

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 22 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. 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?
36-89C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-90E	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-7658	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-1-120	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-10119	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Billingsley Creek Lodge & Retreat, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Billingsley Creek, Inc.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

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 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] [Signature] 6-10-15
 Signature of new owner/claimant Title, if applicable Date
 Signature: [Signature] [Signature] 6-10-15
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 6-22-2015 Receipt No. 5034861 Receipt Amt. \$125-
 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 _____ Processed by _____ Date _____

SUPPORT DATA

IN FILE # 36-89C

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
301 Main Street
Gooding, ID 83330

Instrument # 251754
GOODING COUNTY, GOODING, IDAHO
06-10-2015 14:43:11 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$19.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **545312GO (smb)**

Date: **June 05, 2015**

For Value Received, **Billingsley Creek Lodge and Retreat, LLC**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Billingsley Creek, Inc.**, hereinafter called the Grantee, whose current address is **17940 US Hwy 30, Hagerman, ID 83332**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

PARCEL NO. 1:

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

SECTION 11: A PARCEL OF LAND LOCATED IN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 11 FROM WHICH THE EAST ONE QUARTER (E $\frac{1}{4}$) CORNER OF SAID SECTION 11 BEARS SOUTH 00°00'00" EAST, 2637.42 FEET;
THENCE SOUTH 00°00'00" EAST ALONG THE EAST BOUNDARY OF SAID SECTION 11 FOR A DISTANCE OF 1318.71 FEET (DEED-1310.52 FEET) TO THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 11;
THENCE NORTH 89°33'15" WEST (DEED-S89°37'00"W) ALONG THE NORTH BOUNDARY OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 11 FOR A DISTANCE OF 993.38 FEET (DEED-993.33 FEET);
THENCE SOUTH 00°23'00" EAST FOR A DISTANCE OF 46.65 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 00°23'00" EAST FOR A DISTANCE OF 222.14 FEET TO A POINT ON THE APPROXIMATE NORTH BANK OF BILLINGSLEY CREEK;
THENCE ALONG THE APPROXIMATE NORTHERLY BANK OF BILLINGSLEY CREEK ON THE FOLLOWING COURSES:
SOUTH 71°44'46" WEST, 59.49 FEET;
NORTH 76°15'18" WEST, 49.31 FEET;
THENCE LEAVING THE NORTHERLY BANK OF BILLINGSLEY CREEK SOUTH 79°41'15" WEST FOR A DISTANCE OF 117.52 FEET;
THENCE SOUTH 89°44'34" WEST FOR A DISTANCE OF 21.14 FEET;
THENCE NORTH 82°28'38" WEST (DEED-NORTH 83°46'32" WEST) FOR A DISTANCE OF 54.85 FEET (DEED-55.31 FEET) TO A POINT ON THE ARC OF A NON-TANGENT CURVE RIGHT, SAID POINT ALSO BEING A POINT ON THE EASTERLY RIGHT OF WAY BOUNDARY OF US HIGHWAY 30;
THENCE NORTHEASTERLY ALONG THE ARC OF THE NON-TANGENT CURVE RIGHT AND ALONG THE EASTERLY RIGHT OF WAY BOUNDARY OF US HIGHWAY 30 FOR A DISTANCE OF 245.33 FEET, SAID ARC HAVING A RADIUS OF 17,138.74 FEET, AND CHORD BEARING AND DISTANCE OF NORTH 01°27'50" EAST, 245.33 FEET;
THENCE SOUTH 89°33'15" EAST PARALLEL WITH THE NORTH BOUNDARY OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 11 FOR A DISTANCE OF 287.79 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A 25.00 FOOT WIDE ACCESS EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS, AS DISCLOSED IN QUITCLAIM DEED RECORDED AS INSTRUMENT NO. 228701, SAID EASEMENT BEING ON, OVER AND ACROSS A STRIP OF LAND CENTERED ON THE FOLLOWING DESCRIBED LINE:

**COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 11 FROM WHICH THE EAST ONE QUARTER (E $\frac{1}{4}$) CORNER OF SAID SECTION 11 BEARS SOUTH 00°00'00" EAST, 2637.42 FEET;
THENCE SOUTH 00°00'00" EAST ALONG THE EAST BOUNDARY OF SAID SECTION 11 FOR A DISTANCE OF 1318.71 FEET (DEED-1310.52 FEET) TO THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 11;
THENCE NORTH 89°33'15" WEST (DEED-S89°37'00"W) ALONG THE NORTH BOUNDARY OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 11 FOR A DISTANCE OF 1017.12 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 01°30'03" EAST FOR A DISTANCE OF 46.30 FEET;
THENCE SOUTH 27°12'00" WEST FOR A DISTANCE OF 28.11 FEET;
THENCE SOUTH 72°46'47" WEST FOR A DISTANCE OF 22.67 FEET;
THENCE SOUTH 88°08'24" WEST FOR A DISTANCE OF 30.48 FEET;
THENCE NORTH 80°46'05" WEST FOR A DISTANCE OF 39.09 FEET;
THENCE NORTH 40°36'29" WEST FOR A DISTANCE OF 23.86 FEET;
THENCE NORTH 03°26'22" WEST FOR A DISTANCE OF 55.64 FEET TO THE POINT OF INTERSECTION WITH THE NORTH BOUNDARY OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 11. THE SIDELINE BOUNDARIES OF THE DESCRIBED EASEMENT SHALL BE LENGTHENED OR SHORTENED AS NECESSARY TO INTERSECT THE NORTH BOUNDARY OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 11.**

PARCEL NO. 2

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

SECTION 11: A PARCEL OF LAND LOCATED IN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 11 FROM WHICH THE EAST ONE QUARTER (E $\frac{1}{4}$) CORNER OF SAID SECTION 11 BEARS SOUTH 00°00'00" EAST, 2637.42 FEET;
THENCE SOUTH 00°00'00" EAST ALONG THE EAST BOUNDARY OF SAID SECTION 11 FOR A DISTANCE OF 1318.71 FEET (DEED-1310.52 FEET) TO THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 11;
THENCE NORTH 89°33'15" WEST (DEED-S89°37'00"W) ALONG THE NORTH BOUNDARY OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 11 FOR A DISTANCE OF 869.36 FEET (DEED-869.33 FEET), SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE SOUTH 00°23'00" EAST FOR A DISTANCE OF 204.39 FEET (DEED-200.00 FEET) TO A POINT ON THE APPROXIMATE CENTERLINE OF BILLINGSLEY CREEK;
THENCE SOUTH 54°33'46" WEST ALONG THE APPROXIMATE CENTERLINE OF BILLINGSLEY CREEK FOR A DISTANCE OF 151.48 FEET;
THENCE NORTH 00°23'00" WEST FOR A DISTANCE OF 246.53 FEET;**

THENCE NORTH 89°33'15" WEST PARALLEL WITH THE NORTH BOUNDARY OF THE SE¼NE¼ OF SAID SECTION 11 FOR A DISTANCE OF 287.79 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE RIGHT, SAID POINT ALSO BEING A POINT ON THE EASTERLY RIGHT OF WAY BOUNDARY OF US HIGHWAY 30;

THENCE NORTHEASTERLY ALONG THE ARC OF THE NON-TANGENT CURVE RIGHT AND ALONG THE EASTERLY RIGHT OF WAY BOUNDARY OF US HIGHWAY 30 FOR A DISTANCE OF 46.66 FEET TO A POINT ON THE NORTH BOUNDARY OF THE SE¼NE¼ OF SAID SECTION 11, SAID ARC HAVING A RADIUS OF 17,138.74 FEET, AND CHORD BEARING AND DISTANCE OF NORTH 01°57'07" EAST, 46.66 FEET;

THENCE SOUTH 89°33'15" EAST ALONG THE NORTH BOUNDARY OF THE NE¼SE¼ OF SAID SECTION 11 FOR A DISTANCE OF 409.91 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH Water Right No. 36-89C; 36-90E; 36-7658; 36-10120; and 36-10119 from Idaho Department of Water Resources.

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.

Date: 06/05/2015

Warranty Deed
- continued

File No.: S45312GO (smb)

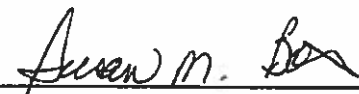
Billingsley Creek Lodge and Retreat, LLC


By: Joan Dalton Boyd, Member

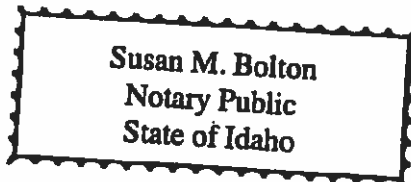

By: Patricia A. Keeney, Member

STATE OF Idaho)
COUNTY OF Gooding)
10th

On this ~~Fourth~~ day of June, 2015, before me, a Notary Public in and for said State, personally appeared **Joan Dalton Boyd and Patricia A. Keeney**, known or identified to me to be the persons whose names are subscribed to the within Instrument as the Members of the **Billingsley Creek Lodge and Retreat, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.



Notary Public of Idaho
Residing at: Gooding, ID
Commission Expires: 10-16-2016





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

June 24, 2015

BILLINGSLEY CREEK INC
17940 HWY 30
HAGERMAN ID 83332

REGION IV DEVELOPMENT ASSN INC
PO BOX 5079
TWIN FALLS ID 83303-5079

RE: Change of Ownership and Notice of Security Interest in a Water Right for Water Right Nos.
36-89C, 36-90E, 36-7658, 36-10119, 36-10120

Dear Water Right Holders and Party Holding a Security Interest:

The department acknowledges receipt of correspondence changing ownership of and adding a security interest holder to the above referenced water rights. The department has modified its records to reflect the changes 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,

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: First American Title Co. (File 545312GO)