

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 08 2011

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN 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?
PD 65-3504	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Iva E. and Joe A. Webster
Name of current water right holder/claimant

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

New owner continued Name connector ☐ and ☐ or ☐ and/or
c/o Steve Loomis, 7154 W. State St., #187
Mailing address
Boise ID 83714
City State ZIP
208-793-4420
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: December 1, 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: Steve Loomis Member 1/31/11
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 gph Date 2-8-11 Receipt No. W038981 Receipt Amt. 125

Approved by gph Processed by gph Date 2-25-11

(\$25 for own. change)

Instrument # 199332

IDAHO CITY, BOISE COUNTY, IDAHO

2004-11-10

04:37:34 No. of Pages: 2

Recorded for : SANDS LLC

RORA A. CANODY

Fee: 6.00

Ex-Officio Recorder

Deputy

Index to: OREGON

WARRANTY DEED

FOR VALUE RECEIVED, DR&J INVESTMENTS LIMITED PARTNERSHIP, a Nevada limited partnership, the Grantor, does hereby grant, bargain, sell, and convey unto SANDS LLC, an Idaho limited liability company, Grantee, whose current address is 7145 W. State St #187, Boise, Idaho 83703, the following water rights as they are described on the records of the Idaho Department of Water Resources: #65-02035, #65-03504, and #65-11141.

Along with all easements, rights-of-way, and existing and natural watercourses associated with said water rights.

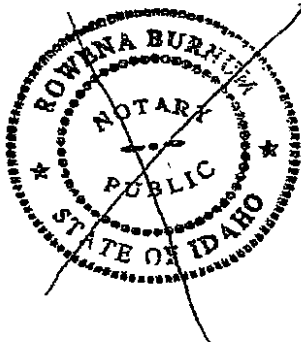
To have and to hold the said water rights, together with said easements, rights-of-way, and existing and natural watercourses, unto the said Grantee, its heirs and assigns forever. And the said Grantor hereby covenants to and with said Grantee, that it is the owner in fee simple of said water rights and appurtenances; that the said water rights and appurtenances are free from all encumbrances; and, that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 8th day of Nov., 2004.

DR&J INVESTMENTS LIMITED PARTNERSHIP,
a Nevada Limited Partnership

By:

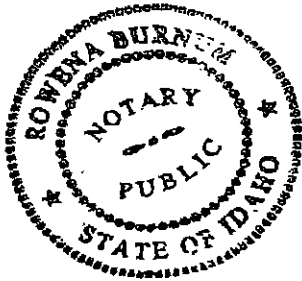

DR Holdings, Inc., General Partner,
Donald J. Rumsey, President



STATE OF IDAHO,)
) ss.
County of Ada.)

On this 8th day of Nov., 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared **DONALD J. RUMSEY**, known and/or identified to me to be President of DR Holdings, Inc., the corporation which is a general partner of the partnership of DR&J Investments Limited Partnership, and subscribed said partnership name to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.

WITNESS MY HAND AND OFFICIAL SEAL.





NOTARY PUBLIC for Idaho
My Commission Expires: 6-10-2006

Filed

OCT 13 2010

300
No

CONSTANCE SWEARINGEN, Clerk

By

DEPUTY

Jerry A. Kiser
STOPPELLO & KISER
ATTORNEYS AT LAW
620 West Hays Street
Boise, Idaho 83702
Telephone: (208) 336-1020
Facsimile: (208) 336-1027
Idaho State Bar No. 3719

Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BOISE

SANDS LLC, an Idaho limited
liability company,)

Plaintiff/
Counterdefendant,)

Case No. CV-2008-255

-vs-)

TIMOTHY S. SWENSON and)
JENNIFER SWENSON, Husband)
and Wife; ALL PERSONS)
CLAIMING ANY RIGHT, TITLE,)
ESTATE, LIEN OR INTEREST IN)
IDAHO STATE WATER RIGHT NOS.)
65-02035; 65-03504; and,)
65-11141,)

Defendants/
Counterclaimants.)

JUDGMENT

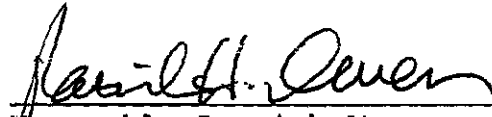
This Court having entered Findings of Fact and Conclusions
of Law on October 13, 2010, which Findings and Conclusions
determined that SANDS LLC is entitled to a decree quieting title
in and to State of Idaho Water Right Nos. 65-02035; 65-03504;
and, 65-11141.

JUDGMENT - 1.

NOW, THEREFORE, IT IS HEREBY DECREED AND ADJUDGED that Plaintiff, SANDS LLC, is the owner in fee simple of water right nos. 65-02035; 65-03504; and, 65-11141, records of the Idaho Department of Water Resources and is entitled to quiet and peaceful possession of said water rights, and that the Defendants above-named, and each of them, and all persons claiming by, under, or through them, are hereby decreed to have no estate, right, title, lien, or interest in or to the water rights or any part thereof, and Defendants are permanently barred and enjoined from asserting any claim, right, title, or interest in said water rights, or from asserting any adverse claim to Plaintiff's title and ownership of said real property water rights.

IT IS FURTHER ORDERED, ADJUDGED AND DECREE that Judgment be and hereby is entered in favor of Plaintiff and against Defendant on Defendants' Counterclaim.

DATED this 1 day of ^{December}~~November~~, 2010.



Honorable Patrick H. Owen
District Judge

CERTIFICATE OF MAILING

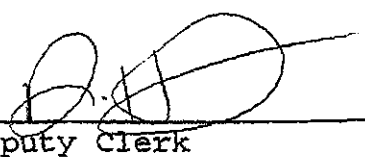
I, Constance Swearingen, the undersigned authority, do hereby certify that I have mailed, by United States Mail, a true and correct copy of the within instrument as notice pursuant to Rule 77(d) I.R.C.P. to each of the attorneys of record in this cause in envelopes addressed as follows:

JERRY A. KISER
STOPPELLO & KISER
ATTORNEYS AT LAW
620 WEST HAYS STREET
BOISE, IDAHO 83702

DAVID W. LLOYD
CUMMINGS LAW OFFICE
412 EAST PARK CENTER BLVD. STE 325
POST OFFICE BOX 1545
BOISE, IDAHO 83701

CONSTANCE SWEARINGEN
Clerk of the District Court
Boise County, Idaho

Date: 12/3/10

By 

Deputy Clerk