

RECEIVED

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MAR 09 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONDEPT OF WATER RESOURCES
SOUTHERN 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?
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
PD 103-33970	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Boehm LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Carney's River Birch
New owner(s) as listed on the conveyance document
- Mailing address: 225 N 1250 W City: Paul State: ID ZIP: 83347
- Telephone: (208) 431-2409 Email: carnkend@safelink.net
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: 8/8/2016
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: Gary Carney Title, if applicable: _____ Date: 3-1-17
Signature of new owner/claimant

Signature: Paul Carney Title, if applicable: _____ Date: 3-1-17
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: Sm Date: 3-9-2017 Receipt No.: 5035983 Receipt Amt.: \$25-

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

Name on W-9: X Approved by: Q Processed by: Q Date: 3/22/17

QUITCLAIM DEED

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=2 BONNIE
CARNEY'S RIVER BIRCH LLC

2016-072392
08/08/2016 03:28 PM
AMOUNT:\$13.00

For Value Received

CARNEY FARMS, an Idaho general partnership



Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

CARNEY'S RIVER BIRCH, LLC, an Idaho limited liability company
ADDRESS: 225 N. 1250 W. Paul, Id. 83347

Hereinafter called the grantee, the following described premises, in ADA County, Idaho to-wit:

Lot 2 in Block 1 and Lot 1 in Block 5 of the Trellis Subdivision, according to the official plat thereof, filed in Book 87 of Plats at Pages(s) 9991 through 9996, official records of Ada County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: August 2, 2016

CARNEY FARMS, an Idaho general partnership

BY: Barbara Carney

Barbara ~~Carney~~ Carney, Partner

BY: Gary Carney

Gary ~~Barbara~~ Carney, Partner

BY: Paul Carney

Paul Carney, Partner

BY: Polly Carney

Polly Carney, Partner

State of Idaho)

)ss

County of Cassia)

On this 2nd day of August, in the year of 2016, before me a Notary Public, personally appeared Gary Carney, known or identified to me to be a partner in the partnership of Carney Farms and the partner who subscribed said partnership name to the foregoing instrument and acknowledged to me that they executed the same in said partnership name.

Julia G. Coffman
Notary Public

Residing at: Rupert, Ida.

My Commission expires 6-20-2020

JULIA G. COFFMAN
NOTARY PUBLIC
STATE OF IDAHO

State of Idaho)
)ss
County of Cassia)

On this 3rd day of August, in the year of 2016, before me a Notary Public, personally appeared Barbara Carney, known or identified to me to be a partner in the partnership of Carney Farms and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Nicole Erickson
Notary Public
Residing at: Albion, ID
My Commission expires 7-14-18

NICOLE ERICKSON
NOTARY PUBLIC
STATE OF IDAHO

State of Idaho)
)ss
County of Cassia)

On this 2nd day of August, in the year of 2016, before me a Notary Public, personally appeared Paul Carney, known or identified to me to be a partner in the partnership of Carney Farms and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Julia G. Coffman
Notary Public
Residing at: Rupert, Ida.
My Commission expires 6-20-2020

JULIA G. COFFMAN
NOTARY PUBLIC
STATE OF IDAHO

State of Idaho)
)ss
County of Cassia)

On this 3rd day of August, in the year of 2016, before me a Notary Public, personally appeared Polly Carney, known or identified to me to be a partner in the partnership of Carney Farms and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Nicole Erickson
Notary Public
Residing at: Albion, ID
My Commission expires 7-14-18

NICOLE ERICKSON
NOTARY PUBLIC
STATE OF IDAHO



ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=3 BONNIE OBERBILLIG
TITLEONE BOISE

2016-066155
07/22/2016 02:50 PM
\$16.00

Order Number: 16272743

WARRANTY DEED

For Value Received,

Boehm LLC, an Idaho limited liability company and Star 1, LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain sell and convey unto, Carney Farms, an Idaho general partnership, whose current address is 225 N 1250 W, Paul, ID 83347, the Grantee, the following described premises, in Ada County, Idaho, To Wit:

Lot 2 in Block 1 and Lot 1 in Block 5 of The Trellis Subdivision, according to the official plat thereof, filed in Book 87 of Plats at Page(s) 9991 through 9996, official records of Ada County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: 7-21-2016

Boehm LLC, an Idaho limited liability company

By: John Boehm
John Boehm, Manager

By: William Carter
William Carter, Manager

Star 1, LLC, an Idaho limited liability company

By: Richard Nelson, Trustee of the Nelson Family Trust, Its Managing Member

By: Richard Nelson
Richard Nelson, Trustee

State of Idaho, County of Ada, ss.

On this 21 day of July, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared John Boehm, known or identified to me to be a Manager of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Tyler Thomas
Notary Public for Idaho
Residing In: _____ **Residing at: Boise Idaho**
My Commission Expires: _____ **Commission Expires: 11/15/2019**

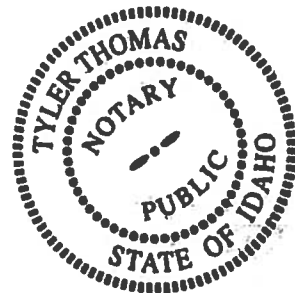


State of Idaho, County of Ada, ss.

On this 21 day of July, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared William Carter, known or identified to me to be a Manager of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Tyler Thomas
Notary Public for Idaho
Residing In: _____ **Residing at: Boise Idaho**
My Commission Expires: _____ **Commission Expires: 11/15/2019**

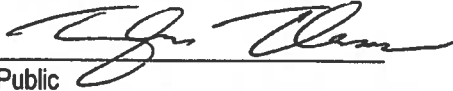


State of Idaho)

) ss:

County of Ada)

On this 21 day of July, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Nelson, known or identified to me to be the person whose name is subscribed to the within instrument, as Trustee of the Nelson Family Trust said Trust known to me to be the Managing Member of Star 1, LLC and acknowledged to me that he executed the same as Trustee and that such Trust executed it as the Managing Member of the limited liability company.

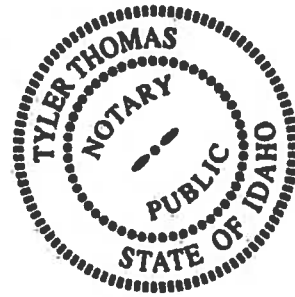


Notary Public

Commission Expires _____

Residing at: Boise Idaho

Commission Expires: 11/15/2019





CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Title 30, Chapters 21 and 25, Idaho Code

Filing fee: \$100 typed, \$120 not typed

Complete and submit the application in duplicate.

FILED EFFECTIVE

2016 JUL 22 AM 9:03

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Carney's River Birch LLC

(Remember to include the words "Limited Liability Company," "Limited Company," or the abbreviations L.L.C., LLC, or LC)

2. The complete street and mailing addresses of the principal office is:

225 N 1250 W

(Street Address)

Paul, ID 83347

(Mailing Address, if different)

3. The name of the registered agent and street address of the registered agent:

Gary Carney

(Name)

225 N 1250 W Paul, ID 83347

(Address cannot be a post office box or postal mail box)

4. The name and address of at least one governor of the limited liability company:

Paul Carney

(Name)

384 S 2900 E Paul, ID 83347

(Address)

Barbara Carney

(Name)

225 N 1250 W Paul, ID 83347

(Address)

Polly Carney

(Name)

384 S 2900 E Paul, ID 83347

(Address)

(Name)

(Address)

5. Mailing address for future correspondence (annual report notices):

225 N 1250 W Paul, ID 83347

(Address)

Signature of organizer(s).

Signature: Paul Carney

Printed Name: Paul Carney

Signature: Gary Carney

Printed Name: GARY CARNEY

Secretary of State use only

IDAHO SECRETARY OF STATE

07/22/2016 05:00

CK:1625 CT:327071 BH:1538793

1@ 100.00 = 100.00 ORGAN LLC #2

W1119509

100 acre feet Arrow Rock

80 acre feet Anderson

ORGANIZED UNDER THE LAWS OF THE STATE OF IDAHO

NUMBER
2888

SHARES
17.5

Farmers' Union Ditch Co., Ltd.

INCORPORATED 1914

CAPITAL STOCK \$50,000.00

This Certifies that River Birch LHC is the owner of
Seventeen & One Half Shares of the Capital Stock of

Farmers' Union Ditch Co., Ltd.

transferable only on the books of the Corporation by the holder hereof in
person or by Attorney upon surrender of this Certificate properly endorsed

IN WITNESS WHEREOF, the said Corporation has caused this Certificate to be
signed by its duly authorized officers and its Corporate Seal to be hereunto affixed
this 5th day of December A.D. 2002

Robert B. Borch
SECRETARY

Amos C. Borch
PRESIDENT

No. W 21002	Due no later than Oct 31, 2016 Annual Report Form		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	1. Mailing Address: Correct in this box if needed. RIVER BIRCH LLC JOHN BOEHM 8150 W. BROOKSIDE LANE BOISE ID 83714		* JOHN BOEHM 8150 W. BROOKSIDE LN BOISE ID 83714			
			3. <u>New</u> 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	Postal Code
MANAGER	BOEHM LLC	8150 BROOKSIDE LN	BOISE	ID		83714
MEMBER	STAR 1, LLC	C/O RICHARD NELSON 10933 TRADE CENTER DRIVE #106	RANCHO CORDOVA	CA	USA	95670
5. Organized Under the Laws of: ID W 21002		6. Annual Report must be signed.* Signature: John Boehm for Boehm LLC Name (type or print): John Boehm for Boehm LLC Date: 09/09/2016 Title: Manager				
Processed 09/09/2016		* Electronically provided signatures are accepted as original signatures.				

No. W 21001	Due no later than Oct 31, 2016 Annual Report Form		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	1. Mailing Address: Correct in this box if needed. BOEHM LLC JOHN BOEHM 8150 W. BROOKSIDE LN BOISE ID 83714		JOHN BOEHM 8150 W. BROOKSIDE LN BOISE ID 83714			
			3. <u>New</u> 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	Postal Code
MANAGER	JOHN BOEHM	8150 BROOKSIDE LN	BOISE	ID		83714
MANAGER	WILLIAM CARTER	7878 USTICK RD STE 102	BOISE	ID		83704
5. Organized Under the Laws of: ID W 21001		6. Annual Report must be signed.* Signature: John Boehm Name (type or print): John Boehm Date: 09/09/2016 Title: Manager				
Processed 09/09/2016		* Electronically provided signatures are accepted as original signatures.				

No. W 44866	Due no later than Nov 30, 2016 Annual Report Form		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	1. Mailing Address: Correct in this box if needed. STAR 1, LLC RICHARD NELSON NELSON PROPERTIES 10933 TRADE CENTER DR #106 RANCHO CORDOVA CA 95670		JIM NELSON 140 S 18TH POCATELLO ID 83201			
			3. <u>New</u> 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	Postal Code
MEMBER	RICHARD NELSON	10933 TRADE CENTER DR #106	RANCHO CORDOVA	CA		95670
5. Organized Under the Laws of: ID W 44866		6. Annual Report must be signed.* Signature: Patti Trudel Name (type or print): Patti Trudel Date: 11/02/2016 Title: Property Accountant				
Processed 11/02/2016		* Electronically provided signatures are accepted as original signatures.				

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DEPT OF WATER RESOURCES
SOUTHERN REGION

MEMORANDUM OF AGREEMENT
IRRIGATION WELL AGREEMENT ON LOT 16 OF TRELLIS SUBDIVISION

Beacon LLC developed the Trellis Subdivision and started the Trellis Subdivision's Home Owners Association (Trellis HOA). Mike Kaufman was the President of the Trellis HOA. River Birch LLC developed the River Birch Golf Course around the Trellis Subdivision. Lot 16 of the Trellis Subdivision is the site of two (2) wells at different water tables: a community well at approximately 300+ feet and an irrigation well at less than 200 feet. It was the intention of the Trellis HOA and River Birch LLC to allow River Birch LLC the exclusive right to the use of the irrigation well on Lot 16 of the Trellis Subdivision for a supplemental irrigation water supply for the golf course. River Birch LLC was to supply all of the mechanical equipment and pipe required for said use and is responsible for all cost to maintain well operation. There was no intention for the irrigation well to be used to irrigate any of the Trellis Subdivision.

The above agreement was a verbal agreement made in 2003 and this memorandum of agreement is signed to memorialize the verbal agreement.

Mike Kaufman

Mike Kaufman
Beacon LLC

Date: 9-13-13

Bill Carter

Bill Carter
River Birch LLC

Date: 9-3-2013

John Boehm

John Boehm
River Birch LLC

Date: 9-3-2013

[Redacted]



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

March 22, 2017

CARNEYS RIVER BIRCH
225 N 1250 W
PAUL ID 83347

RE: Notice of Ownership Change in Water Right No. 63-33970

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report 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.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures