

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 17 2015

DEPT OF WATER RESOURCES
SOUTHERN 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
47-14965	Yes ☐		Yes ☐		Yes ☐
47-2300	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Rainbow Trout Farms Inc.

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Hagerman Valley Investments, L.L.C.

New owner(s) as listed on the conveyance document

Name connector

☐ and

☐ or

☐ and/or

c/o Kim George Lemmon, 2757 S 1050 E

Hagerman

ID

83332

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: _____

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

SUPPORT DATA

IN FILE # 47-2300

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.

8. Signature: *Kim Lemmon* *Registered Agent* *7-30-2015*

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 *DM*

Date

8-17-2015

Receipt No.

5034961

Receipt Amt.

\$50-

Approved by _____

Processed by _____

Date _____

When recorded, please return to:

Scott A. Tschirgi, Chartered
c/o Scott Tschirgi
401 West Front Street, Suite 401
Boise, Idaho 83702

TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE - GOODING
03:33:11 PM 07-30-2015
2015012709
NO. PAGES 3 FEE: \$16.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BH
Electronically Recorded by Simplifile

15251860

GENERAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, Clear Lakes Trout Co., Inc., an Idaho corporation, whose mailing address is 1301 S. Vista Avenue, Boise, Idaho 83705 (hereinafter referred to as the "**Grantor**"), hereby grants, bargains, sells, and conveys unto Hagerman Valley Investments, L.L.C., an Idaho limited liability company, whose current address is 2757 South 1050 East, Hagerman, Idaho 83332 (hereinafter referred to as the "**Grantee**") all of Grantor's right title and interest in and to the real property legally described on Exhibit A, attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Premises**").

TOGETHER WITH all water and water rights, ditch or irrigation company shares, streets, alleys and rights of way adjacent thereto, all development rights, air rights and mineral rights appurtenant thereto, and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the Premises, as well in law as in equity.

TO HAVE AND TO HOLD the Premises with its appurtenances, unto Grantee, its successors, heirs and assigns, forever.

SUBJECT TO the following: (a) general taxes and assessments, including utility assessments for the current year, which are not yet due and payable, and will be prorated between Grantor and Grantee as of the date of execution of this deed; and (b) all easements and rights of way of record (all such matters are referred to herein collectively as "Permitted Exceptions").

AND Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Premises; that Grantor has a good right to convey the fee simple; that the Premises is free from any and all liens, claims, encumbrances or other defects of title except the Permitted Exceptions; that Grantor shall and will warrant and defend the quiet and peaceful possession of said Premises by Grantee, and its successors and assigns forever, against all other claims whatsoever; and that Grantor and its heirs and assigns will, on demand of the Grantee or its heirs or assigns, execute any instrument necessary for the further assurance of the title to the Premises that may be reasonably required.

DATED effective as of the 30th day of July, 2015.

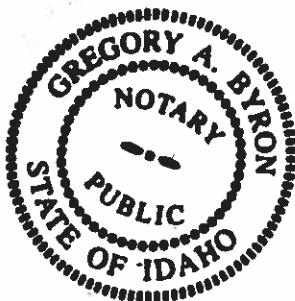
GRANTOR:

CLEAR LAKES TROUT CO., INC.
an Idaho corporation

By: Anita Kay Hardy
Anita Kay Hardy, President

State of Idaho)
) S.S.
County of Ada)

On this 23rd day of July, in the year of 2015, before me, a Notary Public in and for said State, personally appeared Anita Kay Hardy, known or identified to me to be the president of Clear Lakes Trout Co., Inc., an Idaho corporation, who subscribed said corporation's name to the foregoing instrument, and acknowledged to me that she executed the same in said corporation's name.



[Signature]
Notary Public for Idaho
Residing at Kenya Idaho
My Commission expires 11-13-2019

EXHIBIT A

LEGAL DESCRIPTION PER RECORD OF SURVEY FOR CLEAR LAKES

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 3, SECTION 7, TOWNSHIP 10 SOUTH, RANGE 16 EAST, B. M., TWIN FALLS COUNTY, IDAHO AS DESCRIBED IN WARRANTY DEED INST. NO. 2009-005066, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 7, MARKED BY A 5/8 INCH REBAR (NO CAP), SEE CORNER PERPETUATION INST. NO. 2009-004332, 866127, & 588944; THENCE SOUTH 89°41'06" EAST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 7, (BASIS OF BEARING PER CENTRAL MERIDIAN OF THE CENTRAL ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 437.50 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUING SOUTH 89°41'06" EAST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 7, A DISTANCE OF 30.00 FEET; THENCE SOUTH 11°29'01" EAST A DISTANCE OF 355.99 FEET; THENCE SOUTH 27°51'17" EAST A DISTANCE OF 342.04 FEET; THENCE NORTH 89°41'06" WEST A DISTANCE OF 265.97 FEET; THENCE NORTH 00°27'54" EAST A DISTANCE OF 650.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.814 ACRES MORE OR LESS.

When recorded, please return to:

Scott A. Tschirgi, Chartered
c/o Scott Tschirgi
401 West Front Street, Suite 401
Boise, Idaho 83702

15251886

TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE - GOODING
03:19:42 PM 07-30-2015
2015012708
NO. PAGES 4 FEE: \$19.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BH
Electronically Recorded by Simplifile

GENERAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, Rainbow Trout Farms, Inc., an Idaho corporation, whose mailing address is 1301 S. Vista Avenue, Boise, Idaho 83705 (hereinafter referred to as the "*Grantor*"), hereby grants, bargains, sells, and conveys unto Hagerman Valley Investments, L.L.C., an Idaho limited liability company, whose current address is 2757 South 1050 East, Hagerman, Idaho 83332 (hereinafter referred to as the "*Grantee*") all of Grantor's right title and interest in and to the real property legally described on Exhibit A, attached hereto and incorporated herein by this reference (hereinafter referred to as the "*Premises*").

TOGETHER WITH all water and water rights, ditch or irrigation company shares, streets, alleys and rights of way adjacent thereto, all development rights, air rights and mineral rights appurtenant thereto, and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the Premises, as well in law as in equity.

TO HAVE AND TO HOLD the Premises with its appurtenances, unto Grantee, its successors, heirs and assigns, forever.

SUBJECT TO the following: (a) general taxes and assessments, including utility assessments for the current year, which are not yet due and payable, and will be prorated between Grantor and Grantee as of the date of execution of this deed; and (b) all easements and rights of way of record (all such matters are referred to herein collectively as "Permitted Exceptions").

AND Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Premises; that Grantor has a good right to convey the fee simple; that the Premises is free from any and all liens, claims, encumbrances or other defects of title except the Permitted Exceptions; that Grantor shall and will warrant and defend the quiet and peaceful possession of said Premises by Grantee, and its successors and assigns forever, against all other claims whatsoever; and that Grantor and its heirs and assigns will, on demand of the Grantee or its heirs or assigns, execute any instrument necessary for the further assurance of the title to the Premises that may be reasonably required.

DATED effective as of the 30th day of July, 2015.

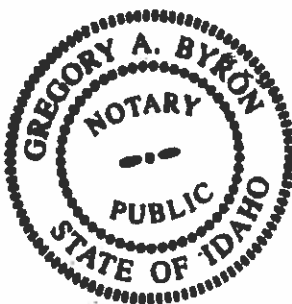
GRANTOR:

RAINBOW TROUT FARMS, INC.
an Idaho corporation

By: Anita Kay Hardy
Anita Kay Hardy, President

State of Idaho)
 S.S.
County of Ada)

On this 30th day of July, in the year of 2015, before me, a Notary Public in and for said State, personally appeared Anita Kay Hardy, known or identified to me to be the president of Rainbow Trout Farms, Inc., an Idaho corporation, who subscribed said corporation's name to the foregoing instrument, and acknowledged to me that she executed the same in said corporation's name.



[Signature]
Notary Public for Idaho
Residing at Nampa, Idaho
My Commission expires 11-13-2019

EXHIBIT A

Description of Premises

The following described lot or parcel of land situated, lying and being in the County of Twin Falls, State of Idaho, to-wit:

LEGAL FOR RAINBOW TROUT FARMS BASE UPON SURVEY

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 3, SECTION 7, TOWNSHIP 10 SOUTH, RANGE 16 EAST, B. M., TWIN FALLS COUNTY, IDAHO AS DESCRIBED IN WARRANTY DEED INST. NO.'S 846561, 531413, 592828, 869034, AND 869036 DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 7, MARKED BY A 5/8 INCH REBAR (NO CAP), SEE CORNER PERPETUATION INST. NO. 2009-004332, 866127, & 588944; THENCE SOUTH 89°41'06" EAST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 7, (BASIS OF BEARING PER CENTRAL MERIDIAN OF THE CENTRAL ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 467.50 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUING SOUTH 89°41'06" EAST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 7, A DISTANCE OF 175.21 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF US HIGHWAY 30, SEE FEDERAL AID PROJECT NO. F-2361 (11); THENCE FOLLOWING THE WESTERLY RIGHT OF WAY LINE OF SAID US HIGHWAY 30 FOR THE NEXT SEVEN (7) COURSES;

1. SOUTH 23°55'25" EAST A DISTANCE OF 457.27 FEET TO A FOUND RIGHT OF WAY MONUMENT;
2. SOUTH 22°25'29" EAST A DISTANCE OF 263.24 FEET TO A FOUND RIGHT OF WAY MONUMENT;
3. SOUTH 27°37'58" EAST A DISTANCE OF 218.61 FEET TO A FOUND RIGHT OF WAY MONUMENT;
4. NORTH 89°40'36" WEST A DISTANCE OF 14.53 FEET TO A FOUND RIGHT OF WAY MONUMENT;
5. SOUTH 00°19'13" EAST A DISTANCE OF 170.00 FEET; 6. SOUTH 89°40'36" EAST A DISTANCE OF 6.00 FEET; 7. SOUTH 00°19'13" EAST A DISTANCE OF 301.72 FEET TO A POINT ON THE SOUTH 1/16 LINE OF SAID SECTION 7; THENCE NORTH 89°45'56" WEST, ALONG THE SOUTH 1/16 LINE OF SAID SECTION 7, A DISTANCE OF 300.22 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 869036; THENCE NORTH 10°44'13" WEST, ALONG THE WESTERLY BOUNDARY LINE OF PARCELS OF LAND DESCRIBED IN DEED INST. NO.'S 869036 AND 869034, A DISTANCE OF 687.72 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 869034; THENCE SOUTH 89°41'06" EAST A DISTANCE OF 102.47 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2009-005066; THENCE NORTH 27°51'17" WEST, ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 342.04 FEET; THENCE NORTH 11°29'01" WEST, ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 355.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.810 ACRES MORE OR LESS.

AND

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 3, SECTION 7, TOWNSHIP 10 SOUTH, RANGE 16 EAST, B. M., TWIN FALLS COUNTY, IDAHO AS DESCRIBED IN WARRANTY DEED INST. NO. 592828, BEING A PORTION LYING ON THE EASTERLY SIDE OF THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 30, SEE FEDERAL AID PROJECT NO. F-2361(11), DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 7, MARKED BY A 5/8 INCH REBAR (NO CAP), SEE CORNER PERPETUATION INST. NO. 2009-004332, 866127, & 588944; THENCE SOUTH 89°41'06" EAST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 7, (BASIS OF BEARING PER CENTRAL MERIDIAN OF THE CENTRAL ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 642.71 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF US HIGHWAY 30; THENCE ALONG SAID RIGHT OF WAY LINE FOR THE NEXT THREE (3) COURSES;

1. SOUTH 23°55'25" EAST A DISTANCE OF 457.27 FEET TO A FOUND RIGHT OF WAY MONUMENT;
2. SOUTH 22°25'29" EAST A DISTANCE OF 263.24 FEET TO A FOUND RIGHT OF WAY MONUMENT;
3. SOUTH 27°37'58" EAST A DISTANCE OF 218.61 FEET TO A FOUND RIGHT OF WAY MONUMENT;

THENCE SOUTH 89°14'26" EAST A DISTANCE OF 229.23 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 30 BEING THE **POINT OF BEGINNING**.

THENCE NORTH 31°29'08" WEST, ALONG THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 30, A DISTANCE OF 32.53 FEET; THENCE NORTH 44°38'51" EAST A DISTANCE OF 31.25 FEET; THENCE SOUTH 00°16'36" EAST A DISTANCE OF 50.00 FEET; THENCE NORTH 89°42'55" WEST A DISTANCE OF 5.22 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 623.77 SQ. FEET MORE OR LESS.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 26, 2015

HAGERMAN VALLEY INVESTMENTS LLC
C/O KIM G LEMMON
2757 S 1050 E
HAGERMAN ID 83332

RE: Change of Ownership for Water Right Nos. 47-2300 and 47-14965

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). 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 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,

A handwritten signature in cursive script, reading "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: TitleOne (File 15251856)