

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 08 2014

Department of Water Resources
Eastern 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?
75-14436 <i>OK</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<i>Split per agreement</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>75-14436 75-14789</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Robert Tacke
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Firtstfruits Foundation
New owner(s) as listed on the conveyance document
- P.O. Box 510 Challis Name connector ☐ and ☐ or ☐ and/or
Mailing address Idaho 83226
208-339-4326 City Idaho State ZIP
Telephone jdoraz1963@gmail.com 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: March 27, 2013
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.

SUPPORT DATA

IN FILE # 75-14436If 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: *James H. of Firtstfruits Foundation* 10/6/14
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 *JB* Date 10/8/2014 Receipt No. E040325 Receipt Amt. \$100. -

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 *JB* Processed by *BJ* Date 10/20/2014

Clarification of the Notice of Change in Water Rights Ownership

Water Right# 75-14436

This document is to clarify the Notice of Change in Water Rights Ownership for Water Right #75-14436. May 29, 2013, a Warranty Deed (ATEC Order No. 184031) was recorded with Lemhi County by which Mr. Robert Tacke sold the identified property to Christopher W. James as Trustee of Firstfruits Foundation. Mr. Robert Tacke retained ten acres(not included in the sale) for his commercial business (Idaho Mineral Springs, LLC (IMS)) and the "Commercial" beneficial use listed on water right(75-14436).

The "Irrigation" beneficial use, "Stockwater" beneficial use, and the "Domestic" beneficial use is intended to be transferred to the new owner, Christopher W. James as Trustee of Firstfruits Foundation.

Upon signing this document, both parties agree that Robert Tacke will retain the "Commercial" beneficial use water right, while the ownership of the "Irrigation", "Stockwater" , and "Domestic" beneficial use water rights will change to Christopher W. James as Trustee of Firstfruits Foundation.

Agreed,

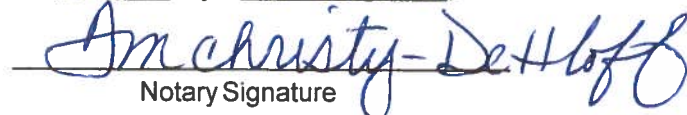


Helmut Robert "Bob" Tacke

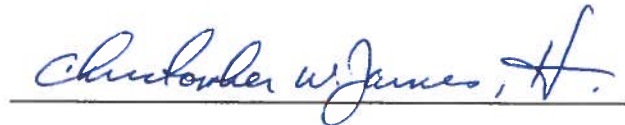
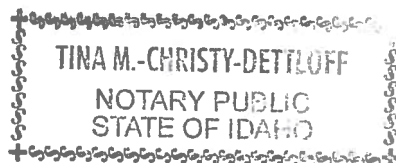
Sworn and subscribed before me

SEAL

This 6TH day of OCTOBER, 2014


Notary Signature

My commission expires 4/5/2016

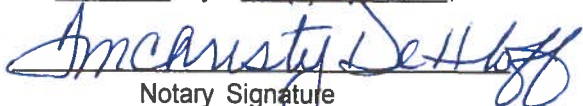


Firstfruits Foundation, Christopher W. James, Trustee

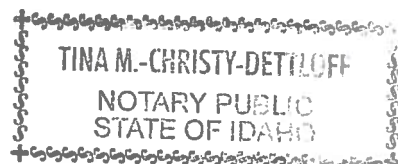
Sworn and subscribed before me

SEAL

This 6TH day of October, 2014


Notary Signature

My commission expires 4-5-2016



WARRANTY DEED

ATEC Order No.: 184031

FOR VALUE RECEIVED

Robert Tacke, a married man

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Christopher W. James as Trustee of Firstfruits Foundation UDT 9/29/1986

whose current address is

**P.O. Box 510
Challis, ID 83226**

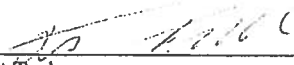
the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 27, 2013

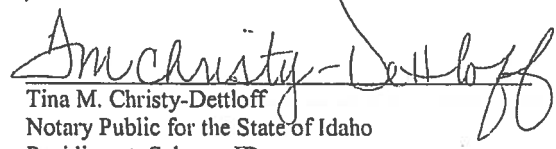


Robert Tacke

State of Idaho } ss
County of Lemhi }

On this 29th day of May, 2013, before me, Tina M. Christy-Dettloff, a Notary Public in and for said state, personally appeared Robert Tacke, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

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



Tina M. Christy-Dettloff
Notary Public for the State of Idaho
Residing at: Salmon, ID
Commission Expires: 4/5/2016

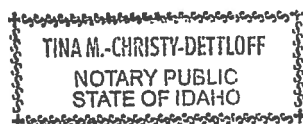


EXHIBIT "A"

184031

TOWNSHIP 21 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

**SECTION 34: Southwest Quarter Southwest Quarter Northeast Quarter Southwest Quarter,
South Half Southeast Quarter Northwest Quarter Southwest Quarter, South Half Southwest
Quarter**

ALSO:

TOWNSHIP 20 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

**SECTION 3: South Half Northeast Quarter, Lots 1 and 2 and East Half North Half North Half
Southwest Quarter Northwest Quarter, and LOT 3 AND THE Southeast Quarter Northwest
Quarter**

PARCEL "B": GOVERNMENT LOT 4 REMAINDER DESCRIPTION

A PARCEL OF LAND SITUATED IN A PORTION OF GOVERNMENT LOT 4 OF SECTION 3, TOWNSHIP 20 NORTH, RANGE 22 EAST, BOISE MERIDIAN, COUNTY OF LEMHI, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the Corner common to Sections 33, 34, 4, and 3, said corner bears N 00°04'16" W a distance of 2654.11 feet from the Quarter Corner common to Sections 3 and 4, the basis of bearings for this description; thence along the west line of said Section 3 S 00°04'16" E a distance of 677.70 feet; thence leaving said west line N 89°36'09" E a distance of 657.27 feet; thence S 00°04'16" E a distance of 662.75 feet to a point on the south line of Government Lot 4; thence along said south line N 89°36'09" E a distance of 656.42 feet to the Southeast Corner of Government Lot 4; thence leaving said south line and along the east line of Government Lot 4 N 00°09'28" E a distance of 1332.99 feet to the Northeast Corner of said Government Lot 4; thence leaving said east line and along the north line of said Section 3 S 89°55'42" W a distance of 1318.99 feet to the POINT OF BEGINNING.

The above described parcel contains an area of 30.39 acres, more or less, and is subject to Hot Springs Road Right of Way and all easements and rights of way of record or implied.

Together with a 50 foot wide easement for ingress/egress more particularly described as follows:

An easement for ingress/egress purposes on, over, under and across the following described strip of land, 50' in width, 25' on each side of the following described centerline, and being a portion of Government Lot 4 located in Section 3, Township 20 North, Range 22 East, Boise Meridian, Lemhi County, Idaho, the centerline of which is more particularly described as follows:

BEGINNING at the Corner common to Sections 33, 34, 4, and 3, said corner bears N 00°04'16" W a distance of 2654.11 feet from the Quarter Corner common to Sections 3 and 4, the basis of bearings for this description; thence along the west line of Section 3 S 00°04'16" E a distance of 1043.02 feet to a point on the centerline of an existing road and the westerly line of Parcel "A", said point being the POINT OF BEGINNING of the ingress/egress easement; thence leaving said west line and said westerly line and along said centerline the following courses:

S 75°04'30" E a distance of 1113.94 feet;

thence turning to the left with an arc length of 112.66 feet, a radius of 320.00 feet, and a chord bearing of S 85°15'07" E, a chord length of 113.08 feet;

thence N 84°34'17" E a distance of 22.71 feet;

thence curving to the left with an arc length of 65.26 feet, a radius of 181.04 feet, and a chord bearing of N 74° 14' 30" E, a chord length of 64.91 feet,

thence N 63° 54' 43" E a distance of 135.60 feet,

thence curving to the right with an arc length of 97.28 feet, a radius of 112.80 feet, and a chord bearing of N 88° 47' 39" E, a chord length of 94.25 feet,

thence S 66° 19' 25" E a distance of 80.39 feet to a point on the easterly line of Parcel "A", said point bears N 00° 04' 16" W a distance of 308.95 feet from the southeast corner of said parcel.

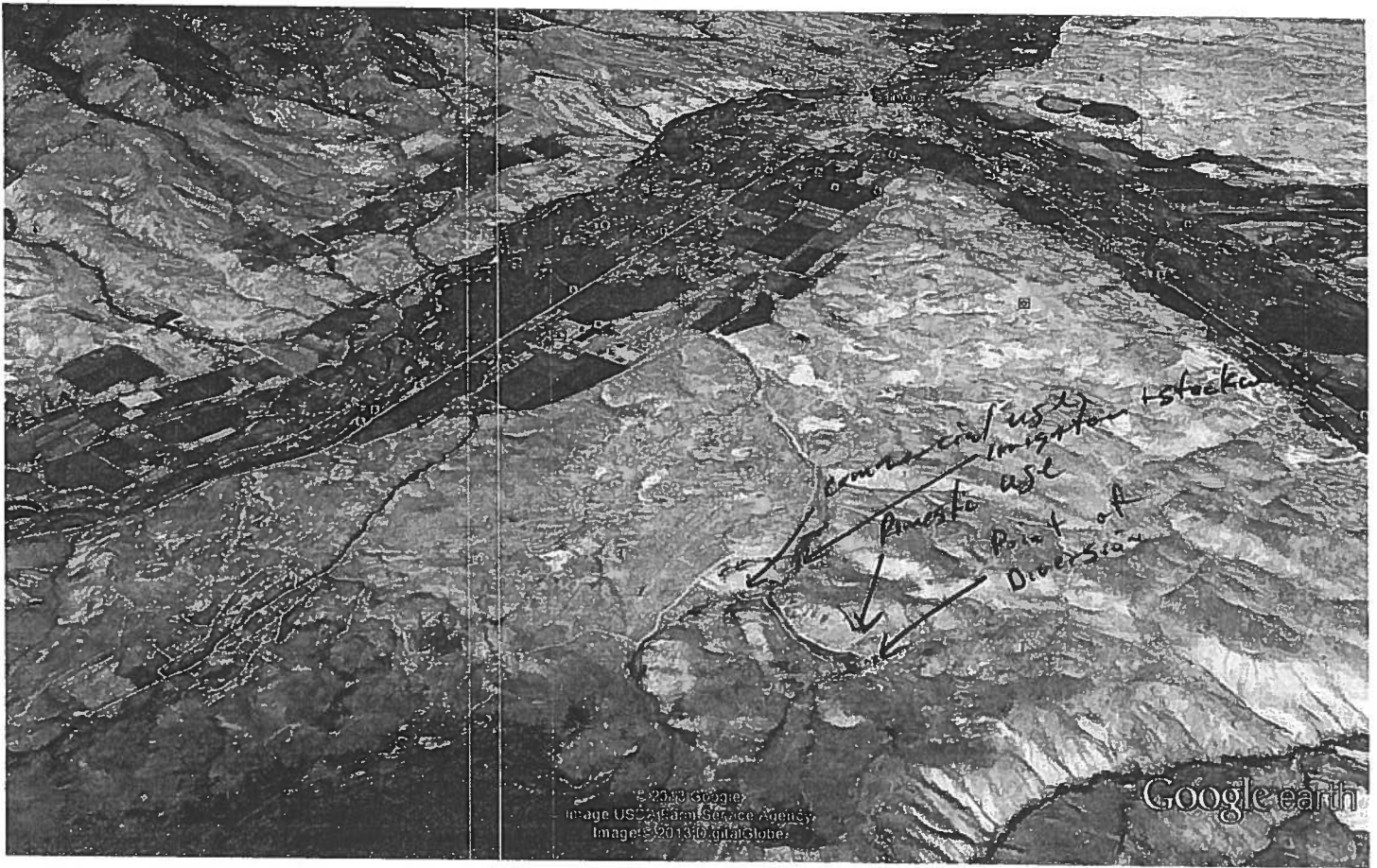
The endlines of said strip of land are to be implemented or adjusted, as the case may be, to intersect said westerly line and said easterly line of Parcel "A" as described.

~~NOTE~~ This document should be referred to a title company prior to recording.



Prepared by:

Matthew J. McKenna
Matthew J. McKenna, PLS
5/1/13



Google earth



