

DE ✓

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 12 2011

DEPT. OF WATER RESOURCES
SOUTHERN 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?
36-7108	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Elliott Bay Ventures, LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Harper Land, L.L.C.
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
672 West 100 South
Mailing address
Paul, ID 83347
City State ZIP
208-438-4194
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: May 9, 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: See attached page
Signature of new owner/claimant Title, if applicable Date

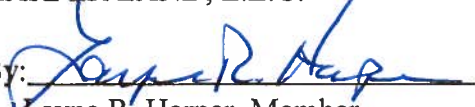
Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by CLH Date 5/12/11 Receipt No. 5031928 Receipt Amt. \$2500
Approved by _____ Processed by _____ Date _____

HARPER LAND, L.L.C.

By:


Layne R. Harper, Member

By:


Kevin D. Harper, Member

By:


Eric T. Harper, Member

Recorded ElectronicallyID 512360
County MINIDOKA
Date 05-10-2011 Time 02:14:42 pm
Simplifile.com 800.460.5657**WARRANTY DEED**

#48355MC

For Value Received

Elliott Bay Ventures, LLC, a Washington limited liability company

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Harper Land, L.L.C., an Idaho limited liability company**Address: 672 West 100 South
Paul, ID 83347****Recorded Electronically**ID 2112285
County Jerome
Date 05-10-2011 Time 02:47:51 pm
Simplifile.com 800.460.5657Hereinafter called the Grantee, the following described premises situated in **Minidoka** County, Idaho, to-wit:**PARCEL NO. 1:****TOWNSHIP 10 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

Section 17: Lot 3 and Tract J

Section 18: Tract L

Section 20: Lots 4 and 5

Section 19: Lots 6, 7, 8, 9 and 10 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, **EXCEPTING THEREFROM** the following described tracts:**Tract No. 1:**

Beginning at the corner of Sections 18 and 19, Township 10 South, Range 22 East of the Boise Meridian and Sections 13 and 14, Township 10 South Range 21 East of the Boise Meridian, Minidoka County, Idaho; thence South to the North high water line of the Milner Reservoir; thence in an Easterly direction along high water line for 390 feet to the TRUE POINT OF BEGINNING; Thence in an Easterly direction along high water line for 1614 feet, more or less, to a point of intersection of an existing North and South road extended to the high water line of the Milner Reservoir; Thence along said road in a Northerly direction for 660 feet; Thence in a Westerly direction on a line parallel with the North shore line of the Milner Reservoir for 1500 feet; Thence in a Southerly direction for 660 feet, more or less, to the TRUE POINT OF BEGINNING,

Tract No. 2:

Beginning at the West $\frac{1}{4}$ section corner of Section 19, Township 10 South, Range 22 East, Boise Meridian, said corner marked by a 5/8" rebar; Thence South 00°05'27" West along section line for 1206.43 feet to the high water line of the Snake River; Thence South 83°13'21" East along the high water line of the Snake River for 85.98 feet; Thence North 82°57'33" East along said high water line for 304.02 feet; Thence North 03°31'11" West (recorded Northerly) for 673.48 feet (recorded 660.0 feet); Thence North 60°42'25" East (recorded Easterly, parallel with the North shore line of Milner Reservoir), for 1500.00 feet to a point on the centerline of an existing road; Thence South 13°36'09" East (recorded Southerly along said road), for 33.45 feet to a $\frac{1}{2}$ inch rebar which shall be the POINT OF BEGINNING, said point lying North 83°19'24" East for 1671.24 feet from the West $\frac{1}{4}$ section corner of Section 19 of Township 10 South, Range 22 East, Boise Meridian;

Thence South 39°29'16" East for 435.61 feet to a $\frac{1}{2}$ " rebar;

Thence South 39°29'16" East for 25.00 feet to a point on the high water line of the Snake River;

Thence South 68°48'57" West along said high water line for 25.82 feet;

Instrument # 512368

MINIDOKA COUNTY, RUPERT, IDAHO
06-10-2011 02:14:42 PM No. of Pages: 6
Recorded for: LAND TITLE AND ESCROW - BURLEY
PATTY TEMPLE Fee: \$22.00
Ex-Officio Recorder Deputy Kenna Watson
Electronically Recorded by Simplifile

WARRANTY DEED

#48355MC

For Value Received

Elliott Bay Ventures, LLC, a Washington limited liability company

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Harper Land, L.L.C., an Idaho limited liability company

**Address: 672 West 100 South
Paul, ID 83347**

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MINIDOKA COUNTY, IDAHO**

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Section 18: Tract L

Section 20: Lots 4 and 5

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Tract No. 2:

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Thence South 39°29'16" East for 435.61 feet to a $\frac{1}{2}$ " rebar;

Thence South 39°29'16" East for 25.00 feet to a point on the high water line of the Snake River;

Thence South 68°48'57" West along said high water line for 25.82 feet;

Instrument # 2112285

JEROME COUNTY, JEROME, IDAHO
06-10-2011 02:47:37 PM No. of Pages: 6
Recorded for: LAND TITLE AND ESCROW - BURLEY
MICHELLE EMERSON Fee: \$22.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

WARRANTY DEED

#48355MC

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Tract No. 2:

Beginning at the West $\frac{1}{4}$ section corner of Section 19, Township 10 South, Range 22 East, Boise Meridian, said corner marked by a 5/8" rebar; Thence South 00°05'27" West along section line for 1206.43 feet to the high water line of the Snake River; Thence South 83°13'21" East along the high water line of the Snake River for 85.98 feet; Thence North 82°57'33" East along said high water line for 304.02 feet; Thence North 03°31'11" West (recorded Northerly) for 673.48 feet (recorded 660.0 feet); Thence North 60°42'25" East (recorded Easterly, parallel with the North shore line of Milner Reservoir,), for 1500.00 feet to a point on the centerline of an existing road; Thence South 13°36'09" East (recorded Southerly along said road), for 33.45 feet to a $\frac{1}{2}$ inch rebar which shall be the POINT OF BEGINNING, said point lying North 83°19'24" East for 1671.24 feet from the West $\frac{1}{4}$ section corner of Section 19 of Township 10 South, Range 22 East, Boise Meridian; Thence South 39°29'16" East for 435.61 feet to a $\frac{1}{2}$ " rebar; Thence South 39°29'16" East for 25.00 feet to a point on the high water line of the Snake River; Thence South 68°48'57" West along said high water line for 25.82 feet;

Thence South 02°33'47" East along said high water line for 180.09 feet;
Thence South 54°22'39" West along said high water line for 87.86 feet;
Thence South 77°18'57" West along said high water line for 59.57 feet to a point on the extended centerline of the aforementioned road;
Thence North 13°36'09" West (recorded Northerly along said extended road) for 626.55 feet to the POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 18: Tract A, **EXCEPTING THEREFROM** the following described tracts:

TRACT NO. 1:

Beginning at the Northwest corner of Tract A and the Northeast corner of Tract B;
Thence South 3°24' East 1630.86 feet along the line between Tract A and Tract B to a point which is the brass cap between Tract B and Tract F;
Thence North 62°15'22" East 1460.55 feet to a point;
Thence North 69°11'22" East 344.93 feet to a point;
Thence North 0°38'45" West 308.74 feet to a point on Lateral "D";
Thence North 59°10' West 994.16 feet along Lateral "D" to a point on the county road right of way;
Thence North 89°30' West 367.62 feet along section line to the quarter corner of said Section 18;
Thence North 89°31'30" West 487.08 feet along section line to the TRUE POINT OF BEGINNING.

TRACT NO. 2:

Beginning at the North quarter section corner of said Section 18, said corner marked by a 5/8 inch rebar;
thence South 89°30' East (Basis of Bearing) along the section line for 367.62 feet to a P.K. nail;
thence South 59°10' East along the centerline of an irrigation lateral for 994.16 feet to a 1/2 inch rebar which shall be the POINT OF BEGINNING;
Thence South 0°04'50" West (South 0°38'45" East recorded) for 301.16 feet to a 1/2 inch rebar;
Thence South 47°09'49" East for 542.76 feet to the centerline of the Main Canal;
Thence North 4°53'00" West for 636.15 feet;
Thence South 85°08' West for 248.16 feet;
Thence North 59°10' West for 112 feet to a 1/2 inch rebar which is the POINT OF BEGINNING.

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 18: Tracts H, J and K

Section 19: Tract A and Lot 5

EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of Lot 5 in said Section 19, said corner marked by a 5/8 inch rebar;
Thence North 00°05'27" East along the West line of Section 19 for a distance of 10.00 feet to the Point of Beginning;
Thence North 00°05'27" East along the West line of Section 19 for a distance of 176.22 feet to a 1/2 inch rebar;
Thence South 89°46'32" East for a distance of 426.56 feet to a 1/2 inch rebar;
Thence South 03°26'39" East for a distance of 48.69 feet;
Thence South 89°24'04" East for a distance of 53.43 feet;

Thence South 03°26'39" East for a distance of 130.75 feet;
Thence North 89°24'04" West for a distance of 491.07 feet to the Point of Beginning.

PARCEL NO. 4:

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 19: Part of Lot 5 more particularly described as follows:

Beginning at the Southwest corner of Lot 5 in Section 19, said corner marked by a $\frac{5}{8}$ inch rebar; Thence North 00°05'27" East along the west line of Section 19 for a distance of 10.00 feet to the Point of Beginning;

Thence North 00°05'27" East along the west line of Section 19 for a distance of 176.22 feet to a $\frac{1}{2}$ inch rebar;

Thence South 89°46'32" East for a distance of 426.56 feet to a $\frac{1}{2}$ inch rebar;

Thence South 03°26'39" East for a distance of 48.69 feet;

Thence South 89°24'04" East for a distance of 53.43 feet;

Thence South 03°26'39" East for a distance of 130.75 feet;

Thence North 89°24'04" West for a distance of 491.07 feet to the Point of Beginning.

PARCEL NO. 5:

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 19: S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 6:

An easement for ingress and egress for the benefit of Parcel No. 5 as contained in Trustee's Deed dated September 16, 2004 and recorded September 17, 2004 as Instrument No. 474418, records of Minidoka County, Idaho, over the South 25 feet of the following:

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 19: S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL NO. 7:

TOWNSHIP 10 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 24: NW $\frac{1}{4}$ SE $\frac{1}{4}$; Lots 1 and 4

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Adjudication No. 36-7108.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2011 and subsequent years.

Assessments of the A & B Irrigation District and the rights and powers of said District as by law provided.

Assessments levied, or to be levied, by Magic Valley Ground Water District.

A Power Line Easement, dated December 9, 1949, executed by Edwin Damman, a bachelor, and Lake View Farms Incorporated, Grantors, to Idaho Power Company, a corporation, Grantee, recorded November 20, 1952 in Book 29 of Deeds, Page 470, Minidoka County records.

Release and Easement, dated May 20, 1953, between Enoch Wall and Ethel Wall, husband and wife, Victor C. Bowman and Estella Bowman, husband and wife, Edwin Damman, a single man, John Drew and Elaine H. Drew, husband and wife, and Lakeview Farms, Inc., an Idaho corporation, parties of the first part, and Twin Falls Canal Company, an Idaho corporation acting on its own behalf and as a representative of all of the owners of Milner Dam, party of the second part, recorded June 1, 1953 in Book 3 of Bonds and Agreements as Instrument No. 115039 on Page 171, Minidoka County records, and recorded June 10, 1953 in Book 150, Page 284, Jerome County records.

Provisions of a Contract between the United States of America, and the A & B Irrigation District, recorded March 19, 1962 in Book 164, Page 573, as Instrument No. 149779, Jerome County records, and recorded February 23, 1962 on Film No. 9, as Instrument No. 155317, Minidoka County records.

Reservation in U. S. Patent to Fred P. Kasworm and Lenora V. Kasworm, dated July 14, 1966 and recorded August 24, 1966 as Document No. 185933, records of Minidoka County, Idaho.

A Power Line Easement, dated July 24, 1970, executed by Billie L. Vandever and Virginia E. Vandever, his wife, to Idaho Power Company, a corporation, recorded November 18, 1970 as Instrument No. 213050, Minidoka County records.

Easement disclosed by Quitclaim Deed executed by Billie L. Vandever and Virginia E. Vandever, husband and wife, to Billie C. Vandever and Vicki Vandever, husband and wife, dated June 18, 1985 and recorded June 24, 1985 as Instrument No. 355053, records of Minidoka County, Idaho.

Terms, conditions and provisions contained in Well Agreement by and between Billie C. Vandever and Vicki Vandever, husband and wife, Parties of the First Part, and Billie L. Vandever and Virginia Vandever aka Virginia E. Vandever, husband and wife, Parties of the Second Part, dated January 20, 2000, recorded January 26, 2000 as Instrument No. 445913, records of Minidoka County, Idaho.

Power Line Easement executed by Billie L. Vandever and Virginia Vandever to Idaho Power Company, a corporation, dated April 11, 2001 and recorded January 24, 2003 as Instrument No 463436, records of Minidoka County, Idaho.

Any adverse claim based on the assertion that the location of the Snake River has moved.

Any adverse claim based on the assertion that some portion of said land is now or at any time has been within the boundaries of the Snake River or any other navigable body of water or by reason of the fact or claim that any portion or portions thereof have been rendered unnavigable by artificial means or have accreted to such portions so created.

Any rights, interests or easements in favor of the public which exist or are claimed to exist over any part of said land covered by water.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors and assigns of the Grantee forever. The 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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 9, 2011

ELLIOTT BAY VENTURES, LLC

By: William Weisfield
William Weisfield, Manager

STATE OF WASHINGTON)
)ss.
COUNTY OF King)

On this 6th day of May, 2011, before me, the undersigned, a Notary Public, personally appeared **William Weisfield**, known or identified to me to be the manager of **Elliott Bay Ventures, LLC**, the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.



Sharon L. Neff
Notary Public
Residing at: Seattle, WA
My Commission Expires: 2-28-15