

DE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 24 2014

WATER RESOURCES
WESTERN 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?
61-10335	Yes ☒	Yes ☐	61-12300	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Ark Properties Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robin Friend
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 18196 SE Wilson Road Glenns Ferry ID 83623
Mailing address City State ZIP
- (208) 366-2445 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: 6/20/2005
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.

8. Signature: Robin Friend Title, if applicable: POA Date: 9/18/14
Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: BSS Date: 9/24/14 Receipt No.: W042529 Receipt Amt.: 100.00
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing
 Name on W-9: BSS Approved by: BSS Processed by: BSS W-9 received? Yes ☐ No ☐
 Date: 2/8/2016

WARRANTY DEED

FOR VALUE RECEIVED
Ark Properties, L.L.C.

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Robin Friend and Dorothea E. Friend, husband and wife

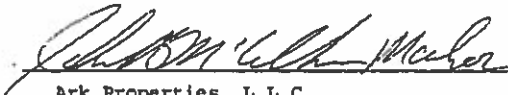
GRANTEE(S), whose current address is: 18196 SE Wilson Rd. King Hill, ID 83633
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

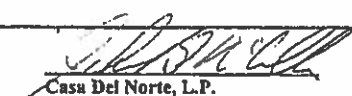
(See Attached)

Instrument # 366971
Elmore County, Idaho
02:15pm Jun. 20, 2005
For: GUARANTY TITLE INC
No. of Page: 2 Fee: \$6.00
GAIL L. BEST Recorder
Deputy: DLE

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever. , except those of record.

Dated: May 27, 2005


Ark Properties, L.L.C.

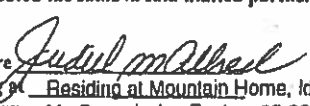

Casa Del Norte, L.P.
By John B. McCallum, partner
Member of Ark Properties, LLC

State of Idaho
County of Elmore

On this 20 day of June, 2005, before me a Notary Public, personally appeared John B. McCallum

Known or identified to me to be one of the partners in the limited partnership of Casa Del Norte L.P., And the partner or one of the partners who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said limited partnership name.



Signature 
Residing at Residing at Mountain Home, Idaho
Comm exp My Commission Expires 05-22-06

LEGAL DESCRIPTION

A tract of land located in the SE1/4SE1/4 of Section 11, and in the NE1/4NE1/4 of Section 14, Township 4 South, Range 8 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Commencing at the corner common to Sections 11, 12, 13 and 14, Township 4 South, Range 8 East, Boise Meridian, Elmore County, Idaho;

thence North 45°28'21" West 506.90 feet to the Point of Beginning;

thence South 10°03'25" West 145.09 feet;

thence South 00°15'09" West 536.85 feet;

thence South 17°18'20" West 30.00 feet to a point on the centerline of SW Wilson Road, a County Road;

thence North 72°41'40" West 793.96 feet along said centerline;

thence North 26°40'42" West 289.83 feet;

thence North 00°00'33" West 460.00 feet;

thence South 74°30'37" East 626.40 feet;

thence South 76°05'51" East 330.89 feet to the Point of Beginning;

Subject to easements and restrictions of record and/or apparent

TOGETHER WITH all water rights and ditch rights appurtenant to said property.

TOGETHER WITH a first right of refusal unto grantor.

SPECIAL POWER OF ATTORNEY

We, Robin and Dorothea Friend, of Elmore County, State of Idaho, designate and appoint John and Teresa McCallum, as our attorney-in-fact and agent (subsequently called "agent") with full power of substitution to act in our name and for our benefit. We grant to our agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as we might or could do if personally present and fully competent, hereby ratifying and confirming all that our agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

1. **SPECIAL GRANT OF POWER.** Our agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that we now have or may hereafter acquire, relating to the water right interference dispute involving our real property located at 18196 S. E. Wilson Road, Glenns Ferry, ID 83623, including, without limitation, the powers specifically enumerated in this instrument. Generally, our agent shall have power to do and perform all matters, transact all business, and make decisions relating to legal actions necessary to protect our interests, including directions to our attorney, Scott L. Campbell of Moffatt Thomas Barrett Rock & Fields, Chtd., as needed.

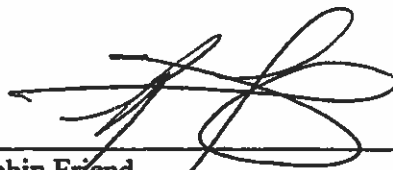
2. **INTERPRETATION.** This instrument is to be construed and interpreted as a special power of attorney.

3. **THIRD-PARTY RELIANCE.** Third parties may rely upon the representations of our agent as to all matters relating to any power granted to our agent, and no person who may act in reliance upon the representations of our agent or the authority granted to our agent shall incur any liability to us as a result of permitting our agent to exercise any power.

4. **REVOCATION.** This special power of attorney is effective after execution until revoked in writing.

5. **GOVERNING LAW.** This special power of attorney is executed in Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

IN WITNESS WHEREOF, we have executed this Special Power of Attorney this
12 day of April, 2013.



Robin Friend

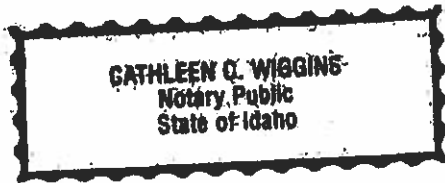


Dorothea Friend

STATE OF IDAHO)
) ss.
County of Elmore)

Caw
Not Cathleen C. Wiggins On this 12th day of April, 2013, before me
personally appeared **ROBIN FRIEND**, known or identified to me
(or proved to me on the oath of _____), to be the person whose
name is subscribed to the within instrument, and acknowledged to me that he 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.

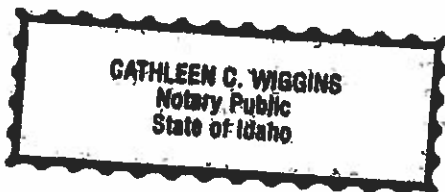


Cathleen C. Wiggins
NOTARY PUBLIC FOR IDAHO
Residing at Glenns Ferry, ID
My Commission Expires 6-22-17

STATE OF IDAHO)
) ss.
County of Elmore)

Cathleen C. Wiggins On this 12th day of April, 2013, before me
personally appeared **DOROTHEA FRIEND**, known or identified
to me (or proved to me on the oath of _____), to be the person
whose name is subscribed to the within instrument, and acknowledged to me that she 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.



Cathleen C. Wiggins
NOTARY PUBLIC FOR IDAHO
Residing at Glenns Ferry, ID
My Commission Expires 6-22-17

T4S R8E

Decree 61-10335 allows 1 home and up to 500 head of stock. Friends purchased the appurtenant home and utilize a portion (0.02 cfs) of the stockwater for up to 5 horses. The PODs and majority of stockwater use (0.10 cfs) remain on Ark property and in Ark's name.

11

12

SESE

NENE

14

13

Legend



61-10335 PODs



61-10335 Domestic POU



61-10335 Stockwater POU



Friends Property



Ark Property

61-10335 Ownership Split



0 375 750
Feet



SPF WATER
ENGINEERING



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 8, 2016

ROBIN AND DOROTHEA E FRIEND
18196 SE WILSON RD
GLENNS FERRY, ID 83623

CC: MOFFATT THOMAS ATTORNEYS AT LAW
C/O JOHN MCCALLUM
PO BOX 829
BOISE, ID 83701

Re: Notice of Change in Water Right Ownership No: 61-10335

Original: Water Right No. 61-10335

Split into: Water Right No's. 61-10335 and 61-12306

Dear Water Right Holders:

We have received and processed a Change of Ownership for a portion of the original Water Right as referenced above. This Change of Ownership required a split of the original water right.

When a portion of the original water right has been conveyed to another, a new water right number is created to represent the portion obtained by the new owners. For your records proof reports and map depicting the place of use (POU) and the point of diversion (POD) for 61-12306 are enclosed. Please refer to your new 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.

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 these rights, including adding a new point of diversion, then an Application for Transfer on your portion of these rights 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 rights, then no further action is required at this time.

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

Brenda Serrano
Office Specialist II
Western Regional Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

February 8, 2016

ARK PROPERTIES INC
11204 N BAR 21 DR
GLENNS FERRY, ID 83623

Re: Notice of Change in Water Right Ownership No: 61-10355

Original: Water Right No. 61-10355

Split into: Water Right No. **61-10335** and **61-12306**

Dear Water Right Holders:

The Department has received and processed a Change of Ownership for a portion of the original Water Right as referenced above. This required a split of the original water right.

When a portion of the original water right has been conveyed to another, a new water right number is created to represent the portion obtained by the new owners. For your records a poof report and map depicting the place of use (POU) and the point of diversion (POD) for **61-10335** are enclosed. Please refer to your new 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 the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brenda Serrano'.

Brenda Serrano
Office Specialist II
Western Regional Office

MOFFATT THOMAS

Attorneys at Law

Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Gerald T. Husch
Scott L. Campbell
Patricia M. Olsson
Christine E. Nicholas
Bradley J. Williams

Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
David P. Gardner
Julian E. Gabiola
Jon A. Stenquist
Mark C. Peterson

Tyler J. Anderson
Andrew J. Waldera
C. Edward Cather III
Benjamin C. Ritchie
Matthew J. McGee
Mindy M. Willman
Jetta Hatch Mathews
Andrea J. Rosholt
Kirk J. Houston

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Boise ID 83702-7710

208 345 2000 MAIN
800 422 2889 TOLL-FREE
208 385 5384 FAX

September 23, 2014

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705

RECEIVED

SEP 24 2014

WATER RESOURCES
WESTERN REGION

RE: Change of Water Right Ownership for Water Right No. 61-10335
MTBR&F File No. 25507.0

Dear Sir/Madam:

Enclosed please find an original and one copy of a completed Notice of Change in Water Right Ownership form for the above-referenced water rights, which we are submitting on behalf of our client, Robin Friend. You will note that John McCallum signed the Notice of Change in Water Right Ownership form on behalf of Mr. Friend pursuant to a Special Power of Attorney, a copy of which is also enclosed.

Mr. Friend acquired title to the real property, to which a portion of this water right is appurtenant, under a Warranty Deed recorded on June 20, 2005 (copy enclosed). You will also find enclosed an aerial photograph depicting the places of use and points of diversion for this split water right.

Please file the original Notice, receive-stamp the copy, and return it in the enclosed stamped return envelope. Also enclosed is a check for \$100.00 representing the requisite filing fee. bb

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

Tiffany M. Hudak

Paralegal

tmh@moffatt.com

Enclosures