

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 13 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-363 < ³⁴⁻³⁶³ ₃₄₋₁₄₄₁	Yes ☒		Yes ☐		Yes ☐
34-760 < ³⁴⁻⁷⁶⁰ ₃₄₋₁₄₄₁	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Herb Whitworth, Jr.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): SEE ATTACHED WARRANTY DEED
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 150 Limelight Way Oroville CA 95966
Mailing address City State ZIP
- (530) 321 8114 chingandco@bcglobal.net
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: September 28, 2006
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 # 34-363

8. Signature: M. Robert Ching & Phyllis J. Ching Trustees Title, if applicable Date
- Signature: SCOTT HALLIDAY Manager, HCRSD, LLC Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 10/13/14 Receipt No. E039925 Receipt Amt. \$200.-
Approved by JB Processed by JB Date 10/8/2014



Order No. 307053284C

234996

Custer County Req. of

AMERITITLE

Time 3:00 p M Date 9/28/2006

Ethel M. Peck, Clerk

Ruth Brunken \$6.00
Deputy

WARRANTY DEED

For Value Received,

Herbert H. Whitworth, LLC, an Idaho Limited Liability Company,

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

 The New Owners

M. Robert Ching and Phyllis J. Ching, Trustees of the Ching Revocable Trust Agreement dated September 7, 2000, and HCRSD, LLC, a Hawaii Limited Liability Company, each as to an undivided 50% interest

GRANTEE(s), whose address is: **150 Limelight Way, Oroville, CA 95966**

the following described real property, to-wit:

SEE ATTACHED EXHIBIT "A"

PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 14 day of September, 2006.

Herbert H. Whitworth, LLC, an Idaho Limited Liability Company

BY: Herbert H. Whitworth
Herbert H. Whitworth, Manager

BY: Sharon Whitworth
Sharon Whitworth, Manager

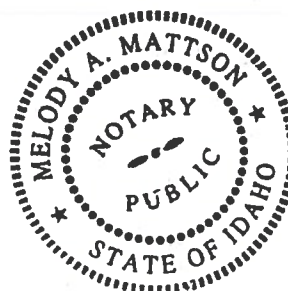
State of Idaho)
County of Blaine) ss.

On this 14 day of September in the year 2006, before me, the undersigned, personally appeared **Herbert H. Whitworth and Sharon Whitworth** known or identified to me to be the managers of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

WITNESS my hand and official seal.

Melody A. Mattson
Notary Public

Commission Expires: 4.3.2009



Order No.: 307053284C-G

**LEGAL DESCRIPTION
EXHIBIT 'A'**

**PART OF SECTIONS 2, 3 AND 11, TOWNSHIP 8 NORTH, RANGE 22 EAST, BOISE
MERIDIAN, CUSTER COUNTY, IDAHO DESCRIBED AS:**

BEGINNING AT THE NORTHWEST CORNER OF SECTION 11; THENCE S. 88° 33' 23" W. 1287.19 FT. TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER SOUTHEAST QUARTER SECTION 3; THENCE N. 00° 53' 28" W. 1322.77 FT. TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER SOUTHEAST QUARTER; THENCE N. 88° 58' 32" E. 1295.26 FT. TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER SOUTHEAST QUARTER; THENCE IN SECTION 2 N. 88° 47' 46" E. 2553.18 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY OF HIGHWAY 93 AND THE NORTH LINE OF THE SOUTHEAST QUARTER SOUTHWEST QUARTER SECTION 2; THENCE S. 21° 15' 24" E. 154.91 FT. ALONG SAID RIGHT OF WAY TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER SOUTHWEST QUARTER; THENCE S. 00° 24' 21" E. 1160.62 FT. TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER SOUTHWEST QUARTER; THENCE N. 88° 38' 10" E. 743.55 FT. ALONG THE NORTH LINE OF THE WEST HALF NORTHEAST QUARTER SECTION 11 TO A POINT ON THE WESTERLY RIGHT OF WAY OF HIGHWAY 93; THENCE S. 43° 05' 24" E. 836.01 FT. ALONG SAID RIGHT OF WAY TO A POINT ON THE EAST LINE OF THE WEST HALF NORTHEAST QUARTER SECTION 11; THENCE S. 01° 06' 44" E. 2057.94 FT. TO THE SOUTHEAST CORNER OF SAID WEST HALF NORTHEAST QUARTER; THENCE S. 89° 16' 07" W. 3926.82 FT. TO THE WEST QUARTER CORNER OF SECTION 11; THENCE N. 00° 42' 28" W. 2638.68 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM: THE SOUTHEAST QUARTER SOUTHEAST QUARTER SECTION 3, AND THE SOUTHWEST QUARTER SOUTHWEST QUARTER SECTION 2, TOWNSHIP 8 NORTH, RANGE 22 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

ALSO:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 8 NORTH, RANGE 22 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO; THENCE N. 88° 38' 10" E. 2605.43 FT. ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 11; THENCE N. 88° 38' 10" E. 877.54 FT. TO THE POINT OF BEGINNING. SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY OF HIGHWAY 93; THENCE N. 88° 38' 10" E. 425.18 FT. TO THE NORTHEAST CORNER OF THE WEST HALF NORTHEAST QUARTER SECTION 11; THENCE S. 01° 06' 45" E. 474.44 FEET ALONG THE EAST LINE OF SAID WEST HALF NORTHEAST QUARTER TO A POINT ON THE NORTHERLY RIGHT OF WAY OF HIGHWAY 93; THENCE N. 43° 05' 24" W. 635.69 FT. ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING.

247863

Custer County Reg. of

Herbert H. Whitworth

Time 10:55 AM Date 9/9 2013

Barbara C. Tierney, Clerk

Christy Peterson \$19.00
Deputy

QUITCLAIM AND CORRECTION DEED

Whereas, Herbert H. Whitworth, LLC sold certain land and other real property to BBB Assets LLC by warranty deed and quitclaim deed dated September 14, 2006;

Whereas, that property is more particularly described by Exhibit A, which is attached and incorporated into this document;

Whereas, there was confusion about what water rights, including those owned by Herb Whitworth Jr., were being conveyed to M. Robert Ching and Phyllis J. Ching, Trustees of the Ching Revocable Trust Agreement dated September 7, 2000, and HCRSD, LLC, a Hawaii limited liability company, through those deeds and what water rights were being kept by the grantor, Herbert H. Whitworth, LLC and Herb Whitworth Jr.; and

Whereas, the parties intend to clarify through this document that the only water rights conveyed are a portion of water right number 34-00363, amounting to 0.29 CFS (14.5 inches) appurtenant to the permissible place of use encompassing that Property described in Exhibit A, and a portion of water right number 34-00760, amounting to 0.52 CFS (26 inches) appurtenant to the permissible place of use encompassing that Property described in Exhibit A;

THEREFORE, FOR VALUE RECEIVED and acknowledged, M. Robert Ching and Phyllis J. Ching, Trustees of the Ching Revocable Trust Agreement dated September 7, 2000, and HCRSD, LLC, a Hawaii limited liability company, whose current address is 150 Limelight Way, Oroville, CA 96966, do hereby convey, release, remise and forever quit claim unto Herbert H. Whitworth, LLC, an Idaho Limited Liability Company, and Herb Whitworth Jr., whose current address is 5425 Highway 93, Mackay, Idaho 83251, all rights, title, or other interest in any other water rights, including but not limited to the following rights: 34-10164, 34-00766, , 34-12401, 34-00755, 34-10167, 34-00764, 34-11583, 34-00757, 34-00363, 34-10166, 34-00758, 34-00364, 34-12408, 34-10165 (which has been split into 34-14020 and 34-14019) and the remaining portions of 34-00760 and 34-00363 (which are being conveyed to BBB Assets LLC).

Excepted from this conveyance and relinquishment of rights are that portion of water right number 34-00363, amounting to 0.29 CFS (14.5 inches) appurtenant to the permissible place of use encompassing that Property described in Exhibit A, and a portion of water right number 34-00760, amounting to 0.52 CFS (26 inches) appurtenant to the permissible place of use encompassing that Property described in Exhibit A, situated in Custer County, Idaho.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date: 8/21/13

TRUSTEES OF THE CHING REVOCABLE TRUST
AGREEMENT DATED SEPTEMBER 7, 2000, and
HCRSD, LLC, a Hawaii Limited Liability Company

By: M. Robert Ching
M. ROBERT CHING

By: Phyllis J. Ching
PHYLLIS J. CHING

State of _____)
) S.S.
County of _____)

On this _____ day of _____, in the year 2013, before me, the undersigned, personally appeared M **ROBERT CHING** and **PHYLLIS J. CHING** proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is(are) subscribed to the within instrument, and acknowledged that he(he)(they) executed the same.

See Attached
Notary Public
My Commission Expires on _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA)

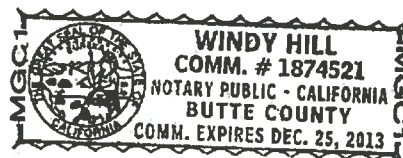
COUNTY OF Butte)On Aug 21, 2013 before me, Windy Hill, Notary Public
DATE INSERT NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"personally appeared, M. Robert Ching andPhyllis J. Ching

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Windy Hill (SEAL)
NOTARY PUBLIC SIGNATURE



OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.

TITLE OR TYPE OF DOCUMENT Quitclaim and Correction DeedDATE OF DOCUMENT 8/21/13 NUMBER OF PAGES 3SIGNERS(S) OTHER THAN NAMED ABOVE N/A

SIGNER'S NAME _____ SIGNER'S NAME _____

RIGHT THUMBPRINT

RIGHT THUMBPRINT

LEGAL DESCRIPTION

EXHIBIT "A"

PART OF SECTIONS 2, 3 and 11, TOWNSHIP 8 NORTH RANGE 22 EAST BOISE MERIDIAN, CUSTER COUNTY, IDAHO DESCRIBED AS:

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ALSO:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 8 NORTH, RANGE 22 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO; THENCE N. 88° 38' 10" E. 2605.43 FT. ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 11; THENCE N. 88° 38' 10" E. 877.54 FT. TO THE POINT OF BEGINNING. SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY OF HIGHWAY 93; THENCE N. 88° 38' 10" E. 425.18 FT. TO THE NORTHEAST CORNER OF THE WEST HALF NORTHEAST QUARTER SECTION 11; THENCE S. 01° 06' 45" E. 474.44 FEET ALONG THE EAST LINE OF SAID WEST HALF NORTHEAST QUARTER TO A POINT ON THE NORTHERLY RIGHT OF WAY OF HIGHWAY 93; THENCE N. 43° 05' 24" W. 635.69 FT. ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING.

247862

Custer County Reg. of

Herbert H. Whitworth

Time 10:55 A M Date 9/9, 2013

Barbara C. Tierney, Clerk

Christy Foster \$ 116.00
Deputy**QUITCLAIM AND CORRECTION DEED**

Whereas, Herbert H. Whitworth, LLC sold certain land and other real property to BBB Assets LLC by warranty deed and quitclaim deed dated September 14, 2006;

Whereas, that property is more particularly described by Exhibit A, which is attached and incorporated into this document;

Whereas, there was confusion about what water rights, including those owned by Herb Whitworth Jr., were being conveyed to M. Robert Ching and Phyllis J. Ching, Trustees of the Ching Revocable Trust Agreement dated September 7, 2000, and HCRSD, LLC, a Hawaii limited liability company, through those deeds and what water rights were being kept by the grantor, Herbert H. Whitworth, LLC and Herb Whitworth Jr.; and

Whereas, the parties intend to clarify through this document that the only water rights conveyed are a portion of water right number 34-00363, amounting to 0.29 CFS (14.5 inches) appurtenant to the permissible place of use encompassing that Property described in Exhibit A, and a portion of water right number 34-00760, amounting to 0.52 CFS (26 inches) appurtenant to the permissible place of use encompassing that Property described in Exhibit A;

THEREFORE, FOR VALUE RECEIVED and acknowledged, Herbert H. Whitworth, LLC, an Idaho Limited Liability Company, and Herb Whitworth Jr., whose current address is 5425 Highway 93, Mackay, Idaho 83251, do hereby convey, release, remise and forever quit claim unto M. Robert Ching and Phyllis J. Ching, Trustees of the Ching Revocable Trust Agreement dated September 7, 2000, and HCRSD, LLC, a Hawaii limited liability company, all rights, title, or other interest in that portion of water right number 34-00363, amounting to 0.29 CFS (14.5 inches) appurtenant to the permissible place of use encompassing that Property described in Exhibit A, and a portion of water right number 34-00760, amounting to 0.52 CFS (26 inches) appurtenant to the permissible place of use encompassing that Property described in Exhibit A, situated in Custer County, Idaho,

Excepted from this conveyance and relinquishment of rights are any other water rights, including but not limited to the following rights: 34-10164, 34-00766, , 34-12401, 34-00755, 34-10167, 34-00764, 34-11583, 34-00757, 34-00363, 34-10166, 34-00758, 34-00364, 34-12408, 34-10165 (which has been split into 34-14020 and 34-14019) and the remaining portions of 34-00760 and 34-00363 (which are being conveyed to BBB Assets LLC).

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date: 9/4/13

THE HERBERT H. WHITWORTH, LLC, an Idaho
Limited Liability Company

By: Herbert H. Whitworth
HERBERT H. WHITWORTH, Manager

By: Sharon Whitworth
SHARON WHITWORTH, Manager

Date: 9/4/13

Herbert H. Whitworth
HERB WHITWORTH, JR.

State of Idaho)
County of Custer) S.S.

On this 4 day of September, in the year 2013, before me, the undersigned Notary in and for said State, personally appeared HERBERT H. WHITWORTH and SHARON WHITWORTH, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is(are) subscribed to the within instrument, and acknowledged that he(she)(they) executed the same.

HELEN A. MARINAC
NOTARY PUBLIC
STATE OF IDAHO

Helen A. Marinac
Notary Public
My Commission Expires on 9-2018

State of Idaho)
County of Custer) S.S.

On this 4 day of September, in the year 2013, before me, the undersigned Notary in and for said State, personally appeared HERB WHITWORTH, JR, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is(are) subscribed to the within instrument, and acknowledged that he(she)(they) executed the same.

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NOTARY PUBLIC
STATE OF IDAHO

Helen A. Marinac
Notary Public
My Commission Expires on 9-2018

LEGAL DESCRIPTION

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ALSO:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 8 NORTH, RANGE 22 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO; THENCE N. 88° 38' 10" E. 2605.43 FT. ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 11; THENCE N. 88° 38' 10" E. 877.54 FT. TO THE POINT OF BEGINNING. SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY OF HIGHWAY 93; THENCE N. 88° 38' 10" E. 425.18 FT. TO THE NORTHEAST CORNER OF THE WEST HALF NORTHEAST QUARTER SECTION 11; THENCE S. 01° 06' 45" E. 474.44 FEET ALONG THE EAST LINE OF SAID WEST HALF NORTHEAST QUARTER TO A POINT ON THE NORTHERLY RIGHT OF WAY OF HIGHWAY 93; THENCE N. 43° 05' 24" W. 635.69 FT. ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING.

Custer County Idaho MapServer

CHING REVOCABLE TRUST &
HCRSD, LLC PARCELS

-  Highways
-  County Road
-  Other Road
-  BLM
-  US Forest Service
-  State of Idaho
-  Township
-  Cities
-  USGS topos



This map/data is provided by Custer County, Idaho is for display purposes only. Custer County invokes its sovereign and governmental immunity in allowing access to or use of this data, and makes no warranties as to the validity, and assumes no liability associated with the use or misuse of this information.

0 730 1460 2190 ft

5/19/2014

