

**The H.F.B. Ranch Limited Liability Partnership  
1079 Helman Drive  
Gardnerville, NV 89410  
Tel: 775-782-3119**

RECEIVED

AUG 23 2004

WATER RESOURCES  
WESTERN REGION

August 16, 2004

IDWR Western Region  
2735 Airport Way  
Boise, ID 83705-5082

To Whom It May Concern:

I hope that the enclosed information and filing fee remittance is adequate for you to change the water right ownership records.

My father (Henry F. Byers) bought the small ranch just south of Cascade, Idaho in 1963 including all the water rights. He placed the ranch and all his other real and personal property into the Henry F. Byers Trust, dated August 30<sup>th</sup>, 1991. He died in December of 1991. I (D. Kent Byers, his oldest son) was the successor trustee named in his Trust. This ranch property along with the water rights is all that remains to be distributed to the beneficiaries of the trust. In order to close out the trust, the beneficiaries have formed a limited liability partnership to own and operate the ranch. As one of the beneficiaries, I was elected to be the managing partner and to continue operating the ranch business. The name of this new partnership is The H.F.B. Ranch Limited Liability Partnership (LLP) whose address is 1079 Helman Drive, Gardnerville, NV 89410. On July 15<sup>th</sup>, 2004 the deed for the property was transferred from the Henry F. Byers Trust to The H.F.B. Ranch LLP (see the enclosed documents).

I met with Cynthia Bridge Clark, an IDWR associate engineer, earlier this year in Boise to find out what claims had been filed for water rights by my father or the previous owners. It was not clear to me if the enclosed information is complete.

If you have any questions or more information is required to update the records, please don't hesitate to contact me.

Sincerely,



Kent Byers, Managing Partner  
The H.F.B. Ranch LLP

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

**RECEIVED**  
**AUG 23 2004**  
**WATER RESOURCES**  
**WESTERN REGION**

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<br>Right No(s).       | Adjudication<br>Claim No(s).          | Split       | Water<br>Right No(s).       | Adjudication<br>Claim No(s). | Split       |
|-----------------------------|---------------------------------------|-------------|-----------------------------|------------------------------|-------------|
| <u>65-2255</u>              | <u>65-2255</u>                        | <u>    </u> | <u>                    </u> | <u>                    </u>  | <u>    </u> |
| <u>65-8134</u>              | <u>                    </u>           | <u>    </u> | <u>                    </u> | <u>                    </u>  | <u>    </u> |
| <u>65-09763</u>             | <u>5 RBA</u><br><u>PARTIAL DECREE</u> | <u>    </u> | <u>                    </u> | <u>                    </u>  | <u>    </u> |
| <u>                    </u> | <u>                    </u>           | <u>    </u> | <u>                    </u> | <u>                    </u>  | <u>    </u> |
| <u>                    </u> | <u>                    </u>           | <u>    </u> | <u>                    </u> | <u>                    </u>  | <u>    </u> |

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) HENRY F. BYERS  
P.O. BOX 151
4. New Owner/Claimant(s) GARDNERVILLE, NV 89410  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
THE H.F.B. RANCH LIMITED LIABILITY PARTNERSHIP (LLP)  
 New Mailing Address 1079 HELMAN DRIVE  
 City, State and ZIP Code GARDNERVILLE, NV 89410  
 New Telephone Number (775) 782-3119
5. Date you acquired the property 15 JULY 2004

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<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) Steve Kunkley MANAGING PARTNER  
(include title if applicable)

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.

**For Office Use Only**  
 Received by DB Date 8.23.04 Fee \$25 - ea.  
 Received by DB Date 8-23-04 Receipt No. W032146  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

Only rec'd \$25<sup>00</sup>. Need add'l \$25-



Instrument # 285199

VALLEY COUNTY, CASCADE, IDAHO

2004-07-15

11:39:17 No. of Pages: 2

Recorded for : KENT BYERS

LELAND G. HEINRICH

Ex-Officio Recorder Deputy

Index to: DEEDS

Fee: 6.00

## WARRANTY DEED

For Value Received, **D. Kent Byers as Trustee to The Henry F. Byers Trust, dated August 30<sup>th</sup>, 1991**, the Grantors,  
do hereby grant, bargain, sell and convey unto

**The H.F.B. Ranch Limited-Liability Partnership**

whose address is **1079 Helman Drive Gardnerville, NV 89410**,  
the Grantee, the following described premises, to-wit:

See "Exhibit A"

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2004 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 07/15/04

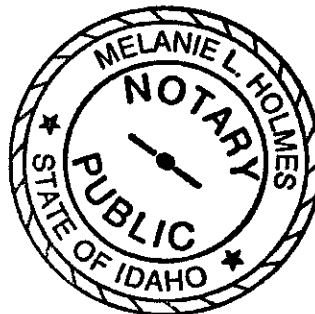
**The Henry F. Byers Trust, dated August 30<sup>th</sup>, 1991**

By: *D. Kent Byers Trustee*  
**D. Kent Byers, Trustee**

State of Idaho            )  
                                          ss  
County of Valley        )

On this 15th day of July, 2004 before me Melanie L. Holmes, a notary public in and for said State, personally appeared **D. Kent Byers** being duly sworn, declared that they are trustee of **The Henry F. Byers Trust, dated August 30<sup>th</sup>, 1991** and that he signed the foregoing document as the Trustee and that statements therein contained are true.

*Melanie L. Holmes*  
Notary Public  
Residing at: *Donnelly, ID*  
Commission Expires: *2/25/08*



2

All that part of the following described land lying and being westerly from that certain county road which travels northerly from the old town of Thunder City and intersects the Cascade-Knox Road;

Lots 2 thru 8 inclusive and SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 5, Township 13 N. Range 4, E. B. M.;

Less all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and Lots 5 and 6, Section 5, Township 13 N. R., 4 E. B. M.; lying south and west of the Payette Highway heretofore deeded to Jane Hoover in Book 17 of Deeds, page 78, records of Valley County, Idaho; and excepting all rights of way for roads, etc.;

Also all that part of Lot 10, Section 5; and Lots 1 and 7, Section 6, Township 13 N. Range 4 E. B. M., lying northerly and easterly of the Highway right of way.

PARCEL NUMBER: RP 13 N04 E 052406A

PARCEL NUMBER: RP 13 N04 E 060005A

# Idaho Department of Water Resources Receipt

Receipt ID W032146

Payment Amount \$25.00 Date Received 8/23/2004 1:49:51 PM Region Western Status ☐  
Payment Type Check Check Number 1005

Payer THE HFB RANCH LLP

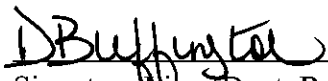
Comment CHANGE OF OWNERSHIP: 65-8134

## Fee Detail

Amount Description

Fund FD PCA SO

\$25.00 OWNERSHIP CHANGES/SECURITY INTERESTS 0229 21 62140 1155



Signature Line (Dept. Representative)