

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 10 2016
Department of Water Resources
Eastern 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?
35-4052 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-4054 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7781 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>may want</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>35-11303</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Thorn Springs Ranch
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Van Orden Brothers Land, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1403 W. 600 S. Pingree ID 83262
Mailing address City State ZIP
- 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: July 28, 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):
 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 # 35-4052

8. Signature: Van Orden Brothers Land, LLC Michael Van Orden - Member 8/4/2016
 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 8/10/2016 Receipt No. E042343 Receipt Amt. \$75.-
 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 8/24/2016

594281

GRANT DEED

THIS INDENTURE is made this 28 day of July, 2016, by THORN SPRINGS RANCH, INC., an Idaho limited liability company, the "Grantor", to VAN ORDEN BROTHERS LAND, L.L.C., an Idaho limited liability company, whose mailing address is 1403 W 600 S, Pingree, ID 83262, the "Grantee".

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto the Grantee, and to Grantee's successors and assigns forever, all of the following described real property in the County of Bingham, State of Idaho, to-wit:

TOWNSHIP 4 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO

SECTION 1: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, LOTS 5, 6, 7, 8, AND 10

EXCEPTING THEREFROM: PART OF THE LOTS 5 AND 6 AND THE SW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 33 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT IS S. 00°30'56" E. 2267.86 FEET ALONG THE SECTION LINE AND S. 89°29'04" W. 1270.62 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 1; AND RUNNING THENCE S. 47°29'42" W. 573.86 FEET; THENCE S. 04°47'20" W. 335.00 FEET; THENCE S. 85°57'03" E. 449.57 FEET TO THE WEST BANK OF AN EXISTING SLOUGH; THENCE ALONG HIGHWATER MARK OF EXISTING SLOUGH IN A NORTHERLY DIRECTION TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: PART OF LOT 5 OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 33 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 5 THAT IS S 00°30'56" E 1325.90 FEET ALONG THE SECTION LINE AND S 89°24'34" W 805.26 FEET ALONG THE NORTH LINE OF SAID LOT 5 FROM THE NORTHEAST CORNER OF SAID SECTION 1, AND RUNNING THENCE S 89°24'34" W 519.38 FEET ALONG SAID NORTH LINE TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE S 00°26'45" E 419.35 FEET ALONG THE WEST LINE OF SAID LOT 5; THENCE N 89°24'34" E 519.38 FEET; THENCE N 00°26'45" W 419.35 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: PART OF LOT 5 OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 33 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 0°30'56" E. 1325.90

FEET ALONG EAST LINE OF SECTION 1 TO THE NORTHEAST CORNER OF LOT 5 BEING THE POINT OF BEGINNING FROM THE NORTHEAST CORNER OF SAID SECTION 1 AND RUNNING THENCE S. 0°30'56" E. 461.18 FEET ALONG SAID EAST LINE OF SECTION 1 TO A POINT ON THE CENTERLINE OF AN EXISTING SLOUGH; THENCE ALONG SAID SLOUGH CENTER LINE THE FOLLOWING EIGHT (8) COURSES (1) S. 65°21'31" W 106.19 FEET; (2) THENCE S. 44°55'40" W. 208.11 FEET; (3) THENCE S. 82°31'06" W. 60.42 FEET; (4) THENCE N. 73°05'00" W. 61.14 FEET; (5) THENCE N. 35°22'17" W. 160.99 FEET; (6) THENCE N. 67°37'02" W. 88.54 FEET; (7) THENCE N. 86°42'52" W. 121.83 FEET; (8) THENCE S. 87°58'45" W. 136.19 FEET; THENCE S. 89°22'52" W. 560.42 FEET; THENCE N. 0°26'45" W. 467.86 FEET TO THE NORTH LINE OF SW¼NE¼; THENCE N. 89°24'34" E. 30.00 FEET TO THE NORTHWEST CORNER OF DEED INSTRUMENT NO. 498687; THENCE FOLLOWING SAID DEED INSTRUMENT NO. 498687 THE FOLLOWING THREE (3) COURSES (1) S. 0°26'45" E. 419.35 FEET; (2) THENCE N. 89°24'34" E. 519.38 FEET; (3) THENCE N. 0°26'45" W. 419.35 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE N. 89°24'34" E. 805.26 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: PART OF THE SW¼NE¼, AND A PORTION OF GOVERNMENT LOT'S 5 AND 6, SECTION 1, TOWNSHIP 4 SOUTH, RANGE 33 EAST, B.M., BINGHAM COUNTY, IDAHO DESCRIBED AS: BEGINNING AT A POINT THAT IS S00°30'56"E 1863.71 FEET ALONG THE SECTION LINE, FROM THE NORTHEAST CORNER OF SAID SECTION 1, SAID POINT BEING A RECOVERED BUREAU OF LAND MANAGEMENT (BLM) BRASS CAP MEANDER CORNER, AND RUNNING THENCE ALONG THE ORIGINAL MEANDER LINE THE FOLLOWING TWO (2) COURSES; (1) S51°01'28"W 722.04 FEET; (2) THENCE S34°16'28"W 34.86 FEET TO THE NORTH BANK OF AN EXISTING SLOUGH; THENCE ALONG SAID NORTH BANK THE FOLLOWING TWO (2) COURSES; (1) S64°38'48"W 96.54 FEET; (2) S45°41'08"W 176.65 FEET TO THE MEAN HIGH WATER LINE OF THE SNAKE RIVER; THENCE ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING THREE (3) COURSES; (1) S57°58'00"W 331.23 FEET; (2) S40°37'50"W 141.17 FEET; (3) S63°00'41"W 15.67 FEET; THENCE S72°19'38"W 83.24 FEET TO THE WEST BANK OF AN EXISTING SLOUGH; THENCE ALONG SAID WEST BANK THE FOLLOWING FIVE (5) COURSES; (1) N17°40'22"W 127.94 FEET; (2) N26°51'11"W 126.73 FEET; (3) N03°47'18"E 83.33 FEET; (4) N40°08'24"E 162.52 FEET TO A RECOVERED IRON ROD WITH PLASTIC CAP INSCRIBED "HLE" 5360; (5) N11°04'14"W 106.99 FEET; THENCE S47°29'42"W 573.86 FEET TO A RECOVERED IRON ROD WITH PLASTIC CAP INSCRIBED "HLE" 5360; THENCE N04°47'20"E 44.23 FEET; THENCE N24°49'09"E 545.09 FEET; THENCE N65°10'51"W 76.00 FEET; THENCE N24°49'09"E 100.00 FEET; THENCE S65°10'51"E 76.00 FEET; THENCE N 24°49'09"E 144.17 FEET; THENCE N00°26'45"W 98.92 FEET; THENCE N89°22'52"E 560.42 FEET TO THE CENTERLINE OF AN

EXISTING SLOUGH; THENCE ALONG SAID CENTERLINE THE FOLLOWING EIGHT (8) COURSES; (1) N87°58'45"E 136.19 FEET; (2) S86°42'52"E 121.83 FEET; (3) S67°37'02"E 88.54 FEET; (4) S35°22'17"E 160.99 FEET; (5) S73°05'00"E 61.14 FEET; (6) N82°31'06"E 60.42 FEET; (7) N44°55'40"E 208.11 FEET; (8) N65°21'31"E 106.19 FEET TO THE EAST LINE OF SAID SECTION 1; THENCE S00°30'56"E 76.64 FEET ALONG SAID SECTION LINE TO THE POINT OF BEGINNING.

SECTION 11: NE¼NE¼,

EXCEPT BEGINNING AT A POINT WHICH IS WEST ALONG THE SECTION LINE 470 FEET FROM THE NORTHEAST CORNER OF SAID SECTION; THENCE S. 85°24'37" W. 515 FEET TO THE P.C. OF A CURVE WITH A RADIUS OF 261.48 FEET AND CENTRAL ANGLE OF 83°43'; THENCE LEFT FOLLOWING SAID CURVE 382.06 FEET; THENCE S. 85°24'37" W. 25 FEET; THENCE N. 1°41'37" E. 290 FEET; THENCE EAST ALONG THE SECTION LINE 770 FEET TO THE POINT OF BEGINNING.

SECTION 12: NW¼NW¼, LOTS 1, 2, 3, 9, 10, 11, 17, 18, 19 AND 20

SUBJECT TO the following:

1. All real property taxes and assessments; all existing patent reservations, easements, rights of way, restrictive covenants, and matters of record; all applicable zoning ordinances, building codes, and laws and regulations; all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the property.

2. Right-of-way or easement of 700 South, 1300 West, 1325 West.

3. Levies and assessments of Bingham Ground Water District.

4. Easement granted to Idaho Power Company over Lot 5, SWS4NE4, SW4SW4 Sec. 1, recorded May 14, 1946, in Book O of Misc., page 5, Instrument No. 52123.

5. Easement granted to Idaho Power Company over NE4NE4 Sec. 11 and W2NW4 Sec. 12, recorded March 3, 1950, in Book P of Misc., page 466, Instrument No. 14380.

6. Easement granted to Idaho Power Company over N2NW4SE4 and N2NE4SW4 Sec. 1, recorded March 3, 1950, in Book P of Misc. , page 471, Instrument No. 14389.

7. Easement granted to Idaho Power Company over SW4SW4 Sec. 1 and NW4 Sec. 12, recorded February 25, 1956, as Instrument No. 46440.

8. Reservations in United States Patent, recorded May 27, 1998, as Instrument No. 465854.

9. Provisions in deed to Deryl Smith, recorded November 25, 2003, as Instrument No. 534977.

10. Any claim arising from the difference in the mean high water line of the Snake River and the meander line as shown by the Original Government Survey.

11. Provisions in deed to Glen Tabor and Bernadine Tabor, husband and wife, recorded June 17, 2014, as Instrument No. 659353.

TOGETHER WITH the following water rights appurtenant thereto: Water Right Nos. 35-4052, 35-4054, and 35-7781. Any other water rights now appurtenant to the above-described property shall not be transferred by this Grant Deed and shall be retained by Grantor.

ALSO TOGETHER WITH any and all of Grantor's estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-rights of way in anywise appertaining to the property herein described as well in law as in equity.

ALSO TOGETHER WITH all wells, pumps, and pivots located on the property herein described.

TO HAVE AND TO HOLD, the property and the appurtenances unto the Grantee, and to Grantee's successors and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

GRANTOR:

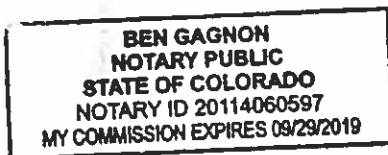
THORN SPRINGS RANCH, INC.

By: [Signature]
Glen Tabor, President

STATE OF Colorado)
COUNTY OF EL Paso)SS.

On this 25 day of July, 2016, before me, a Notary Public in and for said State, personally appeared Glenn Tabor, known or identified to me to be the President of the corporation that executed the instrument on behalf of said corporation, and acknowledged to me that such 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 above written.



[Signature]
Notary Public for EL Paso county
Residing at: Peyton, CO
Commission Expires: 9/29/2019

\\Law\data\WPDATA\POC\18838-000 Thorn Springs\Grant Deed v1.docx



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 26, 2016

Van Orden Brothers Land LLC
1403 W 600 S
Pingree ID 83262

RE: Change of Ownership for Water Right No(s). 35-4052, 35-4054 & 35-7781

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.

Please note water right 35-11303 appears to also be appurtenant to the property purchased. A copy of the proof report for that water right is attached. Please review, if you believe this water right should be change please submit a Notice of change in Water Right Ownership form, evidence of ownership and filing fee.

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
Bingham Ground Water District
Bake & Harris

RECEIVED

AUG 10 2016

Department of Water Resources
Eastern Region

Law Offices of
BAKER & HARRIS

Dwight E. Baker
Jared M. Harris *
Jonathan W. Harris
* Also Admitted in Utah

266 W. BRIDGE STREET
BLACKFOOT, ID 83221
Telephone (208) 785-2310
Facsimile (208) 785-6749
E-Mail — debaker@bakerharrislaw.com
Web — www.bakerharrislaw.com

August 8, 2016

IDWR Eastern Region
900 N Skyline Dr, Ste A
Idaho Falls, ID 83402

Re: Change in Water Right Ownership
Water Right No.: 35-4052, 35-4054 & 35-7781
B&H File No. 10636

To Whom it May Concern:

You will find enclosed a Notice of Change of Water Right Ownership executed by VanOrden Brothers through one of their members Michael VanOrden, seeking the transfer of Water Right No. 35-4052, 35-4054, and 35-7781. You will also find enclosed our check of \$75.00 for the fees necessary.

Please find a copy of the recorded Grant Deed, which includes a description of the real property to which the water rights are appurtenant an identification of water rights, and recording information.

If appropriate please complete this change. If there are any issues whatsoever, please get back to us as soon as possible.

Very truly yours,

BAKER & HARRIS



Dwight E. Baker

DEB/cb
Enclosure
cc:

Check #12367/75.00
Gaylen VanOrden, via email
Mike VanOrden, via email