

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 15 2016
Department of Water Resources
Eastern Region

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?
35-4226 <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: Louis Carney or Nancy Young
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): JHJCC, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|----------------------------|------------------------------|-------|-------|
| PO Box 1604 | Idaho Falls | ID | 83403 |
| Mailing address | City | State | ZIP |
| (208) 529-3312 <i>Ryan</i> | matt@morgan-construction.com | | |
| Telephone <i>11</i> | 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: June 15, 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):
 ☐ \$25 per *undivided* water right.
 ☐ \$100 per *split* water right.
 ☐ 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: 6/16/16
 Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by: *[Signature]* Date: 7/5/2016 Receipt No. E042251 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: 8/8/2016

State of Idaho
Department of Water Resources

Water Right
35-4226

DOMESTIC

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

0 0.045 0.09 0.18 Miles



Instrument # 1527111
IDAHO FALLS, BONNEVILLE, IDAHO
2016-06-16 09:03:41 AM No. of Pages: 9
Recorded for: TITLEONE BOISE
RONALD LONGMORE Fee: \$34.00
Ex-Officio Recorder Deputy KMaughan
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

Recording Requested by and
After Recording Return to:

Attn: Kelly Greene McConnell
Givens Pursley LLP
601 W. Bannock Street
P.O. Box 2720
Boise, ID 83701

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is between CARNEY FAMILY, LLC, an Idaho limited liability company, KEVIN A. CARNEY and BOBETTE CARNEY, husband and wife, and RULON J YOUNG and NANCY LEE YOUNG, husband and wife (collectively, "Grantor"), whose address is 3115 S. Pioneer Drive, Idaho Falls, Idaho 83402 and JHJCC, LLC, an Idaho limited liability company ("Grantee"), whose address is 5145 S. Heyrend Drive, Idaho Falls, Idaho 83402, witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, does, by these presents, grant and convey unto Grantee and its heirs, successors and assigns forever, all the following described real estate situated in the County of Bonneville County, State of Idaho:

See Exhibit A, attached hereto and incorporated herein.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the rents, issues and profits thereof; water and water rights (whether classified as real property or personal property), ditch or irrigation company shares, which is located on the real property described on Exhibit A; and all estate, right, title and interest in and to the property, as well in law as in equity, except as expressly provided otherwise herein ("Premises").

To have and to hold, all and singular the Premises together with the appurtenances unto Grantee and its heirs, successors and assigns forever.

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate to any person other than Grantee and that such estate is at the time of the execution of this instrument free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor, subject to any encumbrances of record or appearing on the land as of the date of this instrument.

[signature pages to follow]

15 IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed on the day of June, 2016.

SELLER:

CARNEY FAMILY, LLC,
an Idaho limited liability company as successor in interest
to LuJuanna G. Carney, an unmarried woman and the
Estate of Louis H. Carney, deceased

By:


Kevin A. Carney, Member and Co-Conservator for
the Estate of LuJuanna Gail Carney

By:

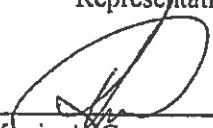

Nancy Lee Young, Member and Co-Conservator for
the Estate of LuJuanna Gail Carney

By:

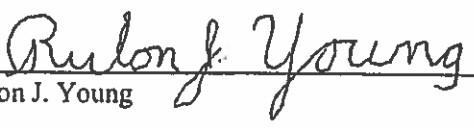

Kevin A. Carney, Member and Co-Personal
Representative for the Estate of Louis H. Carney

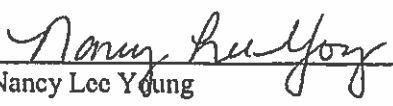
By:


Nancy Lee Young, Member and Co-Personal
Representative for the Estate of Louis H. Carney


Kevin A. Carney


Bobette Carney


Rulon J. Young


Nancy Lee Young

STATE OF IDAHO)
 : ss.
County of Bonneville)

On this 15 day of June, 2016, before me, a Notary Public in and for the State of Idaho, personally appeared KEVIN A. CARNEY, known or identified to me to be the Member of CARNEY FAMILY, LLC, an Idaho limited liability company, and Co-Conservator for the Estate of LuJuanna Gail Carney, the person who subscribed said company's name to the foregoing instrument, and acknowledged to me that he executed the same in said company's name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



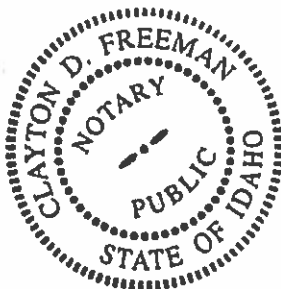
A handwritten signature of Clayton D. Freeman in dark ink.

Notary Public for Idaho
Residing In: Idaho Falls, ID
My Commission Expires: 5/23/2021

STATE OF IDAHO)
 : ss.
County of Bonneville)

On this 15 day of June, 2016, before me, a Notary Public in and for the State of Idaho, personally appeared NANCY LEE YOUNG, known or identified to me to be the Member of CARNEY FAMILY, LLC, an Idaho limited liability company, and Co-Conservator for the Estate of LuJuanna Gail Carney, the person who subscribed said company's name to the foregoing instrument, and acknowledged to me that she executed the same in said company's name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



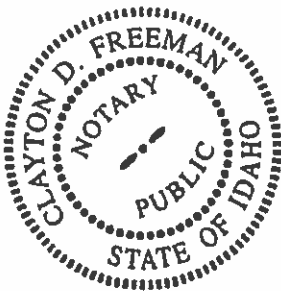
A handwritten signature of Clayton D. Freeman in dark ink.

Notary Public for Idaho
Residing In: Idaho Falls, ID
My Commission Expires: 5/23/2021

STATE OF IDAHO)
 : ss.
County of Bonneville)

On this 15 day of June, 2016, before me, a Notary Public in and for the State of Idaho, personally appeared KEVIN A. CARNEY, known or identified to me to be the Member of CARNEY FAMILY, LLC, an Idaho limited liability company, and Co-Personal Representative of the Estate of Louis H. Carney, the person who subscribed said company's name to the foregoing instrument, and acknowledged to me that he executed the same in said company's name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



A handwritten signature of Clayton D. Freeman in black ink.

Notary Public for Idaho
Residing In: Idaho Falls, ID
My Commission Expires: 5/23/2021

STATE OF IDAHO)
 : ss.
County of Bonneville)

On this 15 day of June, 2016, before me, a Notary Public in and for the State of Idaho, personally appeared NANCY LEE YOUNG, known or identified to me to be the Member of CARNEY FAMILY, LLC, an Idaho limited liability company, and Co-Personal Representative of the Estate of Louis H. Carney, the person who subscribed said company's name to the foregoing instrument, and acknowledged to me that she executed the same in said company's name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



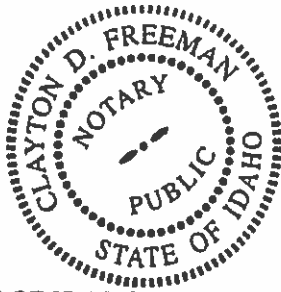
A handwritten signature of Clayton D. Freeman in black ink.

Notary Public for Idaho
Residing In: Idaho Falls, ID
My Commission Expires: _____

STATE OF IDAHO)
 : ss.
County of Bonneville)

On this 15th day of June, 2016, before me, a notary public in and for said state, personally appeared KEVIN A. CARNEY and BOBETTE CARNEY, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



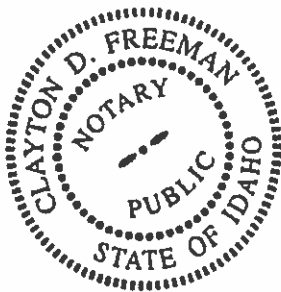


Notary Public for Idaho
Residing at: Idaho Falls, ID
My commission expires: 5/23/2021

STATE OF IDAHO)
 : ss.
County of Bonneville)

On this 15 day of June, 2016, before me, a notary public in and for said state, personally appeared RULON J. YOUNG and NANCY LEE YOUNG, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.





Notary Public for Idaho
Residing at: Idaho Falls, ID
My commission expires: 5/23/2021

EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES

Tract I:

Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, Section 26:

All that portion of the following described tract lying East of Interstate Highway No. 15 right-of-way and East of Pioneer Road (aka Pioneer Lane); Beginning at the Southwest Corner of Section 26 and running

thence North 50 rods; thence East 16 rods; thence South 10 rods; thence East 50 rods; thence South 11 1/2 rods; thence East 14 rods; thence South 28 1/2 rods; thence West 80 rods to the Point of Beginning.

Together with a 115 foot access easement along the North Boundary line of said property from the East Boundary of Frontage Road (Pioneer Lane aka Pioneer Road) Right of Way to the East boundary of said property.

LESS AND EXCEPTING THEREFROM THE FOLLOWING Ten (10) PARCELS:

1) Part of the Southwest Quarter of Section 26, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho described as:

Beginning at the Southwest corner of said Section 26, and running thence N00°27'22"W 330.42 feet; thence N89°50'05"E 523.04 feet; thence N00°09'55"W 220.20 feet to the True Point of Beginning; thence S89°50'05" W 138.39 feet to the Easterly right-of-way line of the South Frontage Road, F.A.P. 1-15-3(7) 111, said point being a point on a non-tangent curve; thence to the left along said curve 32.49 feet (Curve Data, Delta=4°17'10", Radius= 434.26 feet) chord bears N22°21'44"E 32.48 feet; thence N89°50'05"E 125.95 feet; thence S0°09'55"E 30.00 feet to the Point of Beginning.

2) Part of the Southwest Quarter of Section 26, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho described as:

Beginning at a point that is N89°50'05"E 216.93 feet along the section line and N10°13'49"E 35.88 feet from the Southwest Corner of said Section 26 and running thence N10°13'49"E 100.00 feet; thence N89°50'05"E 279.01 feet; thence S00°09'55"E 115.50 feet; thence S89°50'05"W 265.00 feet; thence N03°56'45"E 12.46 feet; thence N82°14'29"W 34.17 feet to the Point of Beginning.

3) Beginning at a point on the East Right-of-way line of frontage road which is a part of Grade Separation No. 10, Interstate 1-15 Project No. I-15-3(7) 111, said point being 20.0 feet North and 25.0 feet N89°24'38"E from the Southwest Corner of Section 26, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; thence frontage along said East right-of-way line, N0°27'22"W 36.7 feet; thence to the right with a curve, said curve having a radius of 384.26 feet and a central angle of 29°08'04", a distance of 195.39 feet; thence S87°53'12"E 163.8 feet; thence S10°13'49"W a distance of 219.45 feet; thence S89°34'38" W and parallel to the South line of said Section 26, a distance of 171.37 feet, more or less to the Point of Beginning.

9) Part of the Southwest of the Southwest of Section 26, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho described as:

(Basis of Bearing -Idaho State Plain Coordinate System AND 83) Beginning at a point that is N89°50'16"E 15.250m (50.033 feet) from the Southwest corner of said Section 26 and running thence N00°09'55" W 6.223m (20.42 feet); thence N89°37'37"E 9.172m (30.09 feet); thence S06°01'48"E 6.290m (20.64 feet); thence S89°50'16"W 9.815m (32.20 feet) to the point of beginning.

10) Part of the Southwest Quarter of Section 26, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, described as:

Beginning at a point that is N89°50'05"E 521.36 feet along the section line and N0°09'55"W 18.15 feet from the Southwest Quarter of said Section 16, and running thence N0°09'55"W 312.26 feet; thence N89°50'05"E 279.00 feet; thence S0°09'55"E 312.26 feet; thence S89°50'05"W 279.00 feet to the point of beginning.

Tract II (commonly known as 3129 S Pioneer Drive, Idaho Falls, ID 83402):

Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho:

Section 26: All that portion of the following described tract lying East of Interstate Highway No. 15 right of way: Beginning at a point 50 rods North of the Southwest corner of Section 26: thence East 16 rods; thence South 10 rods; thence East 50 rods; thence South 11 and 1/2 rods; thence East 14 rods; thence North 51 and 1/2 rods; thence West 80 rods; thence South 30 rods to the point of beginning.

EXCEPTING THEREFROM: Commencing at the Northeast corner of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 26, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, and running thence West 144 feet; thence South 259 feet; thence East 109 feet; thence North 32 feet; thence East 35 feet; thence North 227 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: Part of the Southwest Quarter of Section 26, Township 2 North, Range 37, East of the Boise Meridian, Bonneville County, Idaho, described as: Beginning at a point that is N89°50'05"E 827.43 along the Section line and N00°09'55"W 1083.27 feet from the Southwest Corner of said Section 26 (said point being on the Easterly bank of an irrigation ditch) and running thence N38°25'06"E 289.57 feet along said ditch to the centerline of an existing county road (Pioneer Road); thence N89°42'48"E 130.95 feet along said centerline; thence S00°17'12"W 225.98 feet; thence S89°42'48"W 310.10 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: Commencing at a point that is 140 feet West and 259 feet South of the Northeast corner of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 26, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; thence continuing South 10 feet; thence East 109 feet; thence North 10 feet; thence West 109 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: Any County road or highway road rights-of-way.

Tract III (commonly known as 3115 S Pioneer Drive, Idaho Falls ID 83402):

Beginning at a point that is N89°50'05"E 827.43 feet along the Section line and N00°09'55"W 1083.27 feet from the Southwest Corner of Section 26, Township 2 North, Range 37, East of the Boise Meridian, Bonneville County, Idaho (said point being on the Easterly Bank line of an irrigation ditch); running thence N38°25'06"E 289.57 feet along said ditch to the centerline of an existing County Road (Pioneer Road); thence N89°42'48" E 130.95 feet along said centerline; thence S00°17'12"W 225.98 feet; thence S89°42'48"W 310.01 feet to the point of beginning.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded in Book 7 at Page 34 of Deed Records, records of Bonneville County, Idaho.

Tract IV (commonly known as 3143 S Pioneer Drive, Idaho Falls, ID 83402):

Commencing at the Northeast corner of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 26, Township 2 North, Range 37, East Boise Meridian, Bonneville County, Idaho and running thence West 144 feet; thence South 259 feet; thence East 109 feet; thence North 32 feet; thence East 35 feet; thence North 227 feet to the place of beginning.

ALSO: Commencing at a point that is 140 feet West and 259 feet South of the Northeast corner of the Northwest quarter of the Southwest Quarter of the Southwest Quarter of Section 26, Township 2 North, Range 37 East of the Boise Meridian, thence continuing South 10 feet; thence East 109 feet; thence North 10 feet; thence West 109 feet to the point of beginning.

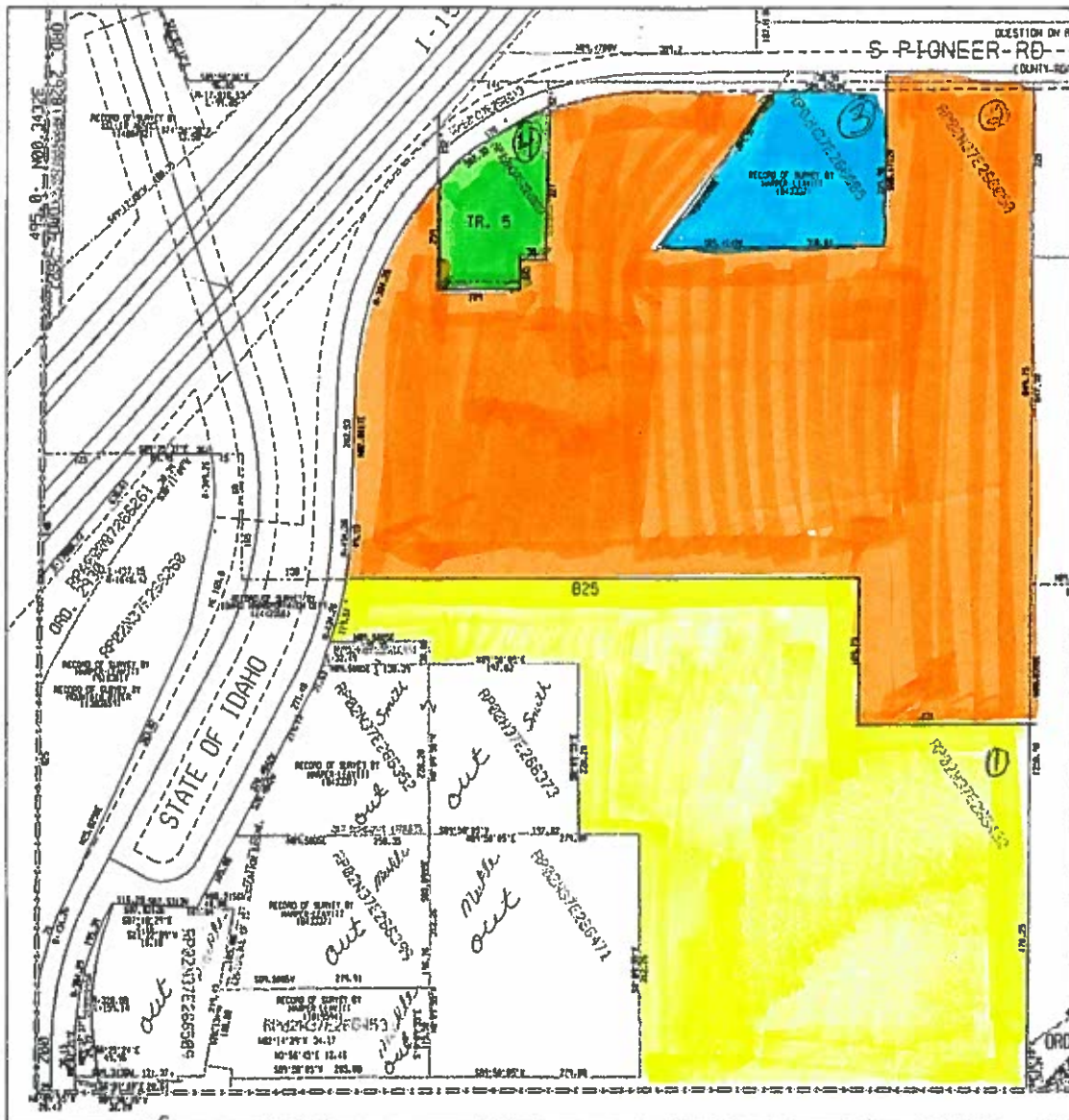
LESS AND EXCEPTING:

A parcel of land being on the Southeasterly side of the centerline of Interstate 15, Project No. 1-15-3 (7) 111 Highway Survey as shown on the plans thereof now on file in the office of the Department of Highways of the State of Idaho, and lying in a portion of the NW1/4 SW1/4 of Section 26, Township 2 North, Range 37 East of the Boise Meridian described as follows, to-wit:

Beginning at the Northeast corner of the NW1/4 SW1/4 SW1/4 of Section 26, Township 2 North, Range 37 East of the Boise Meridian, thence West 144.0 feet; thence South 152.0 feet, more or less to a point in a line parallel with and 25.0 feet Southeasterly from the Centerline of a Frontage Road Survey as shown on Grade Separation No. 10 of Interstate 15, Project No. I-15-3(7)111 Highway Survey; thence Northeasterly and

Easterly along said parallel line being a 384.26 foot radius curve right 178.0 feet, more or less, to a point in the East property line of the parcel described above; thence North along said East property line 52.0 feet, more or less to the Place of Beginning.

EXHIBIT A-2
GRAPHIC DEPICTION OF THE PROPERTY



Tract 1

Tract 2

Tract 4

Tract 3