

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUN 23 2017
WATER RESOURCES
SOUTHERN 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?
<u>no split</u> 78-7000B	Yes ☒	Yes ☐		Yes ☐	Yes ☐
78-12313	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>split</u> 78-12471	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Browns Industries Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): HDC Ventures LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 587 New Meadows ID 83654
Mailing address City State ZIP
- 208-260-0137 dchbrook@gmail.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: June 15, 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.

SUPPORT DATA

IN FILE # 78-7000B

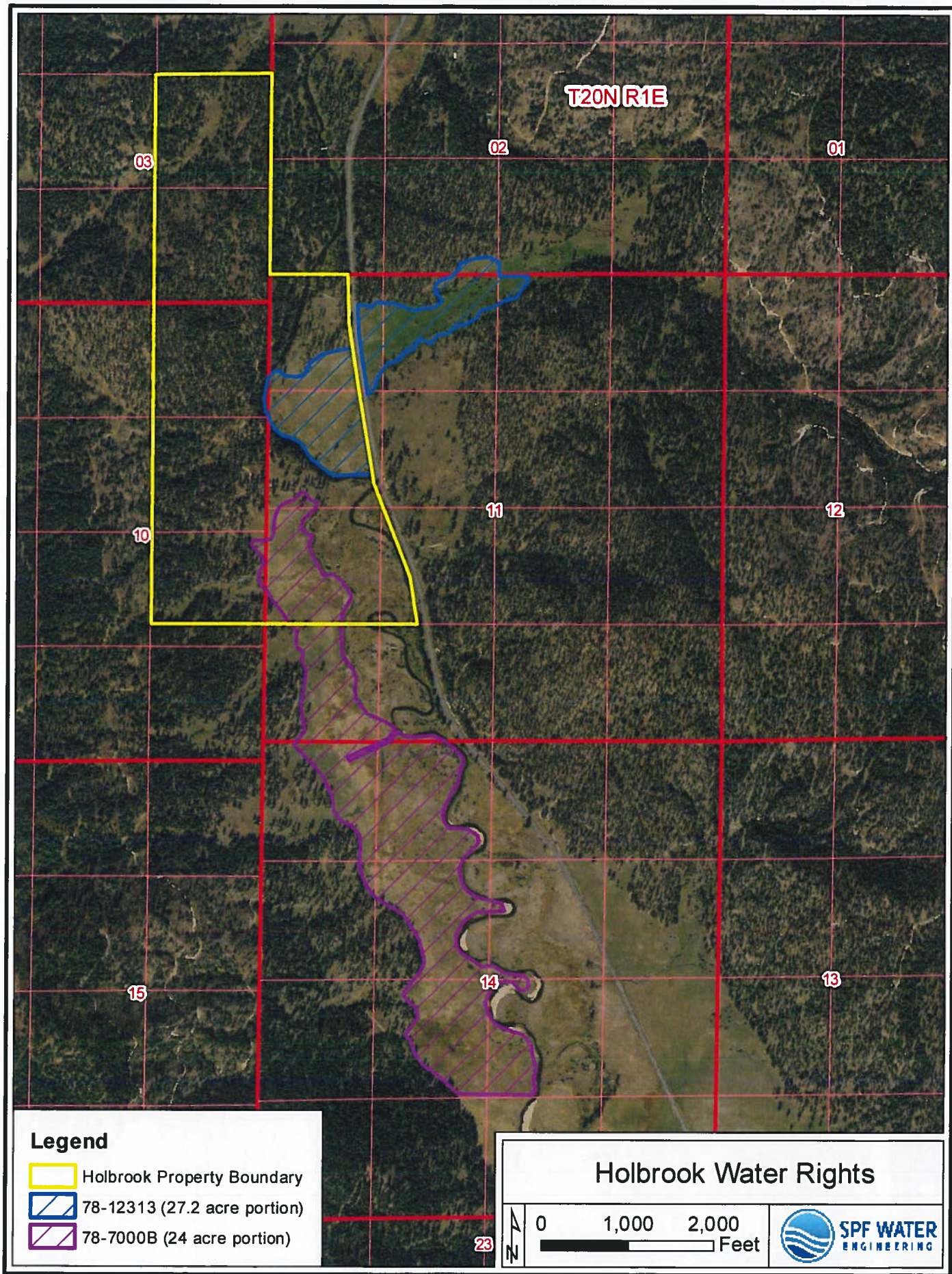
8. Signature: [Signature] MEMBER 6/15/17
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] member 6/15/17
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 6/23/17 Receipt No. WD45409 Receipt Amt. \$200⁰⁰

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 [Signature] Date 9-14-17



Instrument # 131051

COUNCIL, ADAMS, IDAHO

6-16-2017 11:46:17 AM No. of Pages: 3

Recorded for : TIMBERLINE TITLE & ESCROW

SHERRY WARD

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 16.00
Sherry Ward

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, BROWN'S INDUSTRIES, INC., an Idaho corporation as Grantor, does hereby grant, bargain, sell, and convey unto HDC VENTURES LLC, an Idaho limited liability company, as Grantee, whose current address is PO Box 587, New Meadows, ID 83654, the following described real property situated in Adams County, Idaho, to-wit:

See EXHIBIT A attached hereto and incorporated herein by reference.

To have and to hold the said premises, together with improvements and appurtenances unto the said Grantee, his heirs and assigns forever, specifically including the appurtenant portions of Water Right #78-12313 and Water Right #78-7000B. And the said Grantor does hereby covenant to and with said Grantee, that it is the owner in fee simple of said premises; that the said premises are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 15th day of June, 2017.

BROWN'S INDUSTRIES, INC.

An Idaho corporation

By:

Judd W. DeBoer
Judd W. DeBoer

Title: Director

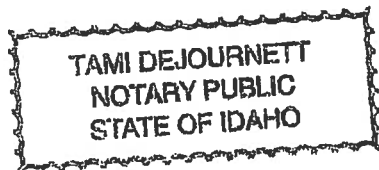
STATE OF IDAHO,)

) ss.

County of Ada)

On this 15th day of June, 2017, before me, a Notary Public in and for said State, personally appeared JUDD W. DeBOER, known or identified to me to be the Director of BROWN'S INDUSTRIES, INC., an Idaho 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.



Tami DeJournett
NOTARY PUBLIC FOR IDAHO

Residing at: _____

My Commission Expires: _____

Residing In: Meridian, Idaho

Commission Expires: 09/12/2022

Thence, S. 22°31'40" E., 543.87 feet along said westerly right-of-way, to a concrete right-of-way monument at Sta. 428+15.03,
Thence, 596.01 feet along said westerly right-of-way on a curve to the right, whose radius is 2,814.79 feet, delta angle is 12°07'55", and whose long chord bears S. 16°27'43" E., 594.90 feet to a 5/8" rebar at Sta. 422+09.80,
Thence, S. 10°25'41" E., 265.88 feet along said westerly right-of-way to 5/8" rebar on the southerly boundary of the NE¼ of the SW¼ of Section 11, T. 20 N., R. 1 E., B.M., Adams County, Idaho,
Thence, N. 89°56'57" W., 1,777.78 feet to a 3 ¼ inch aluminum cap on a 5/8" rebar marking the South 1/16th Corner of said Section 11,
Thence, N. 89°56'57" W., 1339.25 feet to a 5/8" rebar on the westerly boundary of the NE¼ of the SE¼, of Section 3, T. 20 N., R. 1 E., B.M., Adams County, Idaho,
Thence, N. 0°21'49" E., 1,066.74 feet to an aluminum cap marking the Center East 1/16th Corner of said Section 10, as shown on that particular Record of Survey, recorded as Instrument No. 126099, in the Office of the Recorder of Adams County, Idaho,
Thence, N. 0°20'06" E., 2,619.80 feet to an aluminum cap marking the East 1/16th Corner, common to Sections 3 and 10, T. 20 N., R. 1 E., B.M., Adams County, Idaho,
Thence, N. 0°0'21" E., 2,640.27 feet to an aluminum cap marking the Center East 1/16th Corner of said Section 3,
Thence, N. 89°52'14" E., 1,328.25 feet to an aluminum cap marking the East Quarter Corner of said Section 3, also being the West Corner common to Ranches 30 and 31, Circle C Ranches, as shown on that particular Record of Survey recorded as Instrument No. 84083, in the Office of the Recorder of Adams County, Idaho,
Thence, S. 0°05'50" E., 2,317.18 feet along the line common to said Sections 2 and 3, to the **Point of Beginning, containing 307.871 acres**, more or less.

Bearings based on GPS derived State Plane Grid Azimuth, Idaho West Zone.

Rod M. Skiftun – P.L.S. 9585
13784 Highway 55 McCall, ID 83638
208-634-3696/Fax 208-634-8475
E-mail: rskiftun@frontiernet.net



EXHIBIT A



SKIFTUN LAND SURVEYING, INC.
LOTS - BOUNDARY - TOPOGRAPHY - ALTA
SUBDIVISIONS - CONSTRUCTION - FLOOD DATA
Working hard to protect your property investment!

June 14, 2017

Page 1 of 2

BROWN'S INDUSTRIES INC.
NORTHWEST SALE PARCEL
Sections 3, 10, and 11, T. 20 N., R. 1 E., B.M.,
Adams County, Idaho
307.871 Acres

A parcel of land situate in Sections 3, 10 and 11, T. 20 N., R. 1 E., B.M., Adams County, Idaho, being the E $\frac{1}{2}$ of the SE $\frac{1}{4}$, of said Section 3, the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, and a portion of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, of said Section 10, the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, and those portions of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, of said Section 11, lying west of the right-of-way of U.S. Highway 95, more particularly described as follows:

Commencing at an aluminum cap on a 5/8" rebar marking the Section Corner common to Sections 2 and 11, T. 20 N., R. 1 E., B.M., Adams County, Idaho, as shown on the official plat of Black Bear Subdivision, recorded as Instrument No. 83419, in the Office of the Recorder of Adams County, Idaho, the **REAL POINT OF BEGINNING**:

- Thence, N. 89°47'14" E., 885.25 feet along the boundary common to said Sections 2 and 11, to a 5/8" rebar, on the westerly right-of-way of U.S. Highway 95,
- Thence, S. 2°17'49" E., 307.30 feet along said westerly right-of-way to a concrete right-of-way monument at Sta. 457+66.60, as shown Sheet 17 of the ROW plans for F.A.P. No. F-FR-3112(45),
- Thence, 751.38 feet along said westerly right-of-way on a non-tangent curve to the left, whose radius is 5,777.38 feet, delta angle is 7°27'06", and whose long chord bears S. 6°01'22" E., 750.85 feet to a concrete right-of-way monument at Sta. 450+21.15,
- Thence, S. 9°44'56" E., 1,022.02 feet along said westerly right-of-way to a concrete right-of-way monument at Sta. 440+21.70co,
- Thence, 650.10 feet along said westerly right-of-way on a curve to the left, whose radius is 2,914.79 feet, delta angle is 12°46'44", and whose long chord bears S. 16°08'18" E., 648.75 feet, to a concrete right-of-way monument at Sta. 433+60.18, as shown on that particular Record of Survey, recorded as Instrument No. 95293, in the Office of the Recorder of Adams County, Idaho,

Rod M. Skiftun - P.L.S. 9585
13784 Highway 55 McCall, ID 83638
208-634-3696/Fax 208-634-8475
E-mail: rskiftun@frontiernet.net



Split Analysis

Water Right Number: 78-7000B

Diversion Rate: 3.18 CFS

Reviewer Name: _____ Ig-SPF

Date: 6/13/2017

Acreage Analysis

[illegible]

[illegible]

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/13/2017

WATER RIGHT NO. 78-7000B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BROWNS INDUSTRIES INC 101 S CAPITOL BLVD STE 305 BOISE, ID 83702 2083427883
Original Owner	WARREN H BROWN C/O BROWN'S INDUSTRIES INC 101 S CAPITOL BLVD STE 1818 BOISE, ID 83702 2083427883

Priority Date: 09/25/1968

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	3.18 CFS	477 AFA
Total Diversion			3.18 CFS	

Location of Point(s) of Diversion:

LITTLE SALMON RIVER|SESW|Sec. 11|Township 20N|Range 01E|ADAMS County

Licensed Diversion Capacity: 6.68

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADAMS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
20N	01E	10		NESE	2.5									
		11		SWNW	0.5									
				NWSW	21		SWSW	22		SESW	2			
		14		SWNE	1.5									
				NENW	27		NWNW	19		SWNW	2.5		SENW	25.5
				NESW	27.5									
				NWSE	8									

Total Acres: 159

Conditions of Approval:

1. C18 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. Section 42-1412(6), Idaho Code.
2. R29 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.
3. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of
4. S38 water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Dates:

Licensed Date:

Decreed Date: 11/06/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

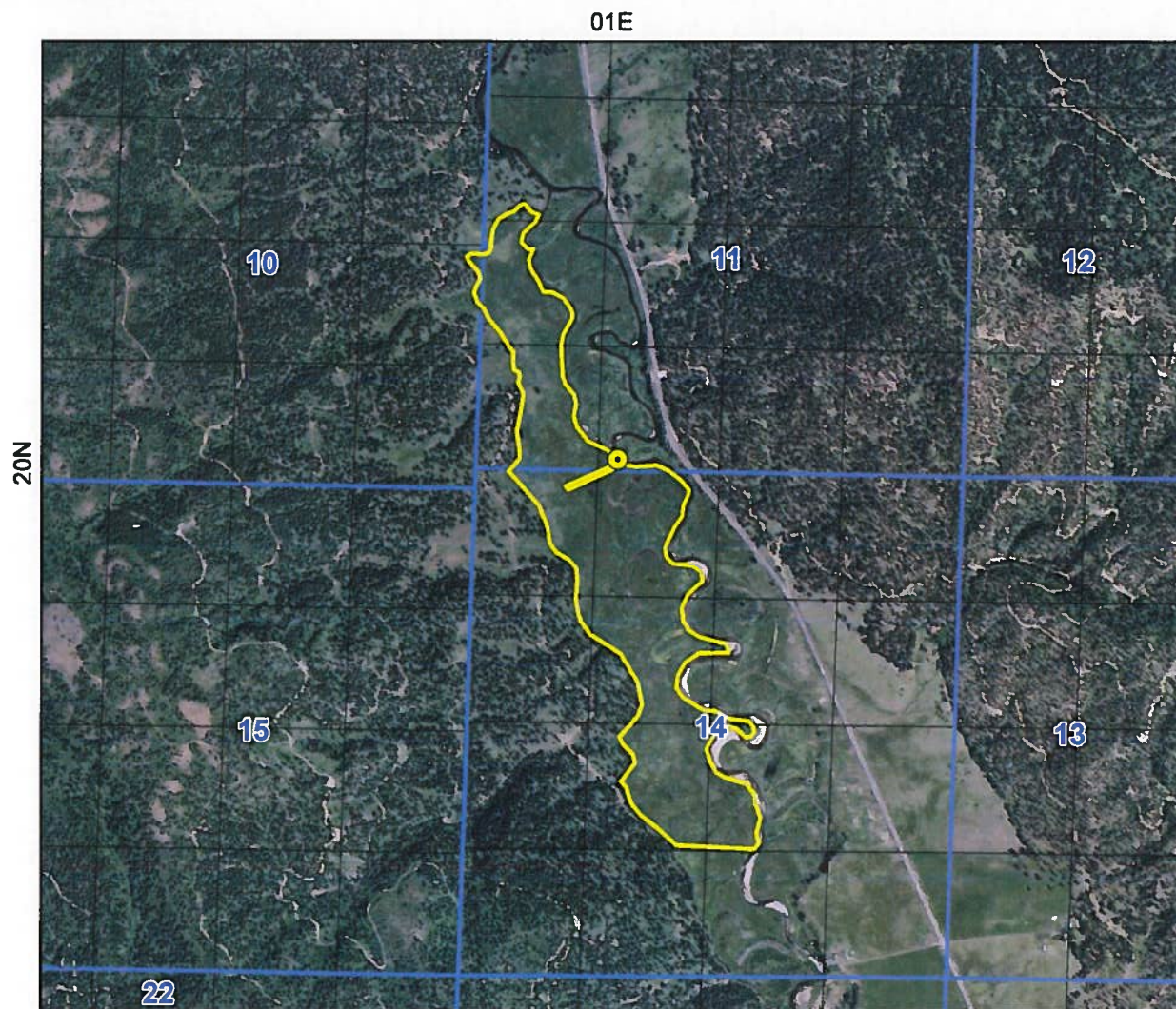
Close

State of Idaho
Department of Water Resources

Water Right
78-7000B

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 0.225 0.45 0.9 Miles



Split Analysis

Water Right Number: 78-12313
 Diversion Rate: 1.03 CFS
 Reviewer Name: Ig-SPF
 Date: 6/13/2017

Acreage Analysis

[illegible]

[illegible]

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/13/2017

WATER RIGHT NO. 78-12313

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BROWNS INDUSTRIES INC 101 S CAPITOL BLVD STE 305 BOISE, ID 83702 2083427883

Priority Date: 04/10/1907
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	LITTLE SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.03 CFS	
STOCKWATER	01/01	12/31	0.02 CFS	
Total Diversion			1.03 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAM	SWSE	Sec. 02	Township 20N	Range 01E	ADAMS County
UNNAMED STREAM	NWNE	Sec. 11	Township 20N	Range 01E	ADAMS County
UNNAMED STREAM	NENW	Sec. 11	Township 20N	Range 01E	ADAMS County
UNNAMED STREAM	NWNW	Sec. 11	Township 20N	Range 01E	ADAMS County

STOCKWATER Use:

Number of other uses: 50 range cattle

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADAMS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
20N	01E	2		SESW	2									
		10		NENE	0.5									
		11		NWNE	1.8									
				NENW	15		NWNW	13		SWNW	19			

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 51.3

Conditions of Approval:

1. C18 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. Section 42-1412 (6), Idaho Code.
2. B01 Unnamed stream is also known as Merritt Creek.
3. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
4. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

Dates:

Licensed Date:

Decreed Date: 01/23/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

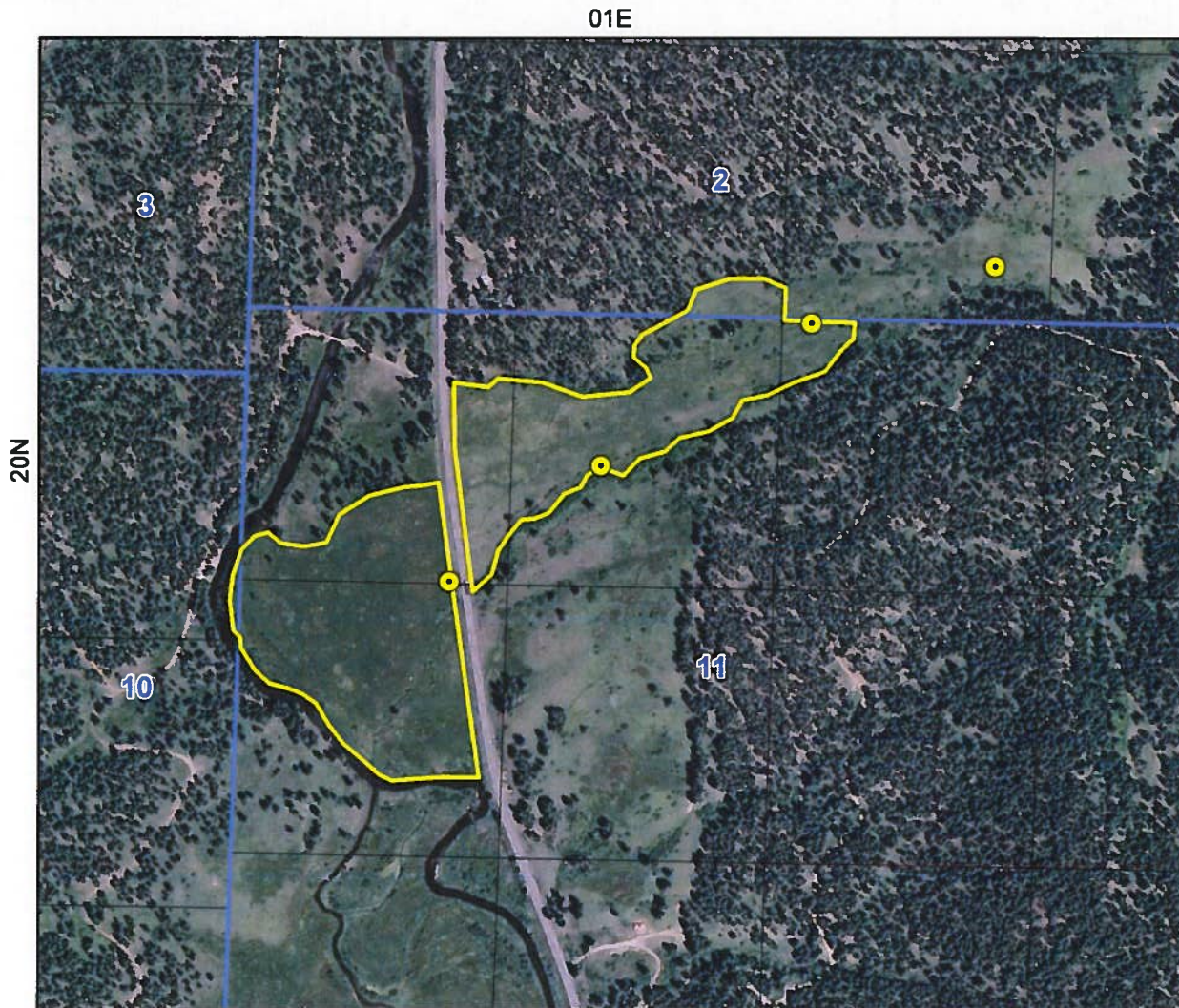
Close

State of Idaho
Department of Water Resources

Water Right
78-12313

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





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

September 15, 2017

HDC VENTURES LLC
PO BOX 587
NEW MEADOWS ID 83654

Re: Change in Water Right Ownership: 78-7000B & 78-12313 (Split into 78-12313 and 78-12471)

Dear Water Right Holder:

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. Water right 78-7000B did not require a split and a refund has been requested payable to First American Title Co., which will be sent under separate cover.

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 this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right 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 right, 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

Enclosure

C. Lori Graves – 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

September 15, 2017

BROWNS INDUSTRIES INC
533 E RIVERSIDE DR STE 120
EAGLE ID 83616

Re: Change in Water Right Ownership: 78-7000B & 78-12313 (Split into 78-12313 and 78-12471)

Dear Water Right Holder:

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

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

MEMORANDUM

TO: Sascha Marston
FROM: Debbi Judd
DATE: September 14, 2017
RE: **Refund: Ownership change**

Please refund \$75. Ownership change of one water right was not split.

NAME: FIRST AMERICAN TITLE CO
ADDRESS: 3540 E LONGWING LN STE 230
MERIDIAN ID 83646

RECEIPT #: W045409

Thank you.

Debbi



June 20, 2017

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

RECEIVED
JUN 23 2017
WATER RESOURCES
WESTERN REGION

Subject: Notice of Change in Water Right Ownership

Dear Angie,

Enclosed on behalf of HDC Ventures, LLC, is a *Notice of Change in Water Right Ownership* for their portion of two water rights currently in the name of Browns Industries Inc.

Check No. 1524186142 for \$200 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Graves", is written over a horizontal line.

Lori Graves
Water Rights Specialist

Cc: Doug Holbrook, Bob Crawford

Enclosures

SPF file number: 446.0060