

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 22 2011

Notice of Change in Water Right Ownership

DEPARTMENT OF
WATER RESOURCES

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?
63-33249	Yes ☐		Yes ☐		Yes ☐
63-33255	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Developers of Hidden Springs, LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): M3 Eagle LLC
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
660 E. Civic Lane
Mailing address
Eagle ID 83616
City State ZIP
208-939-6813 BBrownlee@m3companiesllc.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: April 14, 2011

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] Manager, M3 Eagle LLC 12-22-11
Signature of new owner/claimant Title, if applicable Date
Signature: _____ Title, if applicable Date
Signature of new owner/claimant

For IDWR Office Use Only:

Received by SR7/DB Date 12-22-2011 Receipt No. C094488 Receipt Amt. \$50-
Approved by MVB Processed by 410 MVB Date 2/10/2012



SPECIAL WARRANTY DEED FOR WATER RIGHT

Developers of Hidden Springs, LLC, a Delaware limited liability company, whose address is c/o Ally/Corporate Services, 8400 Normandale Lake Boulevard, Suite 350, Bloomington, MN 55437 ("Grantor"), for ten dollars and other valuable consideration, hereby grants, bargains, sells, assigns, and conveys unto **M3 Eagle, L.L.C.** a Texas domestic limited liability company, whose address is 4222 E Camelback Road, Suite H-100, Phoenix Arizona, 85018-2721 ("Grantee"), and to Grantee's heirs, successors and assigns forever, all of Grantor's right, title and interest in the following described water rights:

Water Right No. 63-33249 and Water Right No. 63-33255 as more particularly described in the water right reports attached hereto as Exhibit A and made a part hereof (hereinafter the "Water Rights").

Grantor hereby covenants and warrants to Grantee as follows:

1. Grantor is the owner in fee simple of the Water Rights;
2. The Water Rights are free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor, and except as stated in item 3 below, Grantor has not sold, leased, assigned or otherwise conveyed any of the Water Rights, or any portion of them, to anyone other than Grantee;
3. Grantor has leased the Water Rights into the Idaho State Water Bank as shown in Exhibit B hereto; and
4. Grantor, and the person executing this instrument on Grantor's behalf, have the power and authority to convey the Water Rights to Grantee; and

Grantor makes no other covenants or warranties as to the Water Rights.

No land is conveyed by this instrument.

IN WITNESS WHEREOF, the undersigned has caused its name to be hereunto subscribed on this 14 day of April, 2011.

DEVELOPERS OF HIDDEN SPRINGS, LLC:

By: Krist A. Jenkins
KRIST A. JENKINS
Its: VILE PRESIDENT

STATE OF Minnesota)
) ss.
County of Hennepin)

On this 14 day of April, 2011, before me, a Notary Public for said County and State, personally appeared KRIST A. JENKINS, known or identified to me, to be one of the members of the limited liability company of DEVELOPERS OF HIDDEN SPRINGS, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company's name.

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



Tera J. Rautio
NOTARY PUBLIC FOR Minnesota
Residing at: Dakota County
My commission expires: 1-31-2015

EXHIBIT A
(Water Right Reports)

03/31/2011

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-33249

WATER RIGHT NUMBER: 63-33249

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PHILLIP L SCHICK
	, ZZ
Attorney	GIVENS PURSLEY LLP C/O MICHAEL C CREAMER PO BOX 2720 BOISE, ID 83701-2720 (208)388-1200
Directors Report Owner	DEVELOPERS OF HIDDEN SPRINGS INC 5892 W HIDDEN SPRINGS DR BOISE, ID 83703 (208)229-2323
Current Owner	DEVELOPERS OF HIDDEN SPRINGS LLC 8400 NORMANDALE LAKE BLVD STE 350 MC 01/12/12N MINNEAPOLIS, MN 55437 952-857-7637
Original Owner	GROSSMAN/HIDDEN SPRINGS DEVELOPMENT LLC C/O GROSSMAN FAMILY PROPERTIES 5215 DRY CREEK RD BOISE, ID 83703-9621 (208)338-3838

Priority Date: 11/02/1868

Basis: Decreed

Status: Water Supply Bank Active

<u>Source</u>	<u>Tributary</u>
DRY CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
IRRIGATION	03/01 to 11/15	1.500 CFS	
	<u>Total Diversion:</u>	1.500 CFS	

Location of Point(s) of Diversion

DRY CREEK	SE1/4SW1/4	Sec. 32, Twp 05N, Rge 02E, B.M.
ADA County		
DRY CREEK	SW1/4NE1/4	Sec. 5, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02E	5		X				X	X										
05N	02E	32								X	X	X	X				X		

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02E	5		9.4			26.8	6.2											42.4
05N	02E	32								.8	8.6	10.1	12.2				4.2		35.9

Total Acres: 78.3

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. 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.
3. X02 Stockwater use is for 200 head range cattle and 10 horses.
4. Right no. 63-33249, 63-33255 and 63-33256 are also diverted through the point of diversion located in the SWNE of Section 5.
5. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Remarks:

Dates and Other Information:

Licensed Date:
Decreed Date: 4/10/2007
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

Lessor Name: DEVELOPERS OF HIDDEN SPRINGS LLC
Lease Status: Active
Lease Amount: All
Rental Availability: All
Date Received: 5/22/2007
Lease Begin Date: 5/22/2007
Expiration Date: 12/31/2011

03/31/2011

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-33255

WATER RIGHT NUMBER: 63-33255

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GROSSMAN/HIDDEN SPRINGS DEVELOPMENT LLC C/O GROSSMAN FAMILY PROPERTIES 5215 DRY CREEK RD BOISE, ID 83703-9621 (208)338-3838
Attorney	GIVENS PURSLEY LLP C/O MICHAEL C CREAMER PO BOX 2720 BOISE, ID 83701-2720 (208)388-1200
Directors Report Owner	DEVELOPERS OF HIDDEN SPRINGS INC 5892 W HIDDEN SPRINGS DR BOISE, ID 83703 (208)229-2323
Current Owner	DEVELOPERS OF HIDDEN SPRINGS LLC 8400 NORMANDALE LAKE BLVD STE 350 MC 01/12/12N MINNEAPOLIS, MN 55437 952-857-7637

Priority Date: 03/15/1930

Basis: Decreed

Status: Water Supply Bank Active

<u>Source</u>	<u>Tributary</u>
DRY CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.100 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	1.100 CFS	

Location of Point(s) of Diversion

DRY CREEK	SE1/4SW1/4	Sec. 32, Twp 05N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	02E	31													

Total Acres: 54.8

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	02E	31													X	X	X	X	

Conditions of Approval:

1. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
2. X02 Stockwater use is for 200 head range cattle and 10 horses.
3. Right No(s). 63-33249, 63-33250 and 63-33256 are also diverted through the above point of diversion.
4. 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.

Remarks:

Dates and Other Information:

Licensed Date:
 Decreed Date: 4/10/2007
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
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Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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Water Supply Bank:

Lessor Name: DEVELOPERS OF HIDDEN SPRINGS LLC
 Lease Status: Active
 Lease Amount: All
 Rental Availability: All
 Date Received: 5/22/2007
 Lease Begin Date: 5/22/2007
 Expiration Date: 12/31/2011

EXHIBIT B
(Water Bank Acceptance)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK LEASE ACCEPTANCE

This is to certify that: DEVELOPERS OF HIDDEN SPRINGS
8400 NORMANDALE LAKE BLVD
STE 350 MC 01/12/12N
MINNEAPOLIS MN 55437
(952) 857-7637

has requested to lease the water right(s) listed below to the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board") being authorized to operate a bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director", "Department") the acquisition of water rights for the Board's Bank, agrees to lease the water right to the Bank as follows:

Summary of Water Rights or Portions Leased to the Bank

	<u>Water Right</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
	63-33249	1.50 CFS	N/A	N/A	78.3 AC
	63-33255	1.10 CFS	N/A	N/A	54.8 AC
COMBINED LEASE TOTALS:		1.60 CFS	N/A	N/A	133.1 AC

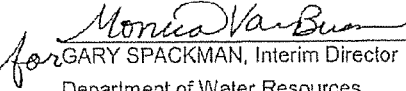
TERM OF LEASE: Lease Begin Date: January 1, 2011
Expiration Date: December 31, 2011

RENTAL AVAILABILITY: Season of Use: 03/01 to 11/15

MINIMUM PAYMENT ACCEPTABLE: Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 31st day of March, 2011


for GARY SPACKMAN, Interim Director
Department of Water Resources

