

DE✓

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 26 2011
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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?
37-13327 ^h	Yes ☐	37-13332 [*]	Yes ☐		Yes ☐
37-13328 [*]	Yes ☐	37-13333	Yes ☐		Yes ☐
37-13329 [*]	Yes ☐	37-20275 ^{AJ}	Yes ☐		Yes ☐
37-13330 ^h	Yes ☐		Yes ☐		Yes ☐
37-13331 ^h	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Frisbie, Barbara J & Edward D
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Hill City, LLC
Name of each new owner as listed on the conveyance document
Brett & Patricia Family Trust / Bashaw Family Trust
New owner continued ☐ Name connector ☐ and ☐ or ☒ and/or
PO Box 767
Mailing address
Picabo ID 83348
City State ZIP
(208)788-3664 jerryb1@hughes.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: November 9, 2010
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: Gerald Bashaw Gerald Bashaw, Partner/Trustee 07/20/2011
Signature of new owner/claimant Title, if applicable Date
- Signature: BD Bashaw BD Bashaw, Partner/Trustee 07/20/2011
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by X Date 7/27/11 Receipt No. 5032059 Receipt Amt. \$20.00
Approved by _____ Processed by _____ Date _____

FA-19548

THIS DOCUMENT IS BEING RE-RECORDED
TO CORRECT THE LEGAL DESCRIPTION.

WARRANTY DEED

FOR VALUE RECEIVED

Edward D. Frisbie and Barbara J. Frisbie, husband and wife

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

Hill City, LLC,

GRANTEE(s) whose address is: 77 North Picabo Road, Picabo, ID 83348

The following described real property in CAMAS County, Idaho to wit:

SEE ATTACHED LEGAL DESCRIPTION

Subject to: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 5, 2010

Edward D. Frisbie
Edward D. Frisbie

Edward D. Frisbie 5-13-11

State of IDAHO
County of ELMORE

Barbara J. Frisbie
Barbara J. Frisbie

Barbara J. Frisbie 5/13/11

On November 5, 2010 before me, a notary public in and for said State, personally appeared **Edward D. Frisbie and Barbara J. Frisbie**, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

REBECCA E. HUGHES
NOTARY PUBLIC
STATE OF IDAHO

Rebecca E. Hughes
Notary Public

Residing at: Mountain Home, Idaho

Commission Expires: 1/30/16

CAMAS COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE
2:14:15 pm 11-09-2010
2010-083385
NO. PAGES: 2 FEE: \$13.00
ROLLIE BENNETT
COUNTY CLERK
DEPUTY: BHALTON

CAMAS COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE
2:52:35 pm 05-26-2011
2011-083769
NO. PAGES: 4 FEE: \$19.00
KORRI BLODGETT
COUNTY CLERK
DEPUTY: KLODGETT

STATE OF IDAHO)

COUNTY OF Canyon) ss.

On this 13th day of May, in the year of 2011, before me, the undersigned, personally appeared Edward D. Frisbie and Barbara J. Frisbie, known or identified to me (or proved to me), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Blanca E. Acosta

Notary Public of Idaho Blanca E. Acosta
Residing at: Residing in Nampa, Idaho
Commission Expires: My Commission Expires 9/16/2011



Exhibit "A"

Parcel I

Township 1 South, Range 12, East of the Boise Meridian, Camas County, Idaho.

Section 19: All that part described as follows:

Beginning at the Southwest corner of said Section 19; thence East to the Southeast corner of said Section 19; thence North 1,320.00 feet, more or less, to the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 19; thence West 1,320.00 feet, more or less, to the Northwest corner of the Southeast Quarter of the Southeast Quarter; thence North 205.00 feet, more or less, to a point 1,525.00 feet North of the South line of said section 19; thence West to a point on the North-South center line of said Section 19, that is 1,474.00 feet North of the South line of said Section 19; thence Southwesterly to a point on the East line of Lot 4, 625.00 feet North of the South line of said Section 19; thence Southwesterly to the Point of Beginning.

Tax Lot 1707

Parcel II

Township 1 South, Range 12, East of the Boise Meridian, Camas County, Idaho

Section 30: More particularly described as follows:

Lots 1,2,3,4; the East one-half of the West one-half; the Northeast Quarter; the North one-half of the Southeast Quarter; and the Southwest Quarter of the Southeast Quarter, EXCEPT Highway Right of Way as described in Book 20 of Deeds at Page 423, records of Camas County, Idaho.

Excepting there from the following described parcel:

A parcel of land in the SW1/4SE1/4, Section 30, Township 1 South, Range 12 E.B.M.

The East 429 feet of the SW1/4SE1/4, EXCEPT Highway Right-of-Way as described in Book 20 Deeds, Page 423, records of Camas County, Idaho.

Tax Lot 1713

Also excepting there from the following described parcel:

Township 1 South Range 12 East, Boise Meridian, Camas County, Idaho

Section 30: A tract of land located in the SW1/4SW1/4, more particularly described as follows:

Commencing at the brass cap monument marking the Southwest corner of said section 30, thence
N. 04°07'15" W. 47.63 feet along the boundary between Township 1 South, Ranges 11 and 12 East, to a point on the Northerly right-of-way line of US Highway 20 to a set 5/8" iron pin, which is the Real Point of Beginning of this description;

Thence N. 04°07'15" W. 934.00 feet along the West boundary of said Township 1 South, Range 12 East, to a set 5/8" iron pin, from which the Northwest corner of said section 30 bears N. 04°07'15" W. 4310.02 feet, said corner is marked with a brass cap monument; thence N. 86°02'39" E. 198.35 feet to a set 5/8" iron pin; thence S. 04°07'15" E. 934.00 feet to a point on said Northerly right-of-way of U.S. Highway 20, said point is marked with a steel gate post; thence S. 86°02'39" W. 198.35 feet along said right-of-way to the Real Point of Beginning.
Tax Lot 1660

Also excepting there from the following described parcel:

A tract of land lying in the South ½ of Section 30, Township 1 South, Range 12 East of the Boise Meridian, Camas County, Idaho, more particularly described as follows:

Commencing at the Section corner common to Sections 25 and 36 of Township 1 South, Range 11 East of the Boise Meridian and Sections 30 and 31 of Township 1 South, Range 12 East of the Boise Meridian, said corner is marked with a brass cap monument located near the center line of U.S. Highway 20; thence
North 04°07'15" West 47.63 feet to a found 5/8 inch iron pin. Said iron pin is on the northerly right-of-way of U.S. Highway 20; thence
North 86°02'18" East 198.35 feet shown of record to be North 86°02'39" East along said right-of-way to a steel gate post which is the Real Point of Beginning. Thence continuing
North 86°02'18" East 3,126.81 feet along said right-of-way to a set 5/8 inch iron pin; thence
North 00°03'46" West 1103.60 feet to a set 5/8 inch iron pin; thence
South 86°02'39" West 3204.91 feet to a found 5/8 inch iron pin; thence
South 04°07'15" East 167.38 feet to a found 5/8 inch iron pin; thence continuing
South 04°07'15" East 934.00 feet to the Real Point of Beginning.
Tax Lot 1691

WARRANTY DEED

FOR VALUE RECEIVED

Edward D. Frisbie and Barbara J. Frisbie, husband and wife

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

Hill City, LLC,

GRANTEE(s) whose address is: 77 North Picabo Road, Picabo, ID 83348

The following described real property in ELMORE County, Idaho to wit:

SEE ATTACHED LEGAL DESCRIPTION

Subject to: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 5, 2010

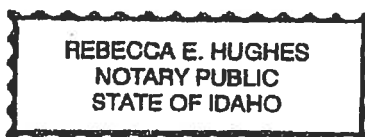
Edward D. Frisbie
Edward D. Frisbie

Barbara J. Frisbie
Barbara J. Frisbie

State of IDAHO
County of ELMORE

On November 5, 2010 before me, a notary public in and for said State, personally appeared Edward D. Frisbie and Barbara J. Frisbie, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal.



Rebecca E. Hughes
Notary Public
Residing at: Mountain Home, Idaho
Commission Expires: 1/30/16

LEGAL DESCRIPTION

Township 1 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 13: The South Half of the South Half

Section 24: All

Section 25: All

SAVE AND EXCEPT that portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ lying Southerly of State Highway No. 68

AND SAVE AND EXCEPT

That portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said section, more particularly described as follows:

Commencing at the brass cap monument marking the Southeast corner of said Section 25, thence N. 04°07'15" W. 47.63 feet along the boundary between Township 1 South, Ranges 11 and 12 East, to a point on the Northerly right-of-way line of US Highway 20 to a set 5/8" iron pin, which is the Real Point of Beginning of this description.

Thence continuing N. 04°07'15" W. 934.00 feet along the East boundary of said Township 1 South, Range 11 East, to a set 5/8" iron pin, from which the Northeast corner of said Section 25, bears N. 04°07'15" W. 4310.02 feet, said Northeast corner is marked with a brass cap monument;

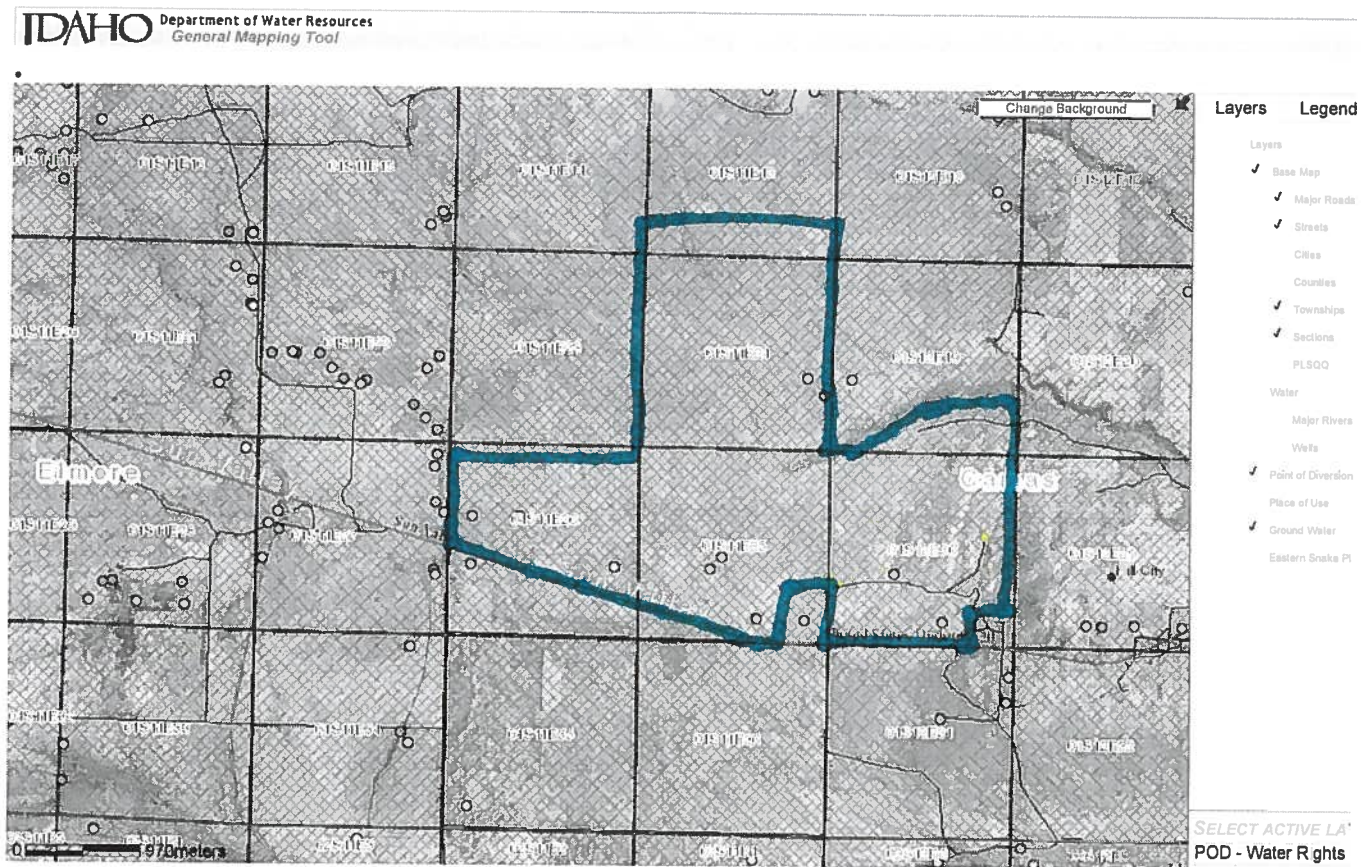
Thence S. 88°02'39" W. 735.65 feet to a point marked with a set 5/8 inch iron pin;

Thence S. 04°07'15" E. 934.00 feet to a point on the Northerly right-of-way of US Highway 20, said point is marked with a set 5/8 inch iron pin;

Thence N. 88°02'39" E. 735.65 feet to a point marked with a set 5/8 inch iron pin.

Section 26: All; Save and Except the S $\frac{1}{2}$ SW $\frac{1}{4}$; all that portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$ lying Southerly of State Highway No. 68.

Section 27: That portion of the SE $\frac{1}{4}$ lying Northerly of State Highway No. 68.



Customer(s): HILL CITY LLC

District: ELMORE SOIL & WATER CONSERVATION DISTRICT

Legal Description: T1S, R11E, Sec 13, 24-26

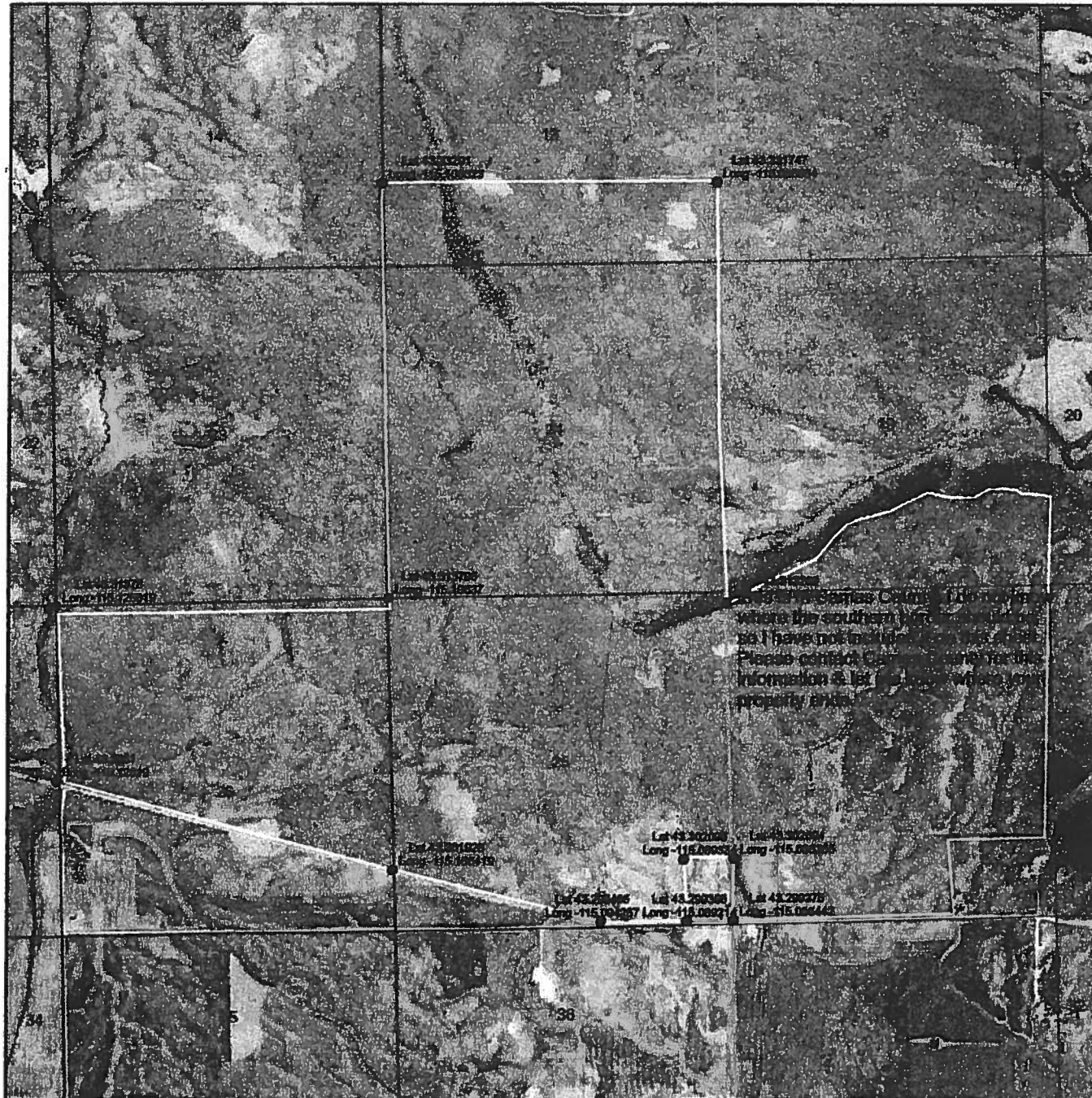
T1S, R12E, Sec 19, 30

Field Office: MOUNTAIN HOME

Agency: NRCS

Assisted By: MARIKA KEARSLEY

Land Units: Farm: 332, Tract: 460



Legend

- corners
- Consplan





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Sept 30, 2011

HILL CITY LLC
PO BOX 767
PICABO ID 83348

RE: Change of ownership Water Rights: 37-13327, 37-13328, 37-13329, 37-13330, 37-13331, 37-13332, 37-20275; Comments 37-13333

Dear Water Right Owners,

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

In research for this ownership change, water right 37-13333 was discovered to be a domestic /stock right I believe to be owned by Rick Berndt. He purchased his property in 2006 from the Frisbies.

If you feel my finding is in error please free to resubmit this right with the proper support documentation and fees in the future. I have requested a \$25 refund to be sent to you from fiscal.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov. Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Carrie Hahn
Clerk
Enclosures