

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 21 2017

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DEPARTMENT OF  
WATER RESOURCES

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.

Table with 6 columns: Water Right/Claim No., Split?, Leased to Water Supply Bank?, Water Right/Claim No., Split?, Leased to Water Supply Bank?. Row 1: 65-587, Yes [X], Yes [X], Yes [ ], Yes [ ], Yes [ ]. Row 2: 65-587 + 65-23685, Yes [ ], Yes [ ], Yes [ ], Yes [ ], Yes [ ].

2. Previous Owner's Name: BOISE CASCADE WOOD PRODUCTS LLC  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): WG EMMETT LLC  
New owner(s) as listed on the conveyance document Name connector [ ] and [ ] or [ ] and/or  
300 NW 16TH ST FRUITLAND ID 83619  
Mailing address City State ZIP  
208-452-3801 DEASTMAN@WOODGRAIN.COM  
Telephone Email

- 4. If the water rights and/or adjudication claims were split, how did the division occur?  
[X] 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: 02/14/2017

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:  
[X] 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.  
[X] 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).  
[X] 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. Remove our portion from the Water Supply Bank.

SUPPORT DATA

IN FILE # 65-587

8. Signature: [Signature] Manager 02/15/2017  
Signature of new owner/claimant Title, if applicable Date  
Signature: \_\_\_\_\_ Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 2/21/17 Receipt No. C103053 Receipt Amt \$100  
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 2-21-17

AFTER RECORDING MAIL TO:

WG Emmett LLC  
300 NW 16<sup>th</sup> Street  
Fruitland, ID 83619

Boise Cascade Company  
Attn: Greg Sanders  
1111 West Jefferson, Suite 300  
Boise, Idaho 82702

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## WARRANTY DEED

File No.: **4101-2787569 (TD)**

Date: **February 13, 2017**

For Value Received, **Boise Cascade Wood Products, L.L.C., a Delaware limited liability company formerly known as Boise Building Solutions Manufacturing, LLC, a Delaware limited liability company**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **WG Emmett LLC, an Idaho limited liability company**, hereinafter referred to as Grantee, whose current address is **300 NW 16<sup>th</sup> Street, Fruitland Idaho 83619**, the following described premises, situated in **Ada County, Idaho**, described on Exhibit A attached hereto and by this reference made a part hereof ("Property").

TOGETHER WITH a surface water right diverted from the Payette River for 700.0 AF (annual volume), with a diversion rate of 1.76 CFS, from Water Right Certificate 65-587, attached hereto and incorporate herein as Exhibit B. Title to the remaining water shall remain with Grantor. Grantor shall submit any and all transfer applications to the Department of Water Resources to authorize a new point of diversion. Pumps and metering equipment are excluded from this deed.

This Property is conveyed subject to all easements, encumbrances, exceptions, restrictions and reservations of record.

Subject to the following conditions and declaration of restrictions:

Grantee, or its successors and assigns, shall not use the groundwater at the Property for domestic purposes. Use of the groundwater shall be limited to industrial use only.

Grantee, or its successors and assigns, shall limit the use of the Property to Light and/or Heavy Industrial purposes as defined in Gem County Zoning Regulations, as such regulations may be amended from time to time.

Grantee, or its successors and assigns, shall grant easements necessary for any required utilities, including but not limited to easements for installation, maintenance, and ingress and egress to and from the adjacent property. Such easement shall not unreasonable interfere with Grantee's, or its successors and assigns, operations.

TO HAVE AND TO HOLD the said premises, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



**EXHIBIT A**

**LEGAL DESCRIPTION**



1515 S. Shoshone St., Boise, ID 83705  
Office (208)342-7957 Fax (208)342-7437

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### PARCEL A: LESS AND EXCEPTING

A portion of Government Lots 7 and 8 North of the Idaho Northern and Pacific Railroad Right-of-Way within Section 12, Township 6 North, Range 2 West, and a portion of Government Lot 3 North of the Idaho Northern and Pacific Railroad Right-of-Way within Section 7, Township 6 North, Range 1 West, Boise Meridian, Emmett, Gem County, Idaho, more particularly described as follows;

**COMMENCING** at a found 1/2" rebar with plastic cap stamped "FISCHER PLS 4108" at the Quarter Corner common to said Sections 12 and 7 as shown on Corner Record Instrument No. 280018, from which a found brass cap monument at the south Section corner common to said Sections 7, 18, 12, and 13 as shown on Corner Record Instrument No. 309880, bears South 00°32'34" West a distance of 2641.33 feet;  
thence along the section line common to said Sections 12 and 7 North 00°58'12" East a distance of 1933.48 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" at a point on the Government Meander line of the left bank of the Payette River as shown on Corner Record Instrument No. 280017;  
thence along said Government Meander line, South 45°37'13" East a distance of 357.35 feet to a previously set 5/8" rebar with plastic cap stamped "FLSI PLS 7612" as shown on Corner Record Instrument No. 280016;  
thence continuing along said Government Meander Line, South 69°26'56" East a distance of 202.83 feet to the southeasterly boundary of the parcel described in Warranty Deed Instrument No. 304956 the **POINT OF BEGINNING**, witnessed by a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" that bears South 48°31'52" West, a distance of 24.83 feet;

- 1) thence leaving the Government Meander line of the left bank of the Payette River, South 48°31'52" West, a distance of 1,418.66 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
- 2) thence North 75°23'47" West, a distance of 1,466.83 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" on Ordinary High Water Line as described in the Disclaimer of Interest Instrument No. 239286;
- 3) thence along the said Ordinary High Water Line as described in the Disclaimer of Interest Instrument No. 239286 the following twenty-five (25) courses:

1. North 30°18'55" East, a distance of 192.28 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
2. North 36°58'41" East, a distance of 470.73 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
3. North 41°02'20" East, a distance of 327.05 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
4. North 55°27'57" East, a distance of 343.85 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
5. North 77°13'12" East, a distance of 282.60 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
6. North 83°31'10" East, a distance of 228.13 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
7. North 86°46'11" East, a distance of 215.34 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
8. South 87°02'01" East, a distance of 229.28 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
9. South 87°56'56" East, a distance of 232.52 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
10. South 74°07'10" East, a distance of 194.95 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
11. South 11°31'55" West, a distance of 30.44 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
12. South 73°01'27" East, a distance of 34.78 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
13. North 27°57'47" East, a distance of 27.21 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
14. South 71°15'05" East, a distance of 242.75 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

15. South 38°38'14" East, a distance of 277.73 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
  16. South 53°08'09" East, a distance of 250.78 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
  17. South 53°23'05" East, a distance of 130.47 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
  18. South 02°06'35" East, a distance of 37.25 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
  19. South 64°52'06" East, a distance of 64.43 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";
  20. South 32°50'55" East, a distance of 37.33 feet to the North end of a concrete headwall;
  21. along said concrete headwall, South 65°41'34" East, a distance of 1.89 feet;
  22. along said concrete headwall South 32°38'04" East, a distance of 12.62 feet;
  23. along said concrete headwall South 00°04'41" West, a distance of 26.41 feet;
  24. along said concrete headwall South 52°47'00" East, a distance of 9.32 feet to the South end of said concrete headwall;
  25. South 62°16'07" East, a distance of 146.23 feet to a set 5/8" rebar with plastic cap stamped "FLSI PLS 7612" on the Government Meander line of the left bank of the Payette River as shown on Corner Record Instrument No. 222632;
- 4) thence leaving said Ordinary High Water Line and continuing along said Government Meander line of the left bank of the Payette River, North 66°00'24" West, a distance of 466.37 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" as shown on Corner Record Instrument No. 280015;
  - 5) thence continuing along said Government Meander line of the left bank of the Payette River, North 69°26'56" West, a distance of 330.70 feet to the **POINT OF BEGINNING.**

Containing 56.082 acres, more or less.

**Less and excepting the land described in the Warranty Deed to Woodgrain Millwork Inc. recorded 2016-01-21 as Instrument number 340956 and more particularly described as follows:**

A portion of Government Lot 8 North of the Idaho Northern and Pacific Railroad Right-of-Way within Section 12, Township 6 North, Range 2 West, and a portion of Government Lot 3 North of the Idaho Northern and Pacific Railroad Right-of-Way within Section 7, Township 6 North, Range 1 West, Boise Meridian, Emmett, Gem County, Idaho, more particularly described as follows;

Beginning at a found 1/2 inch rebar with plastic cap stamped "FISCHER PLS 4108" at the ¼ corner common to said Sections 12 and 7 from which a found brass cap monument at the south Section corner common to said Sections, bears South 00°32'34" West a distance of 2641.33 feet;

thence along the section line common to said Sections 12 and 7 North 00°58'12" East a distance of 1933.48 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" at the **TRUE POINT OF BEGINNING** at a point on the Government Meander line of the left bank of the Payette River;

thence along said Government Meander line of the left bank of the Payette River the following courses and distances:

South 45°37'12" East a distance of 357.35 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

South 69°26'56" East a distance of 202.83 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence leaving said Government Meander Line, South 48°31'52" West a distance of 1143.09 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence South 90°00'00" West a distance of 253.92 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence North 05°41'55" East a distance of 300.00 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence North 84°18'05" West a distance of 249.51 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence North 09°42'33" East a distance of 788.18 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" at a point on the said Government Meander line of the left bank of the Payette River;

thence along said Government Meander line of the left bank of the Payette River North 67°44'59" East a distance of 270.00 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence continuing along said Government Meander line South 76°03'34" East a distance of 516.00 feet to the **TRUE POINT OF BEGINNING**;

The area contained within this description is 950,389 Square Feet (21.818 Acres), more or less.

The net area of the overall description is 1,492,564 Square Feet (34.264 Acres), more or less.

The Basis of Bearings for this description is between the found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" at the Center ¼ corner of Section 12, and the found ½ inch rebar with no cap (set plastic cap stamped "FLSI PLS 7612") at the South ¼ corner of said Section 12, which bears South 01°12'37" West as shown on Record of Survey Instrument #223000.

### END OF DESCRIPTION

Subject to all easements, rights-of-way and restrictions of record, and not of record.  
Refer to the Record of Survey to be recorded.  
Any modification of this description shall render it void.



Fox Land Surveys, Inc.  
Timothy J. Fox, President, PLS 7612

TJF:csi

W:\PROJECTS\2016\16105 BOISE CASCADE EMMETT.PR\PROJ\FLSI DOCS\DESCRIPTIONS\16105 PARCEL A I.F.SS AND EXCEPTING 2017-02-09.DOC

**EXHIBIT B**

**WATER RIGHT CERTIFICATE**



IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 65-587

2/27/2015

- diversions and acceptable to the watermaster.
3. WB4 The total instantaneous diversion of water from all points of diversion under Right 65-587 shall not exceed 19.04 cfs, nor total combined annual volume of 11,912.0 af.
  4. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
  5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
  6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
  7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
  8. Industrial use is for log pond storage and sawmill use.

**Comments:**

1. psdaggs 5/28/2003 Transferred Right  
This is now an approved transfer, transfer number = 69984
2. psdaggs 6/19/2003 Amended Transfer Approval  
A Petition for Reconsideration was received & an Amended Transfer Approval for 69984 was issued on 06-19-2003. WR modified to reflect change in conditions.
3. mcase 6/23/2004 POD  
Correlated PODID 574794 from SpatialDataID 341666 to SpatialDataID 293568
4. mcase 7/14/2004 POD  
Correlated PODID 574791 from SpatialDataID 342324 to SpatialDataID 293569
5. nvaughan 5/11/2005 Water Supply Bank  
Other rights used in same QQ owned by applicant are leased to the bank (65-585,589,7094).  
May need to provide evidence of availability of source prior to rental. Transfer 69984 required that 0.76 cfs of right be designed to provide conveyance water for
6. mciscell 3/11/2011 POD  
Updated Shape
7. mciscell 3/11/2011 POD  
PODID 574794 correlated from SpatialDataID 341666 to SpatialDataID 341665
8. jhersley 1/13/2015 POU  
Updated Shape

**Combined Use Limits**

N/A

**SubCase:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 65-587**

2/27/2015

**Water Supply Bank:**

Lessor Name: BOISE CASCADE CORRUGATED CONTAINERS

Lease Status: Active

Lease Amount: Part

Rental Availability: All

Date Received: 1/9/2004

Lease Begin Date: 1/9/2004

Expiration Date: INDEFINITE

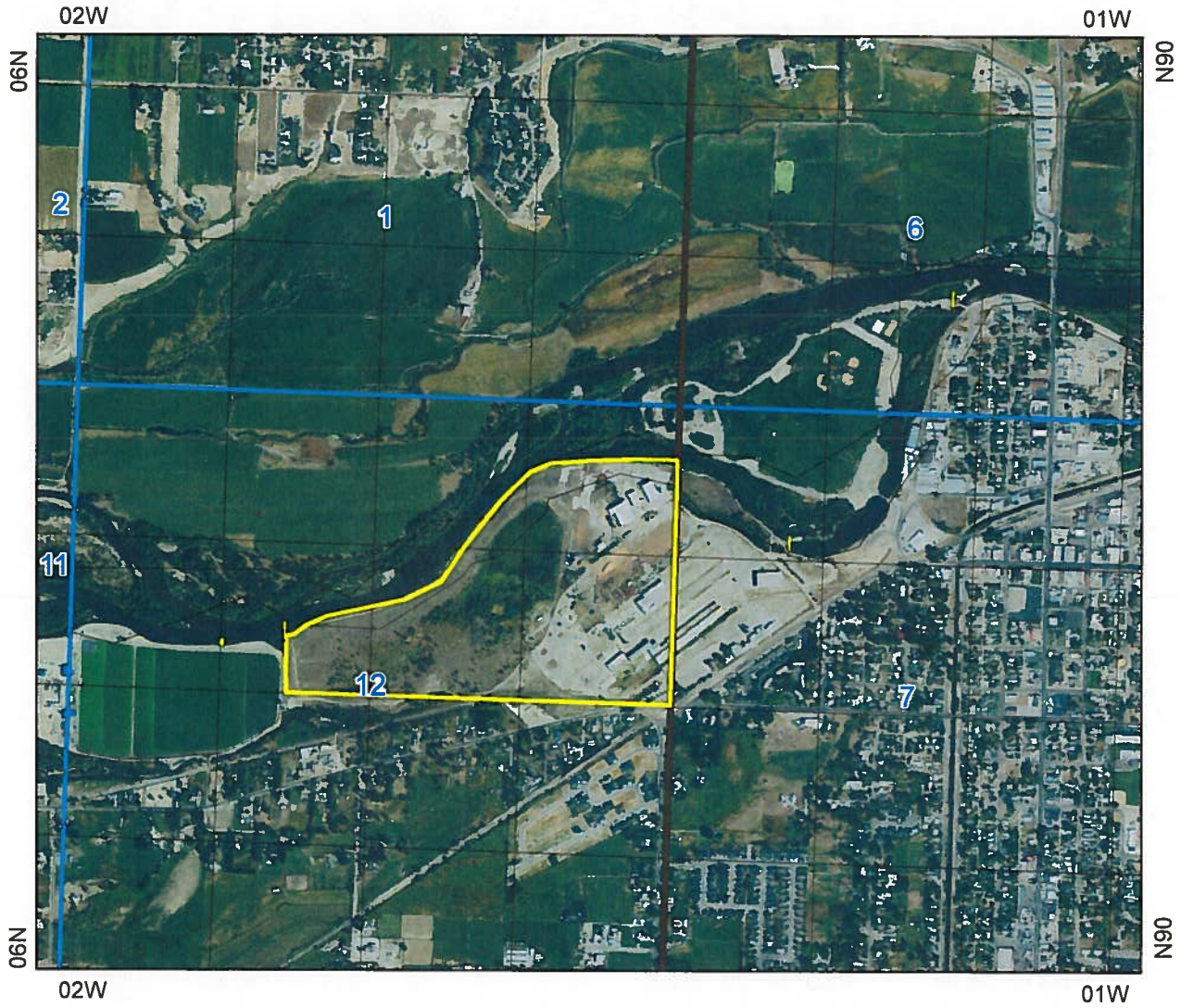
State of Idaho  
Department of Water Resources






# Water Right

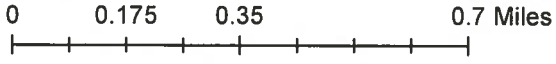
65-587

INDUSTRIAL

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





# 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**

**2017 JAN 23 PM 4:18**

**SECRETARY OF STATE  
STATE OF IDAHO**

1. The name of the limited liability company is:

WG Emmett 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:

300 NW 16th St.

(Street Address)

Fruitland, ID 83619

(Mailing Address, if different)

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

David Eastman

(Name)

300 NW 16th St., Fruitland, ID 83619

(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:

Darin Holderness

(Name)

300 NW 16th St., Fruitland, ID 83619

(Address)

(Name)

(Address)

(Name)

(Address)

(Name)

(Address)

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

300 NW 16th St., Fruitland, ID 83619

(Address)

Signature of organizer(s).

Signature: 

Printed Name: David Eastman

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Secretary of State use only

IDAHO SECRETARY OF STATE

**01/23/2017 05:00**

CK:4511886 CT:172099 BH:1565259

1@ 100.00 = 100.00 ORGAN LLC #2

W177376



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 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

February 22, 2017

WG EMMETT LLC  
300 NW 16<sup>TH</sup> ST  
FRUITLAND ID 83619

Re: Change in Water Right Ownership: 65-587 (Split into 65-587 and 65-23685)

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) 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 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](http://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.

A portion of water right(s) 65-587 was leased to the Water Supply Bank (bank) in 2004. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. This portion will remain in the bank until December 31, 2020, unless the right(s) are released earlier by the Idaho Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date. Enclosed is a Request to Release a Water Right from the Bank form. Please fill in the highlighted areas, sign and return in the enclosed envelope.

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 feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley  
Technical Records Specialist II

Enclosure

c: Water District No. 65  
MSBT Law Office



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 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

February 22, 2017

BOISE CASCADE WOOD PRODUCTS LLC  
PO BOX 50  
BOISE ID 83728

Re: Change in Water Right Ownership: 65-587 (Split into 65-587 and 65-23685)

Dear Water Right Holder(s):

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 Sections 42-222 and 42-223, Idaho Code.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley  
Technical Records Specialist II

Enclosure

c: Water District No. 65  
MSBT Law Office

## Hersley, Jean

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**From:** Hersley, Jean  
**Sent:** Wednesday, February 22, 2017 7:41 AM  
**To:** Ron Shurtleff  
**Subject:** ownership change for 65-587  
**Attachments:** DOC005