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DEC 17 2009

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
PD 10-31-00 PD 5-26-04 65-2399		Y			
65-3185		Y			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Timberline Development LLC
4. New Owner/Claimant(s) KDB LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 13 N. Seabiscuit Ave.
- City, State and ZIP Code Nampa, ID 83687
- New Telephone Number (208) 861-8340
5. Date you acquired the property October 28, 2009

SUPPORT DATA

IN FILE # 65-2399

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number 65-2399		
Irrigation	0.39 cfs	21.0 acres
Stock		
Domestic		
Other Mitigation	0.08 cfs/10 afa	4.0 acres for permit 65-23098
Totals		
Water Right and/or Adjudication Claim Number 65-3185		
Irrigation	0.39 cfs	21.0 acres
Stock		
Domestic		
Other Mitigation	0.08 cfs/10 afa	4.0 acres for permit 65-23098
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Kurt Benoit
President

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For Office Use Only

Received by _____ Date _____ Fee 200.00
 Receipted by Jmh Date 12-17-09 Receipt No. W038052
 Processed by _____ AJ Date _____ WR: Jmh Date 12-22-09

BARGAIN AND SALE DEED

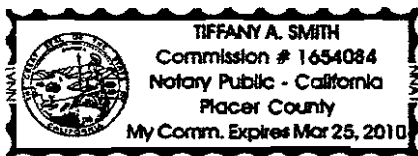
This deed, made this 19 day of October 2009, by TIMBERLINE DEVELOPMENT, LLC., and Idaho corporation, witnesseth that for good and valuable consideration TIMBERLINE DEVELOPMENT, LLC does hereby grant, bargain and sell to KDB, LLC an Idaho limited liability company, the following described water right in Valley County, State of Idaho, more particularly described in Exhibit "A" attached hereto and incorporated by this reference.

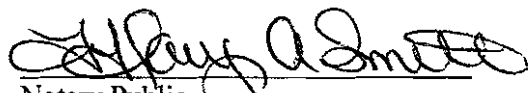
TIMBERLINE DEVELOPMENT, LLC


PRESIDENT

On this 19th day of October 2009, before me

Tiffany A. Smith a notary public, personally appeared, ^{Mike Mailhot} and identified to me to be the president of TIMBERLINE DEVELOPMENT, LLC, the corporation that executed the instrument, and acknowledged to me that such a corporation executed the same.




Notary Public
Residing at Placer County
Commission Expires Mar. 25, 2010

Instrument # 347130

VALLEY COUNTY, CASCADE, IDAHO

11-12-2009 12:44:17 No. of Pages: 2

Recorded for : AMERITITLE

ARCHIE N. BANBURY

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEEDS



EXHIBIT "A"

KDB, LLC
13 N. SEABISCUIT AVE.
NAMPA, IDAHO 83687
208-861-8340

November 26, 2008

RE: Letter of agreement between KDB, LLC and Timberline Development, LLC

To Whom It May Concern:

Timberline Development, LLC is the current owner of the following water rights:

No. 65-2399 authorizing diversion of 2.0 cfs from Mud Creek, tributary to the North Fork of the Payette River, with a September 9, 1936 priority date for irrigation of 106 total acres; 39 acres in the NWNE, 40 acres in the SWNE and 27 acres in the SENE, Section 17, T16N, R3E.

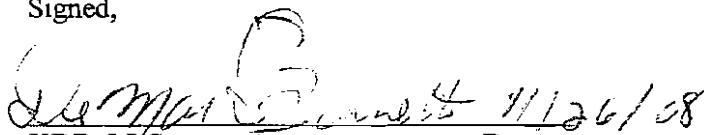
No. 65-3185 authorizing diversion of 2.0 cfs from Lake Fork, tributary to the North Fork of the Payette River, with an August 18, 1919 priority date for irrigation of 106 total acres; 39 acres in the NWNE, 40 acres in the SWNE and 27 acres in the SENE, Section 17, T16N, R3E.

KDB, LLC, wishes to purchase 0.47 cfs from water right 65-2399 and 0.47 cfs from water right 65-3185 applicable to 25 acres in the SENE, Section 17, T16N, R3E. The agreed upon purchase price for this water is \$5,000 (five thousand dollars). This amount will be paid upon Idaho Department of Water Resources approval of transfer of water rights from Timberline Development, LLC property to KDB, LLC property. If transfer of water is not successful, this agreement will be null and void.

KDB, LLC and Timberline Development, LLC agree that SPF Water Engineering will act as consultant for both parties and that this agreement will not be recorded.

Timberline Development, LLC also gives KDB, LLC first right and option to purchase the remaining 81 acres of water rights 65-2399 and 65-3185.

Signed,


KDB, LLC Date


Timberline Development, LLC Date



Legend

-  65-2399 & 65-3185 Place of Use
-  Purchased Water Right Place of Use

KDB Water Right Purchase
Portions of 65-2399 and 65-3185
2004 NAIP Photography

