

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 14 2013

WATER RESOURCES
WESTERN REGION

DEV

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?
PD 67-99	Yes ☒	SPLIT INTO 67-15122			Yes ☐
PD 67-11771	Yes ☐		Yes ☐		Yes ☐
PD 67-11772	Yes ☐		Yes ☐		Yes ☐
PD 67-11773	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: JLS Capital Group, LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): KA Holding & Deveoplment, Inc.

Name of each new owner as listed on the conveyance document

New owner continued

Name connector ☐ and ☐ or ☐ and/or

P.O. Box 1394

Mailing address

Vernal

UT

84078

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: June 11, 2013

6. 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 # 67-99

7. Signature: [Signature]

Signature of new owner/claimant

President

Title, if applicable

6-10-13

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JA

Date 6/14/2013

Receipt No. W041230

Receipt Amt. \$100.00

Approved by JA

Processed by [Signature]

Date 6-18-2014

\$75.00

Instrument # 125237

COUNCIL, ADAMS, IDAHO

6-11-2013 12:44:12 No. of Pages: 3

Recorded for : TIMBERLINE TITLE & ESCROW

SHERRY WARD

Fee: 16.00

Ex-Officio Recorder Deputy

Index to: DEED

RECEIVED

JUN 14 2013

WATER RESOURCES
WESTERN REGION

SPECIAL WARRANTY DEED

The Grantor, **NORTHWEST FARM CREDIT SERVICES, FLCA**, a corporation organized under the laws of the United States of America, for and in consideration of good and valuable consideration in hand paid, does hereby transfer and convey to **KA HOLDING & DEVELOPMENT, INC.**, a Utah corporation, of 845 E. Main Street, Vernal, UT 84078-1394, the Grantee, as his sole and separate property, the following described real estate, situated in the County of Adams, State of Idaho:

SEE, EXHIBIT "A" ATTACHED HERETO

AND BY THIS REFERENCE MADE A PART HEREOF

The Grantor only warrants against encumbrances suffered or created by the Grantor, PROVIDED, HOWEVER, Grantor does not warrant or covenant with said Grantee as to the existence or nonexistence of any pollutants, contaminates or hazardous waste prohibited by federal, state or local law or claims based thereon arising out of the actual or threatened discharge, release, disposal, seepage, migration or escape of such substances at, from or into the demised premises.

Dated this 10 day of June, 2013

NORTHWEST FARM CREDIT SERVICES, FLCA

By



Brad Butters, Its Authorized Agent

STATE OF IDAHO)

County of Bonneville)

On this 10th day of June, 2013, before me, the undersigned Notary Public in and for said County and State, personally appeared Brad Buttars, known or identified to me to be the authorized agent of Northwest Farm Credit Services, FLCA, the corporation that executed the foregoing instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same on behalf of said corporation.

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

(SEAL)

NOTARY PUBLIC for Idaho

Residing at: _____

Commission Expires: Residing in Idaho Falls, Idaho
Commission Expires 8-27-2017

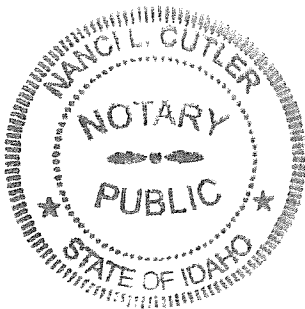


Exhibit "A"

Township 15 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 13: SE $\frac{1}{4}$

Section 24: E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 25: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Township 15 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 17: All of said section lying South of Fall Creek Road

Section 18: Lots 3 and 4, SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, all that portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of the Mesa Flume leading from the Middle Fork of the Weiser River to Mesa Orchards, as the same was located and established over and across said lands of June 16, 1950.

Section 19: All of said section.

Section 20: NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 30: SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$

EXCEPTING FROM ALL ABOVE PARCELS roads and rights of way as now established.

Together with all water and water rights used upon or appurtenant to said property, however, evidenced;

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

When recorded, Return to:
C&C Capital LLC
827 S. Bridgeway Place, Suite 110
Eagle, ID 83616

COPY

Instrument # 116169

COUNCIL, ADAMS, IDAHO

3-17-2008 03:36:19 No. of Pages: 4

Recorded for : TIMBERLINE TITLE & ESCROW

SHERRY WARD

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: DEED

RECEIVE

JUN 14 2013

**WATER RESOURCES
WESTERN REGION**

WARRANTY DEED

This Warranty deed is made this 29th day of February, 2008, between JLS Capital Group LLC an Idaho limited liability company and Jake G. Merrill and Lindsay N. Merrill ("Grantor") and C&C Capital LLC an Idaho limited liability company whose address is 827 S. Bridgeway Place, Suite 110, Eagle, Idaho 83616 ("Grantee").

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant bargain, sell, convey, and confirm unto Grantee all of the following described real estate situated in the County of Adams, State of Idaho:

See Attached Exhibit A which is incorporated herein by reference

Together with 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 property, as well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and its heirs and assigns forever.

And Grantor and its heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, its heirs, and assigns against Grantor and its heirs and against all and every person or persons whomsoever, lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has hereunto set its hand on the day and year first above written.

By: Jake G. Merrill

Name (print): Jake G. Merrill

Its: _____

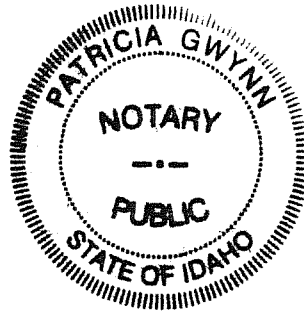
By: Lindsay Merrill

Name (print): Lindsay N. Merrill

Its: _____

STATE OF IDAHO)
COUNTY OF Ada) ss

On this 13th day of March, 2008, before me a Notary Public in and for the said State, personally appeared JAKE G.MERRILL & LINDSAY N. MERRILL known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Patricia Gwynn
Notary Public

Residing at: Nampa, Id

My Commission Expires: 03/06/2012

COPY

Instrument # 123365

COUNCIL, ADAMS, IDAHO

4-16-2012 11:00:46 No. of Pages: 4

Recorded for : ADAMS COUNTY SHERIFF

SHERRY WARD

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 19.00

Sarah Wilson

SHERIFF'S DEED UNDER FORECLOSURE

THIS INDENTURE, made this 16 day of April, 2012, between the SHERIFF OF ADAMS COUNTY, State of Idaho, party of the first part, and NORTHWEST FARM CREDIT SERVICES, FLCA, whose complete mailing address is P.O. Box 2515, Spokane, WA 99220-2515, ("FCS"), party of the second part.

WITNESSETH:

That, WHEREAS, in that certain Decree of Foreclosure and Order of Sale made and entered in the District Court of the Third Judicial District of the State of Idaho, in and for the County of Adams on the 4th day of February, 2011, wherein FCS, was plaintiff and C & C Capital, an Idaho limited liability company, McCord Christensen and Amy Christensen, husband and wife, and Chad Longson and Rebecca Longson, husband and wife, were defendants, in which said Decree it was, among other things, ordered, adjudged and decreed that all and singular the mortgaged premises described in the complaint or so much thereof as might be sufficient to raise the amount due the plaintiff, should be sold at public auction by the Sheriff of Adams County, State of Idaho, in the manner prescribed by law and according to the course and practice of said Court; that any party to the action might become a purchaser at said sale; that said Sheriff would issue the usual certificate and deeds to the purchaser or purchasers as required by law; and

WHEREAS, an execution in foreclosure was duly issued out of the above entitled Court, which execution was delivered to Richard L. Green, the Sheriff of the County of Adams, State of Idaho, whereby he was, among other things, commanded to sell the property therein described; and

WHEREAS, the Sheriff did, on the 12th day of April, 2011, after due public notice had been given as required by the laws of the State of Idaho, sold at public auction the premises herein mentioned, to NORTHWEST FARM CREDIT SERVICES, FLCA, for the sum of \$1,104,000.00,

lawful money of the United States, it being the highest bidder and that being the highest bid for the same; and

WHEREAS, the said purchaser thereupon paid the Sheriff his fees and disbursements on said sale and directed that the balance thereof be applied towards the satisfaction of the judgment obtained by it; and

WHEREAS, the Sheriff thereupon made, executed and delivered the usual certificate to the purchaser, NORTHWEST FARM CREDIT SERVICES, FLCA, and caused the other to be filed of record in the office of the County Recorder of the County of Adams, State of Idaho; and

WHEREAS, more than one year has elapsed since the date of the sale and no redemption has been made of the premises so sold by or on behalf of the judgment debtors or by or on behalf of any other person;

NOW, THEREFORE, THIS INDENTURE, WITNESSETH:

That the said party of the first part, the said Sheriff of Adams County, in order to carry into effect the sale, in pursuance of the said Decree of Foreclosure and Order of Sale, and in conformity to the statutes in such cases made and provided and in consideration of the sum of \$1,104,000.00, so bid by such purchaser, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and does by these presents grant, bargain, sell and convey unto said party of the second part, and to its successors and assigns forever, all those certain lots, pieces or parcels of land situate, lying and being in the County of Adams, State of Idaho, and bounded and more particularly described as follows:

Township 15 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 13: SE $\frac{1}{4}$
Section 24: E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 25: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Township 15 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 17: All of said section lying South of Fall Creek Road

Section 18: Lots 3 and 4, SE¼, SE¼NE¼, SE¼SW¼, all that portion of the NE¼NE¼ lying South of the Mesa Flume leading from the Middle Fork of the Weiser River to Mesa Orchards, as the same was located and established over and across said lands of June 16, 1950.

Section 19: All of said section.

Section 20: NW¼NE¼

Section 30: SW¼, S½NW¼, N½NW¼, N½NE¼

EXCEPTING FROM ALL ABOVE PARCELS roads and rights of way as now established.

All water and water rights used upon or appurtenant to said property, however, evidenced;

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

and also the estate, right, title or interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part and of the defendants, C & C Capital, an Idaho limited liability company, McCord Christensen and Amy Christensen, husband and wife, Chad Longson and Rebecca Longson, husband and wife, and their successors, and to said premises and every part and parcel thereof.

TO HAVE AND TO HOLD ALL AND SINGULAR the said premises hereby conveyed or intended to be, together with the appurtenances thereunto to the said party of the second part and to its successors and assigns, to its own use and benefit, forever.

IN WITNESS WHEREOF, the said party of the first part to these premises has hereunto set his hand the day and year first above written.



RICHARD L. GREEN
Adams County Sheriff
Adams County, State of Idaho

STATE OF IDAHO)

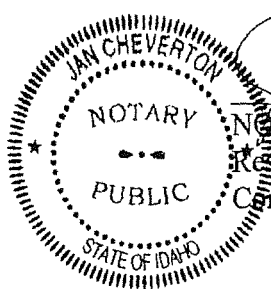
SS

County of Adams)

On this 16 day of April, 2012, before me, the undersigned Notary Public in and for said County and State, personally appeared Richard L. Green, known to me to be the Sheriff of the County of Adams, State of Idaho, and the party who executed the foregoing instrument and he duly acknowledged to me that he executed the same as Sheriff.

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

(SEAL)



NOTARY PUBLIC for Idaho
Residing at: _____
Commission Expires: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 18, 2014

JLS CAPITAL GROUP LLC
JAKE G AND LINDSAY N MERRILL
25760 DUFF LN
MIDDLETON ID 83644

RE: Notice of Change in Water Right Ownership No's: 67-99, 67-11771, 67-11772 & 67-11773.

Original: Water Right No. **67-99**
Split Into: Water Right No. 67-15122

Original: Water Right No's: 67-11771, 67-11772 & 67-11773
Not Split: **X**

Dear Water Right Holders:

The Department has received and processed a Change of Ownership for your original Water Rights as referenced above. This change of ownership resulted in a split of one of your original water rights.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original water right number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original water right, after the change of ownership. Enclosed is a copy of this new water right for your records. Please refer to your new water right number when corresponding with our office.

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.

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning this ownership change, or the enclosed information, please feel free to contact this office at 334-2190.

Sincerely,

Rachel Sommer
Administrative Assistant I
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 18, 2014

KA HOLDING & DEVELOPMENT INC
PO BOX 1394
VERNAL, UT 84078

RE: Notice of Change in Water Right Ownership No's: 67-99, 67-11771, 67-11772 & 67-11773.

Original: Water Right No. 67-99
Split Into: Water Right No. **67-15122**

Original: Water Right No's: 67-11771, 67-11772 & 67-11773
Not Split: X

Dear Water Right Holders:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the change in ownership for 67-11771, 67-11772 and 67-11773. Enclosed you will find computer-generated reports for your records.

The Change of Ownership for 67-99 required a split of the original water rights resulting in renumbering this water right, using a new water right number to represent each split. The new water right number for your portion is referenced above and a copy is enclosed.

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.

Your portion of this water right has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

Thank you for your patience, as we have had several water right changes to process. Please contact this office at 334-2190 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Rachel Sommer
Administrative Assistant I
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 21, 2013

KA HOLDING & DEVELOPMENT INC
PO BOX 1394
VERNAL UT 84078

RE: Water Right No's: 67-99

Dear Applicants:

Thank you for submitting the Notice of Change in Water Right Ownership. Our review of your notice indicates that additional documentation is required before we can process the change.

The deed provided to the Department does not cover land in Township 15N, Range 1W, and Section 25 in the NW quarter of the NE quarter. Enclosed is a map and water right proof report showing the area in question. Please submit another deed showing ownership of the entire water right or an additional fee of \$75.00 to cover the water right split.

Because the Department cannot process this request at this time, we will hold any action on your notice pending receipt of the necessary documentation. If we do not receive the required documentation within 30 days, the notice will be returned and will not be processed.

Thank you for your cooperation, if you have any questions please contact this office.

Sincerely,

For

Rachel Sommer
Administrative Assistant
Western Regional Office

Enclosures: Proof Report, Map

SCANNED

NOV 25 2013