

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 20 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?
29-54A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Len Burris and Orawan Lancaster
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Pensco Trust Company, Custodian FBO Drew Mackenzie IRA
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P. O. Box 173859 Denver CO 80217
Mailing address City State ZIP
- (866) 818-4472 _____
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: February 10, 2015
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: *[Signature]* Title, if applicable _____ Date 07/26/2016
Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by *[Signature]* Date 7/20/2016 Receipt No. E042289 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 _____ Approved by *[Signature]* Processed by *[Signature]* Date 8/23/2016

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 E. Center
Pocatello, ID 83201

SPECIAL RECORD BKG# 917
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE 12 DEPUTY 102

FIRST AMERICAN TITLE

20905919

2009 MAR 20 P 3:04

20905919

4-1

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 285377-P (ts)

Date: March 12, 2009

For Value Received, Len S. Burris and Orawan Burris, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Arthur G. Powell and Kerry C. Powell, husband and wife, hereinafter called the Grantee, whose current address is P.O. Box 3, Lava Hot Springs ID 83246, the following described premises, situated in Bannock County, Idaho, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the 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.


Len S. Burris


Orawan Burris

1
* STATE OF Nevada)
COUNTY OF Clark) ss.

4-2

20905919

On this March 19, 2009 before me, a Notary Public in and for said State, personally appeared **Len S. Burris and Orawan Burris**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Debra A. Grusman
Notary Public for the State of Nevada
Residing at: 5440 W. Flamingo
My Commission Expires: Sept 19, 2012

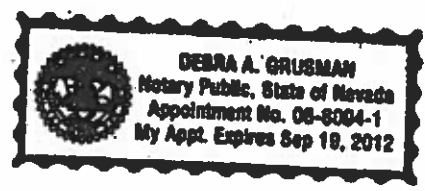


EXHIBIT A

PARCEL 1:

A PARCEL OF LAND LOCATED IN A PORTION OF GOVERNMENT LOTS 1 AND 2, AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BEING MARKED BY A BANNOCK COUNTY BRASS CAP MONUMENT AS SHOWN IN CORNER PERPETUATION AND FILING RECORD INSTRUMENT NUMBER 98016068;

THENCE SOUTH 00°33'25" WEST, (BASIS OF BEARING PER CENTRAL MERIDIAN OF EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM) ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 1863.01 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30;

THENCE IN A NORTHWESTERLY DIRECTION FOLLOWING SAID RIGHT-OF-WAY LINE FOR THE NEXT (3) THREE COURSES:

(1) NORTH 61°49'49" WEST A DISTANCE OF 52.64 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT;

(2) NORTH 52°42'20" WEST A DISTANCE OF 647.24 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT;

(3) NORTH 69°43'37" WEST A DISTANCE OF 280.31 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT;

THENCE NORTH 02°37'53" WEST A DISTANCE OF 1114.90 FEET;

THENCE SOUTH 87°22'07" WEST A DISTANCE OF 215.00 FEET;

THENCE SOUTH 02°37'53" EAST A DISTANCE OF 911.16 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30;

THENCE IN A NORTHWESTERLY DIRECTION FOLLOWING SAID RIGHT-OF-WAY LINE FOR THE NEXT (5) FIVE COURSES:

(1) NORTH 49°10'16" WEST A DISTANCE OF 347.41 FEET;

(2) NORTH 00°33'22" EAST A DISTANCE OF 24.32 FEET;

(3) NORTH 38°01'54" WEST A DISTANCE OF 68.68 FEET;

(4) NORTH 68°54'13" WEST A DISTANCE OF 94.25 FEET;

(5) NORTH 49°10'16" WEST A DISTANCE OF 186.81 FEET, TO A POINT ON THE LEFT BANK OF PORTNEUF RIVER;

THENCE FOLLOWING THE LEFT BANK OF PORTNEUF RIVER FOR THE NEXT (8) EIGHT COURSES:

(1) NORTH 26°04'44" WEST A DISTANCE OF 458.81 FEET;

(2) NORTH 30°10'11" WEST A DISTANCE OF 130.60 FEET;

(3) NORTH 72°44'26" WEST A DISTANCE OF 251.82 FEET;

(4) SOUTH 62°03'58" WEST A DISTANCE OF 85.70 FEET;

(5) SOUTH 35°29'28" WEST A DISTANCE OF 44.82 FEET;

(6) SOUTH 88°20'12" WEST A DISTANCE OF 41.79 FEET;

(7) NORTH 67°09'11" WEST A DISTANCE OF 72.63 FEET;

(8) NORTH 42°24'26" WEST A DISTANCE OF 178.96 FEET TO A POINT THE NORTH LINE OF SAID SECTION 21;

THENCE NORTH 89°44'05" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2439.69 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTHERLY FIFTY FEET OF THE PROPERTY DESCRIBED BELOW MEASURED PARALLEL TO THE SOUTHERLY LINE THEREOF.

A PARCEL OF LAND LOCATED IN A PORTION OF GOVERNMENT LOTS 1 AND 2, AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS;

24-4

20905919

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BEING MARKED BY A BANNOCK COUNTY BRASS CAP MONUMENT AS SHOWN IN CORNER PERPETUATION AND FILING RECORD INSTRUMENT NUMBER 98016068;

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(3) NORTH $69^{\circ}43'37''$ WEST A DISTANCE OF 280.31 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT, THE POINT OF BEGINNING;

THENCE NORTH $02^{\circ}37'53''$ WEST A DISTANCE OF 1114.90 FEET;

THENCE SOUTH $87^{\circ}22'07''$ WEST A DISTANCE OF 215.00 FEET;

THENCE SOUTH $02^{\circ}37'53''$ EAST A DISTANCE OF 911.16 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30;

THENCE SOUTH $49^{\circ}10'16''$ EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 296.20 FEET, TO THE POINT OF BEGINNING.

FA 379406

RECORDING REQUESTED BY:
First American Title Company
2240 E Center St
Pocatello, ID 83201

OFFICIAL RECORD BK# 944
BANNOCK COUNTY IDAHO

FEE 28.00 DEPUTY MEW
RECORDED AT REQUEST OF

First American Title - Pocatello Office

21109328

2011 Jun 24 PM 03:56:37

Electronically Recorded by Simplifile

space above this line for recording use only

WARRANTY DEED
In Lieu of Foreclosure

For good and valuable consideration receipt of which is hereby acknowledged, ARTHUR G. POWELL and KERRY C. POWELL, husband and wife, (hereinafter called "Grantors"), does hereby quitclaim to LINCOLN TRUST COMPANY FBO DREW A. MACKENZIE IRA (hereinafter called "Grantee"), of PO Box 173859, Denver, CO 80217-4238 the following real property situated in Bannock County, Idaho.

Legal Description attached hereto as Exhibit A, and by this reference incorporated herein.

Together with all and singular the water and ditch rights, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

Together with an ingress and egress Easement for the benefit of the property described as Exhibit A over the property described in the attached Exhibit B, which by the reference is incorporated herein.

It is further represented by Grantor in executing this deed, and agreed by Grantee in accepting it, as follows:

1. Grantors affirm and allege that they are solvent as of the date hereof and have no other creditors whose rights would be prejudiced by such conveyance. This deed is not given as preference against any other creditors, and that at the time this deed is being given there are not other person or person, firms or corporations, other than the Grantees named herein,

interested either directly or indirectly in the above described property, and Grantors have not filed for bankruptcy or stay insolvency proceedings.

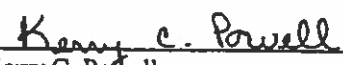
2. This deed is an absolute conveyance, is not a mortgage, and is executed voluntarily and not as a result of duress, fraud, undue influence or threats of any kind, and is bona fide and not given to hinder, delay or defraud the rights of creditors or contravene the bankruptcy laws of the United States.
3. Grantors warrant that the above-described property is free and clear of all encumbrances other than that expressly identified above and together with all other warranties specifically warrants that Grantors will defend the same against every person claiming a position in the above-described property other than the claim of Grantee set forth above.
4. Grantors specifically represent and warrant that they have not used this property as collateral for any other deed of trust, bond or mortgage.
5. This deed is not given as security for the payment or repayment of money or indebtedness, or as security of any kind or nature, and there is no agreement or understanding, oral or written, between Grantor and Grantee herein, or any other person whomsoever relative to a reconveyance of the above described property to said Grantor, or to a sale or conveyance to anyone else for the benefit of Grantor, or to any division of any proceeds realized from said property by sale or otherwise.
6. This Deed does not effect a merger of the fee ownership and lien created by that certain Deed of Trust executed by ARTHUR G. POWELL and KERRY C. POWELL, husband and wife, as trustor, to LEN S. BURRIS and ORWAN BURRIS, husband and wife, as beneficiary, which Deed of Trust was dated March 17, 2009, and recorded in the office of the County

Recorder of Bannock County, State of Idaho on March 20, 2009, as Instrument number 20905920, which secured a promissory notes and Grantor hereby confirms the same. The fee and lien shall hereafter remain separate and distinct. The Deed of Trust shall remain in full force and effect until such time as released or foreclosed upon.

7. That the actual possession of the property herein conveyed has been surrendered and delivered to Grantee and Grantor intends by this deed to vest the absolute and unconditional title to said property in Grantee, and forever to estop and bar Grantor and Grantor's successors and assigns from having or claiming any right, title or interest of any nature whatsoever, either in law or in equity, or in possession or in expectancy, in and to said property or any part thereof.
8. Grantors declare that this conveyance is freely and fairly made. Grantors are not acting under any misapprehensions as to the legal effect of this deed, nor under any duress, undue influence or misrepresentations of Grantee, their agents, attorney, or any other person. Grantor has not relied upon any advice, statement, representations or actions of the Grantee or the Grantee's attorney in the execution of this Deed. Instead, Grantor has been advised and has had opportunity to obtain legal advice from counsel of Grantor's choosing.

DATED this 16 day of June, 2011.


Arthur G. Powell


Kerry C. Powell

STATE OF IDAHO)
) ss:
County of Bannock)

On this 24 day of June, 2011, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Arthur G. Powell, known to me 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 first above written.



Dena Green
Notary Public for Idaho
Residing at: PECATELLO
My Commission Expires: 9.3.16

STATE OF IDAHO)
) ss:
County of Bannock)

On this 16 day of June, 2011, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Kerry C. Powell, known to me 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 first above written.



Dena Green
Notary Public for Idaho
Residing at: PECATELLO
My Commission Expires: 9.3.16

EXHIBIT A

PARCEL 1:

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BEGINNING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BEING MARKED BY A BANNOCK COUNTY BRASS CAP MONUMENT AS SHOWN IN CORNER PERPETUATION AND FILING RECORD INSTRUMENT NUMBER 98016068;

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(7) NORTH 67°09'11" WEST A DISTANCE OF 72.63 FEET;

(8) NORTH 42°24'26" WEST A DISTANCE OF 178.96 FEET TO A POINT THE NORTH LINE OF SAID SECTION 21;

THENCE NORTH 89°44'05" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2439.69 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTHERLY FIFTY FEET OF THE PROPERTY DESCRIBED BELOW MEASURED PARALLEL TO THE SOUTHERLY LINE THEREOF.

A PARCEL OF LAND LOCATED IN A PORTION OF GOVERNMENT LOTS 1 AND 2, AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS;

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THENCE SOUTH 02°37'53" EAST A DISTANCE OF 911.16 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30;

THENCE SOUTH 49°10'16" EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 296.20 FEET, TO THE POINT OF BEGINNING.

EXHIBIT B

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN A PORTION OF GOVERNMENT LOTS 1 AND 2, AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS;

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THENCE SOUTH 49°10'16" EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 296.20 FEET, TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTHERLY FIFTY FEET OF THE ABOVE DESCRIBED PROPERTY MEASURED PARALLEL TO THE SOUTHERLY LINE THEREOF.

21501546

4-1
OFFICIAL RECORD BK# 908
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE 12 DEPUTY UT

This document prepared by (and after recording
return to):

Name: Justin Farian/Re-Registration
Firm/Company: PENSCO Trust Company
Address: P.O. Box 173859
City, State, Zip: Denver, CO 80217

Penisco Trust Co.
21501546 2015 FEB 10 A 8:58

-----Above This Line Reserved For Official Use Only-----

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

FOR VALUABLE CONSIDERATION OF TEN DOLLARS (\$10.00), and other good and valuable consideration, cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, **LINCOLN TRUST COMPANY FBO DREW A. MACKENZIE IRA**, hereinafter referred to as "Grantor", does hereby remise, release, quitclaim, grant and convey unto **PENSCO TRUST COMPANY, CUSTODIAN FBO DREW A. MACKENZIE IRA, PO Box 173859 Denver, CO 80217**, hereinafter "Grantee", the following lands and property, together with all improvements located thereon, lying in the County of Bannock, State of Idaho, to-wit:

Legal Description attached hereto as Exhibit A, and by this reference incorporated herein.

Together with all and singular the water and ditch rights, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

Together with an ingress and egress Easement for the benefit of the property described as Exhibit A over the property described in the attached Exhibit B, which by the reference is incorporated herein.

Parcel Identification Number: R4225009405

Prior instrument reference: Book 944, Instrument No.21109328, of the Recorder of Bannock County, Idaho.

TO HAVE AND TO HOLD same unto Grantee, and unto Grantee's heirs and assigns forever, with all appurtenances thereunto belonging.

Taxes for current tax year shall be paid by Grantor.

The property herein conveyed is not a part of the homestead of Grantor.

4-2

21501546

WITNESS Grantor(s) hand(s) on February 3, 2015.

Documentary Transfer Tax is \$0.00
Grantor(s) and Grantee(s) in this conveyance are
comprised of the same parties, who continue to hold the
same Proportionate interest in the property.

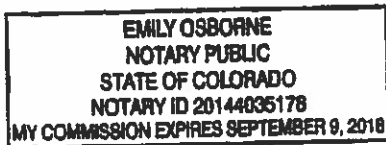
Send Tax Statement to Grantee


Elizabeth Alexander, Authorized Signer
LINCOLN TRUST COMPANY FBO
DREW A. MACKENZIE IRA

STATE OF COLORADO
COUNTY OF DENVER

On 2/3/15 before me, Emily Osborne, a Notary
Public, personally appeared Elizabeth Alexander, Authorized Signer for Lincoln Trust Company,
personally known to me to be the person whose name is subscribed to the within instrument and
acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the
instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Emily Osborne
Notary Public

My Commission Expires: 9/9/18

Print Name: Emily Osborne

Grantor(s) Name, Address, phone:
LINCOLN TRUST COMPANY FBO
DREW A. MACKENZIE IRA
PO Box 173859
Denver, CO 80217
800-962-4238

Grantee(s) Name, Address, phone:
PENSCO TRUST COMPANY, CUSTODIAN
FBO DREW A. MACKENZIE IRA
PO Box 173859
Denver, CO 80217
800-962-4238

SEND TAX STATEMENTS TO GRANTEE

Exhibit A**PARCEL 1:**

A PARCEL OF LAND LOCATED IN A PORTION OF GOVERNMENT LOTS 1 AND 2, AND THE NORTHEAST ¼ OF THE NORTHEAST ¼, SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BEING MARKED BY A BANNOCK COUNTY BRASS CAP MONUMENT AS SHOWN IN CORNER PERPETUATION AND FILING RECORD INSTRUMENT NUMBER 98016068;

THENCE SOUTH 00°33'25" WEST, (BASIS OF BEARING PER CENTRAL MERIDIAN OF EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM) ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 1863.01 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30;

THENCE IN A NORTHWESTERLY DIRECTION FOLLOWING SAID RIGHT-OF-WAY FOR THE NEXT (3) THREE COURSES:

- (1) NORTH 61°49'49" WEST A DISTANCE OF 52.64 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT;
- (2) NORTH 52°42'20" WEST A DISTANCE OF 647.24 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT;
- (3) 69°43'37" WEST A DISTANCE OF 280.31 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT;

THENCE NORTH 02°37'53" WEST A DISTANCE OF 1114.90 FEET;

THENCE SOUTH 87°22'07" WEST A DISTANCE OF 215.00 FEET;

THENCE SOUTH 02°37'53" EAST A DISTANCE OF 911.16 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30;

THENCE IN A NORTHWESTERLY DIRECTION FOLLOWING SAID RIGHT-OF-WAY LINE FOR THE NEXT (5) FIVE COURSES:

- (1) NORTH 49°10'16" WEST A DISTANCE OF 347.41 FEET;
- (2) NORTH 00°33'22" EAST A DISTANCE OF 24.32 FEET;
- (3) NORTH 38°01'54" WEST A DISTANCE OF 68.68 FEET;
- (4) NORTH 68°54'13" WEST A DISTANCE OF 94.25 FEET;
- (5) 49°10'16" WEST A DISTANCE OF 186.81 FEET, TO A POINT ON THE LEFT BANK OF PORTNEUF RIVER;

THENCE FOLLOWING THE LEFT BANK OF PORTNEUF RIVER FOR THE NEXT (8) EIGHT COURSES:

- (1) NORTH 26°04'44" WEST A DISTANCE OF 458.81 FEET;
- (2) NORTH 30°10'11" WEST A DISTANCE OF 130.60 FEET;
- (3) NORTH 72°44'26" WEST A DISTANCE OF 251.82 FEET;
- (4) SOUTH 62°03'58" WEST A DISTANCE OF 85.70 FEET;
- (5) SOUTH 35°29'28" WEST A DISTANCE OF 44.82 FEET;
- (6) SOUTH 88°20'12" WEST A DISTANCE OF 41.79 FEET;
- (7) NORTH 67°09'11" WEST A DISTANCE OF 72.63 FEET;
- (8) NORTH 42°24'26" WEST A DISTANCE OF 178.96 FEET TO A POINT ON THE NORTH LINE OF SADI SECTION 21;

THENCE NORTH 89°44'05" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2439.69 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTHERLY FIFTY FEET OF THE PROPERTY DESCRIBED BELOW MEASURED PARALLEL TO THE SOUTHERLY LINE THEREOF.

A PARCEL OF LAND LOCATED IN A PORTION OF GOVERNMENT LOTS 1 AND 2, AND THE NORTHEAST ¼ OF THE NORTHEAST ¼, SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS;

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21501546

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BEING MARKED BY A BANNOCK COUNTY BRASS CAP MONUMENT AS SHOWN IN CORNER PERPETUATION AND FILING RECORD INSTRUMENT NUMBER 98016068;
THENCE SOUTH $00^{\circ}33'25''$ WEST, (BASIS OF BEARING PER CENTRAL MERIDIAN OF EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM) ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 1863.01 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30;
THENCE IN A NORTHWESTERLY DIRECTION FOLLOWING SAID RIGHT-OF-WAY LINE FOR THE NEXT (3) THREE COURSES:
(1) NORTH $61^{\circ}49'49''$ WEST A DISTANCE OF 52.64 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT;
(2) $52^{\circ}42'20''$ WEST A DISTANCE OF 647.24 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT;
(3) NORTH $69^{\circ}42'37''$ WEST A DISTANCE OF 280.31 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT, THE POINT OF BEGINNING;
THENCE NORTH $02^{\circ}37'53''$ WEST A DISTANCE OF 114.90 FEET;
THENCE SOUTH $87^{\circ}22'07''$ WEST A DISTANCE OF 215.00 FEET;
THENCE SOUTH $02^{\circ}37'53''$ EAST A DISTANCE OF 911.16 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30;
THENCE SOUTH $49^{\circ}10'16''$ EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 296.20 FEET, TO THE POINT OF BEGINNING.

Exhibit B

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN A PORTION OF GOVERNMENT LOTS 1 AND 2, AND THE NORTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$, SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BEING MARKED BY A BANNOCK COUNTY BRASS CAP MONUMENT AS SHOWN IN CORNER PERPETUATION AND FILING RECORD INSTRUMENT NUMBER 98016068;
THENCE SOUTH $00^{\circ}33'25''$ WEST, (BASIS OF BEARING PER CENTRAL MERIDIAN OF EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM) ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 1863.01 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30;
THENCE IN A NORTHWESTERLY DIRECTION FOLLOWING SAID RIGHT-OF-WAY LINE FOR THE NEXT (3) THREE COURSES:

- (1) NORTH $61^{\circ}49'49''$ WEST A DISTANCE OF 52.64 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT;
- (2) NORTH $52^{\circ}42'20''$ WEST A DISTANCE OF 647.24 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT;
- (3) NORTH $69^{\circ}43'37''$ WEST A DISTANCE OF 280.31 FEET, TO A STATE OF IDAHO RIGHT-OF-WAY MONUMENT, THE POINT OF BEGINNING;
THENCE NORTH $02^{\circ}37'53''$ WEST A DISTANCE OF 114.90 FEET;
THENCE SOUTH $87^{\circ}22'07''$ WEST A DISTANCE OF 215.00 FEET;
THENCE SOUTH $02^{\circ}37'53''$ EAST A DISTANCE OF 911.16 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30;
THENCE SOUTH $49^{\circ}10'16''$ EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 296.20 FEET, TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTHERLY FIFTH FEET OF THE ABOVE DESCRIBED PROPERTY MEASURED PARALLEL TO THE SOUTHERLY LINE THEREOF.





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

Pensco Trust Co Custodian FBO Drew Mackenzie IRA
PO Box 173859
Denver CO 80217

RE: Change of Ownership for Water Right No(s). 29-54A

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.

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 29

Law Offices of
BAKER & HARRIS

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

RECEIVED

JUL 20 2016

Department of Water Resources
Eastern Region

266 West Bridge Street
BLACKFOOT, ID 83221
Telephone (208) 785-2310
Facsimile (208) 785-6749
E-Mail — jharris@bakerharrislaw.com

July 19, 2016

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Re: Purchase of Lava Hot Springs Property
Water Right Nos. 29-54A
B & H Matter No. 7279c

Dear Sir or Madam:

Enclosed please find the following documents for filing in the above referenced matter:

1. Department of Water Resources Notice of Change in Water Right Ownership;
2. Copy of the Warranty Deed - Instrument No. 20905919;
3. Copy of the Warranty Deed - Instrument No. 21109328; and
4. Copy of the Quitclaim Deed - Instrument No. 21501546.

Also enclosed please find our check in the sum of \$25.00 as payment of the IDWR filing fee.

We thank you in advance for your usual courtesy. If you have any questions, please do not hesitate to contact my office.

Sincerely,

BAKER & HARRIS



Jared M. Harris

JMH/P

Enclosures

cc:

Check#12307

Drew Mackenzie, via email