

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 13 2017

DEPT 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?
36-2338	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-2414	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-2734	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-4011	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-15476	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: SeaPac of Idaho, Inc., an Idaho corporation
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Evaqua Farms LLC, a Delaware limited liability company
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box AG Filer ID 83328
Mailing address City State ZIP
(208) 326-3100 jim.henderhan@spurcompanies.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: January 1, 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):
 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 # 36-2338

8. Signature: [Signature] Robert G. Young, President January 1, 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 [Signature] Date 1-13-2017 Receipt No. SO35883 Receipt Amt. \$490-

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 _____



MAP 9 - IDAHO SPRINGS WATER RIGHTS **BASE MAP NAIP 2015 AERIAL**

0 250 500 1,000 Feet

BROCKWAY ENGINEERING, PLLC
 ALR -Date: 6/30/2016

Legend

Id_Spring_POD	Id_Springs_WROU
36-15476	36-15476
36-2338	36-2338
36-2414	36-2414
36-2734	36-2734
36-4011	36-4011
Seapac_POU	twshp
	Sections
	ladesc



Filed for Record at the Request of
and after recording mail to:

Sullivan & Worcester LLP
Attn: Warren G. Heilbronner
One Post Office Square
Boston, MA 02109

Instrument # 257176
GOODING COUNTY, GOODING, IDAHO
01-09-2017 14:36:12 No. of Pages: 9
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$34.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

615551-J

**SPECIAL WARRANTY DEED
(IDAHO SPRINGS)**

FOR VALUE RECEIVED, effective as of January 1, 2017, SeaPac of Idaho, Inc., an Idaho corporation (the "Grantor"), does hereby grant, bargain, sell and convey unto Evaqua Farms LLC, a Delaware limited liability company (the "Grantee"), whose address is PO Box AG, 4074 North 2000 East, Filer, Idaho 83328, all of Grantor's right, title and interest in and to the following described real property and water rights:

The property located in Gooding County, Idaho, as more particularly described in **Exhibit A** attached to and incorporated herein by this reference (the "Real Property");

TOGETHER WITH all privileges, rights, easements, hereditaments, and appurtenances thereunto belonging, including but not limited to all water and water rights, whether adjudicated or unadjudicated, storage rights, spring and seepage rights, wells and well permits, underground water, and shares of stock and other interests in water, ditch, canal, or reservoir companies that owned by Seller and used on or appurtenant to the Real Property including, without limitation, the water rights identified on **Exhibit B** attached to and incorporated in this deed (the "Water Rights") and all of Grantor's rights, title and interests in and to all buildings, structures, fixtures, and other improvements located thereon; all roads, streets, alleys, passages, and other rights-of-way included therein or adjacent thereto; and all minerals, sand, gravel, oil, gas, geothermal resources, and other saleable materials located thereon or thereunder (the "Improvements," and together with the Real Property and the Water Rights, the "Property");

AND Grantor does hereby covenant to and with Grantee that Grantor is the sole owner in fee simple of the Property, and that the Property is free and clear from all encumbrances, except as set forth on **Exhibit C** attached to and incorporated in this deed, and that Grantor will WARRANT and DEFEND title to the same unto Grantee and its successors and assigns forever from and against all claims arising under Grantor.

TO HAVE AND TO HOLD, the Property together with all other rights and appurtenances belonging to the Property, unto Grantee and its successors and assigns forever.

**SIGNATURE PAGE
TO
SPECIAL WARRANTY DEED
(IDAHO SPRINGS)**

GRANTOR:

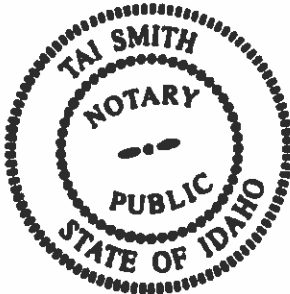
SEAPAC OF IDAHO, INC.,
an Idaho corporation

By: 
Name: Ken R. Ashley
Title: President

STATE OF IDAHO)
) ss.
County of Ada)

On this 22nd day of December, 2016, before me, the undersigned notary public for said state, personally appeared Ken R. Ashley, known or identified to me to be (or proven on the basis of satisfactory evidence) to be the President of the corporation that executed the within instrument, or the person that executed the within instrument on behalf of said corporation, and acknowledged to me that said 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 written.



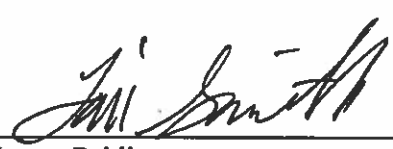

Notary Public
Residing at: Mendon, Idaho
My Commission Expires: 6/18/2022

**EXHIBIT A
TO
SPECIAL WARRANTY DEED
(IDAHO SPRINGS)**

Legal Description of the Real Property

PARCEL NO. 1:

A PARCEL OF LAND LOCATED IN PART OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 13 EAST, BOISE MERIDIAN AND GOVERNMENT LOTS 2, 3 AND 4 AND THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 7 SOUTH, RANGE 14, EAST, BOISE MERIDIAN, GOODING COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18 FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 18 BEARS SOUTH 89°28'47" EAST, 2375.79 FEET;

THENCE NORTH 00°48'21" EAST ALONG THE WESTERLY BOUNDARY OF GOVERNMENT LOT 4 FOR A DISTANCE OF 1,316.78 FEET TO FOUND 5/8 INCH REBAR WITH CAP AND THE

NORTHWEST CORNER OF GOVERNMENT LOT 4 AND BEING THE POINT OF BEGINNING;

THENCE NORTH 00°48'21" EAST ALONG THE WESTERLY BOUNDARY OF GOVERNMENT LOT 3 FOR A DISTANCE OF 1,281.59 FEET TO A POINT IN THE APPROXIMATE CENTERLINE OF BILLINGSLEY CREEK;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE:

SOUTH 65°51'53" EAST FOR A DISTANCE OF 85.94 FEET;

SOUTH 18°44'56" EAST FOR A DISTANCE OF 429.69 FEET;

SOUTH 34°32'03" WEST FOR A DISTANCE OF 174.98 FEET;

SOUTH 10°35'25" EAST FOR A DISTANCE OF 21.35 FEET;

THENCE SOUTH 83°05'23" EAST LEAVING SAID CENTERLINE OF BILLINGSLEY CREEK FOR A DISTANCE OF 360.92 FEET TO A FOUND ½ INCH REBAR;

THENCE NORTH 04°00'47" WEST FOR A DISTANCE OF 164.55 FEET;

THENCE NORTH 53°17'07" WEST FOR A DISTANCE OF 146.05 FEET TO A FOUND ½ INCH REBAR;

THENCE NORTH 35°38'13" EAST FOR A DISTANCE OF 98.31 FEET;

THENCE NORTH 33°55'22" WEST FOR A DISTANCE OF 117.62 FEET TO A FOUND ½ INCH REBAR;

THENCE NORTH 07°21'32" EAST FOR A DISTANCE OF 140.25 FEET TO A FOUND ½ INCH REBAR;

THENCE NORTH 16°27'32" WEST FOR A DISTANCE OF 92.49 FEET TO A FOUND ½ INCH REBAR;

THENCE NORTH 65°29'58" WEST FOR A DISTANCE OF 110.50 FEET TO A FOUND ½ INCH REBAR;

THENCE NORTH 08°01'57" EAST FOR A DISTANCE OF 58.17 FEET TO A FOUND ½ INCH REBAR;
THENCE NORTH 34°02'06" EAST FOR A DISTANCE OF 433.27 FEET TO A FOUND ½ INCH REBAR;
THENCE NORTH 22°50'05" WEST FOR A DISTANCE OF 7.57 FEET;
THENCE NORTH 85°57'16" WEST FOR A DISTANCE OF 235.02 FEET;
THENCE SOUTH 64°52'26" WEST FOR A DISTANCE OF 201.15 FEET TO A FOUND ½ INCH REBAR; THENCE SOUTH 65°11'21" WEST FOR A DISTANCE OF 65.68 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE NE¼ OF SAID SECTION 13;
THENCE SOUTH 65°11'21" WEST FOR A DISTANCE OF 44.45 FEET TO A FOUND ½ INCH REBAR;
THENCE NORTH 02°04'31" WEST FOR A DISTANCE OF 639.40 FEET TO A FOUND ½ INCH REBAR;
THENCE NORTH 08°45'35" WEST FOR A DISTANCE OF 128.81 FEET TO A FOUND ½ INCH REBAR;
THENCE NORTH 09°46'58" WEST FOR A DISTANCE OF 230.84 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF THE SE¼NE¼ OF SAID SECTION 13;
THENCE SOUTH 88°56'30" EAST ALONG THE NORTHERLY BOUNDARY OF SAID SE¼NE¼ FOR A DISTANCE OF 136.04 FEET TO THE NORTHWEST CORNER OF GOVERNMENT LOT 2 OF SAID SECTION 18;
THENCE SOUTH 89°30'20" EAST ALONG THE NORTHERLY BOUNDARY OF SAID GOVERNMENT LOT 2 FOR A DISTANCE OF 1,012.66 FEET TO THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 2;
THENCE SOUTH 00°01'42" WEST ALONG THE EASTERLY BOUNDARY OF SAID GOVERNMENT LOT 2 FOR A DISTANCE OF 1,315.29 FEET TO THE NORTHEAST CORNER OF GOVERNMENT LOT 3;
THENCE SOUTH 00°02'26" WEST ALONG THE EASTERLY BOUNDARY OF SAID GOVERNMENT LOT 3 FOR A DISTANCE OF 693.90 FEET;
THENCE SOUTH 14°43'26" EAST FOR A DISTANCE OF 289.48 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 33°52'08" EAST FOR A DISTANCE OF 449.37 FEET TO A FOUND ½ INCH REBAR;
THENCE SOUTH 22°26'06" EAST FOR A DISTANCE OF 251.76 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 30°26'06" EAST FOR A DISTANCE OF 307.86 FEET TO A FOUND ½ INCH REBAR;
THENCE SOUTH 69°44'45" WEST FOR A DISTANCE OF 860.60 FEET TO A FOUND ½ INCH REBAR;
THENCE SOUTH 87°42'33" WEST FOR A DISTANCE OF 150.10 FEET TO A FOUND ½ INCH REBAR;
THENCE SOUTH 10°42'02" EAST FOR A DISTANCE OF 49.54 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 80°38'05" WEST FOR A DISTANCE OF 20.78 FEET TO A FOUND 5/8 INCH REBAR;
THENCE NORTH 38°05'55" WEST FOR A DISTANCE OF 189.55 FEET TO A FOUND ½ INCH REBAR WITH CAP;

THENCE NORTH 66°47'28" EAST FOR A DISTANCE OF 32.79 FEET TO A FOUND ½ INCH REBAR;

THENCE NORTH 59°13'21" WEST FOR A DISTANCE OF 49.92 FEET TO A FOUND ½ INCH REBAR WITH CAP;

THENCE NORTH 23°13'21" WEST FOR A DISTANCE OF 124.80 FEET TO A FOUND ½ INCH REBAR WITH CAP;

THENCE NORTH 14°56'02" WEST FOR A DISTANCE OF 220.18 FEET TO A FOUND ½ INCH REBAR WITH CAP;

THENCE NORTH 24°59'15" WEST FOR A DISTANCE OF 45.00 FEET TO A FOUND ½ INCH REBAR WITH CAP;

THENCE NORTH 67°17'05" WEST FOR A DISTANCE OF 190.03 FEET;

THENCE NORTH 42°17'05" WEST FOR A DISTANCE OF 130.02 FEET; THENCE NORTH 13°43'19" WEST FOR A DISTANCE OF 170.52 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF GOVERNMENT LOT 4;

THENCE NORTH 89°32'39" WEST ALONG THE NORTHERLY BOUNDARY OF GOVERNMENT LOT 4 FOR A DISTANCE OF 98.00 FEET TO THE POINT OF BEGINNING.

EXCEPT A PARCEL OF LAND LOCATED IN PART OF GOVERNMENT LOT 2 OF SECTION 18, TOWNSHIP 7 SOUTH, RANGE 14 EAST AND PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 13 EAST, BOISE MERIDIAN, GOODING COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18 FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 18 BEARS SOUTH 89°28'47" EAST, 2375.79 FEET; THENCE NORTH 00°48'21" EAST ALONG THE WESTERLY BOUNDARY OF SAID SECTION 18 FOR A DISTANCE OF 3519.16 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°56'52" EAST FOR A DISTANCE OF 307.00 FEET; THENCE SOUTH 24°30'17" EAST FOR A DISTANCE OF 272.96 FEET; THENCE SOUTH 87°29'52" WEST FOR A DISTANCE OF 374.00 FEET;

THENCE NORTH 14°10'08" WEST FOR A DISTANCE OF 272.70 FEET TO A FOUND ½ INCH REBAR;

THENCE NORTH 89°56'52" EAST FOR A DISTANCE OF 20.18 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:

A PARCEL OF LAND LOCATED IN PART OF GOVERNMENT LOT 4 OF SECTION 18 AND GOVERNMENT LOT 1 OF SECTION 19, TOWNSHIP 7 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, GOODING COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18 FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 18 BEARS SOUTH 89°28'47" EAST, 2375.79 FEET; THENCE NORTH 00°48'21" EAST ALONG THE WESTERLY BOUNDARY

OF GOVERNMENT LOT 4 FOR A DISTANCE OF 78.66 FEET TO A FOUND 5/8 REBAR WITH CAP AND THE POINT OF BEGINNING;
THENCE CONTINUING ALONG SAID LINE FOR A DISTANCE OF 1,238.12 FEET TO A FOUND 5/8 INCH REBAR WITH CAP AND THE NORTHWEST COMER OF GOVERNMENT LOT 4; THENCE SOUTH 89°32'39" EAST ALONG THE NORTHERLY BOUNDARY OF GOVERNMENT LOT 4 FOR A DISTANCE OF 98.00 FEET;
THENCE SOUTH 13°43'19" EAST FOR A DISTANCE OF 170.52 FEET;
THENCE SOUTH 42°17'05" EAST FOR A DISTANCE OF 130.02 FEET;
THENCE SOUTH 67°17'05" EAST FOR A DISTANCE OF 190.03 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 24°59'15" EAST FOR A DISTANCE OF 45.00 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 14°56'02" EAST FOR A DISTANCE OF 220.18 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 23°13'21" EAST FOR A DISTANCE OF 124.80 FEET TO A SET ½ REBAR WITH CAP;
THENCE SOUTH 59°13'21" EAST FOR A DISTANCE OF 49.92 FEET TO A FOUND ½ INCH REBAR;
THENCE SOUTH 66°47'31" WEST FOR A DISTANCE OF 32.79 FEET TO A SET ½ REBAR WITH CAP;
THENCE SOUTH 38°05'55" EAST FOR A DISTANCE OF 189.55 FEET TO A FOUND 5/8 REBAR; THENCE NORTH 80°38'05" EAST FOR A DISTANCE OF 20.78 FEET TO A SET ½ REBAR WITH CAP;
THENCE SOUTH 13°17'20" EAST FOR A DISTANCE OF 447.36 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID GOVERNMENT LOT 4 AND A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 13°40'27" EAST FOR A DISTANCE OF 5.03 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 13°06'05" EAST FOR A DISTANCE OF 78.87 FEET TO A SET ½ REBAR WITH CAP;
THENCE SOUTH 44°42'30" EAST FOR A DISTANCE OF 22.60 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 80°32'39" EAST FOR A DISTANCE OF 49.34 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE NORTH 78°05'11" EAST FOR A DISTANCE OF 99.95 FEET TO A SET ½ REBAR WITH CAP;
THENCE SOUTH 71°24'18" EAST FOR A DISTANCE OF 20.34 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 22°56'26" WEST FOR A DISTANCE OF 92.81 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 44°04'43" WEST FOR A DISTANCE OF 170.91 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE SOUTH 31°21'16" WEST FOR A DISTANCE OF 20.02 FEET TO A FOUND ½ INCH REBAR WITH CAP;
THENCE NORTH 58°36'19" WEST FOR A DISTANCE OF 312.76 FEET TO A FOUND CONCRETE PILLAR WITH BRASS CAP;

THENCE NORTH $44^{\circ}52'49''$ WEST FOR A DISTANCE OF 127.48 FEET;
THENCE WESTERLY 502.89 FEET ALONG A NON-TANGENT CURVE TO THE LEFT
HAVING A RADIUS OF 1,034.93 FEET, A CENTRAL ANGLE OF $27^{\circ}50'28''$, AND A LONG
CHORD BEARING NORTH $72^{\circ}30'34''$ WEST FOR A DISTANCE OF 497.96 FEET TO THE
POINT OF BEGINNING.

**EXHIBIT B
TO
SPECIAL WARRANTY DEED
(IDAHO SPRINGS)**

Description of the Water Rights

Idaho Springs, Idaho Water Right Nos. 36-2338, 36-2414, 36-2734, 36-4011 and 36-15476.

**EXHIBIT C
TO
SPECIAL WARRANTY DEED
(IDAHO SPRINGS)**

Permitted Exceptions

1. Real estate taxes and assessments for the year 2017, a lien not yet due or payable.
2. Any matters which would be shown by a current, accurate, ALTA/NSPS land title survey.
3. Tenants in possession under unrecorded leases with no purchase options or rights of first refusal.
4. Matters recorded in the real property records for the County of Gooding, State of Idaho, to the extent in force and applicable.