

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAY 30 2017
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?
35-7964 <i>OK</i>	Yes ☐	Yes ☐	35-7975 <i>OK</i>	Yes ☐	Yes ☐
35-8661 <i>OK</i>	Yes ☐	Yes ☐	35-7597A <i>OK</i>	Yes ☐	Yes ☐
35-7917 <i>OK</i>	Yes ☐	Yes ☐	35-7974 <i>OK</i>	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Buffalo River Investments LLC (column 1); Midnight Sun Inc (column 2)
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Eagle Creek Northwest LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|-----------------|-----------------------|-------|-------|
| PO Box 53 | Nampa | ID | 83653 |
| Mailing address | City | State | ZIP |
| (208) 466-0419 | charles.bryan@ubs.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: April 28, 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: *Charles W. Bryan* Charles W. Bryan, Vice President March 24, 2017
 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 *JB* Date May 30, 17 Receipt No. E043058 Receipt Amt. \$150.-
 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 *JB* Processed by *JB* Date 6/1/2017

Instrument # 210865

POWER COUNTY, IDAHO

04-28-2017 10:30:51 AM No. of Pages: 3

Recorded for: ALLIANCE TITLE - BOISE PRODUCT

SHARIE SPRAGUE

Fee: \$16.00

Ex-Officio Recorder Deputy: maureen schelske

Electronically Recorded by Simplifile

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:351064

FOR VALUE RECEIVED

Lance D. Funk and Lisa I. Funk, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Eagle Creek Northwest LLC, an Delaware limited liability company

whose current address is:

PO Box 53, Nampa, ID 83653

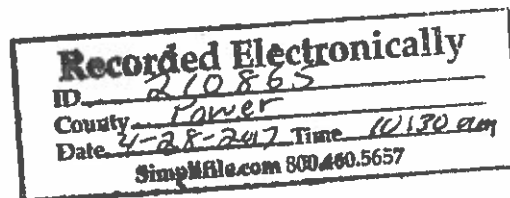
the grantee(s), the following described premises, in Power County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4-27-17



WARRANTY DEED

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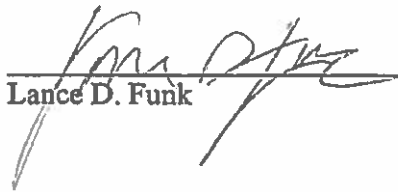
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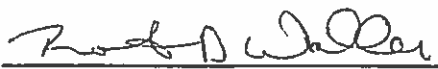

Lance D. Funk


Lisa I. Funk

State of IDAHO } ss
County of POWER }

On this 27TH day of April, 2017, before me, the undersigned, a Notary Public in and for said state, personally appeared **Lance D. Funk and Lisa I. Funk**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed 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.


Notary Public for the State of IDAHO
Residing at: IDAHO FALLS
Commission Expires: 11-7-2017

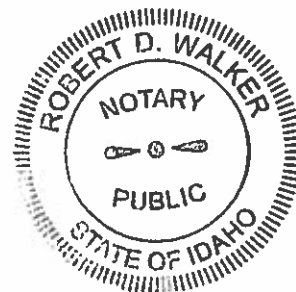


EXHIBIT "A"

351064

Tract I

Township 6 South, Range 29 East, Boise Meridian, Power County, Idaho.

Parcel 1:

Section 14: Southeast Quarter; East Half Southwest Quarter

Parcel 2:

Section 13: Southwest Quarter

Parcel 3:

Section 24: Northwest Quarter

Excepting a parcel described as follows:

Beginning at the Southeast corner of the Northwest Quarter and proceeding West 600 feet to a point on the East-West Center line of Section 24, then proceeding in a Northeasterly direction to a point on the North-South Center line of Section 24 between the Northwest Quarter and the Northeast Quarter, then proceeding South 700 feet to the Point of Beginning.

Parcel 4:

Section 23: Northeast Quarter

Tract II

Parcel 1:

The Northeast Quarter and North Half Southeast Quarter of Section 13, Township 6 South, Range 29 East Boise Meridian, Power County, Idaho.

Parcel 2:

The South Half Southeast Quarter of Section 13, Township 6 South, Range 29 East Boise Meridian, Power County, Idaho.

And Also

The Northeast Quarter of Section 24, Township 6 South, Range 29, East Boise Meridian, Power County, Idaho.

State of Idaho
Department of Water Resources

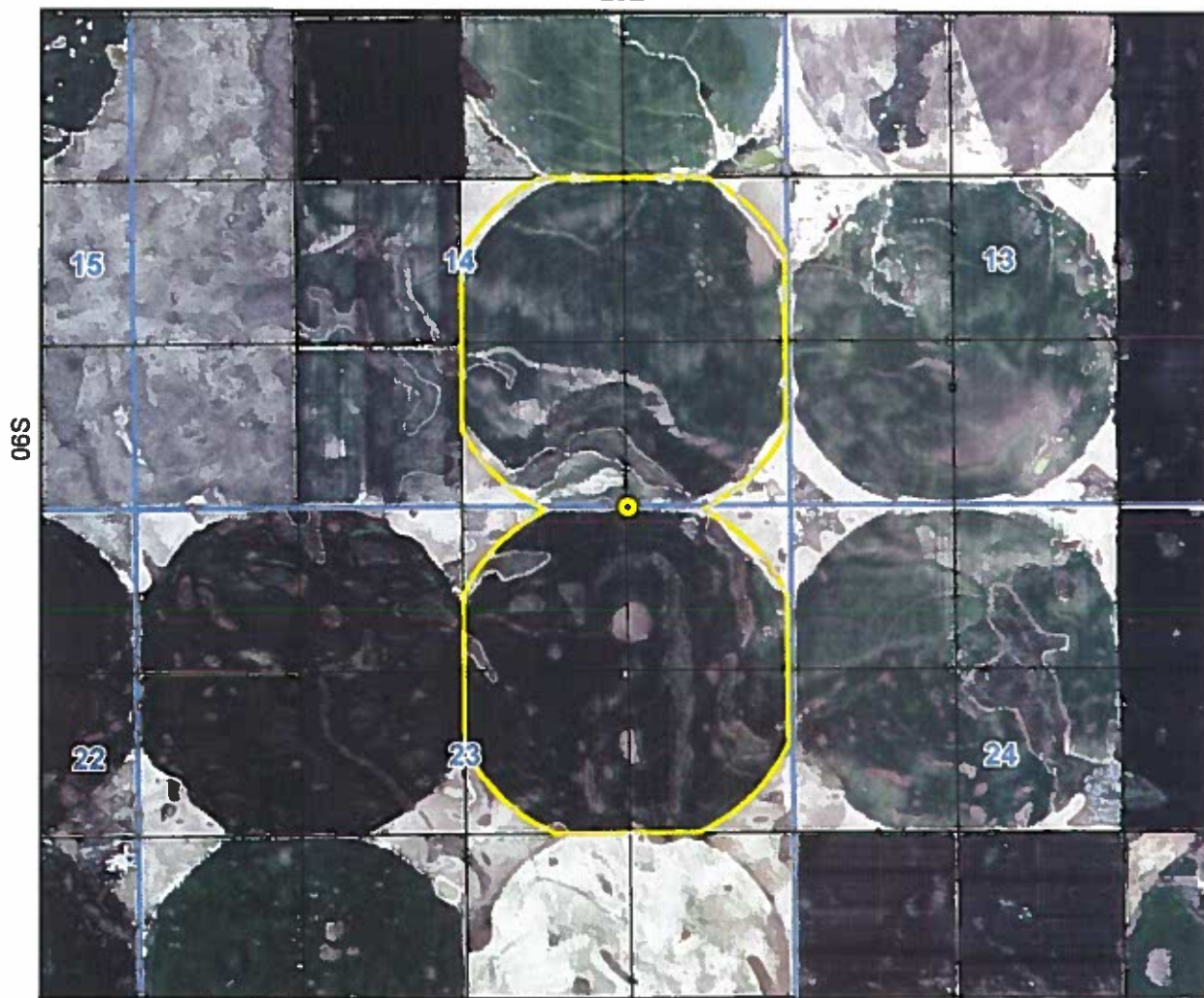
Water Right

35-7964

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.

29E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.175 0.35 0.7 Miles



State of Idaho
Department of Water Resources

Water Right
35-8661

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.

29E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles

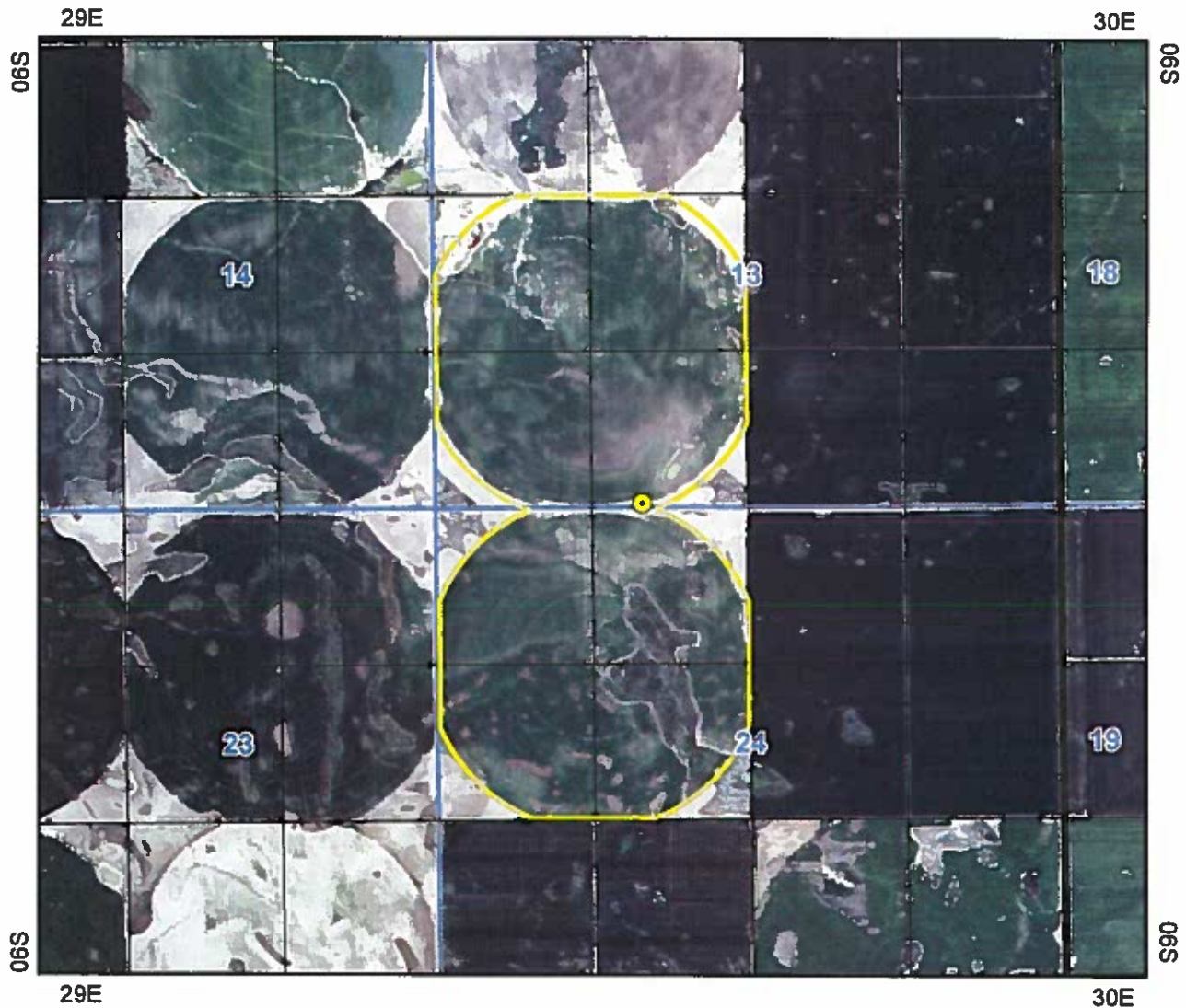


State of Idaho
Department of Water Resources

Water Right
35-7917

IRRIGATION

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-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.175 0.35 0.7 Miles

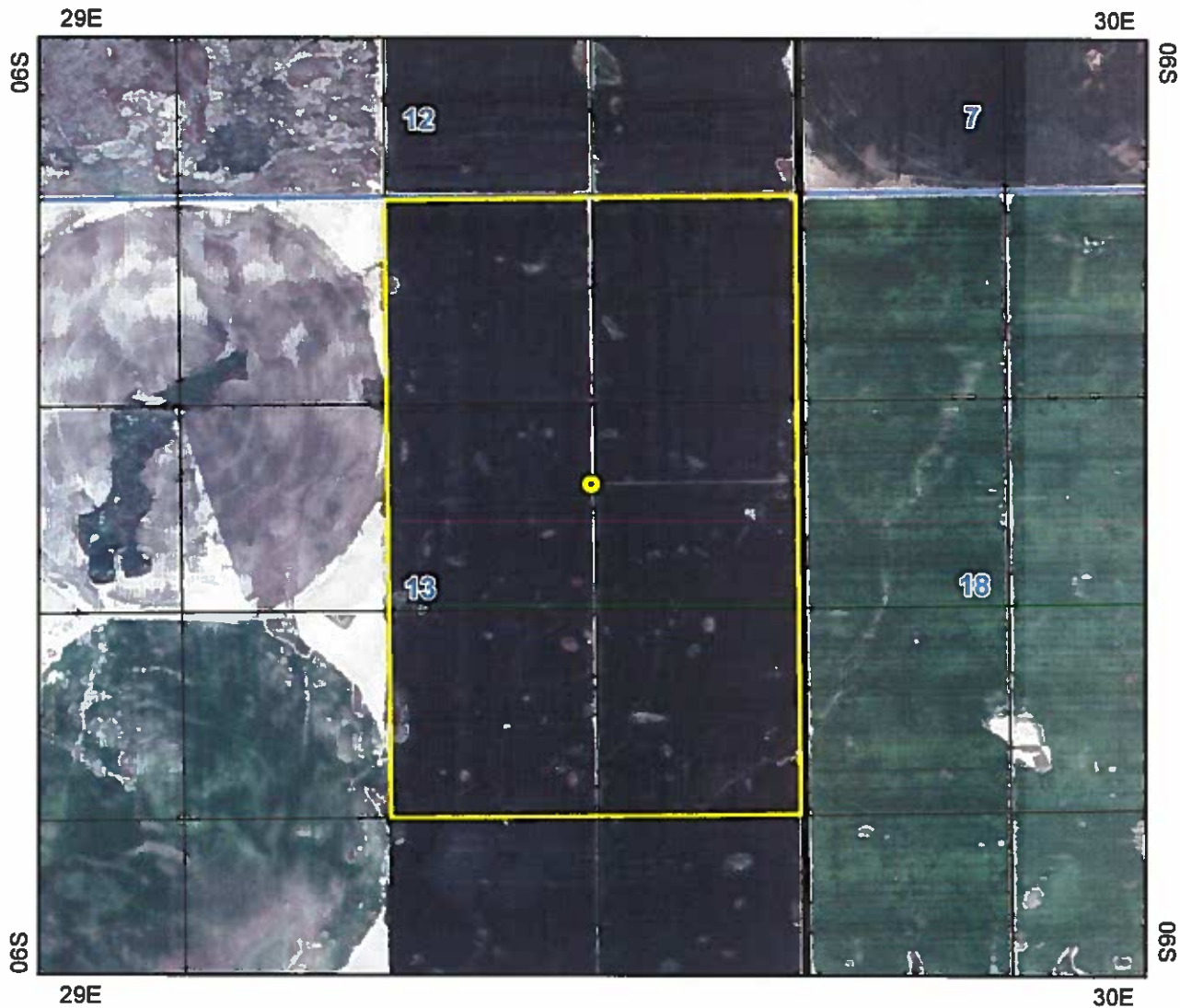


State of Idaho
Department of Water Resources

Water Right
35-7975

IRRIGATION

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-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.125 0.25 0.5 Miles



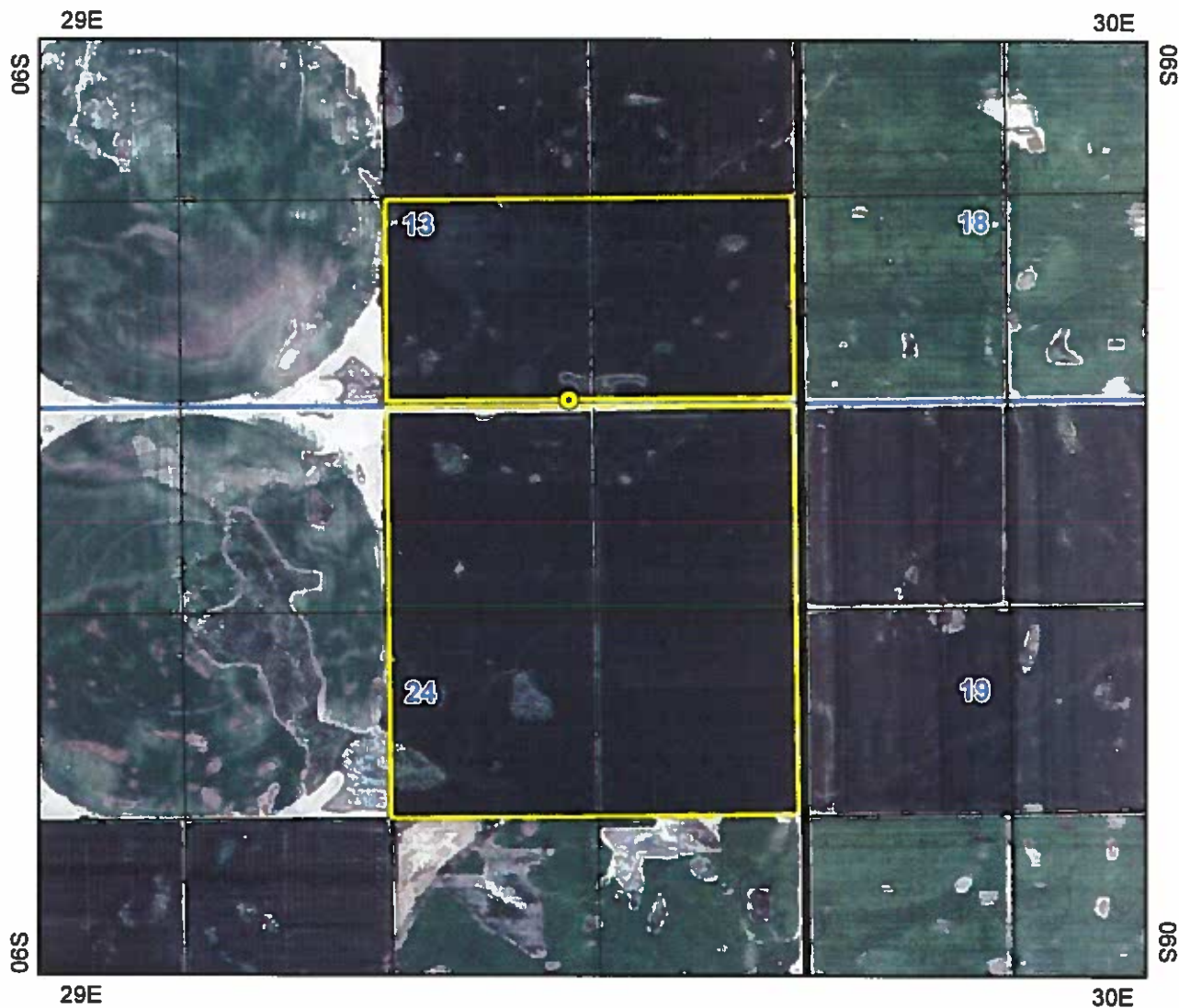
State of Idaho
Department of Water Resources

Water Right

35-7597A

IRRIGATION

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-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.125 0.25 0.5 Miles



State of Idaho
Department of Water Resources

Water Right
35-7974

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 0.125 0.25 0.5 Miles





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

June 5, 2017

C.L. "BUTCH" OTTER
Governor

Eagle Creek Northwest LLC
PO Box 53
Nampa ID 83653

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 35-7964, 35-8661, 35-7917, 35-7975, 35-7597A & 35-7974

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) 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 deliberately abandoned or 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.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 120
Aberdeen American Falls Ground Water District