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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 14 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. 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.

Split #'s:	Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
72-17022 →	72-16760	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-17023 →	72-16763	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-17024 →	72-16766	Yes ☒	Yes ☐		Yes ☐	Yes ☐
		Yes ☐	Yes ☐		Yes ☐	Yes ☐
		Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Antonio & Linda Biain
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Brad Gough Holdings LLC
   New owner(s) as listed on the conveyance document Name connector ☐ **and** ☐ **or**

PO Box 213 — Mailing address
Wendell — City
ID — State
83355 — Zip
208-358-1126 — Telephone
bgough5@gmail.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: 12/08/2021.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - 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):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

SUPPORT DATA
IN FILE # 72-16760

   - ☐ 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: Brad Gough — Signature of new owner/claimant
   Owner — Title, if applicable
   10-06-2022 — Date
   BRAD Gough — Print name

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

For IDWR Office Use Only:

Receipted by SG Date 10/14/2022 Receipt No. S039342 (pd. by Kuhn) & S039488 Receipt Amt. #75 - #75 - #150 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 DM Date 11-15-2022

261800

WARRANTY DEED

For Value Received, WE, ANTONIO M. BIAIN AND LINDA L. BIAIN, TRUSTEES OF THE ANTONIO M. AND LINDA L. BIAIN TRUST DATED FEBRUARY 20, 2014, do hereby grant, bargain, sell and convey unto BRAD GOUGH HOLDINGS LLC., an Idaho limited liability company, whose address is:
P.O. Box 213, Wendell, Idaho 83355

the following described premises in CUSTER County, Idaho, to-wit:

Lot 2, Block 1, Osprey Bend Subdivision No. 1, according to the Official Plat thereof recorded April 11, 1994, as instrument No. 206202, and amended August 2, 1994, as instrument No. 207037, records of Custer County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners of said premises; and that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 12/6/2021

Antonio M Biain Trustee
ANTONIO M. BIAIN, TRUSTEE OF THE
ANTONIO M. AND LINDA L. BIAIN TRUST
DATED FEBRUARY 20, 2014

Linda L Biain trustee
LINDA L. BIAIN, TRUSTEE OF THE
ANTONIO M. AND LINDA L. BIAIN TRUST
DATED FEBRUARY 20, 2014

#
Custer County Rec. of
Custer County Title
Time 2:45 PM Date 12/7 20 21
Lura H. Baker, Clerk
Kristen Valdez $ 15.00
Deputy

STATE OF Idaho
COUNTY OF Ada

On this 6th day of December, in the year of 2021, before me, a Notary Public, personally appeared, Antonio M. Biain and Linda L. Biain, Trustees of the Antonio M. and Linda L. Biain Trust Dated February 20, 2014, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity and by their signatures, have executed the same, on behalf of The Antonio M. and Linda L. Biain Trust Dated February 20, 2014.

John T Witgens
Notary Public
Residing at Eagle ID 83616
Commission Expires 9-1-2027

JORDAN T WITGENSTEIN
Notary Public
State of Idaho
Commission No. 20214204

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IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

November 15, 2022

JAMES R KUHN & WENDY L KUHN REVOCABLE TRUST
4500 S KATHY RD
FLAGSTAFF AZ 86005-9380

BRAD GOUGH HOLDINGS LLC
PO BOX 213
WENDELL ID 83355-0213

Re: Change in Water Right Ownership: 72-16760 (Split into 72-16760 and 72-17022)
Change in Water Right Ownership: 72-16763 (Split into 72-16763 and 72-17023)
Change in Water Right Ownership: 72-16766 (Split into 72-16766 and 72-17024)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The water right(s) referenced above were split between James R Kuhn & Wendy L Kuhn Revocable Trust (Lot 3, Block 1, Osprey Bend Subdivision No. 1); and Brad Gough Holdings LLC (Lot 2, Block 1, Osprey Bend Subdivision).

The Department has modified its records based on the information received and has enclosed a computer-generated report for you. Below is a breakdown of the water right numbers:

72-16760, 72-16763 and 72-16766 are in the name of James R Kuhn & Wendy L Kuhn Revocable Trust

72-17022, 72-17023 and 72-17024 are in the name of Brad Gough Holdings LLC

Each water right(s) 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.

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.

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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) 293-9908.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Water District 72D, Water District 170

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DEC 15 2022

IDAHO DEPARTMENT OF WATER RESOURCES **11/15/2022**
Proof Report

Water Right 72-16760
WR Report *AFTER* Ownership Change Split

Owner Type	Name and Address
Current Owner	JAMES R KUHN & WENDY L KUHN REVOCABLE TRUST 4500 S KATHY RD FLAGSTAFF, AZ 86005-9380 (928) 699-1823
Previous Owner	ANTONIO M BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Previous Owner	LINDA L BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Directors Report Owner	KATHRYN S HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Directors Report Owner	GERALD D HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Original Owner	CESIRA COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227 (208) 838-2304
Original Owner	FABIO COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227

Priority Date: 6/1/1963
Basis: Decreed
Status: Active

Source	Tributary
SALMON RIVER	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.150 CFS	
	Total Diversion		0.150 CFS	

Source and Point(s) of Diversion:

SALMON RIVER	L3(NENESW)	Sec. 28, Twp 11N, Rge 17E, CUSTER County

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Place Of Use:
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
11N	17E	28															1.6 L7	1.0 L8	2.6

POU Total Acres: 2.6

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-16763 & 72-16766.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.29 CFS. COMBINED RIGHT NOS.: 72-16763 & 72-16766.
4. Property also known as Lot 3, Blk 1, Osprey Bend Subdivision No. 1

Comments:

1 tfawcett 3/13/2008
Updated Shape

2 tfawcett 3/13/2008
Updated PLS

3 tfawcett 3/14/2008 Ownership split
This right was split from 72-16655 pursuant to an owner change.

4 dmaline 11/15/2022 Split Right
Split into 72-16760 (Kuhn) and 72-17022 (Gough).

5 dmaline 11/15/2022 POU
Updated Shape

Dates and Other Information:
Decreed Date: 12/1/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 72D
Mitigation Plan: False

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Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A

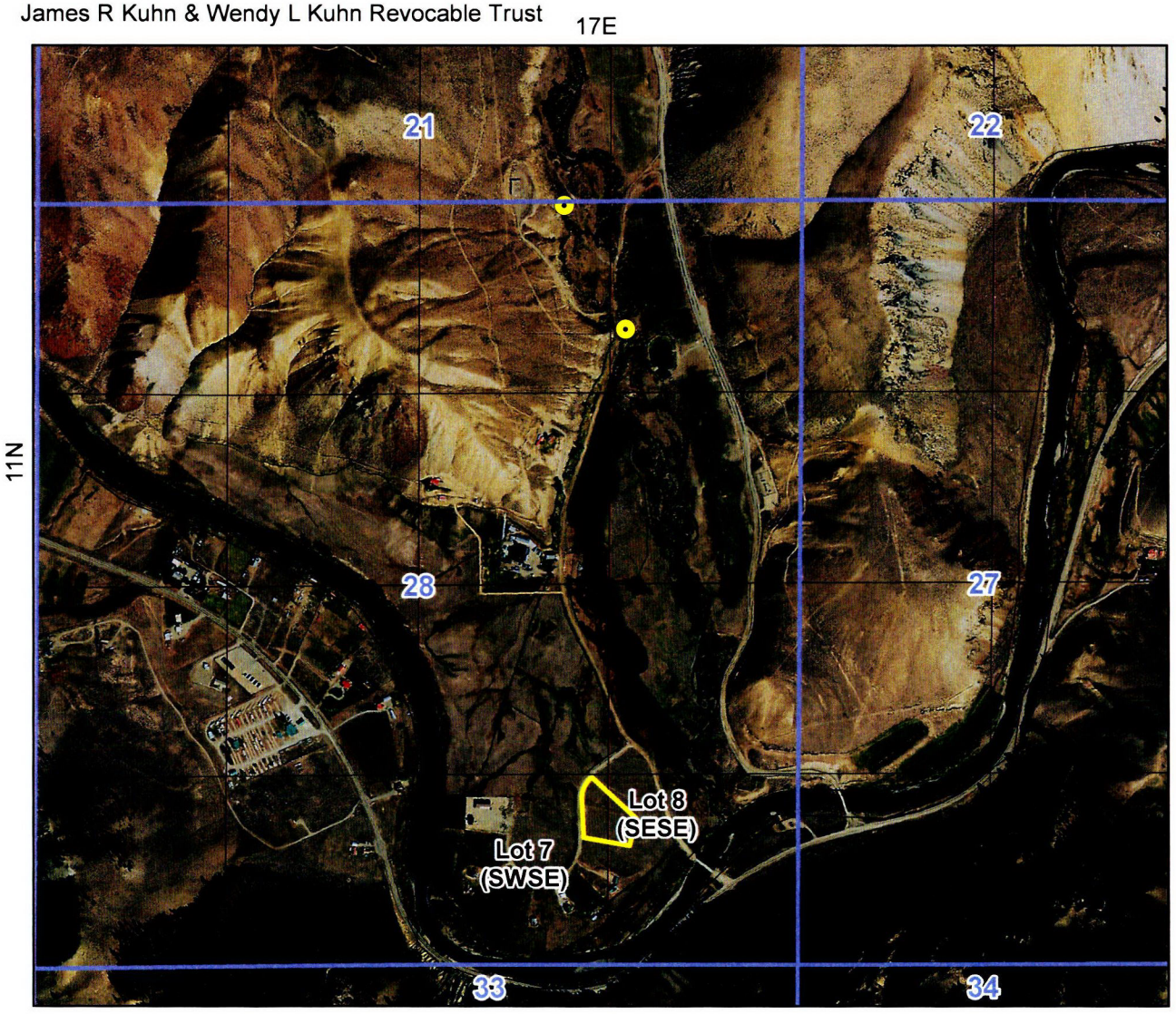
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DEC 15 2022

State of Idaho
Department of Water Resources

Water Right No(s). 72-16760, 72-16763, 72-16766

Map AFTER Ownership Change Split

James R Kuhn & Wendy L Kuhn Revocable Trust



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

0 0.15 0.3 0.6 Miles

N

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Proof Report

Water Right 72-16760
WR Report *BEFORE* Ownership Change Split

Owner Type	Name and Address
Current Owner	ANTONIO M BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Current Owner	LINDA L BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Directors Report Owner	KATHRYN S HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Directors Report Owner	GERALD D HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Original Owner	FABIO COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227
Original Owner	CESIRA COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227 (208) 838-2304

Priority Date: 6/1/1963
Basis: Decreed
Status: Active

Source	Tributary
SALMON RIVER	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.320 CFS	
	Total Diversion		0.320 CFS	

Source and Point(s) of Diversion:

SALMON RIVER	L3(NENESW)	Sec. 28, Twp 11N, Rge 17E, CUSTER County

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Place Of Use:
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
11N	17E	28													1.0	0.1 L4	1.8 L7	2.5 L8	5.4

POU Total Acres: 5.4

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-16763 & 72-16766.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.60 CFS. COMBINED RIGHT NOS.: 72-16763 & 72-16766.

Comments:
1 tfawcett 3/13/2008
Updated Shape

2 tfawcett 3/13/2008
Updated PLS

3 tfawcett 3/14/2008 Ownership split
This right was split from 72-16655 pursuant to an owner change.

Dates and Other Information:
Decreed Date: 12/1/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And/Or
Water District Number: 72D
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:
N/A

Water Supply Bank:

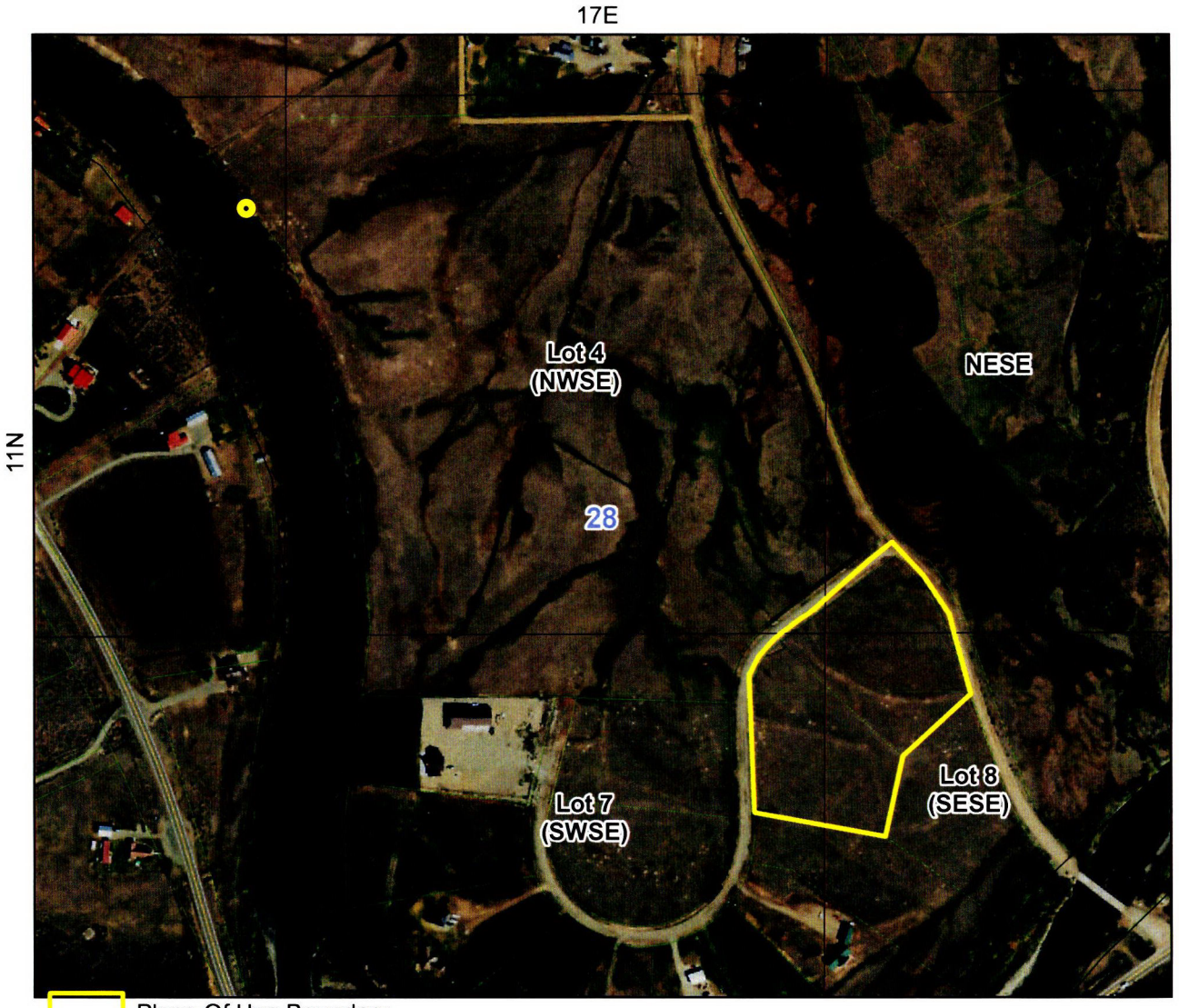
N/A

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DEC 15 2022

State of Idaho
Department of Water Resources Water

Right No(s). 72-16760, 72-16763, 72-16766

Map BEFORE Ownership Change Split



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

0 0.05 0.1 0.2 Miles

N

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DEC 15 2022

Water Right 72-16763
WR Report *AFTER* Ownership Change Split

Owner Type	Name and Address
Current Owner	JAMES R KUHN & WENDY L KUHN REVOCABLE TRUST 4500 S KATHY RD FLAGSTAFF, AZ 86005-9380 (928) 699-1823
Previous Owner	ANTONIO M BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Previous Owner	LINDA L BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Directors Report Owner	KATHRYN S HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Directors Report Owner	GERALD D HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Original Owner	CESIRA COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227 (208) 838-2304
Original Owner	FABIO COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227

Priority Date: 8/24/1886
Basis: Decreed
Status: Active

Source	Tributary
SQUAW CREEK	SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.120 CFS	
	Total Diversion		0.120 CFS	

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Source and Point(s) of Diversion:

SQUAW CREEK	NENWNE	Sec. 28, Twp 11N, Rge 17E, CUSTER County
SQUAW CREEK	SWNENE	Sec. 28, Twp 11N, Rge 17E, CUSTER County

Place Of Use:

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
11N	17E	28															1.6 L7	1.0 L8	2.6

POU Total Acres: 2.6

Conditions of Approval:

1.		0.01 CFS OF RIGHT NO. 72-16766 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
2.		RIGHT NOS. 72-16656, 72-16762, 72-16764, 72-16658, 72-16765, 72-16766, 72-16767, 72-17023 AND 72-17024 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
3.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-16760 & 72-16766.
5.		USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.29 CFS. COMBINED RIGHT NOS.: 72-16760 & 72-16766.
6.		Property also known as Lot 3, Blk 1, Osprey Bend Subdivision No. 1

Comments:

1 tfawcett 3/14/2008 Ownership Split
This right was split from 72-16657 pursuant to an owner change.

2 tfawcett 3/14/2008
Updated Shape

3 dmaline 11/15/2022 Split Right
Split into 72-16763 (Kuhn) and 72-17023 (Gough).

4 dmaline 11/15/2022 POU
Updated Shape

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Dates and Other Information:
Decreed Date: 11/17/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 72D
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A

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DEC 15 2022

State of Idaho
Department of Water Resources

Water Right No(s). 72-16760, 72-16763, 72-16766

Map AFTER Ownership Change Split

James R Kuhn & Wendy L Kuhn Revocable Trust



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

0 0.15 0.3 0.6 Miles

N

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DEC 15 2022

Water Right 72-16763
WR Report *BEFORE* Ownership Change Split

Owner Type	Name and Address
Current Owner	ANTONIO M BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Current Owner	LINDA L BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Directors Report Owner	GERALD D HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Directors Report Owner	KATHRYN S HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Original Owner	FABIO COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227
Original Owner	CESIRA COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227 (208) 838-2304

Priority Date: 8/24/1886
Basis: Decreed
Status: Active

Source	Tributary
SQUAW CREEK	SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.240 CFS	
	Total Diversion		0.240 CFS	

Source and Point(s) of Diversion:

SQUAW CREEK	NENWNE	Sec. 28, Twp 11N, Rge 17E, CUSTER County
SQUAW CREEK	SWNENE	Sec. 28, Twp 11N, Rge 17E, CUSTER County

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Place Of Use:
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
11N	17E	28													1.0	0.1	1.8 L7	2.5 L8	5.4

POU Total Acres: 5.4

Conditions of Approval:

1.		0.02 CFS OF RIGHT NO. 72-16766 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
2.		RIGHT NOS. 72-16656, 72-16762, 72-16764, 72-16658, 72-16765, 72-16766 AND 72-16767 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
3.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-16760 & 72-16766.
5.		USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.60 CFS. COMBINED RIGHT NOS.: 72-16760 & 72-16766.

Comments:

1 tfawcett 3/14/2008 Ownership Split
This right was split from 72-16657 pursuant to an owner change.

2 tfawcett 3/14/2008
Updated Shape

Dates and Other Information:
Decreed Date: 11/17/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 72D
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

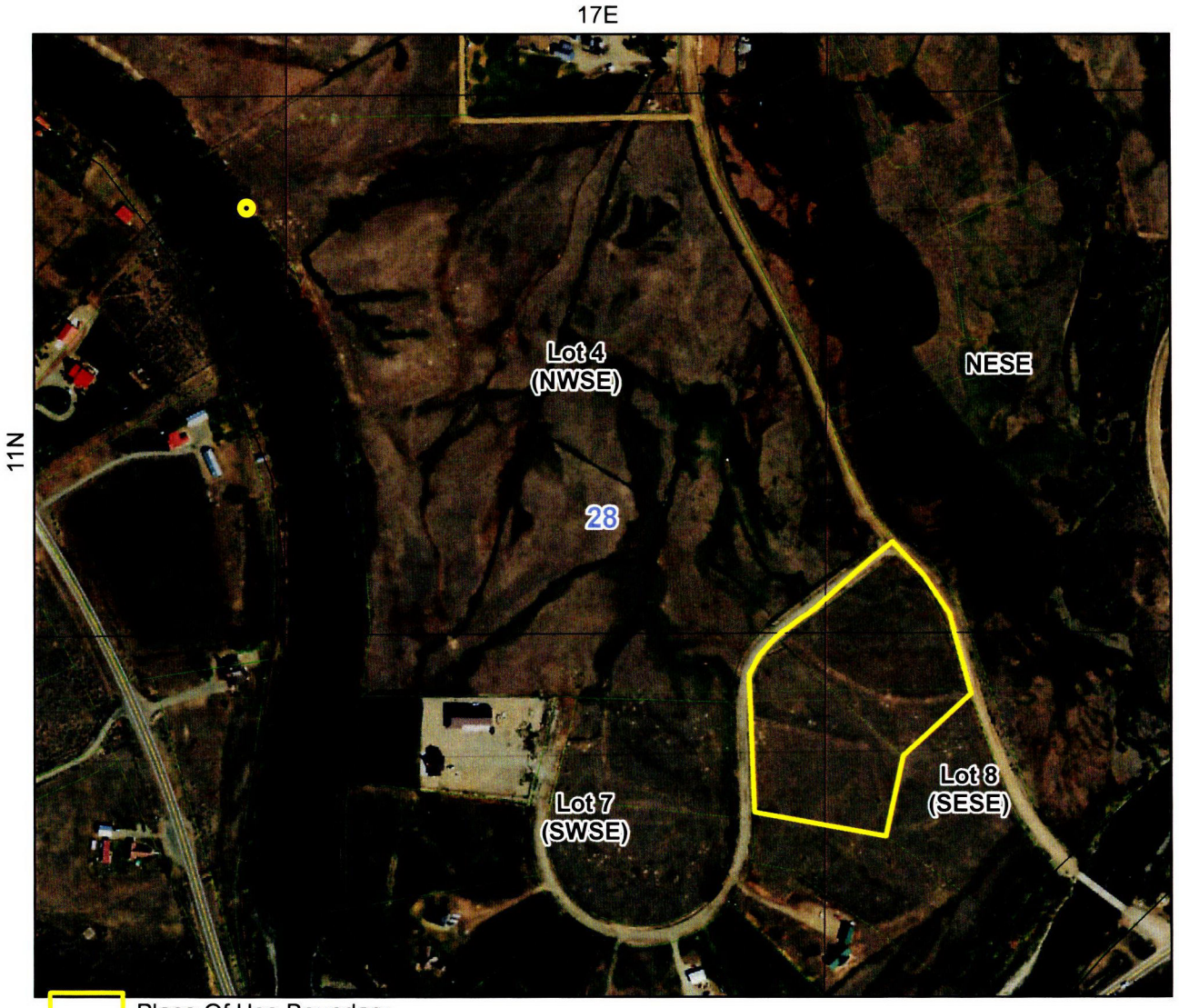
N/A

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DEC 15 2022

State of Idaho
Department of Water Resources Water

Right No(s). 72-16760, 72-16763, 72-16766

Map BEFORE Ownership Change Split



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

0 0.05 0.1 0.2 Miles

N

SCANNED
DEC 15 2022

Water Right 72-16766
WR Report *AFTER* Ownership Change Split

Owner Type	Name and Address
Current Owner	JAMES R KUHN & WENDY L KUHN REVOCABLE TRUST 4500 S KATHY RD FLAGSTAFF, AZ 86005-9380 (928) 699-1823
Previous Owner	ANTONIO M BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Previous Owner	LINDA L BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Directors Report Owner	KATHRYN S HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Directors Report Owner	GERALD D HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706

Priority Date: 5/8/1917
Basis: Decreed
Status: Active

Source	Tributary
SQUAW CREEK	SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.070 CFS	
		Total Diversion	0.070 CFS	

Source and Point(s) of Diversion:

SQUAW CREEK	SWNENE	Sec. 28, Twp 11N, Rge 17E, CUSTER County
SQUAW CREEK	NENWNE	Sec. 28, Twp 11N, Rge 17E, CUSTER County

Place Of Use:
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
11N	17E	28															1.6 L7	1.0 L8	2.6

POU Total Acres: 2.6

SCANNED
DEC 15 2022

Conditions of Approval:

1.		USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.29 CFS. COMBINED RIGHT NOS.: 72-16760 & 72-16763.
2.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-16760 & 72-16763.
3.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4.		RIGHT NOS. 72-16656, 72-16762, 72-16763, 72-16764, 72-16658, 72-16765, 72-16767, 72-17023 AND 72-17024 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
5.		0.01 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND 72-16763.
6.		Property also known as Lot 3, Blk 1, Osprey Bend Subdivision No. 1

Comments:

1 tfawcett 3/14/2008 Ownership Split
This right was split from 72-16659 pursuant to an owner change.

2 tfawcett 3/14/2008
Updated Shape

3 dmaline 11/15/2022 Split Right
Split into 72-16766 (Kuhn) and 72-17024 (Gough).

4 dmaline 11/15/2022 POU
Updated Shape

Dates and Other Information:

Decreed Date: 12/1/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 72D
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

SCANNED
DEC 15 2022

State of Idaho
Department of Water Resources

Water Right No(s). 72-16760, 72-16763, 72-16766

Map AFTER Ownership Change Split

James R Kuhn & Wendy L Kuhn Revocable Trust



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

0 0.15 0.3 0.6 Miles

N

SCANNED
DEC 15 2022

Water Right 72-16766
WR Report *BEFORE* Ownership Change Split

Owner Type	Name and Address
Current Owner	ANTONIO M BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Current Owner	LINDA L BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Directors Report Owner	GERALD D HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Directors Report Owner	KATHRYN S HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706

Priority Date: 5/8/1917
Basis: Decreed
Status: Active

Source	Tributary
SQUAW CREEK	SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.140 CFS	
		Total Diversion	0.140 CFS	

Source and Point(s) of Diversion:

SQUAW CREEK	SWNENE	Sec. 28, Twp 11N, Rge 17E, CUSTER County
SQUAW CREEK	NENWNE	Sec. 28, Twp 11N, Rge 17E, CUSTER County

Place Of Use:
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
11N	17E	28													1.0	0.1	1.8 L7	2.5 L8	5.4

POU Total Acres: 5.4

SCANNED
DEC 15 2022

Conditions of Approval:

1.		USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.60 CFS. COMBINED RIGHT NOS.: 72-16760 & 72-16763.
2.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-16760 & 72-16763.
3.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4.		RIGHT NOS. 72-16656, 72-16762, 72-16763, 72-16764, 72-16658, 72-16765 AND 72-16767 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
5.		0.02 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND 72-16763.

Comments:

1 tfawcett 3/14/2008 Ownership Split
This right was split from 72-16659 pursuant to an owner change.

2 tfawcett 3/14/2008
Updated Shape

Dates and Other Information:

Decreed Date: 12/1/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 72D
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

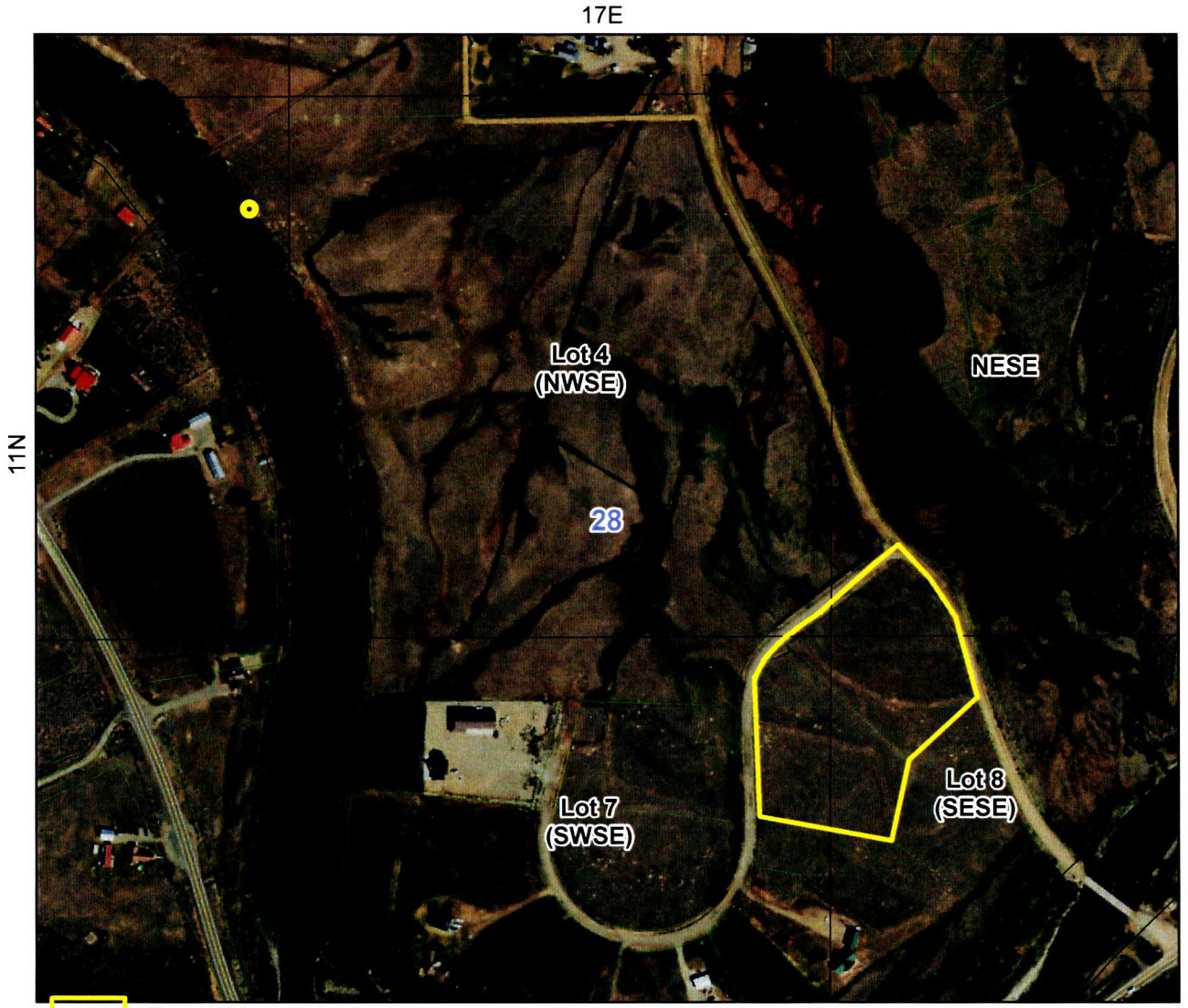
N/A

SCANNED
DEC 15 2022

State of Idaho
Department of Water Resources Water

Right No(s). 72-16760, 72-16763, 72-16766

Map BEFORE Ownership Change Split



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

0 0.05 0.1 0.2 Miles

N

SCANNED
DEC 15 2022

IDAHO DEPARTMENT OF WATER RESOURCES **11/15/2022**
Proof Report

Water Right 72-17022

Owner Type	**Name and Address**
Current Owner	BRAD GOUGH HOLDINGS LLC PO BOX 213 WENDELL, ID 83355-0213 (208) 358-1126
Previous Owner	ANTONIO M BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Previous Owner	LINDA L BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Directors Report Owner	KATHRYN S HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Directors Report Owner	GERALD D HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Original Owner	CESIRA COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227 (208) 838-2304
Original Owner	FABIO COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227

Priority Date: 6/1/1963
Basis: Decreed
Status: Active

Source	**Tributary**
SALMON RIVER	SNAKE RIVER

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	04/01	10/31	0.170 CFS	
		Total Diversion	0.170 CFS	

SCANNED
DEC 15 2022

Source and Point(s) of Diversion:
SALMON RIVER L3(NENESW) Sec. 28, Twp 11N, Rge 17E, CUSTER County

Place Of Use:
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
11N	17E	28													1.0	0.1 L4	0.2 L7	1.5 L8	2.8

POU Total Acres: 2.8

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-17023 & 72-17024.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.31 CFS. COMBINED RIGHT NOS.: 72-17023 & 72-17024.
4. Property also known as Lot 2, Blk 1, Osprey Bend Subdivision No. 1

Comments:
1 dmaline 11/15/2022 Split Right
This right is the result of split from 72-16760 per ownership change.

2 dmaline 11/15/2022 POU
Updated Shape

Dates and Other Information:
Decreed Date: 12/1/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 72D
Mitigation Plan: False

Combined Use Limits:

N/A
SubCase:
N/A

Water Supply Bank:
N/A

SCANNED
DEC 15 2022

State of Idaho
Department of Water Resources

Water Right(s). 72-17022, 72-17023, 72-17024

Brad Gough Holdings LLC



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

0 0.05 0.1 0.2 Miles

N

SCANNED
DEC 15 2022

Water Right 72-17023

Owner Type	Name and Address
Current Owner	BRAD GOUGH HOLDINGS LLC PO BOX 213 WENDELL, ID 83355-0213 (208) 358-1126
Previous Owner	ANTONIO M BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Previous Owner	LINDA L BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Directors Report Owner	KATHRYN S HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Directors Report Owner	GERALD D HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Original Owner	CESIRA COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227 (208) 838-2304
Original Owner	FABIO COMINOTTI GENERAL DELIVERY CLAYTON, ID 83227

Priority Date: 8/24/1886
Basis: Decreed
Status: Active

Source	Tributary
SQUAW CREEK	SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.120 CFS	
		Total Diversion	0.120 CFS	

SCANNED
DEC 15 2022

Source and Point(s) of Diversion:

SQUAW CREEK	NENWNE	Sec. 28, Twp 11N, Rge 17E, CUSTER County
SQUAW CREEK	SWNENE	Sec. 28, Twp 11N, Rge 17E, CUSTER County

Place Of Use:

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
11N	17E	28													1.0	0.1	0.2 L7	1.5 L8	2.8

POU Total Acres: 2.8

Conditions of Approval:

1.		0.01 CFS OF RIGHT NO. 72-17024 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
2.		RIGHT NOS. 72-16656, 72-16762, 72-16764, 72-16658, 72-16765, 72-16766, 72-16767, AND 72-17024 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
3.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-17022 & 72-17024.
5.		USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.31 CFS. COMBINED RIGHT NOS.: 72-17022 & 72-17024.
6.		Property also known as Lot 2, Blk 1, Osprey Bend Subdivision No. 1

Comments:

1	dmaline	11/15/2022	Split Right

This right is the result of split from 72-16763.

2	dmaline	11/15/2022	POU

Updated Shape

Dates and Other Information:

Decreed Date: 11/17/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 72D
Mitigation Plan: False

SCANNED
DEC 15 2022

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A

SCANNED
DEC 15 2022

State of Idaho
Department of Water Resources

Water Right(s). 72-17022, 72-17023, 72-17024

Brad Gough Holdings LLC



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

0 0.05 0.1 0.2 Miles

N

SCANNED
DEC 15 2022

Proof Report

Water Right 72-17024

Owner Type	Name and Address
Current Owner	BRAD GOUGH HOLDINGS LLC PO BOX 213 WENDELL, ID 83355-0213 (208) 358-1126
Previous Owner	ANTONIO M BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Previous Owner	LINDA L BIAIN PO BOX 2088 EAGLE, ID 83616-9111 (208) 420-8384
Directors Report Owner	KATHRYN S HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706
Directors Report Owner	GERALD D HERRICK C/O TRACEY KEHNE 2209 S CROSSCREEK LN BOISE, ID 83706

Priority Date: 5/8/1917
Basis: Decreed
Status: Active

Source	Tributary
SQUAW CREEK	SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.070 CFS	
	Total Diversion		0.070 CFS	

Source and Point(s) of Diversion:

SQUAW CREEK	SWNENE	Sec. 28, Twp 11N, Rge 17E, CUSTER County
SQUAW CREEK	NENWNE	Sec. 28, Twp 11N, Rge 17E, CUSTER County

SCANNED
DEC 15 2022

Place Of Use:
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
11N	17E	28													1.0	0.1	0.2 L7	1.5 L8	2.8

POU Total Acres: 2.8

Conditions of Approval:

1.		USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.31 CFS. COMBINED RIGHT NOS.: 72-17022 & 72-17023.
2.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-17022 & 72-17023.
3.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4.		RIGHT NOS. 72-16656, 72-16762, 72-16763, 72-16764, 72-16658, 72-16765, 72-16767 AND 72-17023 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
5.		0.01 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND 72-17023.
6.		Property also known as Lot 2, Blk 1, Osprey Bend Subdivision No. 1

Comments:

1	dmaline	11/15/2022	Split Right

This right is the result of split from 72-16766.

2	dmaline	11/15/2022	POU

Updated Shape

Dates and Other Information:
Decreed Date: 12/1/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 72D
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:
N/A

SCANNED
DEC 15 2022

State of Idaho
Department of Water Resources

Water Right(s). 72-17022, 72-17023, 72-17024

Brad Gough Holdings LLC



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

0 0.05 0.1 0.2 Miles

N

SCANNED
DEC 15 2022

Form 42-248/42-1409(6) Rev. 7/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 18 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. 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.

Split #'s	Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
72-17022 →	72-16760	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-17023 →	72-16763	Yes ☒	Yes ☐		Yes ☐	Yes ☐
72-17024 →	72-16766	Yes ☒	Yes ☐		Yes ☐	Yes ☐
		Yes ☐	Yes ☐		Yes ☐	Yes ☐
		Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: ANTONIO & LINDA [redacted] Biain
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): JAMES & WENDY KUAN REVOCABLE TRUST
New owner(s) as listed on the conveyance document Name connector ☐ **and** ☐ **or**

4500 KATHY RD
Mailing address

FLAGSTAFF
City

AZ
State

86005
Zip

928-699-1823
Telephone

FLAGROADIE@GMAIL.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: 9/26/21.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - 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):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

SUPPORT DATA
IN FILE # 72-16760

   - ☒ 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: _____ — 7-7-22
Signature of new owner/claimant Title, if applicable Date

JAMES R KUHN
Print name

SCANNED
DEC 15 2022

Signature: _____ — 7-7-22
Signature of new owner/claimant Title, if applicable Date

WENDY L KUHN
Print name

For IDWR Office Use Only:

Receipted by SG-SG Date 10/17/2022 7/18/22 Receipt No. 5039342 (5039483, 5039488) Receipt Amt. $150 - (Pd. by Gough) ($75.00 / $75.00)

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 DM Date 11-15-2022

Absolute
TAX & FINANCIAL SOLUTIONS

"Maximizing Your Money with Loyalty & Integrity"

Wendy Kuhn
ATFS Partner – Director of Operations

WendyK@Absolute.TAX

928-440-5022 *office*
866-332-5035 *fax*
CELL 928-821-6945

5200 E. CORTLAND BLVD.
SUITE E110
FLAGSTAFF, AZ 86004

www.Absolute.TAX



SCANNED
DEC 15 2022

261990

Custer County Req. of
Jim Kuhn
Time 11:49 A M Date 1/19 ,2022
Lura H. Baker, Clerk
Kristen Walker $ 15.00
Deputy

After recording, please mail this deed
and future tax statements to:
Jim Kuhn
4500 S Kathy Rd
Flagstaff, AZ 86005

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 30 day of December , 2021 , by the grantor, James R. Kuhn and Wendy L. Kuhn, husband and wife, whose address is:
4500 S. Kathy Road, Flagstaff, AZ 86005

to the grantee,
"Revocable Trust." TRUST AGREEMENT OF JAMES R. KUHN AND WENDY L. KUHN, created under trust instrument dated February 14, 2000, for the benefit of JAMES R. KUHN AND WENDY L. KUHN.

WITNESSETH, that the said grantor, for $ and other valuable consideration.

the receipt whereof is hereby acknowledged, does hereby quitclaim all interest in the following parcel of land in Custer County, Idaho – legally described as:
Lot 3, Block 1, Osprey Bend Subdivision No. 1 according to the Official Plat thereof recorded April 11, 1994, as instrument No. 206202, and amended August 2, 1994, as instrument No. 207037, records of Custer County, Idaho.

Commonly known as:No Known Address, Clayton, ID 83227
Parcel identification: RP001160010030A
Source of title:
261799

SCANNED
DEC 15 2022

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Construe all terms with the appropriate gender and quantity required by the sense of this deed.

Signed, sealed and delivered in presence of:

Signature	Signature
James R. Kuhn	Wendy L. Kuhn
Print name	Print name
Grantor	Spouse
Capacity	Capacity
Signature	Signature
Print name	Print name
Capacity	Capacity
Signature	Signature
Print name	Print name
Capacity	Capacity

STATE OF Arizona }
COUNTY OF Coconino }

On this 13 day of January, in the year of 2022, before me, LIBERTY URIAS, a notary public, personally appeared JAMES R KUHN & WENDY L. KUHN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Notary Public
LIBERTY URIAS
Print name
My commission expires: JULY 15, 2024

(seal) OFFICIAL SEAL
LIBERTY S. URIAS
NOTARY PUBLIC - ARIZONA
COCONINO COUNTY
COMM # 590724
My Comm. Expires July 15, 2024

SCANNED
DEC 15 2022

261799

WARRANTY DEED

For Value Received, WE, ANTONIO M. BIAIN AND LINDA L. BIAIN, TRUSTEES OF THE ANTONIO M. AND LINDA L. BIAIN TRUST DATED FEBRUARY 20, 2014, do hereby grant, bargain, sell and convey unto JAMES R. KUHN AND WENDY L. KUHN, husband and wife, whose address is:
4500 S. Kathy Road, Flagstaff, AZ, 86005

the following described premises in CUSTER County, Idaho, to-wit:

Lot 3, Block 1, Osprey Bend Subdivision No. 1, according to the Official Plat thereof recorded April 11, 1994, as instrument No. 206202, and amended August 2, 1994, as instrument No. 207037, records of Custer County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners of said premises; and that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 12-6-2021

Antonio M Biain Trustee
ANTONIO M. BIAIN, TRUSTEE OF THE
ANTONIO M. AND LINDA L. BIAIN TRUST
DATED FEBRUARY 20, 2014

Linda L Biain trustee
LINDA L. BIAIN, TRUSTEE OF THE
ANTONIO M. AND LINDA L. BIAIN TRUST
DATED FEBRUARY 20, 2014

#_____
Custer County Req. of
Custer County Title
Time 2:45 P M Date 12/9 2021
Lura H. Baker, Clerk
Kristen Valkie Deputy $ 15.00

STATE OF Idaho
COUNTY OF Ada

On this 6 day of December, in the year of 2021, before me, a Notary Public, personally appeared, Antonio M. Biain and Linda L. Biain, Trustees of the Antonio M. and Linda L. Biain Trust Dated February 20, 2014, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity and by their signatures, have executed the same, on behalf of The Antonio M. and Linda L. Biain Trust Dated February 20, 2014.

Jordan T Witgenstein
Notary Public
Residing at Eagle ID 83616
Commission Expires 9-1-2027

JORDAN T WITGENSTEIN
Notary Public
State of Idaho
Commission No. 20214204

SCANNED
DEC 15 2022

SCANNED
DEC 15 2022

2062202

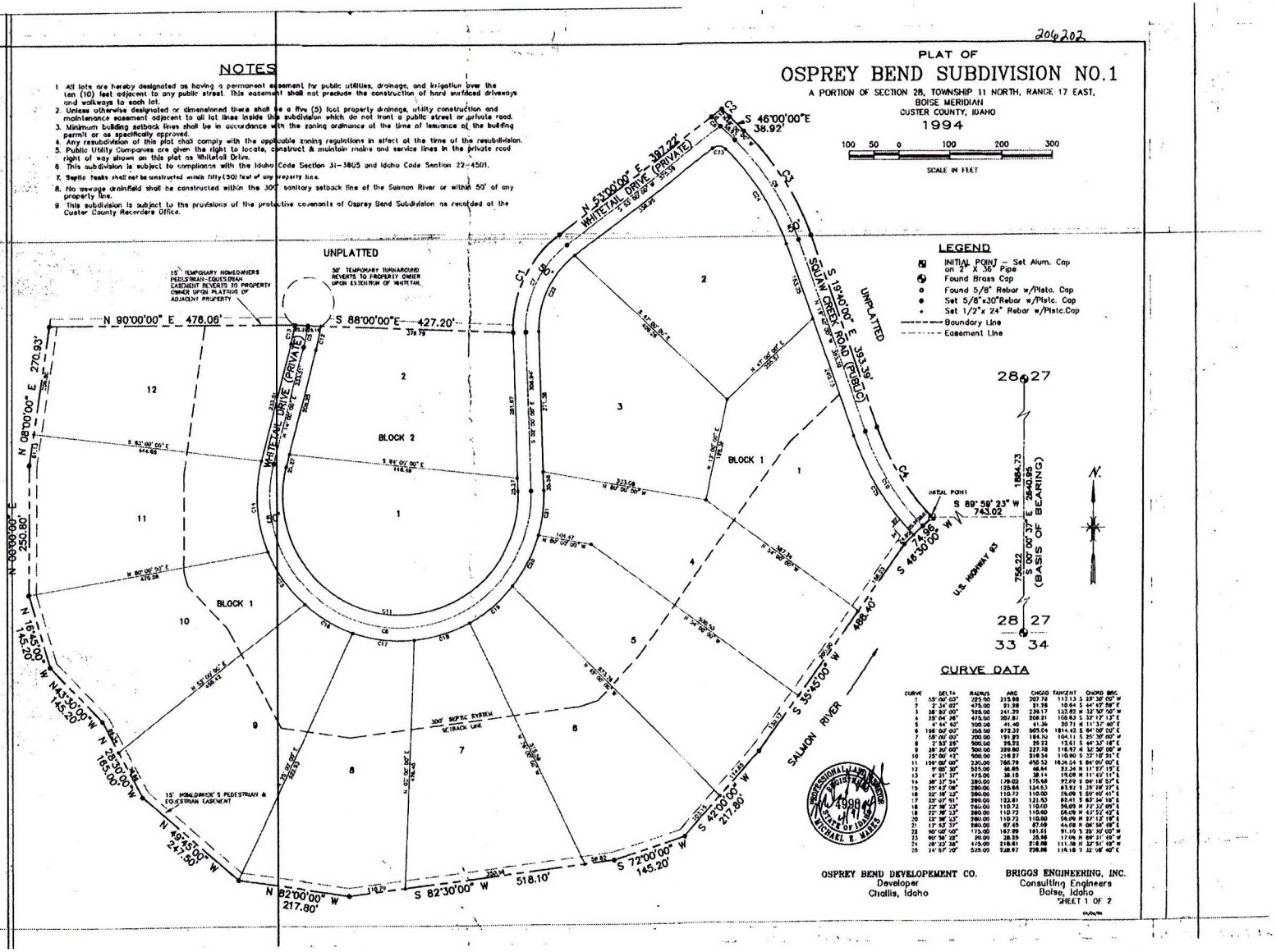
PLAT OF
OSPREY BEND SUBDIVISION NO.1

A PORTION OF SECTION 28, TOWNSHIP 11 NORTH, RANGE 17 EAST,
BOISE MERIDIAN
CUSTER COUNTY, IDAHO
1994

100 50 0 100 200 300
SCALE IN FEET

NOTES

1. All lots are hereby designated as having a permanent easement for public utilities, drainage, and irrigation over the ten (10) feet adjacent to any public street. This easement shall not preclude the construction of hard surfaced driveways and walkways to each lot.
2. Unless otherwise designated or dimensioned there shall be a five (5) foot property drainage, utility construction and maintenance easement adjacent to all lot lines inside this subdivision which do not front a public street or private road.
3. Minimum building setback lines shall be in accordance with the zoning ordinance of the time of issuance of the building permit or as specifically approved.
4. Any resubdivision of this plat shall comply with the applicable zoning regulations in effect at the time of the resubdivision.
5. Public Utility Companies are given the right to locate, construct & maintain mains and service lines in the private road right of way shown on this plat as Whitetail Drive.
6. This subdivision is subject to compliance with the Idaho Code Section 31-3805 and Idaho Code Section 22-4501.
7. Septic tanks shall not be constructed within fifty (50) feet of any property line.
8. No sewage drainfield shall be constructed within the 300' sanitary setback line of the Salmon River or within 50' of any property line.
9. This subdivision is subject to the provisions of the protective covenants of Osprey Bend Subdivision as recorded at the Custer County Recorders Office.



LEGEND

- INITIAL POINT – Set Alum. Cap on 2" X 36" Pipe
- Found Brass Cap
- Found 5/8" Rebar w/Plstc. Cap
- Set 5/8"x30"Rebar w/Plstc. Cap
- Set 1/2"x 24" Rebar w/Plstc.Cap
- Boundary Line
- Easement Line

CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
1	55° 00' 00"	225.00	215.98	207.78	117.13	S 28° 30' 00" W
2	2° 24' 02"	475.00	21.38	21.38	10.69	S 44° 42' 00" E
3	28° 30' 00"	388.00	241.39	238.17	123.82	N 32° 45' 00" W
4	25° 04' 28"	475.00	207.87	206.21	105.63	S 37° 13' 13" E
5	4° 44' 45"	1000.00	41.40	41.39	20.71	N 11° 37' 45" E
6	166° 00' 00"	262.00	672.39	505.04	1814.42	S 84° 00' 00" E
7	55° 00' 00"	200.00	191.91	184.70	104.11	S 35° 30' 00" W
8	7° 53' 28"	500.00	68.82	68.77	34.46	S 43° 26' 44" E
9	28° 30' 00"	500.00	248.80	246.27	127.18	N 32° 45' 00" W
10	25° 04' 28"	500.00	218.87	217.13	110.90	S 37° 13' 13" E
11	159° 00' 00"	230.00	766.79	456.52	1826.54	S 84° 00' 00" E
12	7° 00' 00"	525.00	64.15	64.11	32.14	N 11° 57' 15" E
13	4° 21' 37"	475.00	36.10	36.14	18.08	N 11° 45' 11" E
14	28° 31' 54"	380.00	179.02	175.68	92.69	S 04° 14' 57" E
15	25° 45' 08"	280.00	125.86	124.83	63.92	S 25° 19' 37" E
16	25° 38' 15"	280.00	110.72	110.00	56.09	S 00° 49' 41" E
17	25° 47' 01"	280.00	122.81	121.53	62.41	S 83° 36' 18" E
18	25° 38' 15"	280.00	110.72	110.00	56.09	N 77° 12' 05" E
19	25° 38' 15"	280.00	110.72	110.00	56.09	N 51° 33' 50" E
20	25° 38' 15"	280.00	110.72	110.00	56.09	N 25° 55' 35" E
21	17° 55' 11"	280.00	87.58	87.23	44.08	N 06° 58' 00" E
22	90° 00' 00"	175.00	157.08	141.41	99.10	S 25° 30' 00" W
23	90° 36' 54"	20.00	28.33	25.48	17.96	N 89° 21' 03" W
24	28° 23' 36"	475.00	235.61	233.20	120.38	N 32° 51' 09" W
25	14° 57' 19"	525.00	136.97	136.56	68.83	S 32° 58' 48" E

OSPREY BEND DEVELOPEMENT CO.
Developer
Challis, Idaho

BRIGGS ENGINEERING, INC.
Consulting Engineers
Boise, Idaho

SHEET 1 OF 2

DRAWING NUMBER Osprey Bend Subdivision #1 Sheet 1 of 2
DRAWING NUMBER T11N R17E S28

SCANNED
DEC 15 2022

206202

OSPREY BEND SUBDIVISION NO.1

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS:
THAT GERALD D. HERRICK AND KATHRYN S. HERRICK, HUSBAND AND WIFE, DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS THEIR INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS SUBDIVISION PLAT. THE OWNERS ALSO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH IDAHO CODE 50 1334, (1): NO LOTS IN THIS SUBDIVISION WILL BE SERVED BY ANY WATER SYSTEM COMMON TO ONE OR MORE LOTS, BUT WILL BE SERVED BY INDIVIDUAL WELLS.

A PARCEL OF LAND LOCATED IN SECTION 28, TOWNSHIP 11 NORTH, RANGE 17 EAST OF THE BOISE MERIDIAN CUSTER COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE EAST 1/4 CORNER OF SECTION 28, TOWNSHIP 11 NORTH, RANGE 17 EAST, B.M., THENCE S 00°00'00"E 884.73 FEET ALONG THE EAST LINE OF SAID SECTION 28 TO A POINT; THENCE S 89°59'23"W 743.02 FEET TO THE INITIAL POINT OF THIS DESCRIPTION;

ALONG THE MEANDER LINE OF THE SALMON RIVER THE FOLLOWING:
THENCE S 48°30'00"W 74.96 FEET TO A POINT;
THENCE S 35°45'00"W 488.40 FEET TO A POINT;
THENCE S 42°00'00"W 217.80 FEET TO A POINT;
THENCE S 72°00'00"W 145.20 FEET TO A POINT;
THENCE S 82°30'00"W 518.10 FEET TO A POINT;
THENCE N 82°00'00"W 217.80 FEET TO A POINT;
THENCE N 49°45'00"W 247.50 FEET TO A POINT;
THENCE N 28°30'00"W 185.00 FEET TO A POINT;
THENCE N 43°30'00"W 145.20 FEET TO A POINT;
THENCE N 16°45'00"W 145.20 FEET TO A POINT;
THENCE N 00°00'00"E 250.80 FEET TO A POINT;
THENCE N 08°00'00"E 270.93 FEET TO A POINT;
LEAVING SAID MEANDER LINE;
THENCE N 90°00'00"E 478.06 FEET TO A POINT;
THENCE S 88°00'00"E 427.20 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT 215.98 FEET, SAID CURVE HAVING A RADIUS OF 225.00 FEET A CENTRAL ANGLE OF 55°00'00", TANGENTS OF 117.13 FEET AND A CHORD OF 207.79 FEET WHICH BEARS N 25°30'00"E TO A POINT OF TANGENCY;
THENCE N 53°00'00"E 397.22 FEET TO A POINT ON A CURVE;
THENCE ALONG A CURVE TO THE LEFT 21.28 FEET, SAID CURVE HAVING A RADIUS OF 475.00 FEET A CENTRAL ANGLE OF 02°34'02", TANGENTS OF 10.64 FEET AND A CHORD OF 21.28 FEET WHICH BEARS S 44°42'59"E TO A POINT OF TANGENCY;
THENCE S 46°00'00"E 36.92 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE RIGHT 241.29 FEET, SAID CURVE HAVING A RADIUS OF 525.00 FEET A CENTRAL ANGLE OF 26°20'00", TANGENTS OF 122.82 FEET AND A CHORD OF 239.17 FEET WHICH BEARS S 32°50'00"E TO A POINT OF TANGENCY;
THENCE S 19°40'00"E 393.39 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE LEFT 207.87 FEET, SAID CURVE HAVING A RADIUS OF 475.00 FEET A CENTRAL ANGLE OF 25°04'26", TANGENTS OF 105.83 FEET AND A CHORD OF 208.21 FEET WHICH BEARS S 32°12'13"E TO THE INITIAL POINT OF THIS DESCRIPTION. THIS SUBDIVISION COMPRISES 39.35 ACRES, MORE OR LESS.

THE PUBLIC STREET SHOWN ON THIS PLAT IS HEREBY DEDICATED TO THE PUBLIC, AND THE PRIVATE ROADS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, AND THE EASEMENTS INDICATED ON SAID PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE ERECTED WITHIN THE LINES OF SAID EASEMENTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 8TH DAY OF April, 19 94.

Gerald D. Herrick
GERALD D. HERRICK, HUSBAND

Kathryn S. Herrick
KATHRYN S. HERRICK, WIFE

STATE OF IDAHO } SS
COUNTY OF ADA }

ON THIS 8TH DAY OF April, 1994 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GERALD D. HERRICK AND KATHRYN S. HERRICK, HUSBAND AND WIFE, KNOWN OR IDENTIFIED TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR IDAHO
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES: 11/11/97

NOTARY PUBLIC STATE OF IDAHO

APPROVAL OF DISTRICT SEVEN HEALTH DEPARTMENT

SANITARY RESTRICTIONS AS DESCRIBED IN IDAHO CODE 50-1328 AND 1329 HAVE BEEN SATISFIED. REFER TO THE LETTER FROM DISTRICT SEVEN HEALTH DEPARTMENT RECORDED AS INSTRUMENT NO. _____ AT THE CUSTER COUNTY RECORDER'S OFFICE.

BY Steve Adams 4/8/94
DISTRICT SEVEN HEALTH DEPARTMENT

APPROVAL OF CUSTER COUNTY COMMISSIONERS

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE CUSTER COUNTY COMMISSIONERS DO HEREBY APPROVE THIS PLAT OF OSPREY BEND SUBDIVISION NO.1 ON THE 11th DAY OF April, 1994.

Ivan L. Taylor
IVAN L. TAYLOR, CHAIRMAN

CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, REGISTERED PROFESSIONAL LAND SURVEYOR IN CUSTER COUNTY, IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT, AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

CUSTER COUNTY SURVEYOR

CERTIFICATE OF COUNTY TREASURER

I, JUDI LEUZINGER, COUNTY TREASURER IN AND FOR THE COUNTY OF CUSTER, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

Judi Leuzinger April 11, 1994
COUNTY TREASURER DATE

CERTIFICATE OF SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

Dean Briggs
DEAN W. BRIGGS, L.S. NO. 3619

REGISTERED LAND SURVEYOR 3619 4-8-94 DEAN W. BRIGGS

CERTIFICATE OF SURVEY

I, MICHAEL E. MARKS, L.S., DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON; AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODES 55-1601 THROUGH 55-1612.

Michael E. Marks
MICHAEL E. MARKS, L.S., NO. 4998

REGISTERED PROFESSIONAL LAND SURVEYOR 4998 STATE OF IDAHO MICHAEL E. MARKS

COUNTY RECORDERS CERTIFICATE

INSTRUMENT NO. 206202

STATE OF IDAHO } SS
COUNTY OF CUSTER)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF Briggs Engineering AT 30 MINUTES PAST 2:00 O'CLOCK, P.M., THIS 11th DAY OF April, 19 94 IN MY OFFICE AND WAS DULY RECORDED IN BOOK _____ OF PLATS AT PAGES _____ AND

Tamara Tyler
DEPUTY

Ethel M. Peck
EX-OFFICIO RECORDER

SHEET 2 OF 2

DRAWING NUMBER Osprey Bend Subdivision #1 Sheet 2 of 2
DRAWING NUMBER T11N R17E S28

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

November 15, 2022

JAMES R KUHN & WENDY L KUHN REVOCABLE TRUST
4500 S KATHY RD
FLAGSTAFF AZ 86005-9380

BRAD GOUGH HOLDINGS LLC
PO BOX 213
WENDELL ID 83355-0213

Re: Change in Water Right Ownership: 72-16760 (Split into 72-16760 and 72-17022)
Change in Water Right Ownership: 72-16763 (Split into 72-16763 and 72-17023)
Change in Water Right Ownership: 72-16766 (Split into 72-16766 and 72-17024)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The water right(s) referenced above were split between James R Kuhn & Wendy L Kuhn Revocable Trust (Lot 3, Block 1, Osprey Bend Subdivision No. 1); and Brad Gough Holdings LLC (Lot 2, Block 1, Osprey Bend Subdivision).

The Department has modified its records based on the information received and has enclosed a computer-generated report for you. Below is a breakdown of the water right numbers:

72-16760, 72-16763 and 72-16766 are in the name of James R Kuhn & Wendy L Kuhn Revocable Trust

72-17022, 72-17023 and 72-17024 are in the name of Brad Gough Holdings LLC

Each water right(s) 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.

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.

SCANNED
DEC 15 2022

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) 293-9908.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Water District 72D, Water District 170

SCANNED
DEC 15 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 11, 2022

JAMES KUHN
WENDY KUHN
4500 KATHY RD
FLAGSTAFF AZ 86005

Re: Change in Water Right Ownership for Water Right No(s).: 72-16760, 72-16763, 72-16766

Dear Mr. & Mrs. Kuhn:

The department has received and reviewed the Notice of Change of Water Right Ownership recently submitted to our office. This Notice was filed by First American Title Company. After further review, this notice could not be processed at this time due to the following reason(s):

- The water rights referenced above are appurtenant to Lot 2 Block 1, Osprey Bend Subdivision No. 1; and Lot 3, Block 1, Osprey Bend Subdivision No. 1 (pink striped area on attached map). Warranty Deed #261799 only conveys Lot 3, to you (blue outlined areas on attached map), therefore it appears these water rights need to be split. In order to complete the process of splitting these rights, additional fees are required. The fees for splitting a water right are $100 per water right, and there are 3 water rights involved in this transaction. We have already received $75.00, therefore we will need an additional $225.00.

Please submit the necessary fees within 60 days of the date of this letter. If we do not receive a response within 60 days, your ownership change may be returned and not processed.

Thank you in advance for your patience and cooperation. Please feel free to contact this office if you have questions concerning this information.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosures

SCANNED
DEC 15 2022