

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 11 2022

WATER RESOURCES
WESTERN 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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
03-21394	Yes ☐	Yes ☐		Yes ☐	Yes ☐
03-8747	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Frank A. Baum
Name of current water right holder/claimant

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

839 S Bridgeway Pl. Eagle ID 83616
Mailing address City State Zip
208-377-5700 emily@markbottles.com
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 04/04/2019
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):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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: Mark Bottles by Mark Bottles, 03/02/2022
Signature of new owner/claimant Title, if applicable Date
Hogast, LLC Authorized Agent
Print name

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

For IDWR Office Use Only:

Received by LE Date 03/11/2022 Receipt No. W050192 Receipt Amt. \$50.00
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 DM Processed by DM Date 4-19-23

SUPPORT DATA
IN FILE #63-8747

SCANNED

APR 19 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 19, 2023

76 EAST LLC
839 S BRIDGEWAY PL
EAGLE ID 83616-6097

Re: Change in Ownership for Water Right No(s): **63-8747, 63-21394**

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

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)605-4620.

Sincerely,

Debra Mansfield
Office Specialist II

Enclosure(s)

SCANNED

APR 19 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/19/2023

Water Right 63-8747

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	76 EAST LLC 839 S BRIDGEWAY PL EAGLE, ID 83616-6097 (208) 377-5700
Original Owner	JERRY R BAUM 9839 CHERRY LN NAMPA, ID 83651 (208) 880-1020
Previous Owner	FRANK A BAUM 4343 USTICK RD NAMPA, ID 83687 (208) 466-3063

Priority Date: 5/13/1977

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

1.440 CFS

Volume

324.0 AF

Total Diversion

1.440 CFS

324.0 AF

Source and Point(s) of Diversion:

GROUND WATER

SWNE

Sec. 5, Twp 03N, Rge 01W, CANYON County

Place Of Use:

IRRIGATION within CANYON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	5		35.0 L2	37.0														72.0

POU Total Acres: 72.0

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. PARCEL NO. R3035501200.

SCANNED

APR 19 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/19/2023

3. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.
5. W54 Use of this right is combined with water from Settlers Irrigation District.
6. E62 This right when combined with with all other rights shall provide no more than .02 cfs per acre or 4.5 afa per acre for the lands above.

Dates and Other Information:

Decreed Date: 4/3/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

SCANNED

APR 19 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/19/2023

Water Right 63-21394

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	76 EAST LLC 839 S BRIDGEWAY PL EAGLE, ID 83616-6097 (208) 377-5700
Original Owner	FRANK A BAUM 4343 USTICK RD NAMPA, ID 83687 (208) 466-3063

Priority Date: 5/1/1950

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion:

GROUND WATER SWNE Sec. 5, Twp 03N, Rge 01W, CANYON County

Place Of Use:

DOMESTIC within CANYON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	5			X														

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. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PARCEL NO. 8R03N01W050650 PROPERTY ALSO KNOWN AS TAX 6 IN

SCANNED

APR 19 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/19/2023

LOT 2, 6819 USTICK RD.

Dates and Other Information:

Decreed Date: 3/24/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

SCANNED

APR 19 2023

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT



Order Number: 20369595

2020-048207
RECORDED
08/25/2020 04:28 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=3 LBERG \$15.00
TYPE: DEED
TITLEONE BOISE
ELECTRONICALLY RECORDED

Warranty Deed

For value received,

Ustick1, LLC, an Idaho Limited Liability Company

the grantor, does hereby grant, bargain, sell, and convey unto

76 East, LLC, an Idaho Limited Liability Company

whose current address is x 839 S Bridgeway Pl Eagle ID 83616

the grantee, the following described premises, in Canyon County, Idaho, to wit:

The Southwest quarter of the Northeast quarter, and a portion of Government Lot 2 of Section 5, Township 3 North, Range 1 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Government Lot 2 from which the North quarter corner of said Section 5 bears North 89° 18' 02" West 1325.47 feet; thence along East boundary line of said Government Lot 2 South 00° 51' 52" West 472.47 feet to the Real Point of Beginning; thence continuing along said East boundary line and along the East boundary line of the Southwest quarter of the Northeast quarter of said Section 5 South 00° 51' 52" West 2220.97 feet to the Center East 1/16 corner of said Section 5; thence along the South boundary line of the Southwest quarter of the Northeast quarter of said Section 5 North 88° 53' 41" West 1324.25 feet to the center quarter corner of said Section 5; thence along the West boundary line of the Southwest quarter of the Northeast quarter of said Section 5 North 00° 50' 20" East 1324.15 feet to the Southwest corner of said Government Lot 2; thence along West boundary line of said Government Lot 2 North 00° 50' 16" East 1359.91 feet to the North quarter corner of said Section 5; thence along North boundary line of said Government Lot 2

Order Number: 20369595

Warranty Deed - Page 1 of 3

SCANNED

APR 19 2023

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT



TitleOne
a title & escrow co.

Order Number: 20369595

Warranty Deed

For value received,

Ustick1, LLC, an Idaho Limited Liability Company

the grantor, does hereby grant, bargain, sell, and convey unto

76 East, LLC, an Idaho Limited Liability Company

whose current address is X 839 S Bridgeway Pl Eagle ID 83616

the grantee, the following described premises, in Canyon County, Idaho, to wit:

The Southwest quarter of the Northeast quarter, and a portion of Government Lot 2 of Section 5, Township 3 North, Range 1 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Government Lot 2 from which the North quarter corner of said Section 5 bears North 89°18'02" West 1325.47 feet; thence along East boundary line of said Government Lot 2 South 00°51'52" West 472.47 feet to the Real Point of Beginning; thence continuing along said East boundary line and along the East boundary line of the Southwest quarter of the Northeast quarter of said Section 5 South 00°51'52" West 2220.97 feet to the Center East 1/16 corner of said Section 5; thence along the South boundary line of the Southwest quarter of the Northeast quarter of said Section 5 North 88°53'41" West 1324.25 feet to the center quarter corner of said Section 5; thence along the West boundary line of the Southwest quarter of the Northeast quarter of said Section 5 North 00°50'20" East 1324.15 feet to the Southwest corner of said Government Lot 2; thence along West boundary line of said Government Lot 2 North 00°50'16" East 1359.91 feet to the North quarter corner of said Section 5; thence along North boundary line of said Government Lot 2

Order Number: 20369595

Warranty Deed - Page 1 of 3

SCANNED

APR 19 2023

South 89°18'02" East 815.03 feet; thence leaving said North boundary line
South 01°06'30" West 441.55 feet; thence
South 89°18'02" East 365.40 feet; thence
South 00°41'58" West 30.93 feet; thence
South 89°18'02" East 146.83 feet to the Real Point of Beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

SCANNED

APR 19 2023

Dated: August 25, 2020

Ustick1, LLC

By: 

Jake Centers Member

State of Idaho, County of Ada ss.

On this 25th day of August in the year of 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Ustick1, LLC, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.


Notary Public

Residing In:

My Commission Expires: Expiration Date: 6/18/22

(seal)

Resides In: Eagle, ID

