

DEV

RECEIVED

SEP 24 2012

WATER RESOURCES
WESTERN REGION

STATE 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 63-31760	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: First Western Capital Company, LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Hall Capital, LLC
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
c/o Greg Hall, PO Box 1298
Mailing address
Eagle ID 83616
City State ZIP
208-724-1752 greghallrealtor@gmail.com
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: August 31, 2012

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.

7. Signature: [Signature] member 9/19/2012
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 JIA Date 9/24/12 Receipt No. W040590 Receipt Amt. \$25.00
Approved by _____ Processed by RS Date 9.27.12



Recording Requested By and
When Recorded Return to:

Attn: _____

12211536 JG/CW

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, First Western Capital, LLC, a Utah Limited Liability Company("Grantor"), does hereby grant, bargain, sell and convey to Hall Capital, LLC, an Idaho Limited Liability Company (Grantee"), whose address. P.O. Box 1298 Eagle, Idaho 83616 all of Grantor's right, title and interest in and to the real property located in the Ada County, Idaho, legally described as follows:

See attached Exhibit "A"

Together with all appurtenances thereto (the "Property").

TO HAVE AND TO HOLD, the Property, with its all and singular appurtenances unto Grantee, and Grantee's heirs, successors and assigns forever.

Grantor hereby covenants with Grantee that the Property is free from all encumbrances made by Grantor and that Grantor will warrant and defend the Property against the lawful claims of all persons claiming by, through or under Grantor; subject, however, to (i) reservations or restrictions in federal patents or state or railroad deeds or in laws providing for such patents or deeds; (ii) building or use restrictions, building and zoning regulations and ordinances of any governmental unit; (iii) general taxes for the current year; and (iv) all easements, rights of way or other matters of record or that would appear from a survey or careful examination of the Property or on the title commitment issued by TitleOne authorized agent for Westcoast Land Title Insurance Company, dated August 16, 2012

DATED this 29th day of AUGUST, 20 12

First Western Capital, LLC

By: _____

STATE OF Utah

County of Summit

On this 29th day of August 2012 before me, the undersigned notary, a Notary Public in and for said State, personally appeared Ronald Kadziel, known or identified to me to be the managing member of the Limited Liability Company that executed the instrument or the person who executed the instrument on behalf of said Limited Liability Company, and acknowledged to me that such Limited Liability Company executed the 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.



Notary Public for Utah
Residing at 18141 Park Ave, Park City, UT 84060
My commission expires Apr 14, 2015

Exhibit A

Lots 4, 6, 7, 8, 9 and 14 in Block 1 of Highplains Estates Subdivision, according to the official plat thereof, filed in Book 93 of Plats at Page(s) 11161 through 11164, official records of Ada County, Idaho.

State of Idaho
Department of Water Resources

Water Right 63-31760

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

R01W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.0325 0.065 0.13 Miles



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

9/19/2012

WATER RIGHT NO. 63-31760

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FIRST WESTERN CAPITAL COMPANY LLC PO BOX 548 PARK CITY, UT 84060-0548 (435)649-3249
Directors Report Owner	SHIRLEY ADAMS SHARP 10686 W PATTIE BOISE, ID 83714 (208)378-4623
Directors Report Owner	HIGHPLAINS ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION INC C/O FIRST WESTERN CAPITAL LLC PO BOX 548 PARK CITY, UT 84060 (435)649-9556
Original Owner	CARLES MONTE POST
Original Owner	JOHN CLARK 6000 LITTLE FREEZEOUT RD CALDWELL, ID 83607 (208)453-8886

Priority Date: 09/29/1978

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>
IRRIGATION	03/15	11/15	0.05 CFS	13.5 AFA
Total Diversion			0.05 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNE|Sec. 21|Township 05N|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>
-----------------	--------------	----------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------

05N | 01W | 21 | | SWNE | 3 | | | | | | | | |

Total Acres: 3

Conditions of Approval:

- | | |
|--------|--|
| 1. C18 | 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 by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code. |
| 2. P21 | THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-31494. |
| 3. S39 | 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 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. |
| 4. T07 | The right holder shall accomplish the change authorized by Transfer 70782 within one (1) year of the date of this approval. |
| 5. 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. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an |
| 6. 01M | agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department. |
| 7. R65 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above. |
| 8. J01 | PROPERTY IS ALSO KNOWN AS LOT 14, BLK 1, HIGHPLAINS ESTATES SUBDIVISION. |

Dates:

Licensed Date:

Decreed Date: 07/30/2009

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: 0.02

Generic Max Volume per Acre: 4.5

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](#)