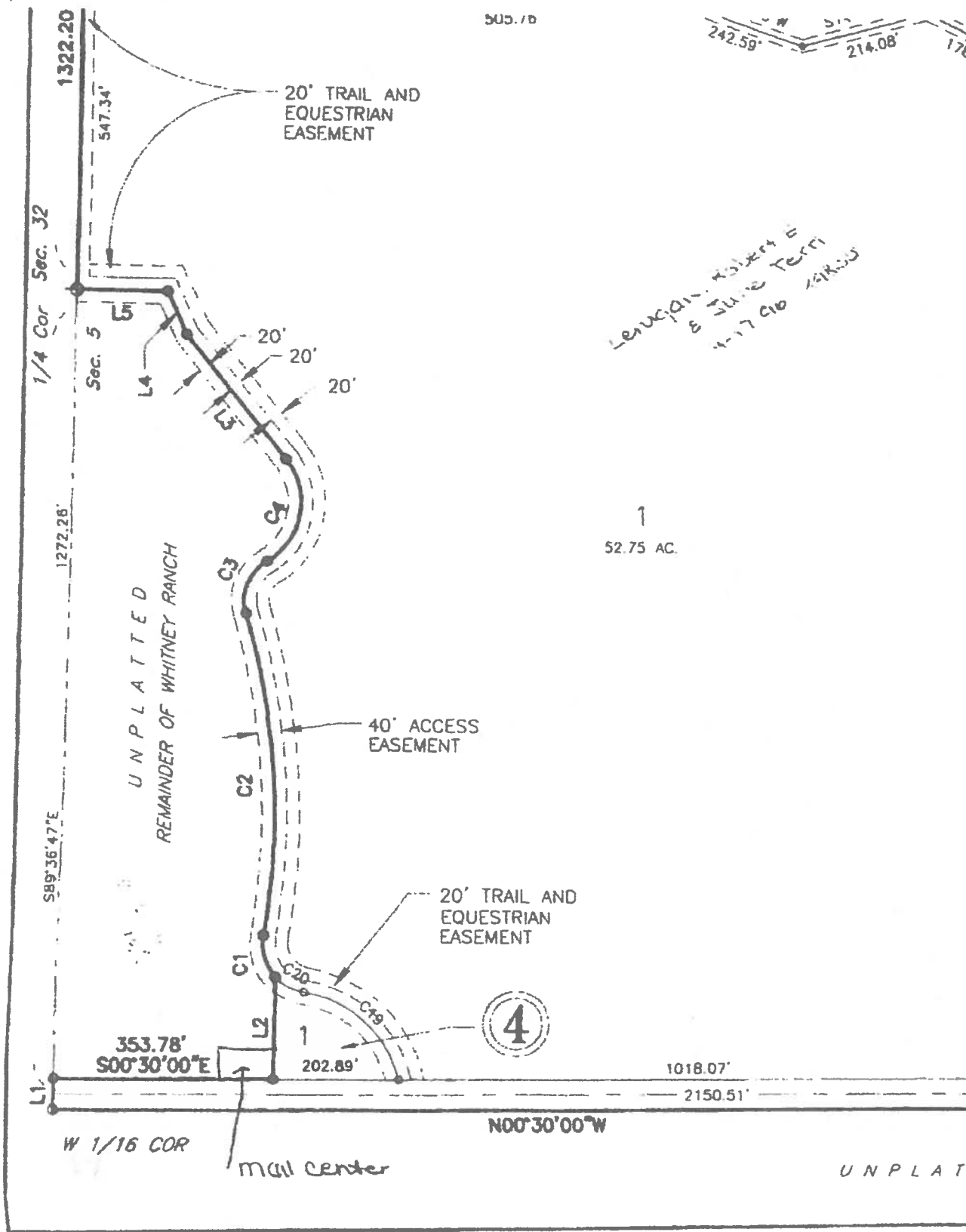
2150.51'

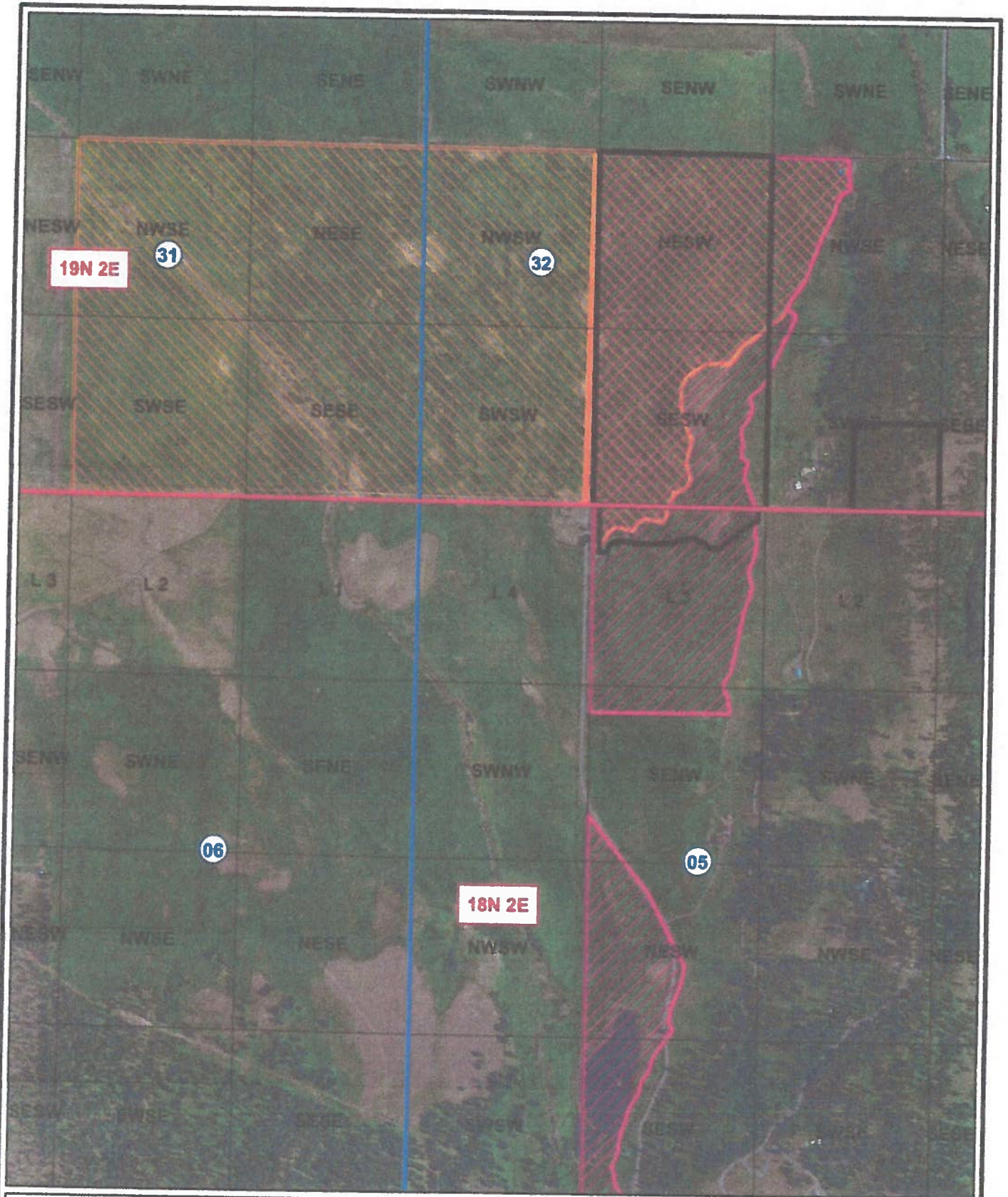
N00°30'00"W

W 1/16 COR

mail center

UNPLAT





 Parcel Boundary
Water Right Place of Use

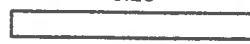
 78-2056

 78-12380, 78-12382, 78-12384, 78-12386

Fair-James, LLC Property Boundaries



0.25

 Miles



Split Analysis

Water Right Number: 78-2056

Diversion Rate: 6.4 cfs

Date: 10/13/2016

Acreage Analysis:

[illegible]

[illegible]

Split Analysis

Water Right Number: 78-12380

Diversion Rate: 1.05 cfs

Date: 10/13/2016

Acreage Analysis:

[illegible]

Water Right Number: 78-12380

Diversion Rate: 1.05 cfs

Date: 10/13/2016

Split Tree:

Fair-James

(159.5 ac & 1.05 cfs)

Residual

(85.0 ac & 0.56 cfs)

78-12380

(159.5 ac & 1.05 cfs)

Summary:

[illegible]

Split Analysis

Water Right Number: 78-12382

Diversion Rate: 0.22 cfs

Date: 10/13/2016

Acreage Analysis:

[illegible]

Water Right Number: 78-12382
Diversion Rate: 0.22 cfs
Date: 10/13/2016

Split Tree:

[illegible]

Summary:

[illegible]

Split Analysis

Water Right Number: 78-12384

Diversion Rate: 0.7 cfs

Date: 10/13/2016

Acreage Analysis:

[illegible]

Water Right Number: 78-12384

Diversion Rate: 0.7 cfs

Date: 10/13/2016

Split Tree:

Fair-James

(159.5 ac & 0.70 cfs)

Residual

(85.0 ac & 0.37 cfs)

78-12384

(159.5 ac & 0.70 cfs)

Summary:

[illegible]

Split Analysis

Water Right Number: 78-12386

Diversion Rate: 3.19 cfs

Date: 10/13/2016

Acreage Analysis:

[illegible]

Water Right Number: 78-12386

Diversion Rate: 3.19 cfs

Date: 10/13/2016

Split Tree:

Fair-James

(159.5 ac & 3.19 cfs)

Residual

(85.0 ac & 1.70 cfs)

78-12386

(159.5 ac & 3.19 cfs)

Summary:

[illegible]

TRANSMITTAL

DATE: October 25, 2016

TO: Idaho Department of Water Resources

FROM: Roxanne Brown

RE: Ownership Change – Johnson & Roehler Trust to Fair-James LLC

JOB NO.: 1306.0010

RECEIVED

OCT 25 2016

**WATER RESOURCES
WESTERN REGION**

The following items are:

- | | | | |
|--------------------------------------|--|--|--|
| ☐ Requested | ☒ Attached | ☐ Shipped Via _____ | |
| ☐ Report | ☐ Specification | ☐ Cost Estimate | ☐ Shop Drawings |
| ☐ Test Result | ☐ Prints | ☐ Test Sample | ☐ Other |

No.	Description
1	Change in Ownership form
2	Check No. 6422 (\$500.00)
3	Maps (2)
4	Deeds (3)
5	Secretary of State Annual Report (Fair-James)
6	Split Analysis forms for each water right

These materials are submitted:

- | | |
|--|---|
| ☐ At your request | ☒ For your action |
| ☐ For your approval | ☐ For your files |
| ☐ For your review | ☐ For your information |

General Remarks: Please contact Roxanne Brown with any questions.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 6, 2017

FAIR-JAMES LLC
PO BOX 927
MCCALL ID 83638

Re: Change in Water Right Ownership: 78-2056 (Split into 78-2056 and 78-12457), 78-12380 (Split into 78-12380 and 78-12458), 78-12382 (Split into 78-12382 and 78-12459), 78-12384 (Split into 78-12384 and 78-12460), 78-12386 (Split into 78-12386 and 78-12461)

Dear Water Right Holders:

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

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under these rights, including adding a new point of diversion, then an Application for Transfer on your portion of these rights is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water rights, then no further action is required at this time.

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 Idaho Code §§ 42-222 and 42-223.

Also 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.

Please feel free to contact me at 208-287-4920 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

C. Roxanne Brown – SPF Water Engineering



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 6, 2017

JOHNSON & ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 83654

Re: Change in Water Right Ownership: 78-2056 (Split into 78-2056, 78-12457, and 78-12462), 78-12380 (Split into 78-12380, 78-12458, and 78-12463), 78-12382 (Split into 78-12382, 78-12459, and 78-12464), 78-12384 (Split into 78-12384, 78-12460, and 78-12465), 78-12386 (Split into 78-12386, 78-12461, and 78-12466)

Dear Water Right Holder:

We have received and processed a Change of Ownership for a portion of your original Water Rights as referenced above. This change of ownership resulted in a split of your original water rights.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

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 Idaho Code §§ 42-222 and 42-223.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosure