

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
APR 08 2014
DEPARTMENT OF
WATER RESOURCES

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?
63-3066	Yes ☒	split into 63-3066 63-34009	Yes ☐		Yes ☐
63-3067	Yes ☒	63-3067 + 63-34010	Yes ☐		Yes ☐
63-32846	Yes ☒	63-32846 + 63-34011	Yes ☐		Yes ☐
63-32848	Yes ☒	63-32848 + 63-34012	Yes ☐		Yes ☐
63-32850	Yes ☒	63-32850 + 63-34013	Yes ☐		Yes ☐

2. Previous Owner's Name: Ball Real Estate Investments, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): M3 Development Partners, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|---|---|-----------|--------------|
| <u>4222 E. Camelback Road, Suite H100</u> | <u>Phoenix</u> | <u>AZ</u> | <u>85018</u> |
| Mailing address | City | State | ZIP |
| <u>602-386-1310</u> | <u>mpl@givenspursley.com (attorney)</u> | | |
| 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: October 25, 2013
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.
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.

SUPPORT DATA

IN FILE # 63-3066

8. Signature: [Signature] William I. Brownlee, Manager 3.10.14
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 CS Date 4/8/14 Receipt No. C098652 Receipt Amt. \$500⁰⁰

Approved by _____ Processed by [Signature] Date 11-25-14

2014-011966

RECORDED

04/03/2014 03:22 PM



00101078201400119660040047

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=4 RECORD1

\$19.00

DEED

GIVENS PURSLEY LLP

CORRECTION WATER RIGHTS QUITCLAIM DEED AND BILL OF SALE

THIS CORRECTION WATER RIGHTS QUITCLAIM DEED AND BILL OF SALE is hereby executed and recorded to correct clerical errors in the description of water rights in that certain Water Rights Quitclaim Deed and Bill of Sale dated October 25, 2013 ("Effective Date") and recorded on January 29, 2014 in the real property records of Canyon County, Idaho, as Instrument No. 2014-003437 ("Original Deed"), and supercedes and replaces the Original Deed in its entirety, effective as of the Effective Date.

FOR VALUE RECEIVED, Ball Real Estate Investments, LLC, an Arizona limited liability company ("Grantor"), does hereby convey, release, remise and forever quitclaim unto M3 Development Partners, LLC, an Arizona limited liability company, whose address is 4222 E. Camelback Road, Suite H100, Phoenix, AZ 85018 ("Grantee"), all of Grantor's right, title and interest in and to those certain water rights and ground water well described on the attached Exhibit A.

Dated this 2ND day of APRIL, 2014.

GRANTOR:

Ball Real Estate Investments, LLC,
an Arizona limited liability company

By: 4222 LLC, an Arizona limited
liability company, its Manager

By: 
W. Scott Schirmer, Manager

STATE OF ARIZONA)
 : ss.
County of Maricopa)

On this 27 day of March, 2014, before me, a Notary Public in and for said state, personally appeared W. Scott Schirmer, known or identified to me to be the manager of the limited liability company of 4222 LLC, the Manager of BALL REAL ESTATE INVESTMENTS, LLC, and who subscribed said name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

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



Notary Public for Arizona
Residing at: Maricopa County, Arizona
My commission expires: 12-13-14

[Additional Signature/Notary on following page]

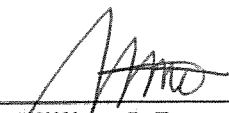
GRANTEE:

M3 Development Partners, LLC,
an Arizona limited liability company

By: M3 Builders, L.L.C.,
an Arizona limited liability company

Its: Manager

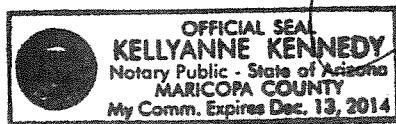
By: The M3 Companies, L.L.C.,
an Arizona limited liability company

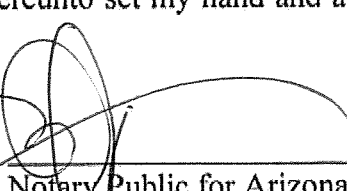
By: 
William I. Brownlee, Manager

STATE OF ARIZONA)
 : ss.
County of Maricopa)

On this 2ND day of April, 2014, before me, a Notary Public in and for said state, personally appeared William I. Brownlee, known or identified to me to be the manager of the limited liability company of The M3 Companies, L.L.C., the Manager of M3 Builders, L.L.C., the Manager of M3 DEVELOPMENT PARTNERS, LLC, and who subscribed said name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

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




Notary Public for Arizona

Residing at: Maricopa County, Arizona

My commission expires: 12-13-14

EXHIBIT A
TO CORRECTION WATER RIGHTS QUITCLAIM DEED AND BILL OF SALE

1. The following surface water irrigation rights and entitlements delivered and subject to assessment by Boise-Kuna Irrigation District ("BKID") and Nampa & Meridian Irrigation District ("NMID"):

A. Surface water rights and entitlements in the amount of 5.35 Project Miner's Inches to irrigate 8.55 Project Acres in the SW1/4 of Section 32, T3N, R2W, B.M. Canyon County, Idaho, currently delivered and assessed by NMID under Assessment No. 2063 H, as reflected in the books and records of NMID.

B. Surface water rights and entitlements to irrigate 9.8 acres in the SESE of Section 31, T3N, R2W, B.M. Canyon County, Idaho, currently delivered and assessed by BKID under Account Nos. 119 and 119A, as reflected in the books and records of BKID.

C. All surface water rights and entitlements to irrigate lands in the SWSW of Section 32, T3N, R2W, B.M. Canyon County, Idaho, that may be subject to assessment by BKID.

2. The following portions of Water Permit No. 63-32604, issued by the Idaho Department of Water Resources on April 22, 2013, and incorporated herein by reference ("Permit"):

A. that portion of the Permit authorizing diversions of ground water for irrigation that is supplemental to surface water, at a maximum diversion rate of 0.66 cubic feet per second ("cfs") and a maximum annual diversion volume of 151.4 acre-feet ("af") to irrigate 33.6 acres;

B. that portion of the Permit authorizing diversions of ground water for irrigation that is not supplemental to surface water, at a maximum diversion rate of 1.65 cfs and a maximum annual diversion volume of 370.8 af to irrigate 82.4 acres; and

C. that portion of the Permit authorizing diversions of ground water to storage and authorizing aesthetic storage, at a maximum diversion rate of 2.31 cfs and a maximum annual diversion volume of 41.1 af for ponds and other water storage facilities totaling a maximum of 7.8 surface acres and 41.1 af.

3. The following portions of decreed water right nos. 63-3066, 63-3067, 63-32846, and 63-32848, and licensed water right 63-32850:

Right No.	cfs	af	acres
63-32846	0.00	35.3	2.80
63-3066	0.20	4.7	16.60
63-3067	1.36	307.8	68.40
63-32848	0.03	15.7	} 33.2*
63-32850	0.52	182.2	

*The acres shown for right nos. 63-32848 and 63-32850 represent a combined total of acres under those rights

4. All of Grantor's right, title and interest in and to the well currently existing in the SWSW of Section 32, T3N, R2W, B.M. Canyon County, Idaho, known as the "Cleo Miller Well," identified in the records of the Idaho Department of Water Resources under permit no. 724189, and located approximately 250 feet east of the intersection of Middleton Road and W. Greenhurst Road on the North side of Middleton Road.

2014-039963

RECORDED

10/31/2014 04:27 PM



00135038201400399630040049

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=4 DWILSON

\$19.00

DEED

GIVENS PURSLEY

SECOND CORRECTION WATER RIGHTS QUITCLAIM DEED AND BILL OF SALE

THIS SECOND CORRECTION WATER RIGHTS QUITCLAIM DEED AND BILL OF SALE is hereby executed and recorded to correct the description of water rights in that certain Water Rights Quitclaim Deed and Bill of Sale dated October 25, 2013 ("Effective Date") and recorded on January 29, 2014 in the real property records of Canyon County, Idaho, as Instrument No. 2014-003437 ("Original Deed"), and that certain Correction Water Rights Quitclaim Deed and Bill of Sale dated April 2, 2014, recorded on April 3, 2014 in the real property records of Canyon County, Idaho, as Instrument No. 2014-011966 ("First Correction Deed"), and it supercedes and replaces the Original Deed and the First Correction Deed in their entirety, effective as of the Effective Date.

FOR VALUE RECEIVED, Ball Real Estate Investments, LLC, an Arizona limited liability company ("Grantor"), does hereby convey, release, remise and forever quitclaim unto M3 Development Partners, LLC, an Arizona limited liability company, whose address is 4222 E. Camelback Road, Suite H100, Phoenix, AZ 85018 ("Grantee"), all of Grantor's right, title and interest in and to those certain water rights and ground water well described on the attached Exhibit A.

Dated this 23rd day of August, 2014.

GRANTOR:

Ball Real Estate Investments, LLC,
an Arizona limited liability company

By: 4222 LLC, an Arizona limited
liability company, its Manager

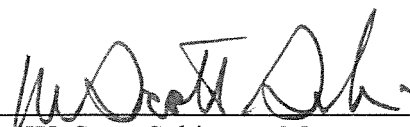
By: 
W. Scott Schirmer, Manager

EXHIBIT A
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C. All surface water rights and entitlements to irrigate lands in the SWSW of Section 32, T3N, R2W, B.M. Canyon County, Idaho, that may be subject to assessment by BKID.

2. The following portions of Water Permit No. 63-32604, issued by the Idaho Department of Water Resources on April 22, 2013, and incorporated herein by reference (“Permit”):

A. that portion of the Permit authorizing diversions of ground water for irrigation that is supplemental to surface water, at a maximum diversion rate of 0.66 cubic feet per second (“cfs”) and a maximum annual diversion volume of 151.4 acre-feet (“af”) to irrigate 33.6 acres;

B. that portion of the Permit authorizing diversions of ground water for irrigation that is not supplemental to surface water, at a maximum diversion rate of 1.65 cfs and a maximum annual diversion volume of 370.8 af to irrigate 82.4 acres; and

C. that portion of the Permit authorizing diversions of ground water to storage and authorizing aesthetic storage, at a maximum diversion rate of 2.31 cfs and a maximum annual diversion volume of 41.1 af for ponds and other water storage facilities totaling a maximum of 7.8 surface acres and 41.1 af.

3. The following portions of decreed water right nos. 63-3066, 63-3067, 63-32846, and 63-32848, and licensed water right 63-32850:

Right No.	cfs	af	acres
63-32846	0.42	137.7	30.6
63-3066	0.22	50.8	11.3
63-3067	0.92	209.3	46.5
63-32848	0.12	48.4*	33.2*
63-32850	0.43	149.4*	33.2*

*63-32848 and 63-32850 are authorized for a combined total of 33.2 acres and 149.4 af

4. All of Grantor’s right, title and interest in and to the well currently existing in the SWSW of Section 32, T3N, R2W, B.M. Canyon County, Idaho, known as the “Cleo Miller Well,” identified in the records of the Idaho Department of Water Resources under permit no. 724189, and located approximately 250 feet east of the intersection of Middleton Road and W. Greenhurst Road on the North side of Middleton Road.

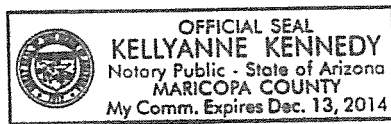
STATE OF ARIZONA)

: ss.

County of Maricopa)

On this 23rd day of October, 2014, before me, a Notary Public in and for said state, personally appeared W. Scott Schirmer, known or identified to me to be the manager of the limited liability company of 4222 LLC, the Manager of BALL REAL ESTATE INVESTMENTS, LLC, and who subscribed said name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

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



A large, stylized handwritten signature in dark ink, which appears to be "K. Kennedy", is written over the signature line.

Notary Public for Arizona

Residing at: MARICOPA CNTY, AZ

My commission expires: 12-13-14

[Additional Signature/Notary on following page]

GRANTEE:

M3 Development Partners, LLC,
an Arizona limited liability company

By: M3 Builders, L.L.C.,
an Arizona limited liability company

Its: Manager

By: The M3 Companies, L.L.C.,
an Arizona limited liability company

By: [Signature]
William I. Brownlee, Manager

STATE OF ARIZONA)
 : ss.
County of Maricopa)

On this 22nd day of October, 2014, before me, a Notary Public in and for said state, personally appeared William I. Brownlee, known or identified to me to be the manager of the limited liability company of The M3 Companies, L.L.C., the Manager of M3 Builders, L.L.C., the Manager of M3 DEVELOPMENT PARTNERS, LLC, and who subscribed said name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

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



[Signature]

Notary Public for Arizona

Residing at Maricopa County

My commission expires: 12-13-14