

RECEIVED

OCT 08 2013

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 63-2656C	Yes ☒	63-2656C 63-33808	Yes ☐		Yes ☐
PD 63-2656A	Yes ☒	63-26564	Yes ☐		Yes ☐
	Yes ☐	63- ~~83807~~ 33807	Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Arete Investment Group, LLC (63-2656A); Catherine Nelson (63-2656C)
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Hayden Homes Idaho, LLC (87.7%) & Arete Investment Group, LLC (12.3%)
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- See attached Contact Info. for New Owners
- 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: See attached
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 # 63-2656A

8. Signature: [Signature] Member - Arete Investment Group, LLC
Signature of new owner/claimant Title, if applicable Date 10/7/13
- Signature: [Signature] Land Manager - Hayden Homes Idaho, LLC
Signature of new owner/claimant Title, if applicable Date 10/7/2013

For IDWR Office Use Only:

Received by [Signature] Date 10-8-13 Receipt No. 1097842 Receipt Amt. 200.00

Approved by _____ Processed by [Signature] Date 11-13-13

Water Right Ownership Change:

Hayden Homes Idaho, LLC
c/o Bill Duffey
2464 SW Glacier Pl.
Redmond, OR 97756

Arete Investment Group, LLC
c/o Jeremy Telford
2048 W. Astonte St.
Meridian, Idaho 83646

Water Right Ownership Allocation:

Hayden Homes Idaho, LLC – 87.7%
Arete Investment Group, LLC – (12.3%)

Water Right Acquisition Dates:

- Arete Investment Group, LLC acquired No. 63-2656C on February 28th, 2013
- Arete Investment Group, LLC acquired No. 63-2656A on March 2nd, 2012
- Hayden Homes Idaho, LLC acquired **87.7%** of No. 63-2656C & No. 63-2656A on May 15th, 2013.
- Arete Investment Group, LLC retained ~~12.3%~~ of No. 63-2656C & No. 63-2656A on May 15th, 2013.
12.3%



ADA COUNTY RECORDER Christopher D. Rich AMOUNT 13.00 2
BOISE IDAHO 05/15/2013 04:43 PM
DEPUTY Che Fowler
Simplified Electronic Recording
RECORDED REQUEST OF
TITLEONE BOISE
113053520

Order Number: 13223312 to

Warranty Deed

For value received,

Arete Investments Group, LLC, an Idaho limited liability company

the grantor, does hereby grant, bargain, sell, and convey unto

Hayden Homes Idaho, LLC, an Idaho limited liability company

whose current address is 2464 SW Glacier Pl Redmond, OR 97756

the grantee, the following described premises, in Ada County, Idaho, to wit:

A parcel located in the Northeast quarter of the Southeast quarter of Section 26, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the Northeast corner of the Southeast quarter of said Section 26 from which a brass cap monument marking the Southeast corner of said Southeast quarter bears South 0°24'42" West a distance of 2637.57 feet; thence South 0°24'42" West along the Easterly boundary of said Southeast quarter a distance of 250.00 feet to a point, thence leaving said Easterly boundary North 89°35'18" West a distance of 45.00 feet to a 5/8 inch diameter iron pin on the Westerly right-of-way of N. Linder Road and the Point of Beginning; thence South 0°24'42" West along said Westerly right-of-way a distance of 213.48 feet to a 5/8 inch diameter iron pin; thence leaving said Westerly right-of-way North 89°35'18" West a distance of 95.00 feet to a 5/8 inch diameter iron pin; thence South 0°24'42" West a distance of 281.67 feet to a 5/8 inch diameter iron pin; thence North 89°35'18" East a distance of 95.00 feet to a 5/8 inch diameter iron pin on said Westerly right-of-way; thence South 0°24'42" West along said Westerly right-of-way a distance of 205.35 feet to a 5/8 inch diameter iron pin on the Northerly boundary of Lochsa Falls Subdivision No. 3 as shown in Book 66 of Plats on Page 9747, records of Ada County, Idaho; thence North 89°35'18" West along said Northerly boundary a distance of 307.71 feet to a 5/8 inch diameter iron pin; thence leaving said Northerly boundary North 0°24'42" East along the Easterly boundary of said Lochsa Falls Subdivision No. 3 and the Easterly boundary of Lochsa Falls Subdivision No. 1 as shown in Book 86 of Plats on page 9726, records of Ada County, Idaho, a distance of 700.50 feet to a 5/8 inch diameter iron pin; thence leaving said Easterly boundary South 89°35'18" East along the Southerly boundary of said Lochsa Falls Subdivision No. 1 a distance of 307.71 feet to the Point of Beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable; and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

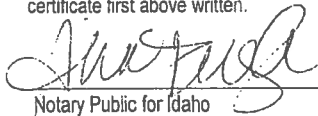
Arete Investments Group, LLC, an Idaho Limited Liability Company

By: 
Jeremy R. Telford, Managing Member

State of Idaho
County of Ada, ss.

On this 15th day of May 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeremy R. Telford, known or identified to me to be the Managing Member of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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



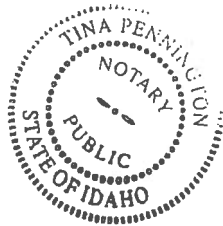
Notary Public for Idaho

Residing in:

My Commission Expires:

RESIDING IN BOISE, IDAHO

MY COMMISSION EXPIRES 3/11/2014



SPECIAL WARRANTY DEED

Order No. 109246

FOR VALUE RECEIVED

Deutsche Bank National Trust Company, as Trustee of the IndyMac INDX Mortgage Trust 2006-AR25, Mortgage Pass-Through Certificates, Series 2006-AR25 under the Pooling and Servicing Agreement dated July 1, 2006

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

Arete Investments Group, LLC

whose current address is

2151 W Teano Dr, Meridian, ID 83646

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

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 no encumbrances were initiated during the ownership of the undersigned nor is the undersigned aware of any such

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

Dated: MAR 02 2012

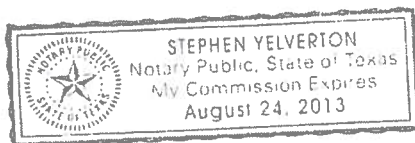
Deutsche Bank National Trust Company, as Trustee of the IndyMac INDX Mortgage Trust 2006-AR25, Mortgage Pass-Through Certificates, Series 2006-AR25 under the Pooling and Servicing Agreement dated July 1, 2006

BY: Jeannie Cisneros AVP/REO
OneWest Bank, FSB, Attorney in Fact

State of TEXAS }
County of TRAVIS } ss.

On this MAR 02 day of 2012, before me, a Notary Public in and for said state, personally appeared Jeannie Cisneros AVP/REO of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he/she/they executed the foregoing in said Corporation name and acknowledged to me that said corporation executed same as attorney in fact for Deutsche Bank National Trust Company, as Trustee of the IndyMac INDX Mortgage Trust 2006-AR25, Mortgage Pass-Through Certificates, Series 2006-AR25 under the Pooling and Servicing Agreement dated July 1, 2006.

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



Notary Public for the State of
Residing at TEXAS
Commission Expires TRAVIS

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

EXHIBIT "A"

109246

A part of the Northeast Quarter of the Southeast Quarter of Section 26, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

Commencing at the quarter corner common to Sections 25 and 26, Township 4 North, Range 1 West, Boise Meridian; thence

South 00°00'00" East 620.5 feet along the section line to the REAL POINT OF BEGINNING:
thence continuing

South 00°00'00" East 330 feet along the section line; thence leaving the section line

South 90°00'00" West 352.71 feet; thence

North 00°00'00" East 330 feet; thence

North 90°00'00" East 352.71 feet to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM that portion conveyed to the Ada County Highway District by an Instrument recorded February 6, 2008 as Instrument No. 108013365.



Pioneer Title Co.
SINCE 1920

775 S. Riverside Ln., Ste. 120
Eagle, ID 83616

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 501377

ADA COUNTY RECORDER Christopher D. Rich AMOUNT 13.00 2
BOISE IDAHO 02/28/2013 04:14 PM
DEPUTY Bonnie Oberbillig
Simplifile Electronic Recording
RECORDED REQUEST OF
PIONEER TITLE COMPANY OF ADA C 113022540

WARRANTY DEED

For Value Received

Catherine L. Nelson, a single person

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Arete Investment Group, LLC

hereinafter referred to as Grantee, whose current address is ~~2151 W. Tenth Drive Meridian, ID 83646~~

The following described premises, to-wit:

~~2151 W. Tenth Drive~~, Meridian, ID 83646

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: February 25, 2013


Catherine L. Nelson

State of Idaho, County of Ada

On this 28 day of February in the year of 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Catherine L. Nelson known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same


Residing at: _____ RESIDING IN KUNA, ID
Commission Expires: _____ COMMISSION EXPIRES 7-24-16



EXHIBIT A

A parcel of land situated in the North half of the Southeast quarter of Section 26, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the quarter corner common to Sections 25 and 26, Township 4 North, Range 1 West, Boise Meridian, thence

South 00°00'00" East 250.00 feet along the section line to the real point of beginning; thence continuing South 00°00'00" East 370.50 feet along the section line; thence leaving the section line South 90°00'00" West 352.71 feet; thence North 00°00'00" East 370.50 feet; thence North 90°00'00" East 352.71 feet to the real point of beginning.

Together with a non-exclusive easement on the northern 10.00 feet of the following described property;

Commencing at the quarter corner common to Sections 25 and 26, Township 4 North, Range 1 West, Boise Meridian; thence South 00°00'00" East 620.5 feet along the section line to the real point of beginning; thence continuing South 00°00'00" East 330 feet along the section line; thence leaving the section line South 90°00'00" West 352.71 feet; thence North 00°00'00" East 330.00 feet; thence North 90°00'00" East 362.71 feet to the real point of beginning.

EXCEPTING THEREFROM that portion deeded to Ada County Highway District by Warranty Deed recorded April 17, 2007, as Instrument No. 107054538, described as follows:

A parcel of land situated in the North ½ of the Southeast ¼ of Section 26, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, said parcel being a portion of land as described in warranty deed, filed as Instrument No. 9173837, records of Ada County, being more particularly described as follows:

Commencing at the East ¼ corner of said Section 26, thence South 0°00'00" East, 250.00 feet along the East boundary of said Section 26, a point being the Northeast corner of said warranty deed, said point being to the REAL POINT OF BEGINNING.

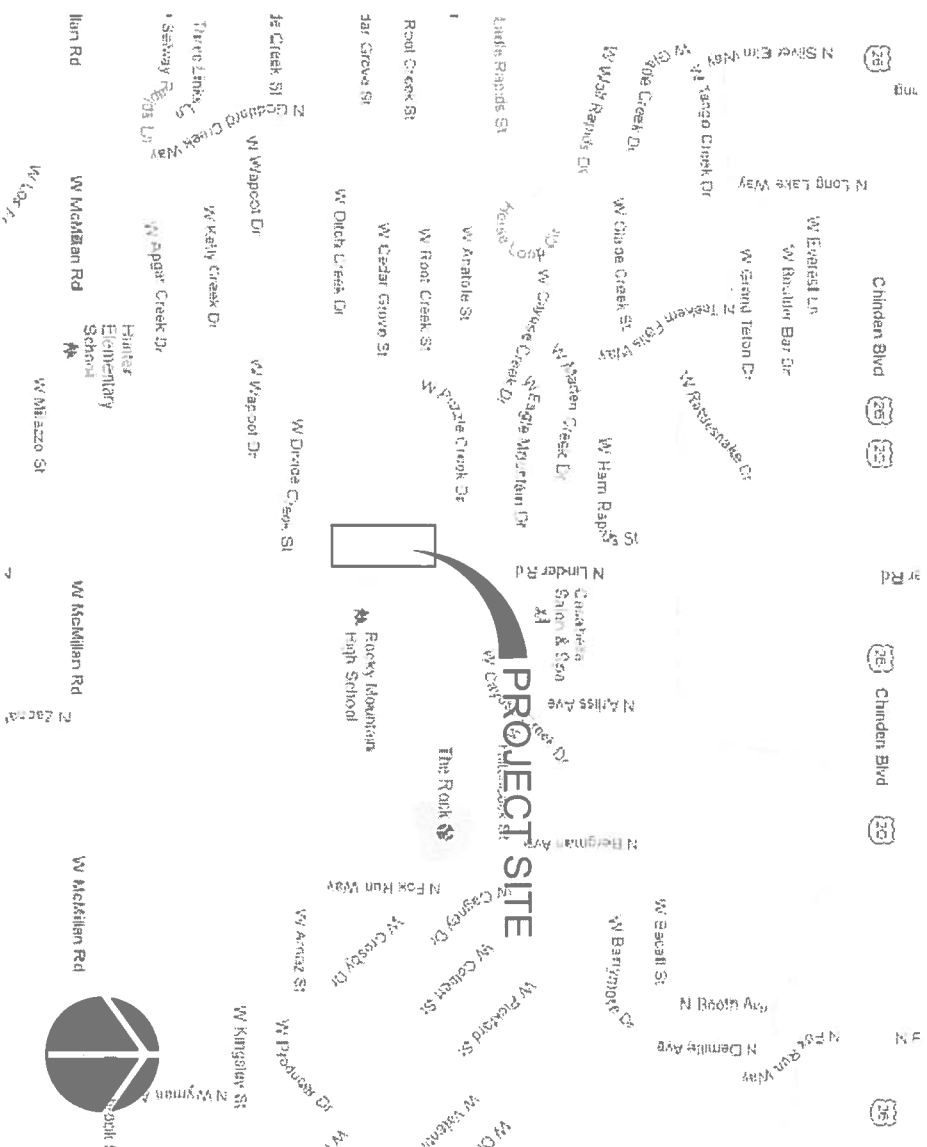
Thence continuing South 0°00'00" East, 370.50 feet along the East boundary of said Section 26 to a point being the Southeast corner of said Warranty Deed; thence

South 90°00'00" West 45.00 feet along the South boundary of said warranty deed to a point; thence

North 0°00'00" West, 370.50 feet parallel to the East boundary of said Section 26 to a point on the North boundary of said warranty deed; thence

North 90°00'00" East, 45.00 feet along said North boundary to the REAL POINT OF BEGINNING.

Vicinity Map



R-4

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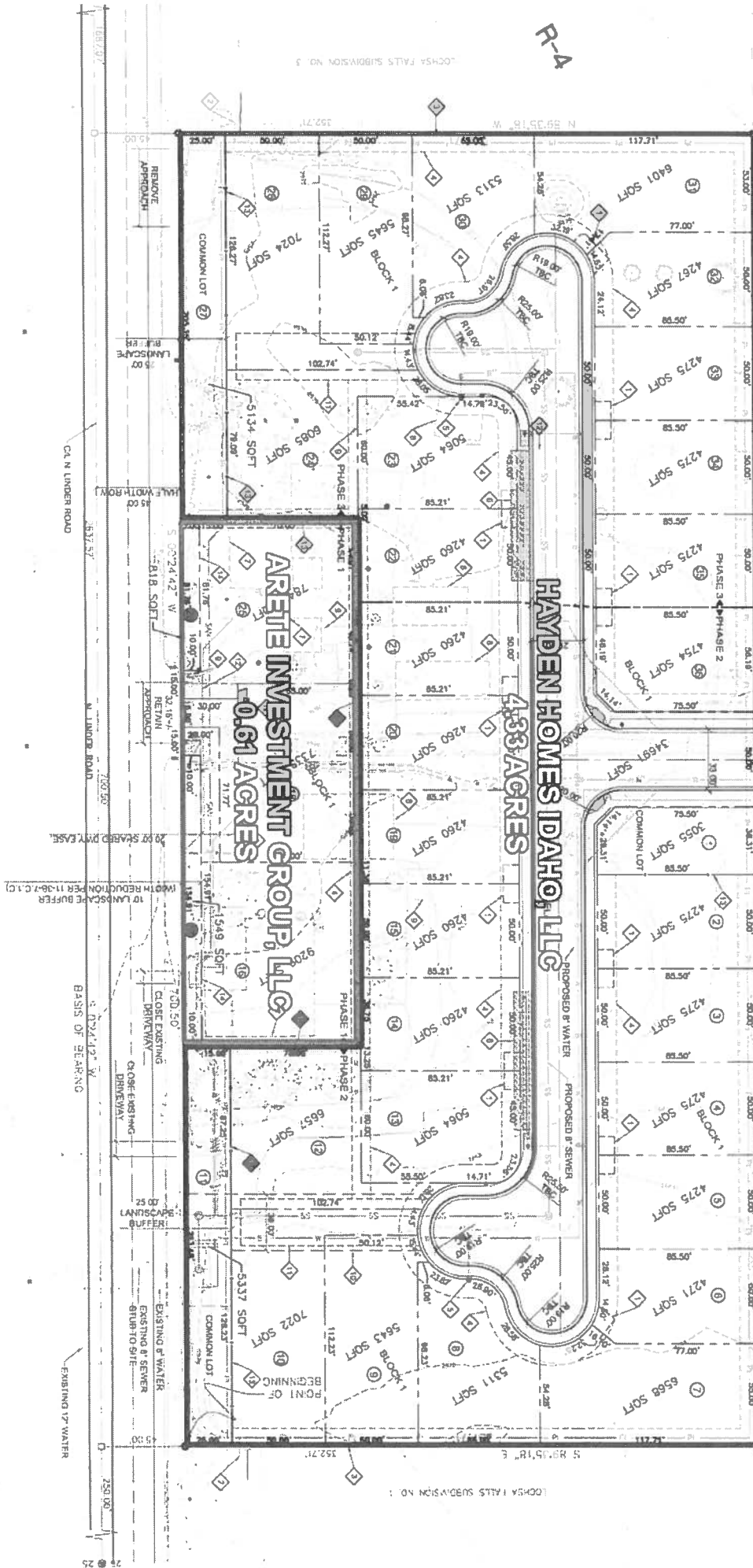
EXISTING
FIRE HYDRANT

EXPOSING & SEVERE

SALES & MARKETING

A-B

1 04 NCIS AGENTS STTY 1 45400



[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/7/2013

WATER RIGHT NO. 63-2656A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARETE INVESTMENTS GROUP LLC C/O JEREMY TELFORD 2151 W TEANO DR MERIDIAN, ID 83646 (208)577-0225
Attorney	JOHN M MARSHALL GIVENS PURSLEY LLP 601 W BANNOCK PO BOX 2720 BOISE, ID 83702 (208)388-1200
Original Owner	DOUGLAS CALDWELL
Original Owner	SUSAN CALDWELL 5375 N LINDER RD MERIDIAN, ID 83642 (208)888-7997

Priority Date: 01/06/1947

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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IRRIGATION	03/01	11/15	0.01 CFS	4.9 AFA
STOCKWATER	01/01	12/31	0.02 CFS	0.1 AFA
DOMESTIC	01/01	12/31	0.02 CFS	0.6 AFA
Total Diversion			0.05 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESE|Sec. 26|Township 04N|Range 01W|ADA County
GROUND WATER|NESE|Sec. 26|Township 04N|Range 01W|ADA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	01W	26		NESE 2										

Place of Use Legal Description: STOCKWATER ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	01W	26		NESE										

Place of Use Legal Description: DOMESTIC ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	01W	26		NESE										

Total Acres: 2

Conditions of Approval:

1. X02 Stockwater use is for 5 range cattle, goats, and chickens.
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined
2. C18 by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

- | | | |
|-----|-----|---|
| 3. | X01 | Domestic use is for 1 home. |
| 4. | W54 | Use of this right is combined with water from Settlers Irrigation District. |
| 5. | T07 | The right holder shall accomplish the change authorized by Transfer 71989 within one year of the date of the approval. |
| 6. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |
| 7. | 065 | The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right. |
| 8. | 105 | If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required. |
| 9. | R69 | This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above. |
| 10. | F02 | Two points of diversion located in T4N, R1W, S26, NESE. |

Dates:

Licensed Date:

Decreed Date: 02/16/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:
Mitigation Plan: False
Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/6/2012

WATER RIGHT NO. 63-2656C

Owner Type Name and Address

Current Owner CATHERINE I. NELSON
5555 N LINDER RD
MERIDIAN, ID 83642
(208)888-5610

Priority Date: 01/06/1947

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

IRRIGATION 03/15 11/15 0.01 CFS 9.76 AFA

Total Diversion 0.01 CFS

Location of Point(s) of Diversion:

GROUND WATER NESE Sec. 26 Township 04N Range 01W ADA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	01W	26		NESE	2.6									

Total Acres: 2.6

Conditions of Approval:

1. W54 Use of this right is combined with water from Settlers Irrigation District.
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK
2. S39 IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately
3. C18 determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Dates:

Licensed Date:

Decreed Date: 02/16/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False
