STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87871

This is to certify that: BYRON PEHRSON
3820 N 3580 W
MOORE, ID 83255

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
34-2365	WR/DECREED	5/4/1960	0.380 cfs	60.2 af	17.2	60.3	GROUND WATER
34-637C	WR/DECREED	6/1/1888	0.220 cfs	N/A	17.2	60.3	BIG LOST RIVER
34-638A	WR/DECREED	10/12/1884	0.150 cfs	N/A	7.4	60.3	BIG LOST RIVER
34-7239A	WR/LICENSE	1/22/1980	0.290 cfs	125.9 af	41.8	60.3	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
34-440B	WR/DECREED	4/22/1884	0.560 cfs	N/A	28.6	29.3	BIG LOST RIVER
34-7056	WR/DECREED	1/20/1974	3.960 cfs	N/A	225.0	233.0	GROUND WATER
34-4010	WR/DECREED	8/1/1961	2.980 cfs	525.0 af		150.0	GROUND WATER
34-14189	WR/DECREED	6/1/1885	1.540 cfs	N/A	77.0	645.0	BIG LOST RIVER
34-14193	WR/DECREED	6/1/1888	0.770 cfs	N/A	38.5	645.0	BIG LOST RIVER
34-14195	WR/DECREED	5/10/1897	0.480 cfs	N/A	24.0	645.0	BIG LOST RIVER
34-14197	WR/DECREED	6/1/1888	0.150 cfs	N/A	7.7	645.0	BIG LOST RIVER
34-14199	WR/DECREED	9/1/1896	0.060 cfs	N/A	3.4	645.0	BIG LOST RIVER
34-14201	WR/DECREED	5/10/1897	0.070 cfs	N/A	3.8	645.0	BIG LOST RIVER
34-14203	WR/DECREED	6/1/1887	1.460 cfs	N/A	73.0	645.0	BIG LOST RIVER
34-14205	WR/DECREED	3/10/1894	1.730 cfs	N/A	86.6	645.0	BIG LOST RIVER
34-14207	WR/DECREED	6/30/1885	3.080 cfs	N/A	154.0	645.0	BIG LOST RIVER
34-14209	WR/DECREED	9/14/1886	2.310 cfs	N/A	115.5	645.0	BIG LOST RIVER
34-14824	WR/DECREED	5/18/1953	0.120 cfs	21.4 af	7.1	59.6	GROUND WATER
34-14825	WR/DECREED	5/5/1972	0.100 cfs	24.9 af	7.1	59.6	GROUND WATER
34-14826	WR/DECREED	6/9/1966	0.130 cfs	30.1 af	8.6	59.6	GROUND WATER
34-14827	WR/DECREED	9/2/1961	0.450 cfs	78.1 af	22.3	59.6	GROUND WATER
34-14828	WR/DECREED	8/1/1961	0.430 cfs	75.6 af	21.6	59.6	GROUND WATER

SUPPORT DATA
IN FILE # 34-637C
SCANNED
JUL 17 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87871

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
34-2365	NO	YES	YES	NO	NO	NO
34-637C	NO	YES	YES	NO	NO	NO
34-638A	YES	YES	YES	NO	NO	NO
34-7239A	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
34-2365	34-2365	0.330 cfs	57.8 af	16.5	31.0	N/A	N/A	N/A	N/A	N/A
34-637C	34-637C	0.220 cfs	N/A	16.5	31.0	N/A	N/A	N/A	N/A	N/A
34-638A	34-14920	0.120 cfs	N/A	6.7	31.0	34-638A	0.030 cfs	N/A	0.7	29.3
34-7239A	34-7239A	0.290 cfs	50.7 af	14.5	31.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.620 cfs**	**N/A**	**31.0**	**31.0**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 14th day of July, 2023.

Regional Manager

SUPPORT DATA
IN FILE # 34-637C
SCANNED

WATER RIGHT NO. 34-440B

As Modified by Transfer No. 87871

In accordance with the approval of Transfer No. 87871, Water Right No. 34-440B is now described as follows:

Right Holder: JOHN L POWERS
PO BOX 493
MACKAY, ID 83251-0493

Priority Date: 4/22/1884

Source: BIG LOST RIVER **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	5/01	to	10/15	0.560 cfs
STOCKWATER	1/01	to	12/31	0.010 cfs
				0.560 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSESE	Sec 12 Twp 07N Rge 23E	CUSTER County
BIG LOST RIVER	NWSESW	Sec 20 Twp 07N Rge 24E	CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	24E	21									7.7			14.2		4.3	3.1		29.3

Right Acre Limit: 28.6
POU Total Acres: 29.3

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	24E	21									X			X		X	X	X	

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 28.6 acres within the authorized place of use in a single irrigation season.
2. Rights 34-440B and 34-638A when combined shall not exceed the irrigation of 29.3 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 87871

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JUL 17 2023

WATER RIGHT NO. 34-440B

As Modified by Transfer No. 87871

CONDITIONS OF APPROVAL

4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.

6. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.

7. Water is delivered through the Sharp Ditch or the Swauger Ditch.

8. Stockwater use is for 500 sheep and 50 cattle.

9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

11. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

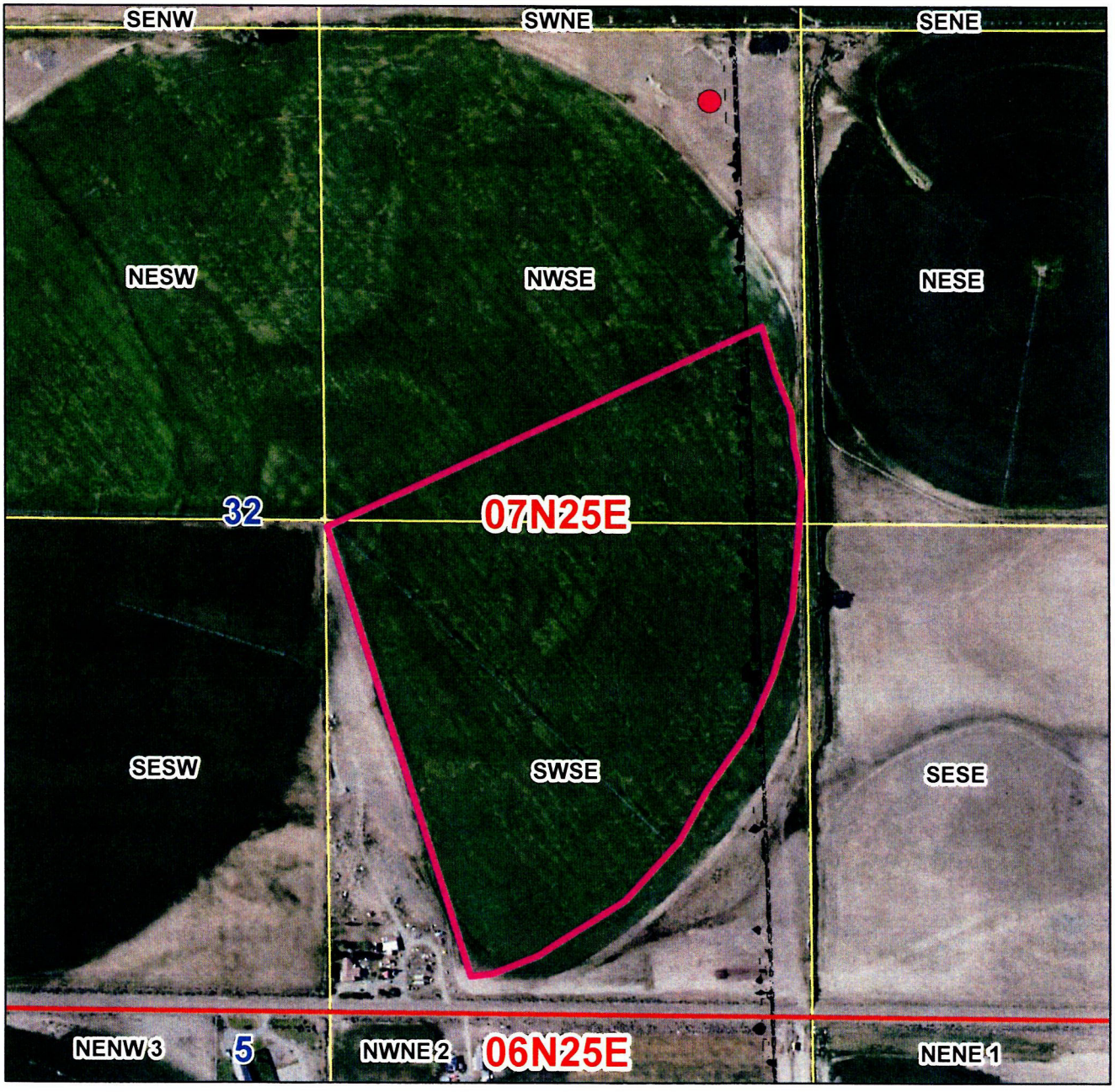
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

14. The actual diversion rate for stockwater purposes is 0.003 cfs.

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Attachment to Transfer Approval 87871

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 250 500 1,000 Feet

N
W E
S

Date: 7/14/2023

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IDAHO DEPARTMENT OF WATER RESOURCES **9/30/2022**
Proof Report

Water Right 34-440B After Split

Owner Type	**Name and Address**
Current Owner	JOHN L POWERS PO BOX 493 MACKAY, ID 83251-0493 (208) 339-3358

Priority Date: 4/22/1884
Basis: Decreed
Status: Active

Source	**Tributary**
BIG LOST RIVER	SINKS

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	5/01	10/15	0.610 CFS	
STOCKWATER	1/01	12/31	0.010 CFS	
		Total Diversion	0.610 CFS	

Source and Point(s) of Diversion:

BIG LOST RIVER	NWSESE	Sec. 12, Twp 07N, Rge 23E, CUSTER County
BIG LOST RIVER	NWSESW	Sec. 20, Twp 07N, Rge 24E, CUSTER County

Place Of Use:

STOCKWATER within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	24E	21									X			X		X	X	X	
07N	24E	27			X		X	X	X	X	X	X		X		X	X		

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	24E	21									17.4			24.0		4.3	12.0	2.6	60.3
07N	24E	27			5.3														5.3

Right Acre Limit: 44.40
POU Total Acres: 65.6

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 44.4 acres within the authorized place of use in a single irrigation season.
2.	X35	Rights 34-440B and 34-7239A when combined shall not exceed a total annual maximum diversion volume of 164 af at the field headgate and the irrigation of 46.9 acres.

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OCT 11 2022

3.	X35	Rights 34-440B, 34-638A, 34-637C, 34-2365 and 34-7239A when combined shall not exceed the irrigation of 65.6 acres.
4.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
7.	S34	The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8.		Water is delivered through the Sharp Ditch or the Swauger Ditch.
9.	X02	Stockwater use is for 500 sheep and 50 cattle.
10.	N05	The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11.	N08	The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12.	N15	The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
13.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
15.		The actual diversion rate for stockwater purposes is 0.003 cfs.

Comments:

1 VERNER 5/5/1992 NOTICE OF ERROR
CLAIMANT AMENDED NOTICE TO INCLUDE STOCKWATER FOR 500 SHEEP & 50 CATTLE. RECOMMENDATION CHANGED TO REFLECT AMENDMENT.

2 AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3 kmathews 12/21/2012 Updated Shape
Updated PODShape

4 kmathews 12/21/2012 Updated Shape
Updated POUShape

5 scox 1/22/2013 Transferred Right
This is now an approved transfer. Transfer Number = 78308

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OCT 11 2022

6 kmathews 1/28/2013 POU
Corrected place of use based on approved transfer #78308.

7 kmathews 1/28/2013 POD
Updated Shape

8 kmathews 1/28/2013 POU
Updated Shape

9 nmiller 1/21/2014 POD
PODID 846409 correlated from SpatialDataID 201755 to SpatialDataID 303021

10 djudd 9/30/2022 Split Right
Split into 34-440B & 34-14890 due to change in ownership.

Dates and Other Information:
Decreed Date: 6/4/2001
State or Federal: S
Water District Number: 34
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:

Rate	Volume	Acres	Water Rights
		65.6	34-440B ,34-2365 ,34-637C ,34-638A ,34-7239A
	164.0	46.9	34-440B ,34-7239A

SubCase:
N/A

Water Supply Bank:

N/A

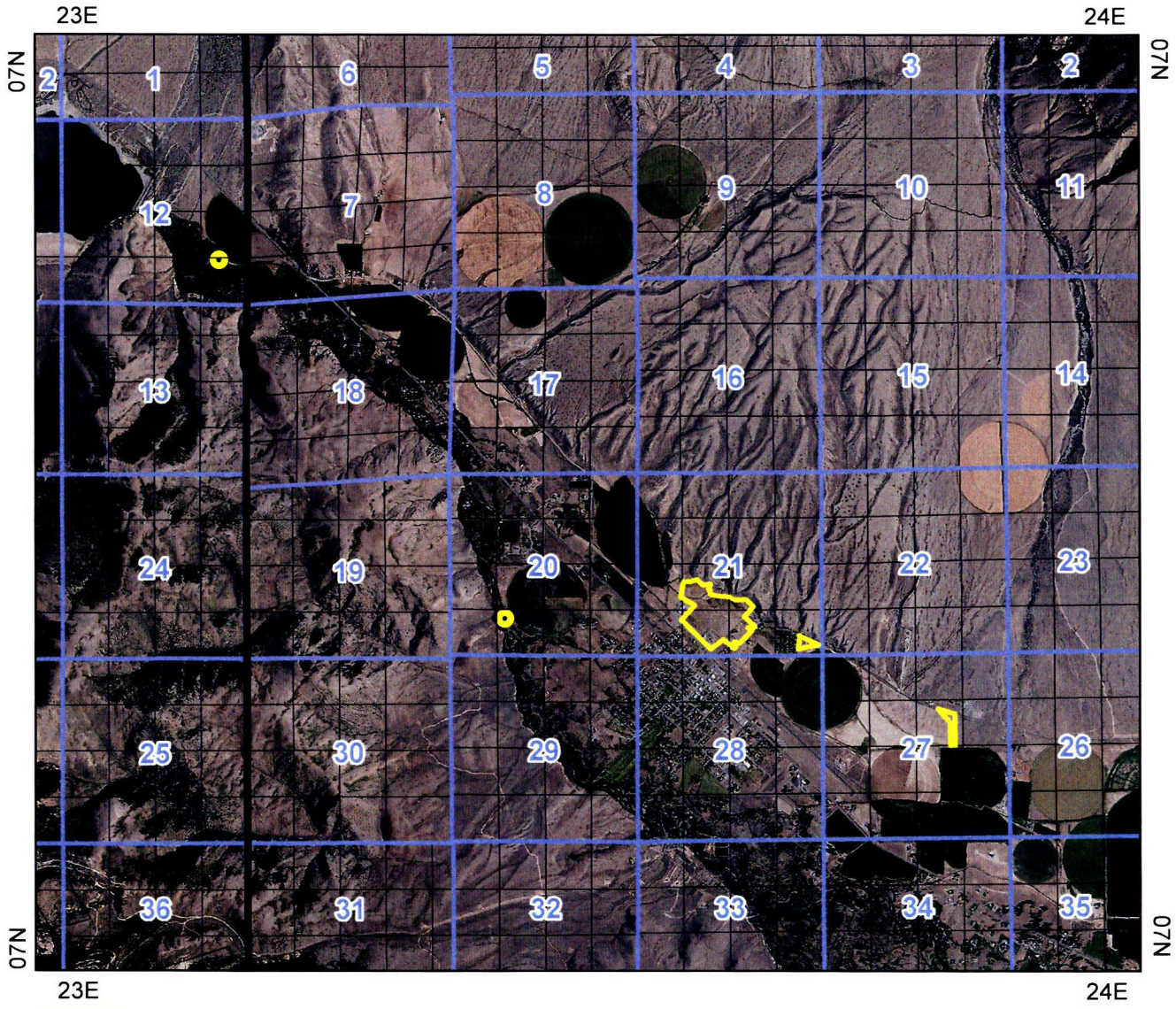
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OCT 1 1 2022

State of Idaho
Department of Water Resources

Water Right License

34-440B

After Split



Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters
Point of Diversion

0 0.5 1 2 Miles

N

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OCT 11 2022

IDAHO DEPARTMENT OF WATER RESOURCES **9/30/2022**
Proof Report

Water Right 34-440B Before Split

Owner Type	**Name and Address**
Current Owner	JOHN L POWERS PO BOX 493 MACKAY, ID 83251-0493 (208) 339-3358

Priority Date: 4/22/1884
Basis: Decreed
Status: Active

Source	**Tributary**
BIG LOST RIVER	SINKS

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	5/01	10/15	4.000 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	
		Total Diversion	4.000 CFS	

Source and Point(s) of Diversion:

BIG LOST RIVER	NWSESE	Sec. 12, Twp 07N, Rge 23E, CUSTER County
BIG LOST RIVER	NWSESW	Sec. 20, Twp 07N, Rge 24E, CUSTER County

Place Of Use:

STOCKWATER within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	24E	21									X			X		X	X	X	
07N	24E	22											X						
07N	24E	27			X		X	X	X	X	X	X		X		X	X		
07N	24E	28	X	X		X													
07N	24E	34		X															

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	24E	21									17.4			24.0		4.3	17.3	6.6	69.6
07N	24E	22											1.8						1.8
07N	24E	27			26.8		11.4	35.6	36.3	39.7	38.8	1.4		36.1		21.0	21.8		268.9
07N	24E	28	39.6	20.0		15.8													75.4
07N	24E	34		15.3															15.3

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Right Acre Limit: 292.00
POU Total Acres: 431.0

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 292 acres within the authorized place of use in a single irrigation season.
2.	X35	Rights 34-440B and 34-7239A when combined shall not exceed a total annual maximum diversion volume of 1078 af at the field headgate and the irrigation of 308 acres.
3.	X35	Rights 34-440B, 34-638A, 34-637C, 34-2365 and 34-7239A when combined shall not exceed the irrigation of 431 acres.
4.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
7.	S34	The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8.		Water is delivered through the Sharp Ditch or the Swauger Ditch.
9.	X02	Stockwater use is for 500 sheep and 50 cattle.
10.	N05	The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11.	N08	The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12.	N15	The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
13.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Comments:

1 VERNER 5/5/1992 NOTICE OF ERROR
CLAIMANT AMENDED NOTICE TO INCLUDE STOCKWATER FOR 500 SHEEP & 50 CATTLE. RECOMMENDATION CHANGED TO REFLECT AMENDMENT.

2 AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3 kmathews 12/21/2012 Updated Shape

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OCT 11 2022

Updated PODShape

4 kmathews 12/21/2012 Updated Shape
Updated POUShape

5 scox 1/22/2013 Transferred Right
This is now an approved transfer. Transfer Number = 78308

6 kmathews 1/28/2013 POU
Corrected place of use based on approved transfer #78308.

7 kmathews 1/28/2013 POD
Updated Shape

8 kmathews 1/28/2013 POU
Updated Shape

9 nmiller 1/21/2014 POD
PODID 846409 correlated from SpatialDataID 201755 to SpatialDataID 303021

Dates and Other Information:
Decreed Date: 6/4/2001
State or Federal: S
Water District Number: 34
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:

Rate	Volume	Acres	Water Rights
		431.0	34-440B ,34-2365 ,34-637C ,34-638A ,34-7239A
	1,078.0	308.0	34-440B ,34-7239A

SubCase:
N/A

Water Supply Bank:

N/A

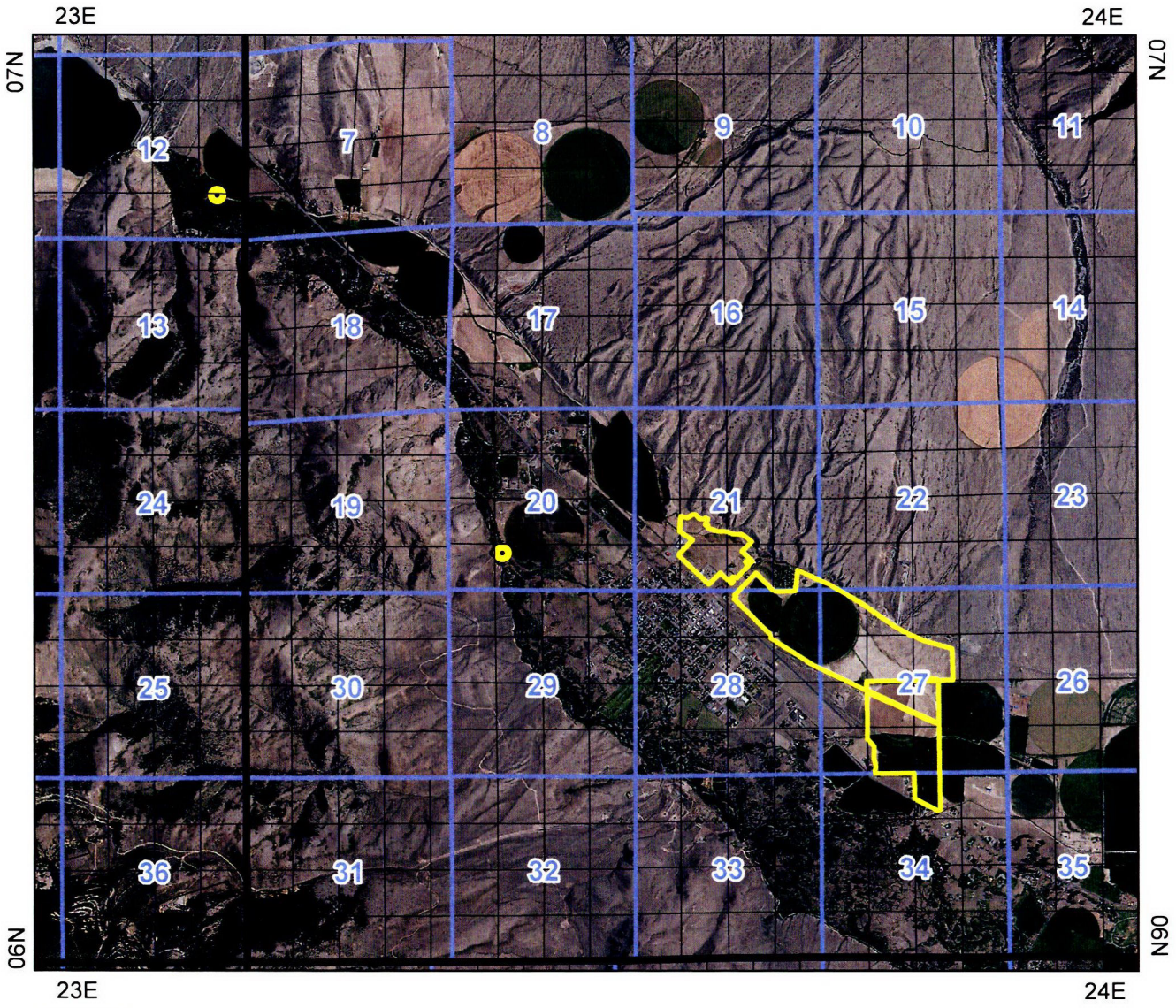
SCANNED
OCT 11 2022

State of Idaho
Department of Water Resources

Water Right License

34-440B

Before Split



Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters
Point of Diversion

0 0.5 1 2 Miles

N

SCANNED
OCT 11 2022

Form 42-248/42-1409(6) Rev. 6/22

RECEIVED
JUL 29 2022
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 19 2022
Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-14882 34-440B	Yes ☒	Yes ☐	34-10449 no split	Yes ☐	Yes ☐
34-14892 34-637C	Yes ☒	Yes ☒	34-10747 no split	Yes ☐	Yes ☐
34-14893 34-638A	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-14894 34-2365	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-14891 34-7239A	Yes ☒	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Patrick S Powers
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Haymaker Partners LLC
   New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

PO Box 101 (Mailing address) | Mackay (City) | ID (State) | 83251 (Zip)

(208) 720-5360 (Telephone) | chrisflanigan@mac.com (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: 2/28/22.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. 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):
     - o $25 per *undivided* water right.
     - o $100 per *split* water right.
     - o No fee is required for pending adjudication claims.
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____ (Signature of new owner/claimant) | Manager Haymaker Partners LLC (Title, if applicable) | 7/15/22 (Date)

Chris Flanigan (Print name)

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

_____ (Print name)

SCANNED OCT 11 2022

For IDWR Office Use Only:

Receipted by M. Pettis Date 7-19-22 Receipt No. E048329 Receipt Amt. 625.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date 9/30/22

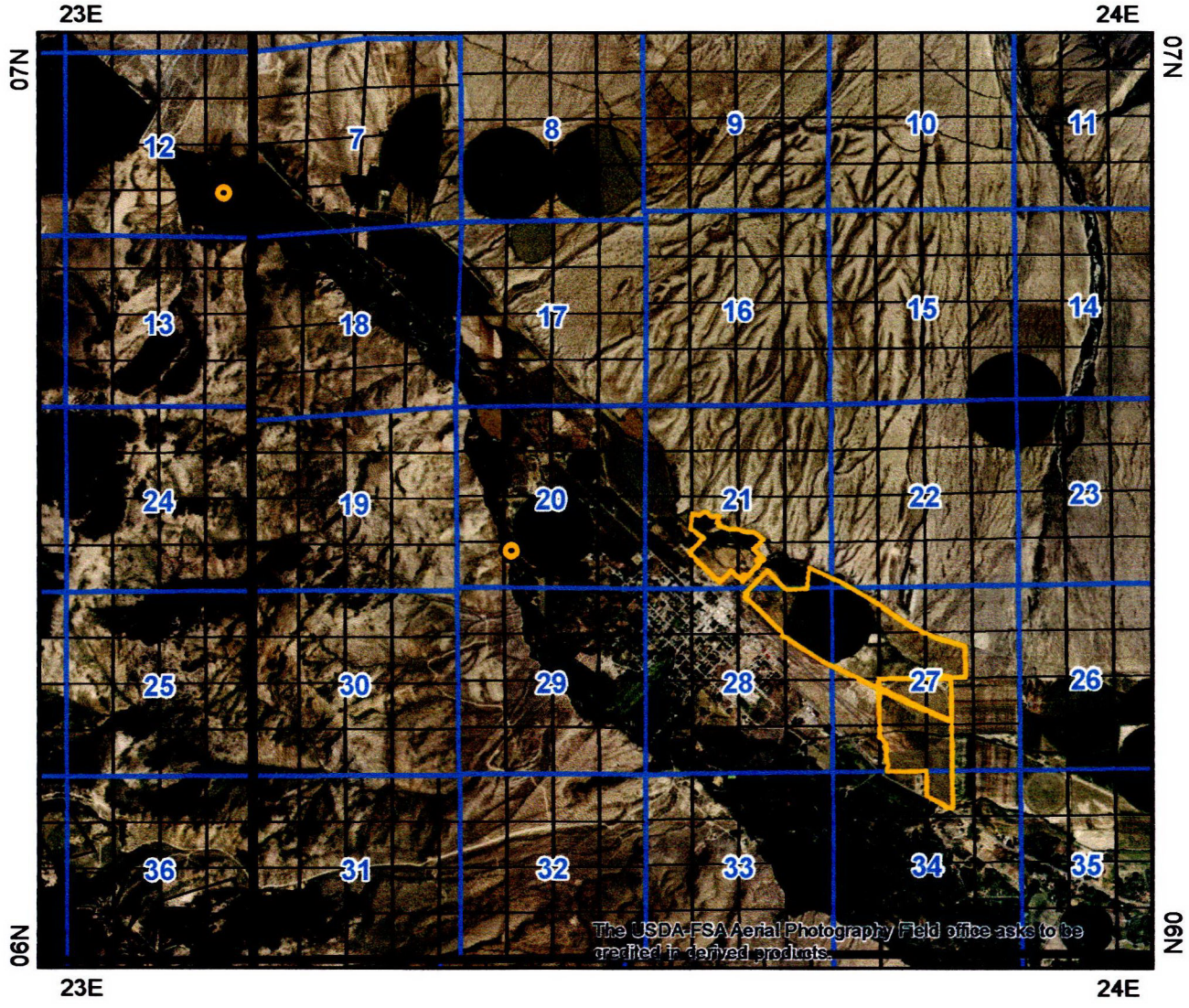
State of Idaho
Department of Water Resources

Water Right

34-440B

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.5 1 2 Miles

N

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OCT 11 2022

Map produced on January 14, 2021

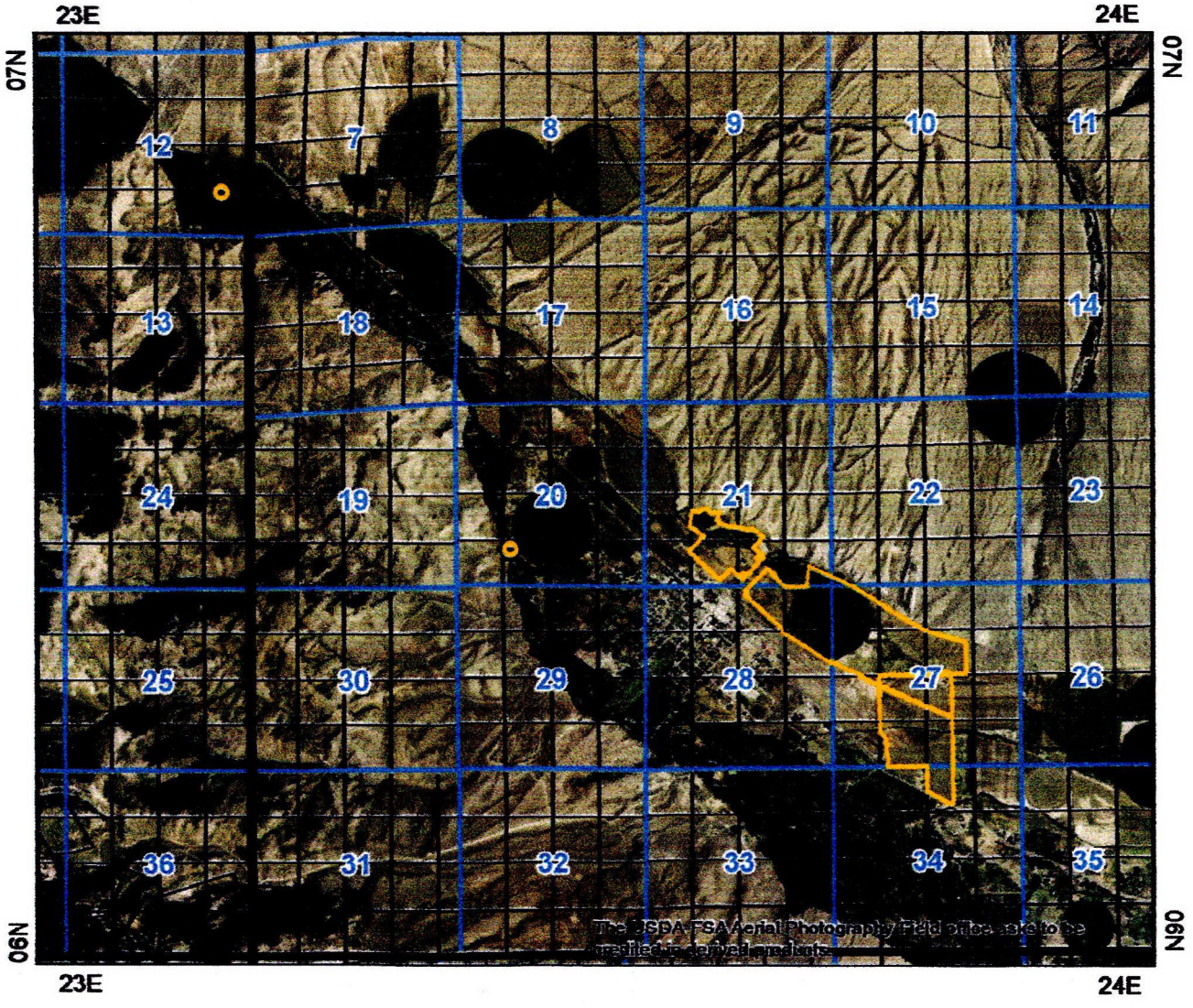
State of Idaho
Department of Water Resources

Water Right

34-637C

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Point of Diversion
Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

0 0.5 1 2 Miles

N

SCANNED
OCT 11 202

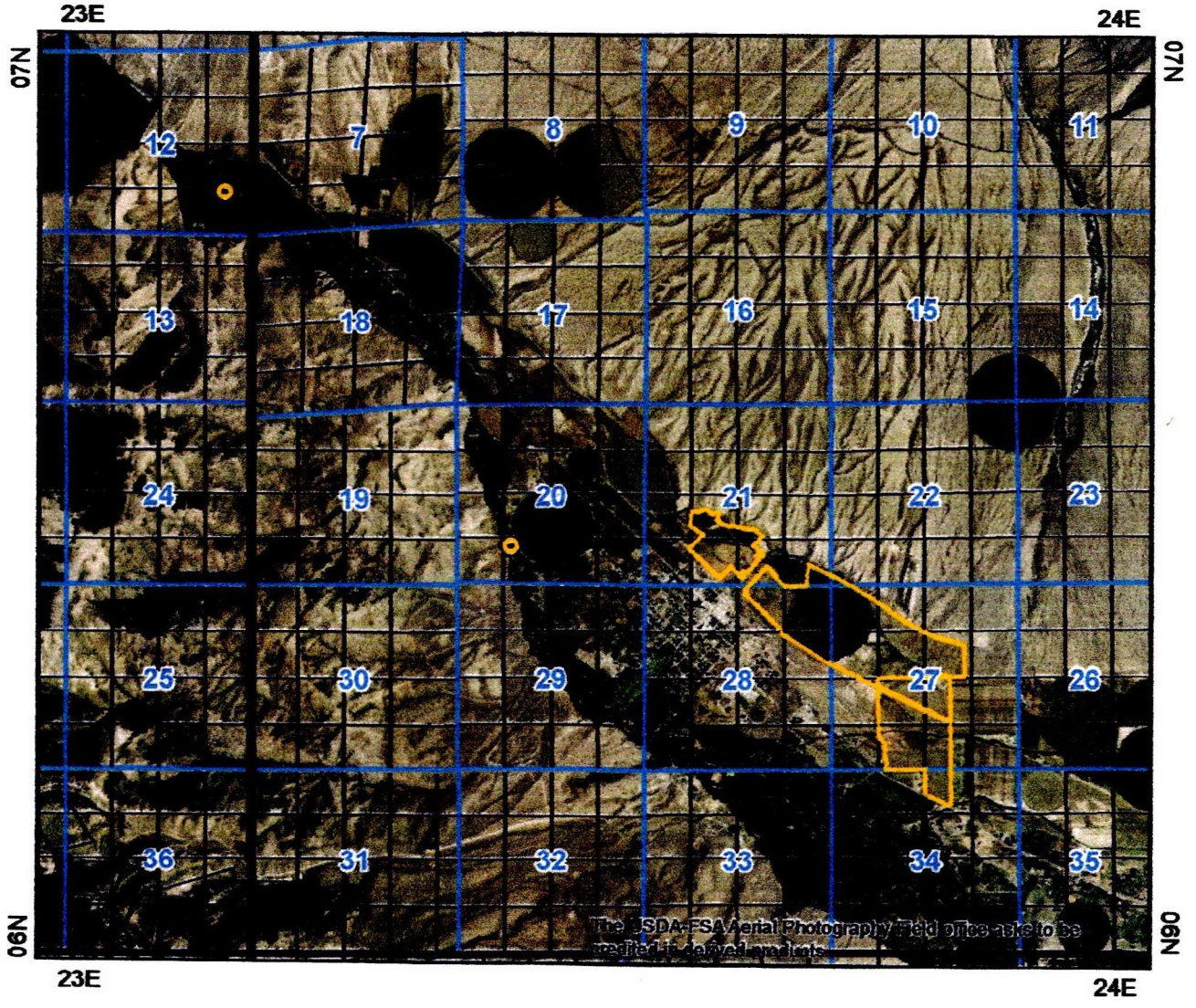
Map produced on January 14, 2021

State of Idaho
Department of Water Resources

Water Right
34-638A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Point of Diversion
Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

0 0.5 1 2 Miles

N

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OCT 11 2022

Map produced on January 14, 2021

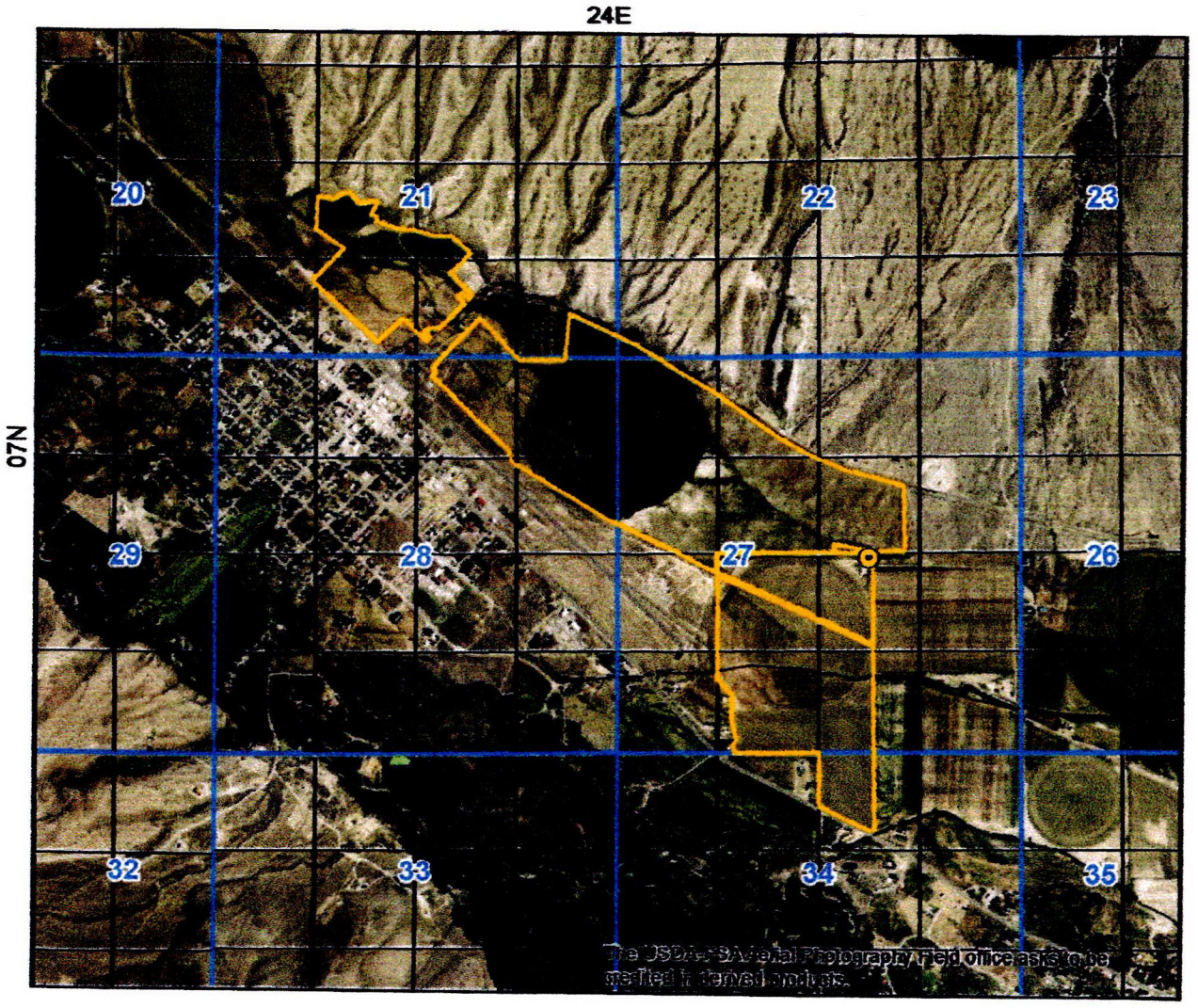
State of Idaho
Department of Water Resources

Water Right

34-2365

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Point of Diversion
Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

0 0.275 0.55 1.1 Miles

N

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Map produced on January 14, 2021

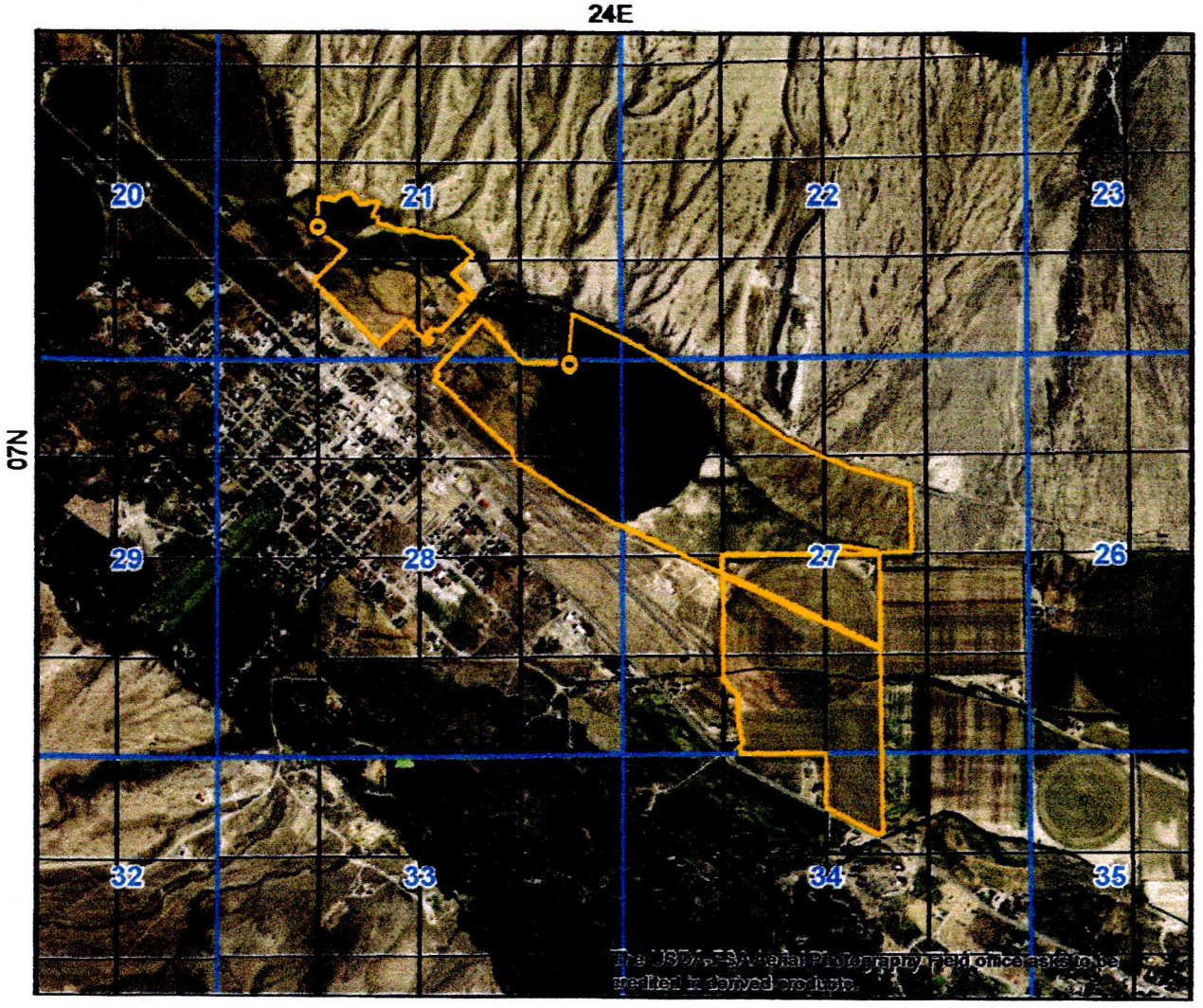
State of Idaho
Department of Water Resources

Water Right

34-7239A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Point of Diversion
Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

0 0.275 0.55 1.1 Miles

N

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OCT 11 2022

Map produced on January 14, 2021

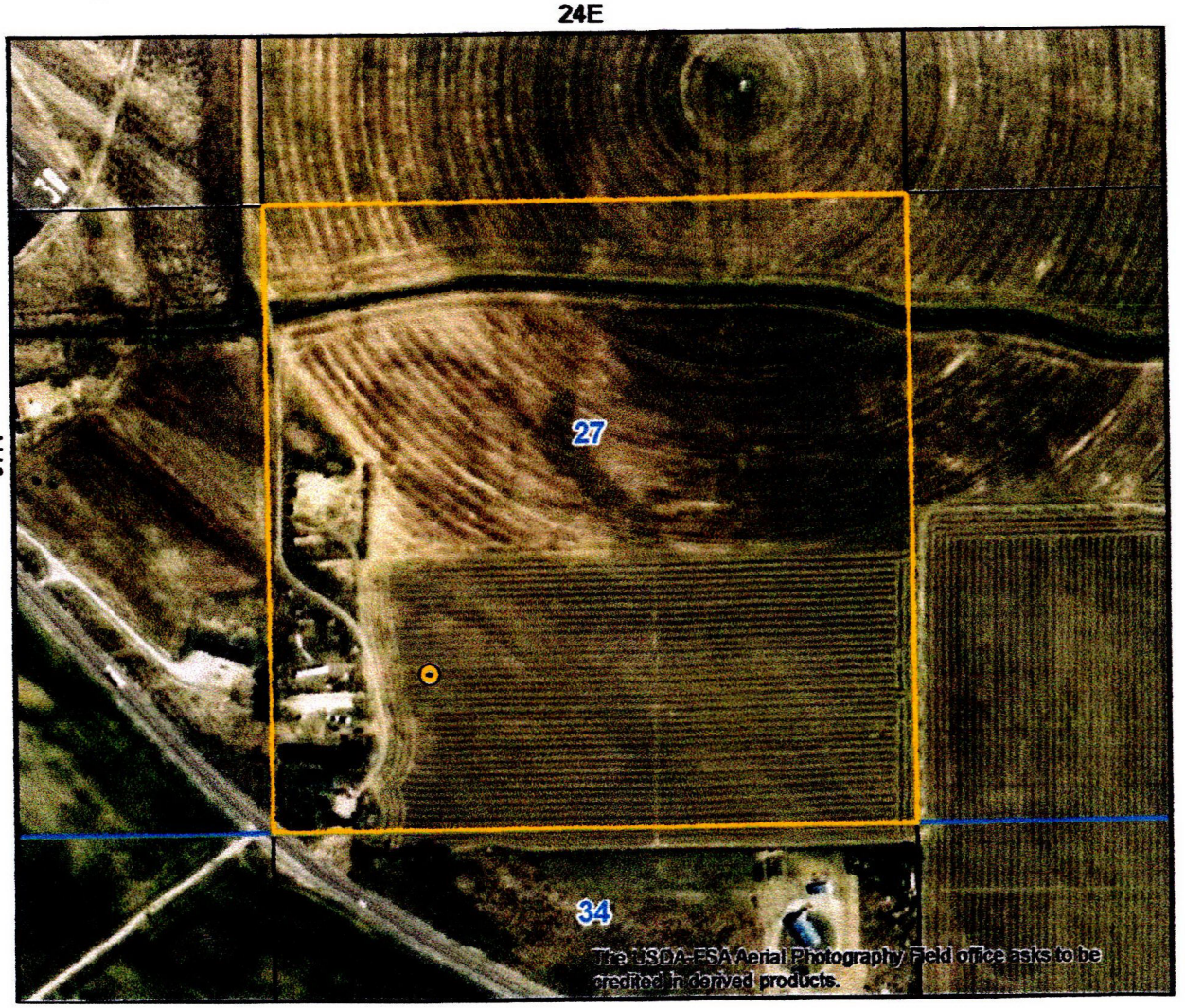
State of Idaho
Department of Water Resources

Water Right
34-10449

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

24E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.045 0.09 0.18 Miles

N

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Map produced on January 14, 2021

State of Idaho
Department of Water Resources

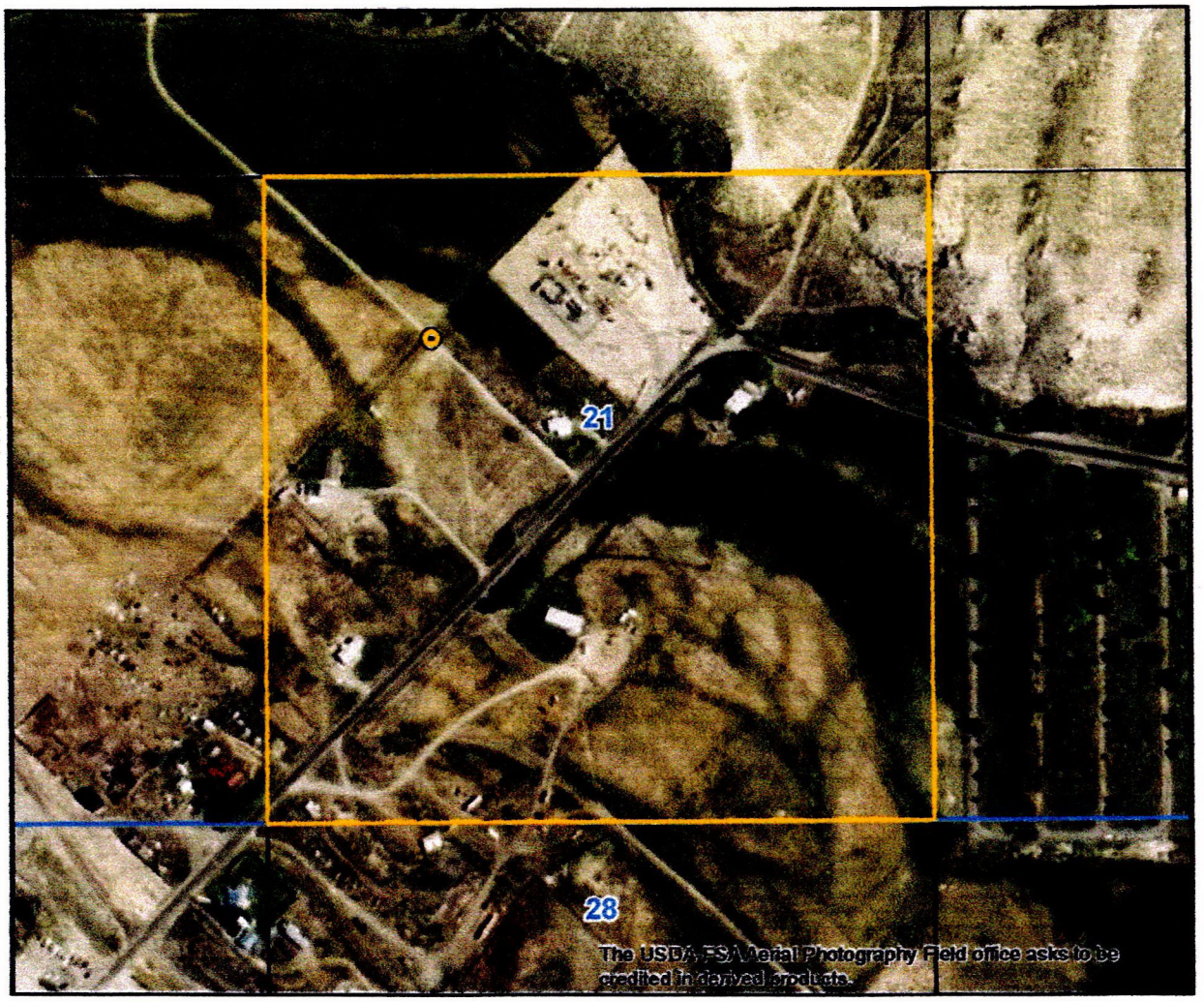
Water Right

34-10747

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

24E



Point of Diversion
Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

0 0.045 0.09 0.18 Miles

N

SCANNED
OCT 11 2022

Map produced on January 14, 2021

262192

Custer County Req. of
Custer County Title
Time 4:02 PM Date 2-28, 2022
Lura H. Baker, Clerk
Tonae McAffee $ 15.00
Deputy

WARRANTY DEED

This warranty deed is made on the 28 day of February, 2022, between -

Patrick Sean Powers, individually, and Patrick S. Powers, in his capacity as Trustee of The Patrick S. Powers Living Trust u/i/d Nov. 16, 2015, with mailing address of P.O. Box 493, Mackay, Idaho, 83251, referred to herein as Grantor; and

Haymaker Partners, LLC, an Idaho limited liability company, with mailing address of ATTN: Chris Flanigan, P.O. Box 1970, Ketchum, Idaho, 83340, referred to herein as Grantee:

Grantor, for and in consideration of the sum of ten and no/100 dollars ($10.00) and other good and valuable consideration, the receipt of which is acknowledged, has granted, bargained, and sold, and, by this deed, grants, bargains, sells, conveys, and confirms to Grantee, and Grantee's heirs and assigns forever, all of the real estate situated in Custer County, Idaho more accurately and particularly described on attached **Exhibit A**.

Together with all and singular the tenements, hereditaments, and appurtenances belonging to the described property or in any manner appertaining to the property, the reversion and reversions, remainder and remainders, rents, issues, and profits of the property; and all estate, right, title, and interest in and to the property, as well in law as in equity.

Together with all personal property located on the property for uses related to irrigation of the farmland, including, but not limited to, all irrigation wells, pivots, all pumps, equipment, water lines, main lines, hand lines, wheel lines, irrigation equipment and associated pivot power units.

Together with all fences, gates, corrals, chutes, pens, coups, sheds, barns, and other outbuildings, whether agricultural in nature or not, at or upon the property.

Together with all planted and/or currently growing crops located on the property, including but not limited to pasture grass, alfalfa, nursery trees and timber.

Together with all improvements and buildings located on the property, and all fixtures and trade fixtures associated therewith.

Together with all surface and subsurface water rights associated with the property, including all means of conveyance such as canals, ditches, pipes and the like.

Together with all easements, rights-of-way, licenses and other interests for the benefit of the property.

Together with all water and water rights and other entitlements to water appurtenant to or beneficially used upon the property, whether surface or subsurface, including, but not limited to, those represented by any decree, license, permit, claim, permit application or storage entitlement, and all other ditch and canal company, water association, irrigation district, or other water delivery entity shares and entitlements to receive water from any such company, association, district, or other entity, and all ditch rights, easements, and rights of way associated with any irrigation or other water well, pump, delivery ditch, canal, lateral, pipeline, or facilities used to divert, convey or deliver any water, water rights, or entitlements appurtenant to or beneficially used upon the property, except that water rights subject to current beneficial use on the property and other property not conveyed hereby shall be subject to split or division on a pro rata basis by irrigated acre.

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Together with all minerals and mineral rights, oil and gas rights, and geothermal rights, appurtenant to or pertaining to the property not reserved under prior conveyances.

To have and to hold, all and singular, the described property together with the appurtenances to Grantee and Grantee's heirs and assigns forever.

Grantor covenants that it is the owner in fee simple of the property, and that the property is free and clear of any mortgages, liens, or other encumbrances except: a) those of record in the real property records of Custer County, Idaho; b) current taxes, ordinances, and federal and state rights and reservations, including, without limitation, patents, oil, gas, and minerals; c) conflicts in boundary lines, shortage in area, encroachments, or any other fact that a correct survey would disclose; d) easements or claims of easement not shown by the public records; e) use restrictions and building and zoning regulations and ordinances of any governmental unit. Subject to the foregoing exceptions, Grantor and Grantor's heirs will warrant and defend the property against any and all lawful claims whatsoever, and forever defend the property in the quiet and peaceable possession of Grantee, Grantee's heirs, and assigns against Grantor and Grantor's heirs and against all and every person and persons whomever, lawfully claiming the same.

In witness of the above, Grantor has set Grantor's hand on the date first written above.

GRANTOR:

Patrick Sean Powers, as an Individual

By: Patrick Sean Powers
Patrick Sean Powers

Dated: 2/28/22

Patrick S. Powers, in his capacity as Trustee
of The Patrick S. Powers Living Trust u/i/d
Nov. 16, 2015

By: Patrick S. Powers Trustee
Patrick S. Powers, Trustee

Dated: 2/28/22

SCANNED
OCT 11 2022

STATE OF IDAHO)
) ss.
COUNTY OF CUSTER)

On this 28 day of February, 2022, before me, a notary public for the State of Idaho, personally appeared before me the following above-named parties: Patrick S. Powers, individually and in his capacity as Trustee of The Patrick S. Powers Living Trust u/i/d Nov. 16, 2015, who is (or are) personally known to me to be the person(s) so named, or proven to me on the basis of satisfactory evidence to be the person(s) so named, whose name(s) is (or are) subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

RYAN E MILLICK
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20170561
MY COMMISSION EXPIRES 9-21-2023

Notary Public for IDAHO
Residing in: CHALLIS
My Commission Expires: 9-21-23

SCANNED
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262192

EXHIBIT A

LEGAL DESCRIPTION OF REAL PROPERTY

Tract I:

Part of the SW 1/4 of the SE 1/4 of Section 21 and Part of the NE 1/4 of Section 28, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, and more particularly described as:

BEGINNING at the south 1/4 corner of Section 21 from which the southeast corner of said section bears North 89°45'54" East 2649.98 feet, the basis of bearings for this description;
Thence North 45°20'21" West 44.12 feet to a point on the southerly right-of-way of Bar Road, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence North 44°03'06" East 303.67 feet along said right-of-way to a point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence South 47°56'19" East 458.77 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222, said point being in an existing fence corner;
Thence North 24°05'51" East 66.08 feet along an existing fence line to its intersection with the North line of Section 28;
Thence North 89°45'54" East 821.63 feet along said north line to its intersection with west line of Mount McCaleb Cemetery, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence along the boundary of said cemetery the following 3 courses:

1) South 00°14'06" East 43.86 feet along the west line to the southwest corner thereof to a point being witnessed by a 5/8" rebar and cap that bears South 00°14'06" East 1.00 feet due to the actual corner being an existing fence post;
2) North 89°45'54" East 530.00 feet along the south line to the southeast corner thereof to a point being witnessed by a 5/8" rebar and cap that bears South 00°14'06" East 1.00 feet due to the actual corner being an existing fence post;

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3) North 00°14'06" West 43.86 feet along the east line to its intersection with the north line of said section, said point being marked by a 5/8" rebar and cap stamped PLS 12222;

Thence North 89°45'54" East 751.00 feet along the north line of said Section 28 to the northeast corner thereof which is marked by a 5/8" rebar and aluminum cap stamped PLS 4107;

Thence South 00°13'17" East 2174.86 feet along the east line of said section to its intersection with the northerly railroad right-of-way, said point being marked by a 5/8" rebar and cap stamped PLS 12222;

Thence along said northerly right-of-way the following 3 courses:

1) North 65°26'53" West 192.31 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222;
2) North 65°08'46" West 758.53 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222;
3) North 59°15'35" West 451.55 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222;

Thence leaving said right-of-way along an existing fence line the following 2 courses:

1) North 26°51'16" East 98.72 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222;
2) North 60°43'24" West 185.93 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222, said point being on the boundary of Deed Instrument Nos. 248877, 248878 & 248879;

Thence along the boundary of said deed the following 2 courses:

1) North 44°49'40" East 57.72 feet to the NW 1/16 corner of Section 28, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
2) North 45°20'21" West 1870.09 feet to the POINT OF BEGINNING.

Parcel II:

Part of the SW 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4 of Section 21, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, and more particularly described as:

BEGINNING at the south 1/4 corner of Section 21 from which the southeast corner of said section bears North 89°45'54" East 2649.98 feet, the basis of bearings for this description;

Thence North 89°45'54" East 547.35 feet along the south line of said section to its intersection with an existing fence line and the POINT OF BEGINNING;

Thence North 24°05'51" East 274.36 feet along an existing fence line to a 5/8" rebar and cap stamped PLS 12222;

Thence continuing along said fence line North 28°53'26" East 335.86 feet to its intersection with the southwesterly line of Deed Instrument No. 215606, said point being marked by a 5/8" rebar and cap stamped PLS 12222;

Thence South 45°50'32" East 762.87 feet along said southwesterly line to the most southerly point thereof being marked by a 5/8" rebar and cap stamped PLS 12222, said point also being on the west boundary of the Mount McCaleb Cemetery;

Thence South 00°14'06" East 9.70 feet along said west boundary to its intersection with the south line of said section 21, said point being marked by a 5/8" rebar and cap stamped PLS 12222;

Thence South 89°45'54" West 821.63 feet along said south line to the POINT OF BEGINNING.

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Tract II:

Part of the SE 1/4 of the SE 1/4 of Section 21 and part of the SW 1/4 of the SW 1/4 of Section 22, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, and more particularly described as:

BEGINNING at the southeast corner of Section 21 from which the south 1/4 corner of said section bears South 89°45'54" West 2649.98 feet, the basis of bearings for this description;
Thence South 89°45'54" West 751.00 feet along the south line of said section to its intersection with the east line of the Mount McCaleb Cemetery, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence North 00°14'06" West 137.38 feet along said east line to its intersection with the extended southerly line of Deed Instrument No. 254369, said point being marked by 5/8" rebar and cap stamped PLS 12222;
Thence North 75°52'40" East 728.35 feet along the southerly line of said deed to the most easterly point thereof, also being the southerly right-of-way of Bar Road, and being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence along the southerly right-of-way of Bar Road the following 2 courses:

1) South 72°37'40" East 283.04 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222;
2) South 56°19'14" East 386.05 feet to the intersection of said right-of-way and the south line of Section 22;

Thence South 88°35'35" West 546.33 feet along said south line to the POINT OF BEGINNING.

Parcel V:

Part of the NW 1/4, SW 1/4 of the NE 1/4, W 1/2 of the SE 1/4, and the E 1/2 of the SW 1/4 of Section 27, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

BEGINNING at the northwest corner of Section 27 from which the north 1/4 corner of said section bears North 88°35'35" East 2591.88 feet, the basis of bearings for this description;
Thence North 88°35'35" East 546.33 feet along the north line of said section to its intersection with the southerly right-of-way fence of Bar Road, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence along said right-of-way fence the following 9 courses: 1) South 56°19'14" East 34.79 feet to a 5/8" rebar and cap stamped PLS 12222; 2) South 62°36'31" East 261.84 feet to a 5/8" rebar and cap stamped PLS 12222; 3) South 59°19'57" East 340.55 feet to a 5/8" rebar and cap stamped PLS 12222; 4) South 55°15'08" East 330.72 feet to a 5/8" rebar and cap stamped PLS 12222; 5) South 57°33'31" East 643.90 feet to a 5/8" rebar and cap stamped PLS 12222;
6) South 58°56'33" East 405.28 feet to a 5/8" rebar and cap stamped PLS 12222; 7) South 62°05'10" East 481.66 feet to a 5/8" rebar and cap stamped PLS 12222; 8) South 68°00'53" East 408.49 feet to a 5/8" rebar and cap stamped PLS 12222; 9) South 74°56'48" East 131.57 feet to a 1/2" rebar and cap stamped PLS 13023, said point being the northwest corner of Deed Instrument No. 256313;
Thence along the westerly boundary of said deed the following 2 courses: 1) South 36°25'25" East 649.21 feet to a 1/2" rebar and cap stamped PLS 13023; 2) South 00°47'47" East 599.13 feet to a 1/2" rebar; said point being on the latitudinal centerline of Section 27;
Thence South 88°45'07" West 2283.30 feet along said latitudinal centerline to the southwest corner of the southeast 1/4 of the northwest 1/4 of said section;

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Thence North 00°36'09" West 1322.46 feet to the northwest corner of said southeast 1/4 of the northwest 1/4;
Thence South 88°40'04" West 1304.70 feet to the southwest corner of the northwest 1/4 of the northwest 1/4 of said section 27;
Thence North 00°13'17" West 1321.01 feet to the POINT OF BEGINNING.

Parcel VII:

Part of the SW 1/4 of the NW 1/4, and the NW 1/4 of the SW 1/4 of Section 27, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

BEGINNING at the intersection of the northerly railroad right-of-way and the west line of the SW 1/4 of the NW 1/4 which bears North 00°13'17" West 467.17 feet from the west 1/4 corner of said Section 27;
Thence continuing along the west line of the NW 1/4 North 00°13'17" West 853.85 feet to the northwest corner of the SW 1/4 of the NW 1/4;
Thence South 88°40'04" West 1304.70 feet to the northeast corner of said SW 1/4 of the NW 1/4;
Thence South 00°36'09" East 1322.46 feet to the southeast corner of said SW 1/4 of the NW 1/4;
Thence South 00°48'37" East 163.31 feet along the east line of the NW 1/4 of the SW 1/4 to its intersection with the northerly railroad right-of-way;
Thence along said right-of-way the following 2 courses:
1) North 65°28'20" West 538.19 feet;
2) North 65°26'53" West 909.91 feet to the POINT OF BEGINNING.

Parcel VIII:

The NE 1/4 of the SW 1/4, part of the W 1/2 of the SE 1/4, and the SE 1/4 of the SW 1/4 of Section 27, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

BEGINNING at the south 1/4 corner of Section 27, which is marked by a 5/8" rebar and cap stamped PLS 12222, from which the southeast corner of said section bears
North 89°05'05" East 2642.33 feet, the basis of bearings for this description;
Thence South 89°05'06" West 1167.03 feet along the south line of the SW 1/4 to a point being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence North 00°48'51" West 41.85 feet to a point being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence North 89°04'52" East 119.87 feet to a point being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence North 00°48'28" West 582.59 feet to a point being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence South 89°12'17" West 274.02 feet to a point on the west line E 1/2 of the SW 1/4, said point being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence North 00°48'37" West 2013.36 feet along said west line to the center of section line, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence North 88°45'07" East 2020.62 feet along center of section line to a point being marked by a 5/8" rebar and cap stamped PLS 13023;
Thence South 01°02'28" East 2650.11 feet to a point on the south line of the SE 1/4 of said section which is marked by a 5/8" rebar and cap stamped PLS 1023;

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Thence South 89°05'05" West 710.08 feet along said south line to the POINT OF BEGINNING.

Parcel IX:

The NW 1/4 of the SE 1/4 of Section 34, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

BEGINNING at the south 1/4 corner of Section 27, which is marked by a 5/8" rebar and cap stamped PLS 12222, from which the southeast corner of said section bears
North 89°05'05" East 2642.33 feet, the basis of bearings for this description;
Thence North 89°05'05" East 710.08 feet along the north line of the NE 1/4 of said section to a point being marked by 5/8" rebar with cap stamped PLS 1023;
Thence South 01°02'28" East 1019.89 feet to a point being marked by a 5/8" rebar and cap stamped PLS 13023;
Thence South 67°39'00" West 57.34 feet to a point on the northerly right-of-way of U.S. Highway 93 being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence North 62°38'07" West 752.09 feet along said right-of-way to its intersection with the center of section line, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence North 00°37'59" West 684.52 feet along said center of section line to the POINT OF BEGINNING.

All parcels as shown by the record of Survey recorded February 7, 2022, as instrument No. 262088, records of Custer County, Idaho.

SCANNED
OCT 11 2022

262192

Custer County Req. of
Custer County Title
Time 4:02 PM Date 2-28 ,2022
Lura H. Baker, Clerk
Tara McAffee $15.00
Deputy

WARRANTY DEED

This warranty deed is made on the 28 day of February, 2022, between -

Patrick Sean Powers, individually, and Patrick S. Powers, in his capacity as Trustee of The Patrick S. Powers Living Trust u/i/d Nov. 16, 2015, with mailing address of P.O. Box 493, Mackay, Idaho, 83251, referred to herein as Grantor; and

Haymaker Partners, LLC, an Idaho limited liability company, with mailing address of ATTN: Chris Flanigan, P.O. Box 1970, Ketchum, Idaho, 83340, referred to herein as Grantee:

Grantor, for and in consideration of the sum of ten and no/100 dollars ($10.00) and other good and valuable consideration, the receipt of which is acknowledged, has granted, bargained, and sold, and, by this deed, grants, bargains, sells, conveys, and confirms to Grantee, and Grantee's heirs and assigns forever, all of the real estate situated in Custer County, Idaho more accurately and particularly described on attached **Exhibit A**.

Together with all and singular the tenements, hereditaments, and appurtenances belonging to the described property or in any manner appertaining to the property, the reversion and reversions, remainder and remainders, rents, issues, and profits of the property; and all estate, right, title, and interest in and to the property, as well in law as in equity.

Together with all personal property located on the property for uses related to irrigation of the farmland, including, but not limited to, all irrigation wells, pivots, all pumps, equipment, water lines, main lines, hand lines, wheel lines, irrigation equipment and associated pivot power units.

Together with all fences, gates, corrals, chutes, pens, coups, sheds, barns, and other outbuildings, whether agricultural in nature or not, at or upon the property.

Together with all planted and/or currently growing crops located on the property, including but not limited to pasture grass, alfalfa, nursery trees and timber.

Together with all improvements and buildings located on the property, and all fixtures and trade fixtures associated therewith.

Together with all surface and subsurface water rights associated with the property, including all means of conveyance such as canals, ditches, pipes and the like.

Together with all easements, rights-of-way, licenses and other interests for the benefit of the property.

Together with all water and water rights and other entitlements to water appurtenant to or beneficially used upon the property, whether surface or subsurface, including, but not limited to, those represented by any decree, license, permit, claim, permit application or storage entitlement, and all other ditch and canal company, water association, irrigation district, or other water delivery entity shares and entitlements to receive water from any such company, association, district, or other entity, and all ditch rights, easements, and rights of way associated with any irrigation or other water well, pump, delivery ditch, canal, lateral, pipeline, or facilities used to divert, convey or deliver any water, water rights, or entitlements appurtenant to or beneficially used upon the property, except that water rights subject to current beneficial use on the property and other property not conveyed hereby shall be subject to split or division on a pro rata basis by irrigated acre.

SCANNED
OCT 11 2022

Together with all minerals and mineral rights, oil and gas rights, and geothermal rights, appurtenant to or pertaining to the property not reserved under prior conveyances.

To have and to hold, all and singular, the described property together with the appurtenances to Grantee and Grantee's heirs and assigns forever.

Grantor covenants that it is the owner in fee simple of the property, and that the property is free and clear of any mortgages, liens, or other encumbrances except: a) those of record in the real property records of Custer County, Idaho; b) current taxes, ordinances, and federal and state rights and reservations, including, without limitation, patents, oil, gas, and minerals; c) conflicts in boundary lines, shortage in area, encroachments, or any other fact that a correct survey would disclose; d) easements or claims of easement not shown by the public records; e) use restrictions and building and zoning regulations and ordinances of any governmental unit. Subject to the foregoing exceptions, Grantor and Grantor's heirs will warrant and defend the property against any and all lawful claims whatsoever, and forever defend the property in the quiet and peaceable possession of Grantee, Grantee's heirs, and assigns against Grantor and Grantor's heirs and against all and every person and persons whomever, lawfully claiming the same.

In witness of the above, Grantor has set Grantor's hand on the date first written above.

GRANTOR:

Patrick Sean Powers, as an Individual

By: Patrick Sean Powers
Patrick Sean Powers

Dated: 2/28/22

Patrick S. Powers, in his capacity as Trustee
of The Patrick S. Powers Living Trust u/i/d
Nov. 16, 2015

By: Patrick S. Powers Trustee
Patrick S. Powers, Trustee

Dated: 2/28/22

SCANNED
OCT 11 2022

262192

STATE OF IDAHO)
) ss.
COUNTY OF CUSTER)

On this 28 day of February, 2022, before me, a notary public for the State of Idaho, personally appeared before me the following above-named parties: Patrick S. Powers, individually and in his capacity as Trustee of The Patrick S. Powers Living Trust u/i/d Nov. 16, 2015, who is (or are) personally known to me to be the person(s) so named, or proven to me on the basis of satisfactory evidence to be the person(s) so named, whose name(s) is (or are) subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

RYAN E MILLICK
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20170561
MY COMMISSION EXPIRES 9-21-2023

Notary Public for IDAHO
Residing in: CHALLIS
My Commission Expires: 9-21-23

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OCT 11 2022

EXHIBIT A

LEGAL DESCRIPTION OF REAL PROPERTY

Tract 1:

Part of the SW 1/4 of the SE 1/4 of Section 21 and Part of the NE 1/4 of Section 28, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, and more particularly described as:

BEGINNING at the south 1/4 corner of Section 21 from which the southeast corner of said section bears North 89°45'54" East 2649.98 feet, the basis of bearings for this description;
Thence North 45°20'21" West 44.12 feet to a point on the southerly right-of-way of Bar Road, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence North 44°03'06" East 303.67 feet along said right-of-way to a point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence South 47°56'19" East 458.77 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222, said point being in an existing fence corner;
Thence North 24°05'51" East 66.08 feet along an existing fence line to its intersection with the North line of Section 28;
Thence North 89°45'54" East 821.63 feet along said north line to its intersection with west line of Mount McCaleb Cemetery, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence along the boundary of said cemetery the following 3 courses:

1) South 00°14'06" East 43.86 feet along the west line to the southwest corner thereof to a point being witnessed by a 5/8" rebar and cap that bears South 00°14'06" East 1.00 feet due to the actual corner being an existing fence post;
2) North 89°45'54" East 530.00 feet along the south line to the southeast corner thereof to a point being witnessed by a 5/8" rebar and cap that bears South 00°14'06" East 1.00 feet due to the actual corner being an existing fence post;

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3) North 00°14'06" West 43.86 feet along the east line to its intersection with the north line of said section, said point being marked by a 5/8" rebar and cap stamped PLS 12222;

Thence North 89°45'54" East 751.00 feet along the north line of said Section 28 to the northeast corner thereof which is marked by a 5/8" rebar and aluminum cap stamped PLS 4107;

Thence South 00°13'17" East 2174.86 feet along the east line of said section to its intersection with the northerly railroad right-of-way, said point being marked by a 5/8" rebar and cap stamped PLS 12222;

Thence along said northerly right-of-way the following 3 courses:

1) North 65°26'53" West 192.31 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222;
2) North 65°08'46" West 758.53 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222;
3) North 59°15'35" West 451.55 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222;

Thence leaving said right-of-way along an existing fence line the following 2 courses:

1) North 26°51'16" East 98.72 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222;
2) North 60°43'24" West 185.93 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222, said point being on the boundary of Deed Instrument Nos. 248877, 248878 & 248879;

Thence along the boundary of said deed the following 2 courses:

1) North 44°49'40" East 57.72 feet to the NW 1/16 corner of Section 28, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
2) North 45°20'21" West 1870.09 feet to the POINT OF BEGINNING.

Parcel II:

Part of the SW 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4 of Section 21, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, and more particularly described as:

BEGINNING at the south 1/4 corner of Section 21 from which the southeast corner of said section bears North 89°45'54" East 2649.98 feet, the basis of bearings for this description;

Thence North 89°45'54" East 547.35 feet along the south line of said section to its intersection with an existing fence line and the POINT OF BEGINNING;

Thence North 24°05'51" East 274.36 feet along an existing fence line to a 5/8" rebar and cap stamped PLS 12222;

Thence continuing along said fence line North 28°53'26" East 335.86 feet to its intersection with the southwesterly line of Deed Instrument No. 215606, said point being marked by a 5/8" rebar and cap stamped PLS 12222;

Thence South 45°50'32" East 762.87 feet along said southwesterly line to the most southerly point thereof being marked by a 5/8" rebar and cap stamped PLS 12222, said point also being on the west boundary of the Mount McCaleb Cemetery;

Thence South 00°14'06" East 9.70 feet along said west boundary to its intersection with the south line of said section 21, said point being marked by a 5/8" rebar and cap stamped PLS 12222;

Thence South 89°45'54" West 821.63 feet along said south line to the POINT OF BEGINNING.

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Tract II:

Part of the SE 1/4 of the SE 1/4 of Section 21 and part of the SW 1/4 of the SW 1/4 of Section 22, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, and more particularly described as:

BEGINNING at the southeast corner of Section 21 from which the south 1/4 corner of said section bears South 89°45'54" West 2649.98 feet, the basis of bearings for this description;
Thence South 89°45'54" West 751.00 feet along the south line of said section to its intersection with the east line of the Mount McCaleb Cemetery, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence North 00°14'06" West 137.38 feet along said east line to its intersection with the extended southerly line of Deed Instrument No. 254369, said point being marked by 5/8" rebar and cap stamped PLS 12222;
Thence North 75°52'40" East 728.35 feet along the southerly line of said deed to the most easterly point thereof, also being the southerly right-of-way of Bar Road, and being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence along the southerly right-of-way of Bar Road the following 2 courses:

1) South 72°37'40" East 283.04 feet to a point being marked by a 5/8" rebar and cap stamped PLS 12222;
2) South 56°19'14" East 386.05 feet to the intersection of said right-of-way and the south line of Section 22;

Thence South 88°35'35" West 546.33 feet along said south line to the POINT OF BEGINNING.

Parcel V:

Part of the NW 1/4, SW 1/4 of the NE 1/4, W 1/2 of the SE 1/4, and the E 1/2 of the SW 1/4 of Section 27, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

BEGINNING at the northwest corner of Section 27 from which the north 1/4 corner of said section bears North 88°35'35" East 2591.88 feet, the basis of bearings for this description;
Thence North 88°35'35" East 546.33 feet along the north line of said section to its intersection with the southerly right-of-way fence of Bar Road, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence along said right-of-way fence the following 9 courses: 1) South 56°19'14" East 34.79 feet to a 5/8" rebar and cap stamped PLS 12222; 2) South 62°36'31" East 261.84 feet to a 5/8" rebar and cap stamped PLS 12222; 3) South 59°19'57" East 340.55 feet to a 5/8" rebar and cap stamped PLS 12222; 4) South 55°15'08" East 330.72 feet to a 5/8" rebar and cap stamped PLS 12222; 5) South 57°33'31" East 643.90 feet to a 5/8" rebar and cap stamped PLS 12222;
6) South 58°56'33" East 405.28 feet to a 5/8" rebar and cap stamped PLS 12222; 7) South 62°05'10" East 481.66 feet to a 5/8" rebar and cap stamped PLS 12222; 8) South 68°00'53" East 408.49 feet to a 5/8" rebar and cap stamped PLS 12222; 9) South 74°56'48" East 131.57 feet to a 1/2" rebar and cap stamped PLS 13023, said point being the northwest corner of Deed Instrument No. 256313;
Thence along the westerly boundary of said deed the following 2 courses: 1) South 36°25'25" East 649.21 feet to a 1/2" rebar and cap stamped PLS 13023; 2) South 00°47'47" East 599.13 feet to a 1/2" rebar; said point being on the latitudinal centerline of Section 27;
Thence South 88°45'07" West 2283.30 feet along said latitudinal centerline to the southwest corner of the southeast 1/4 of the northwest 1/4 of said section;

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Thence North 00°36'09" West 1322.46 feet to the northwest corner of said southeast 1/4 of the northwest 1/4;
Thence South 88°40'04" West 1304.70 feet to the southwest corner of the northwest 1/4 of the northwest 1/4 of said section 27;
Thence North 00°13'17" West 1321.01 feet to the POINT OF BEGINNING.

Parcel VII:

Part of the SW 1/4 of the NW 1/4, and the NW 1/4 of the SW 1/4 of Section 27, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

BEGINNING at the intersection of the northerly railroad right-of-way and the west line of the SW 1/4 of the NW 1/4 which bears North 00°13'17" West 467.17 feet from the west 1/4 corner of said Section 27;
Thence continuing along the west line of the NW 1/4 North 00°13'17" West 853.85 feet to the northwest corner of the SW 1/4 of the NW 1/4;
Thence South 88°40'04" West 1304.70 feet to the northeast corner of said SW 1/4 of the NW 1/4;
Thence South 00°36'09" East 1322.46 feet to the southeast corner of said SW 1/4 of the NW 1/4;
Thence South 00°48'37" East 163.31 feet along the east line of the NW 1/4 of the SW 1/4 to its intersection with the northerly railroad right-of-way;
Thence along said right-of-way the following 2 courses:
1) North 65°28'20" West 538.19 feet;
2) North 65°26'53" West 909.91 feet to the POINT OF BEGINNING.

Parcel VIII:

The NE 1/4 of the SW 1/4, part of the W 1/2 of the SE 1/4, and the SE 1/4 of the SW 1/4 of Section 27, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

BEGINNING at the south 1/4 corner of Section 27, which is marked by a 5/8" rebar and cap stamped PLS 12222, from which the southeast corner of said section bears
North 89°05'05" East 2642.33 feet, the basis of bearings for this description;
Thence South 89°05'06" West 1167.03 feet along the south line of the SW 1/4 to a point being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence North 00°48'51" West 41.85 feet to a point being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence North 89°04'52" East 119.87 feet to a point being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence North 00°48'28" West 582.59 feet to a point being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence South 89°12'17" West 274.02 feet to a point on the west line E 1/2 of the SW 1/4, said point being marked by a 1/2" rebar and cap stamped PLS 12222;
Thence North 00°48'37" West 2013.36 feet along said west line to the center of section line, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence North 88°45'07" East 2020.62 feet along center of section line to a point being marked by a 5/8" rebar and cap stamped PLS 13023;
Thence South 01°02'28" East 2650.11 feet to a point on the south line of the SE 1/4 of said section which is marked by a 5/8" rebar and cap stamped PLS 1023;

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Thence South 89°05'05" West 710.08 feet along said south line to the POINT OF BEGINNING.

Parcel IX:

The NW 1/4 of the SE 1/4 of Section 34, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, more particularly described as:

BEGINNING at the south 1/4 corner of Section 27, which is marked by a 5/8" rebar and cap stamped PLS 12222, from which the southeast corner of said section bears
North 89°05'05" East 2642.33 feet, the basis of bearings for this description;
Thence North 89°05'05" East 710.08 feet along the north line of the NE 1/4 of said section to a point being marked by 5/8" rebar with cap stamped PLS 1023;
Thence South 01°02'28" East 1019.89 feet to a point being marked by a 5/8" rebar and cap stamped PLS 13023;
Thence South 67°39'00" West 57.34 feet to a point on the northerly right-of-way of U.S. Highway 93 being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence North 62°38'07" West 752.09 feet along said right-of-way to its intersection with the center of section line, said point being marked by a 5/8" rebar and cap stamped PLS 12222;
Thence North 00°37'59" West 684.52 feet along said center of section line to the POINT OF BEGINNING.

All parcels as shown by the record of Survey recorded February 7, 2022, as instrument No. 262088, records of Custer County, Idaho.

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OCT 11 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

October 7, 2022

HAYMAKER PARTNERS LLC
PO BOX 101
MACKAY ID 83251-0101

Re: Change in Water Right Ownership: 34-440B (Split into 34-440B and ***34-14890***), 34-7239A (Split into 34-7239A and ***34-14891***), 34-637C (Split into 34-637C and ***34-14892***), 34-638A (Split into 34-638A and ***34-14893***), 34-2365 (Split into 34-2365 and ***34-14894***), 34-10449, and 34-10747

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you. You submitted a payment of $625 and the fee for these ownership changes is $550, therefore a refund has been requested and will arrive under separate cover from the State Controller's Office.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4920 or debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. John Powers
Water District 34 – *via email*

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Judd, Debbi

From: Judd, Debbi
Sent: Friday, September 30, 2022 1:48 PM
To: IdwrPayable
Subject: Refund Request

TO: Fiscal

FROM: Debbi Judd

DATE: September 30, 2022

RE: Refund: Ownership change

Please refund $75. Overpayment.

NAME: HAYMAKER PARTNERS LLC

ADDRESS: PO BOX 101
MACKAY ID 83251-0101

RECEIPT #: E048329

Thank you.
Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov

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