STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 86472

This is to certify that: BHEG MILESTONE RANCH LLC
1140 VIRGINIA DR
FT WASHINGTON, PA 19034-3204

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
63-35360	WR/DECREED	8/28/1953	1.300 cfs	292.5 af	N/A	65.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-35360	NO	NO	NO	YES	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
63-35360	63-35360	1.300 cfs	292.5 af	N/A	65.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**1.300 cfs**	**292.5 af**	**N/A**	**65.0**		**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 10th day of April, 2023.

SCOTT STORMS, Water Rights Supervisor

SCANNED
APR 12 2023

WATER RIGHT NO. 63-35360

As Modified by Transfer No. 86472

In accordance with the approval of Transfer No. 86472, Water Right No. 63-35360 is now described as follows:

Right Holder: BHEG MILESTONE RANCH LLC
1140 VIRGINIA DR
FT WASHINGTON, PA 19034-3204

Priority Date: 8/28/1953

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/01	to	11/15	1.300 cfs	292.5 af
				1.300 cfs	292.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 4 Twp 04N Rge 01W ADA County
GROUND WATER	NWSE	Sec 4 Twp 04N Rge 01W ADA 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
04N	01W	4			38.0											27.0			65.0

POU Total Acres: 65.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
APR 12 2023

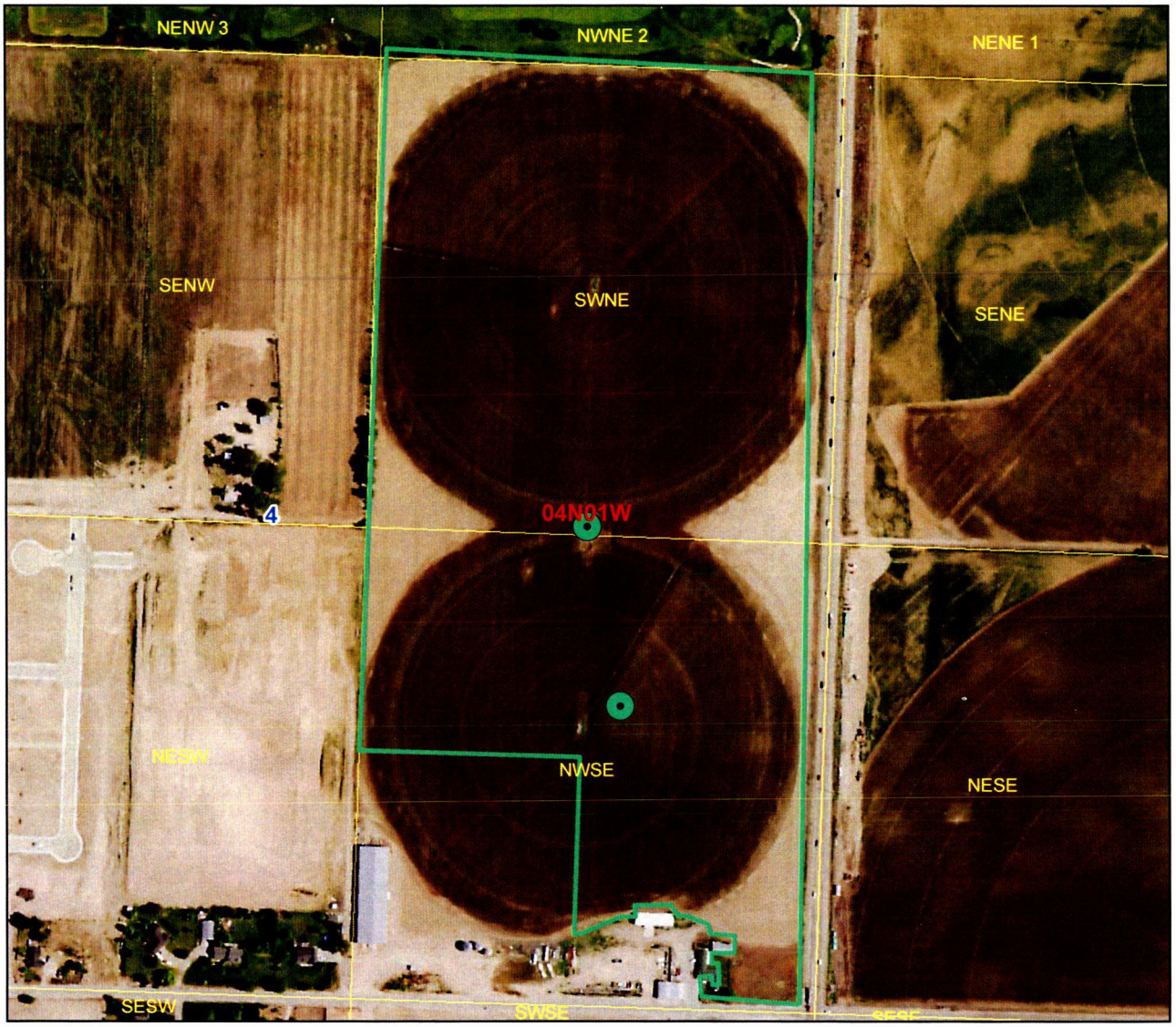
Transfer No. 86472

State of Idaho
Department of Water Resources

Attachment to Transfer No. 86472

Water Right(s): 63-35360

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



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

0 0.05 0.1 0.2 Miles

N

SCANNED
APR 12 2023

RECEIVED
JUL 01 2022
WATER RESOURCES
EASTERN REGION

42-222 POD - 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☐ Change diversion point(s) ☑ Add diversion point(s) ☐ Ownership change ☑ Ownership split

☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** BHEG Milestone Ranch LLC Phone _____

2. **MAILING ADDRESS** 1140 Virginia Dr City Fort Washington

State PA Zip 19034 Email _____

☑ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☑ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

☐ 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.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 63-2957

☑ Attach a copy of the water right(s) as recorded, available at *idwr.idaho.gov, Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 1.3 (diversion rate) cubic feet per second and/or 292.5 (storage volume) acre-feet per annum.

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources.*

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			NW	SE	4	4N	1W	Ada	Ground Water	new pod to add
N			SW	NE	4	4N	1W	Ada	Ground Water	current pod

SCANNED
JAN 12 2023

Transfer No. 86472

6. **GENERAL INFORMATION**

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

One existing well, one proposed well, pressurized irrigation system.
Measuring device and lockable controlling works will be accommodated upon Department request.

b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☐	☑	currently used in a mitigation plan limiting the use of water under the right(s), or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☑ No

☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☑ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.*

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

BHEG MILESTONE RANCH LLC

Signature of applicant or authorized agent	Print name and title if applicable	Date
A Janelle Iturbe	A. Janelle Iturbe, Authorized Representative	6.14.2022

9. **FEE** – ☑ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of $50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at *www.idwr.idaho.gov, Water Right Transfers, Step 4* and in the *Application for Transfer Instructions.*

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by LE Date 07/01/2022
Fee paid $680.00 Date 07/01/2022 Receipted by LE Receipt # W050568
Preliminary review by AB Date 7/6/22 Active in the Water Supply Bank? Yes ☐ No ☑
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐
(Do NOT scan the W-9 – confidential information is held by fiscal only)

SCANNED
JAN 12 2023

86472

Page _____ of _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 63-2957

Current Owner: HOOT NANNEY FARMS INC

Priority Date: 8/28/1953

Origin: Water Right

Status: Active

Basis: Decreed

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From To**	**Diversion Rate**	**Annual Volume**
IRRIGATION	03/01 to 11/15	1.42 CFS	319.5 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	
	Total Diversion	1.42 CFS	319.5 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4NE1/4 Sec. 4, Twp 04N, Rge 01W B.M.
ADA County

Place of Use

IRRIGATION Within ADA County

T04N R01W S4	SWNE	38.00	T04N R01W S4	NWSE	33.00	

Total Acres: 71

STOCKWATER Within ADA County

T04N R01W S4 NWSE

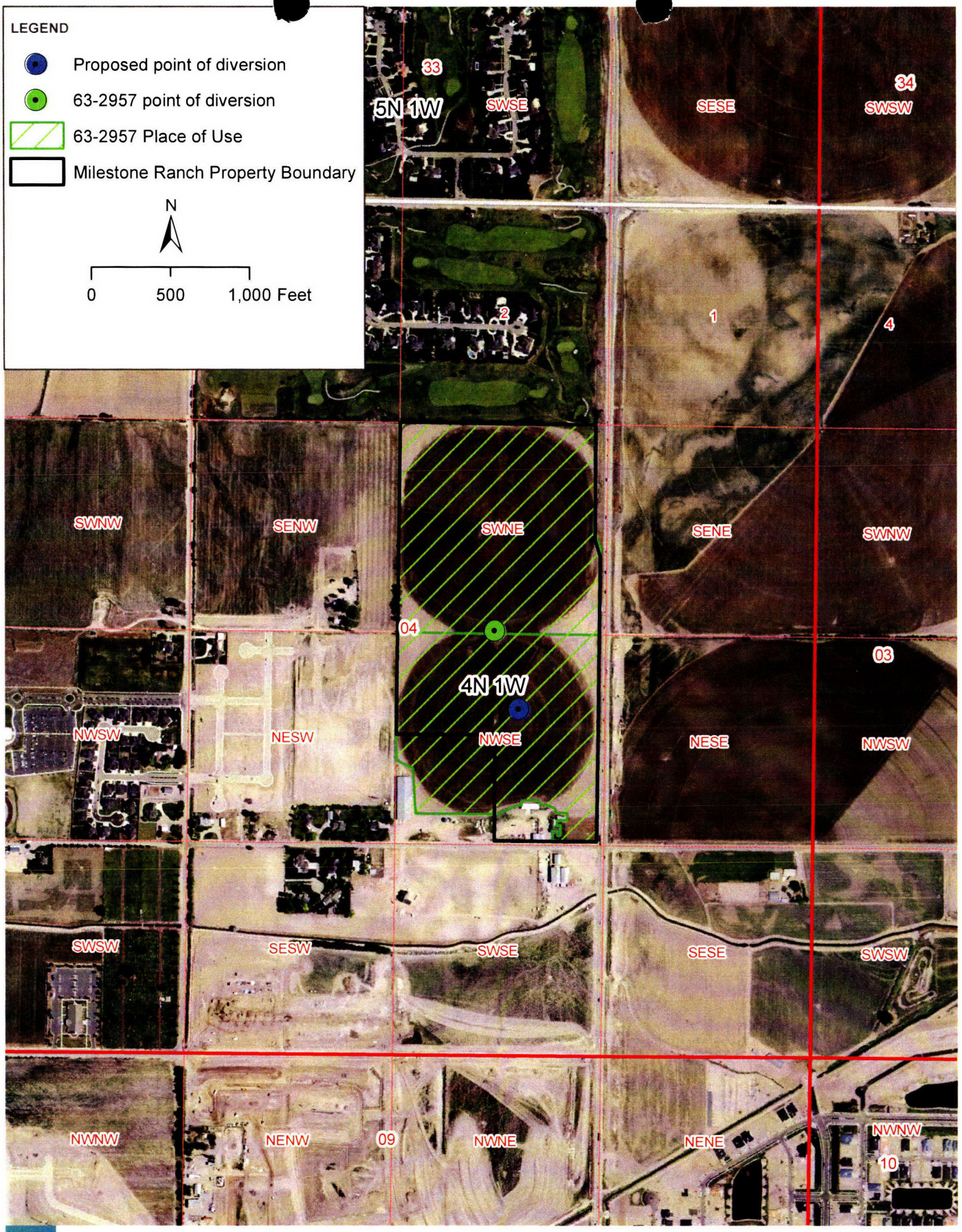
Conditions of Approval:

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. X02 Stockwater use is for 20 range cattle.

Decreed Date: 2/16/2007

SCANNED
JAN 12 2023

86472



HDR

<BOL> DATA SOURCE: Ada NAIP 2021

TRANSFER MAP

BHEG MILESTONE RANCH LLC

PROJECT #10335695

TOLL BROS.

86472

SCANNED

JAN 12 2023

WATER RIGHT OWNERSHIP DOCUMENTS

SCANNED

JAN 12 2023

Split Analysis

Water Right Number: 63-2957
Diversion Rate: 1.42 CFS
Reviewer Name: HDR | SPF
Date: 22-Apr-22

Acreage Analysis

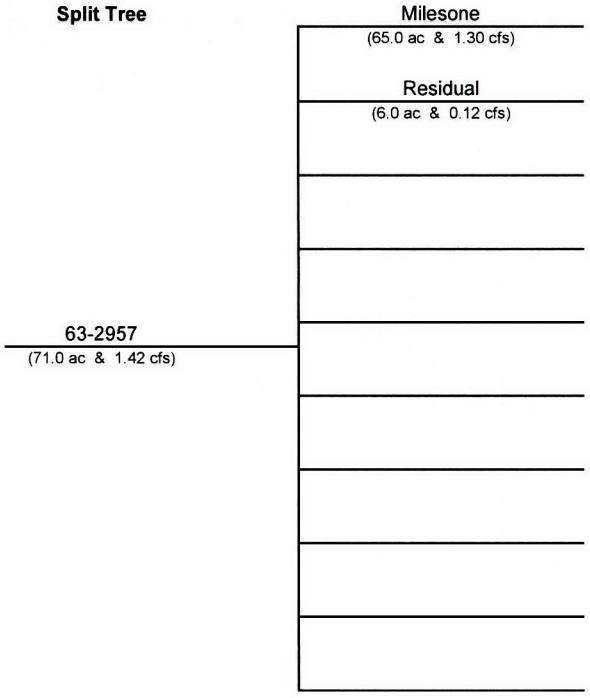
					Parent	Children Acres									
Twp	Rng	Sec	Q-Q	Lot	63-2957	Milesone	Residual								
4N	1W	4	SWNE		38	38	0								
			NWSE		33	27	6								

SCANNED

JAN 12 2023

Water Right Number: 63-2957
Diversion Rate: 1.42 CFS
Reviewer Name: HDR | SPF
Date: 22-Apr-22

Split Tree



Summary

Right No:	Diversion Rate	Irrigated Acres	CFS / Acre
63-2957	1.42	71	0.020
Milesone	1.30	65	0.020
Residual	0.12	6	0.020

SCANNED
JAN 12 2023

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=3 HEATHER LUTHER
PIONEER TITLE COMPANY OF ADA COUNTY

2022-005612
01/14/2022 04:11 PM
$15.00

RECORDING REQUESTED BY
AND AFTER RECORDING MAIL TO:

BHEG Milestone Ranch LLC
1140 Virginia Drive
Fort Washington, PA 19034

APN: [R3721750020, R3721750010]

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of January [14], 2022, by **CAROL H. DIXON**, a single woman having an address of 8542 W. Floating Feather Road, Star, ID 83669, and **HOOT NANNEY FARMS, INC.**, an Idaho corporation having an address of 8542 W. Floating Feather Road, Star, ID 83669 (collectively, the "**Grantor**"), and **BHEG MILESTONE RANCH LLC**, a Delaware limited liability company, having an address of 1140 Virginia Drive, Fort Washington, PA 19034.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee and its heirs, successors, and assigns forever, that certain real property located in Ada County, Star, Idaho, and more particularly described as:

See **Exhibit A** attached hereto and incorporated herein;

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining; the rents, issues and profits thereof; and all estate, right, title and interest in and to the above real property, as well in law as in equity (collectively, the "Property").

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate to any person other than Grantee and that such estate is, at the time of the execution of this instrument, free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor. Grantor's conveyance of the Property is subject to any and all easements, covenants, restrictions, matters and agreements of record, and to any and all taxes or assessments accruing or imposed against such Property following the date hereof.

[*signatures on following pages*]

SCANNED
JAN 12 2023

RECORDING REQUESTED BY
AND AFTER RECORDING MAIL TO:

BHEG Milestone Ranch LLC
1140 Virginia Drive
Fort Washington, PA 19034

APN: [R3721750020, R3721750010]

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Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate to any person other than Grantee and that such estate is, at the time of the execution of this instrument, free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor. Grantor's conveyance of the Property is subject to any and all easements, covenants, restrictions, matters and agreements of record, and to any and all taxes or assessments accruing or imposed against such Property following the date hereof.

[*signatures on following pages*]

SCANNED
JAN 12 2023

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date first set forth above.

By: Carol Dixon
CAROL H. DIXON

HOOT NANNEY FARMS INC.,
an Idaho corporation

By: Michal L Dixon
Name: Michal L. Dixon
Title: Authorized Representative

State of IDAHO, County of Canyon

The foregoing instrument was acknowledged before me on Jan 14, 2022 by Carol H. Dixon.

Kristi Cox
Notary Public
Residing at: Residing in Middleton, Idaho
My Commission Expires: Commission Expires: 03-11-2026

KRISTI COX
COMMISSION #37722
NOTARY PUBLIC
STATE OF IDAHO

State of IDAHO, County of Canyon

The foregoing instrument was acknowledged before me on Jan 14, 2022 by Michal L. Dixon, as Authorized Signer of Hoot Nanney Farms, Inc.

Kristi Cox
Notary Public
Residing at:
My Commission Expires:
Residing in Middleton, Idaho
Commission Expires: 03-11-2026

KRISTI COX
COMMISSION #37722
NOTARY PUBLIC
STATE OF IDAHO

SCANNED
JAN 12 2023

EXHIBIT A

Legal Description

PARCEL 1:
Lot 1 in Block 1 of Hoot Nanney Farms Subdivision, according to the plat thereof, filed in Book 103 of Plats at Page(s) 13839 through 13841, records of Ada County, Idaho.

PARCEL 2:
Lot 2 in Block 1 of Hoot Nanney Farms Subdivision, according to the plat thereof, filed in Book 103 of Plats at Page(s) 13839 through 13841, records of Ada County, Idaho.

SCANNED
JAN 12 2023

ADA COUNTY RECORDER Phil McGrane BOISE IDAHO Pgs=4 CHE FOWLER PIONEER TITLE COMPANY OF ADA COUNTY	**2022-005601** 01/14/2022 04:02 PM $15.00

RECORDING REQUESTED BY
AND AFTER RECORDING MAIL TO:

BHEG Milestone Ranch LLC
1140 Virginia Drive
Fort Washington, PA 19034

APN: [R3721750030]

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of January [14], 2022, by **SANDRA A. DIXON**, a single woman having an address of 490 Camino Mateo, San Marcos, CA 92069 (the "**Grantor**"), and **BHEG MILESTONE RANCH LLC**, a Delaware limited liability company, having an address of 1140 Virginia Drive, Fort Washington, PA 19034.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee and its heirs, successors, and assigns forever, that certain real property located in Ada County, Star, Idaho, and more particularly described as:

See **Exhibit A** attached hereto and incorporated herein;

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining; the rents, issues and profits thereof; and all estate, right, title and interest in and to the above real property, as well in law as in equity (collectively, the "Property").

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate to any person other than Grantee and that such estate is, at the time of the execution of this instrument, free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor. Grantor's conveyance of the Property is subject to any and all easements, covenants, restrictions, matters and agreements of record, and to any and all taxes or assessments accruing or imposed against such Property following the date hereof.

[signatures on following pages]

SCANNED
JAN 12 2023

RECORDING REQUESTED BY
AND AFTER RECORDING MAIL TO:

BHEG Milestone Ranch LLC
1140 Virginia Drive
Fort Washington, PA 19034

APN: [R3721750030]

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of January [14], 2022, by **SANDRA A. DIXON**, a single woman having an address of 490 Camino Mateo, San Marcos, CA 92069 (the "**Grantor**"), and **BHEG MILESTONE RANCH LLC,** a Delaware limited liability company, having an address of 1140 Virginia Drive, Fort Washington, PA 19034.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee and its heirs, successors, and assigns forever, that certain real property located in Ada County, Star, Idaho, and more particularly described as:

See **Exhibit A** attached hereto and incorporated herein;

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining; the rents, issues and profits thereof; and all estate, right, title and interest in and to the above real property, as well in law as in equity (collectively, the "Property").

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate to any person other than Grantee and that such estate is, at the time of the execution of this instrument, free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor. Grantor's conveyance of the Property is subject to any and all easements, covenants, restrictions, matters and agreements of record, and to any and all taxes or assessments accruing or imposed against such Property following the date hereof.

[*signatures on following pages*]

SCANNED
JAN 12 2023

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date first set forth above.

By: Sandra A. Dixon
SANDRA A. DIXON

State of IDAHO, County of _____

This record was acknowledged before me on _____, 2022 by Sandra A. Dixon

_____
Signature of notary public
Commission Expires:

Attached

SCANNED
JAN 12 2023

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of San Diego }

On 1/13/2022 before me, Erisa Mao, Notary Public
(insert name and title of the officer)

personally appeared Sandra A Dixon,
who proved to me on the basis of satisfactory evidence 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

ENC1 ERISA MAO COMM. # 2365019 NOTARY PUBLIC • CALIFORNIA SAN DIEGO COUNTY My Comm. Expires July 10, 2025 ENC1

Notary Public Signature (Seal)

OPTIONAL INFORMATION

DOCUMENT

(name or type of document)

(number of pages) (document date)

SIGNER CAPACITY

(capacity claimed by the signer)

NOTICE

THE NOTARY PUBLIC DOES NOT CERTIFY THE AUTHORIZED CAPACITY OF THE SIGNER

SCANNED
JAN 12 2023

EXHIBIT A

Legal Description

Lot 3, Block 1, Hoot Nanney Farms Subdivision, according to the plat thereof, filed in Book 103 of Plats at Page(s) 13839-13841, records of Ada County, Idaho.

SCANNED

JAN 12 2023

AUTHORITY TO SIGN DOCUMENT

SCANNED
JAN 12 2023

DocuSign Envelope ID: 698E97DA-7581-4C73-9EEB[redacted]F021A06D8

ACTION BY WRITTEN CONSENT OF
THE MEMBERS AND MANAGER OF BHEG VENTURE I LLC

November 3, 2021

The undersigned, being all of the members (the "**Members**"), and the sole non-member manager (the "**Manager**") of BHEG VENTURE II LLC, a Delaware limited liability company (the "**Company**"), acting by written consent as permitted by Section 18-302(d) of the Delaware Limited Liability Company Act, as amended to date (the "**Act**"), and that certain Amended and Restated Limited Liability Company Agreement of the Company, dated as of October 7, 2021 (the "**Company Agreement**"), hereby take the following actions and adopt the following resolutions with the same force and effect as if such resolutions had been adopted at a duly convened meeting of the Members and the Manager of the Company. Capitalized terms used herein shall have the meanings given to such terms in the Company Agreement.

WHEREAS, the Company is the sole member manager of those certain Delaware limited liability companies as more particularly identified and disclosed on EXHIBIT A attached hereto and incorporated by this reference, and which exhibit shall be supplemented to identify future limited liability companies formed as subsidiaries of the Company from time to time hereafter (once formed, each a "**Company Subsidiary**");

WHEREAS, pursuant to Section 5.1.7 of the Company Agreement, the Members may grant authority to certain representatives of Manager, including the Key Employees (collectively, the "**Gibraltar Representatives**"), to sign on behalf of the Company as an "Authorized Representative", and bind the Company to, any contracts (including all leases, documents related to the sale, financing or transfer of any portion of the assets of the Company or any Company Subsidiary), and all amendments, renewals or terminations thereof, entered into by or on behalf of the Company or any Company Subsidiary, subject, in each case, to Bravo's rights under the Company Agreement to sign on behalf of the Company or provide its written consent granting Manager authority to sign; and

WHEREAS, Section 5.1.7.B of the Company Agreement currently provides that a resolution of the Company or a Company Subsidiary may provide that the Gibraltar Representatives have the authority to execute contracts and instruments on behalf of the Company or any Company Subsidiary; provided, that any such contract (or series of related contracts) valued in excess of $50,000 shall be executed by two (2) Gibraltar Representatives.

NOW, THEREFORE, BE IT RESOLVED, that the Members and the Manager deem it advisable and in the best interests of the Company that each of Roger Brush, Michael LaPat, David Auch, Graig Bantle, Tom Imperato, A. Janelle Iturbe, and Brian Jackson be appointed as a "Gibraltar Representative" of the Company (each, a "**Gibraltar Representative**"), and each such individual is hereby appointed as a Gibraltar Representative for purposes of the Company Agreement.

RESOLVED, FURTHER, that the Members and the Manager deem it advisable and in the best interests of the Company that each of the Gibraltar Representatives be authorized to sign

SCANNED
JAN 12 2023

on behalf of the Company or any Company Subsidiary as an "Authorized Representative", and bind the Company or any Company Subsidiary to, any documents, contracts (including all leases, documents related to the sale, financing or transfer of any portion of the assets of the Company or any Company Subsidiary), and all amendments, renewals or terminations thereof, entered into by or on behalf of the Company or any Company Subsidiary (collectively, "**Company Documents**"), subject, in each case, to Bravo's rights under the Company Agreement to sign on behalf of the Company or provide its written consent granting Manager authority to sign; and

RESOLVED, FURTHER, that the Members and the Manager deem it advisable and in the best interests of the Company that each of the Gibraltar Representatives be appointed an "Authorized Representative" of the Company and each Company Subsidiary (each, an "**Authorized Representative**"), and that each, acting alone in his or her capacity as an Authorized Representative of the Company and each Company Subsidiary, is hereby authorized, empowered and directed to execute and deliver any and all Company Documents, the execution and delivery of such Company Documents by such Authorized Representative to be conclusive evidence of the authority therefor hereunder; provided, however, that:

(i) each such Authorized Representative shall have no authority hereunder or under the Company Agreement to take any action beyond the scope of authority granted to the Manager as expressly set forth in the Company Agreement;

(ii) each such Authorized Representative shall have no authority hereunder or under the Company Agreement to execute or deliver any Company Document which is a Major Decision, or take any action with respect to any Major Decision, in each case, unless such Major Decision has been approved by Bravo;

(iii) each such Authorized Representative shall have no authority hereunder or under the Company Agreement to execute or deliver any Company Document which is a Unanimous Decision, or take any action with respect to any Unanimous Decision, in each case, unless such Unanimous Decision has been approved by all Members;

(iv) each of David Auch, Graig Bantle, Tom Imperato, A. Janelle Iturbe, and Brian Jackson, each in his or her capacity as an Authorized Representative, shall only be authorized hereunder to execute and deliver (A) Company Documents (either individually or in a series of related contracts) that contemplate an aggregate amount to be spent by the Company not in excess of $25,000, subject to the provisos in (i) – (iii) above, and (B) Company Documents (either individually or in a series of related contracts) that contemplate an aggregate amount to be spent by the Company in excess of $25,000, subject to the provisos in (i) – (iii) above, so long as such Company Document is also executed by either Roger Brush or Michael LaPat; and

(v) each of Roger Brush and Michael LaPat, each in his capacity as an Authorized Representative, shall only be authorized hereunder to execute and deliver (A) Company Documents (either individually or in a series of related contracts) that contemplate an aggregate amount to be spent by the Company not in excess of

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JAN 12 2023

$50,000, subject to the provisos in (i) – (iii) above, and (B) Company Documents (either individually or in a series of related contracts) that contemplate an aggregate amount to be spent by the Company in excess of $50,000, subject to the provisos in (i) – (iii) above, so long as such Company Document is also executed by another Gibraltar Representative (in his or her capacity as an Authorized Representative).

RESOLVED, FURTHER, that, subject to the foregoing, each Authorized Representative is hereby authorized, empowered and directed to take such other action as such Authorized Representative deems necessary or advisable in order to carry out the purposes of the foregoing resolutions (in each case subject to and in accordance with the terms, provisions, conditions and restrictions hereof and of the Company Agreement), the taking of such actions by such Authorized Representative to be conclusive evidence of the authority therefor hereunder.

RESOLVED, FURTHER, that notwithstanding anything to the contrary in Section 10.1 of the Company Agreement:

(i) any request for approval of a Major Decision shall be effective if sent by email from any Gibraltar Representative, Emily Swerdloff, or Heather McGill (or such other individuals as Gibraltar may designate in writing from time to time for such purpose) to each of John Lee, Matt Michalovsky, and Joe Friedman (or such other individuals as Bravo may designate in writing from time to time for such purpose), so long as the subject line of such email contains, in all caps, "OFFICIAL APPROVAL REQUEST – ", and the body of such email contains a description in reasonable detail of the Major Decision approval being requested together with reasonable background information and context, and the appropriate documents requested to be approved are attached to such email; and

(ii) such Major Decision shall be deemed approved by Bravo if any one of John Lee or Matt Michalovsky (or such other individuals as Bravo may designate in writing from time to time for such purpose) responds to such email with "Approved" in the body of such email response (subject to any limitations of such approval set forth in such email response).

RESOLVED, FURTHER, that all actions heretofore taken by each Authorized Representative on behalf of the Company and each Company Subsidiary be, and each of the same hereby is, ratified and approved with like effect as if authorized in advance by the Members and the Manager.

RESOLVED, FURTHER, that in no event shall anything in this Written Consent waive or otherwise limit the liability of Gibraltar Asset Management Services, LLC, a Delaware limited liability company, as Manager for the Company, for (i) any breach of its obligations to the Company or any Member under the Company Agreement or (ii) the actions of any Gibraltar Representative beyond the scope of authority granted hereunder or under the Company Agreement.

RESOLVED, FURTHER, that these resolutions be filed with the records of the Company and each Company Subsidiary.

SCANNED

JAN 12 2023

IN WITNESS WHEREOF, the undersigned have duly executed this Written Consent as of the date first indicated above.

MEMBERS:

LEGAL SF J. Friedman | BUSINESS MM M. Michalovsky | ALTS FINANCE ICB K. Berny

HVS XLIV LLC,
a Delaware limited liability company

By: _____
Name: John J. Lee
Title: Authorized Person

LEGAL SF J. Friedman | BUSINESS MM M. Michalovsky | ALTS FINANCE RL R. LOCH

TOBI IV SPE X LLC,
a Delaware limited liability company

By: _____
Name: John J. Lee
Title: Authorized Person

J&B DREAM PARTNERS, LLC,
a Delaware limited liability company

By: DocuSigned by: Michael LaPat DA32E8AEE095490...
Name: Michael LaPat
Title: Member

MANAGER:

Gibraltar Asset Management Services, LLC,
a Delaware limited liability company

By: DocuSigned by: A. Janelle Iturbe 80771CDCEC92475...
Name: A. Janelle Iturbe
Title: Asset Manager

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JAN 12 2023

EXHIBIT A

List of Company Subsidiaries

1. BHEG Montebello LLC, a Delaware limited liability company duly formed on October 5, 2021.
2. BHEG Heron Lakes LLC, a Delaware limited liability company duly formed on October 27, 2021.
3. BHEG Passero Ridge LLC, a Delaware limited liability company duly formed on December 7, 2021.
4. BHEG Milestone Ranch LLC, a Delaware limited liability company duly formed on December 28, 2021.
5. BHEG Jordanelle LLC, a Delaware limited liability company duly formed on December 2, 2021.
6. BHEG Northfield LLC, a Delaware limited liability company duly formed on December 2, 2021.

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JAN 12 2023

IDAHO DEPARTMENT OF WATER RESOURCES 1/10/2023

Proof Report

Water Right 63-35360
Created by Split

Owner Type	**Name and Address**
Current Owner	BHEG MILESTONE RANCH LLC 1140 VIRGINIA DR FT WASHINGTON, PA 19034-3204

Priority Date: 8/28/1953
Basis: Decreed
Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	03/01	11/15	1.300 CFS	292.5 AF
STOCKWATER	01/01	12/31	0.010 CFS	
	Total Diversion		1.300 CFS	292.5 AF

Source and Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 4, Twp 04N, Rge 01W, ADA County

Place Of Use:

STOCKWATER within ADA 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
04N	01W	4														X			

IRRIGATION within ADA 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
04N	01W	4			38.0											27.0			65.0

POU Total Acres: 65.0

Conditions of Approval:

1.		For Stock water use the actual diversion rate is 0.0036 cfs and the actual diversion volume is 13.5 af.
2.	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.
3.	X02	Stockwater use is for 20 range cattle.

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JAN 12 2023

Dates and Other Information:
Decreed Date: 2/16/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: EXC
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A

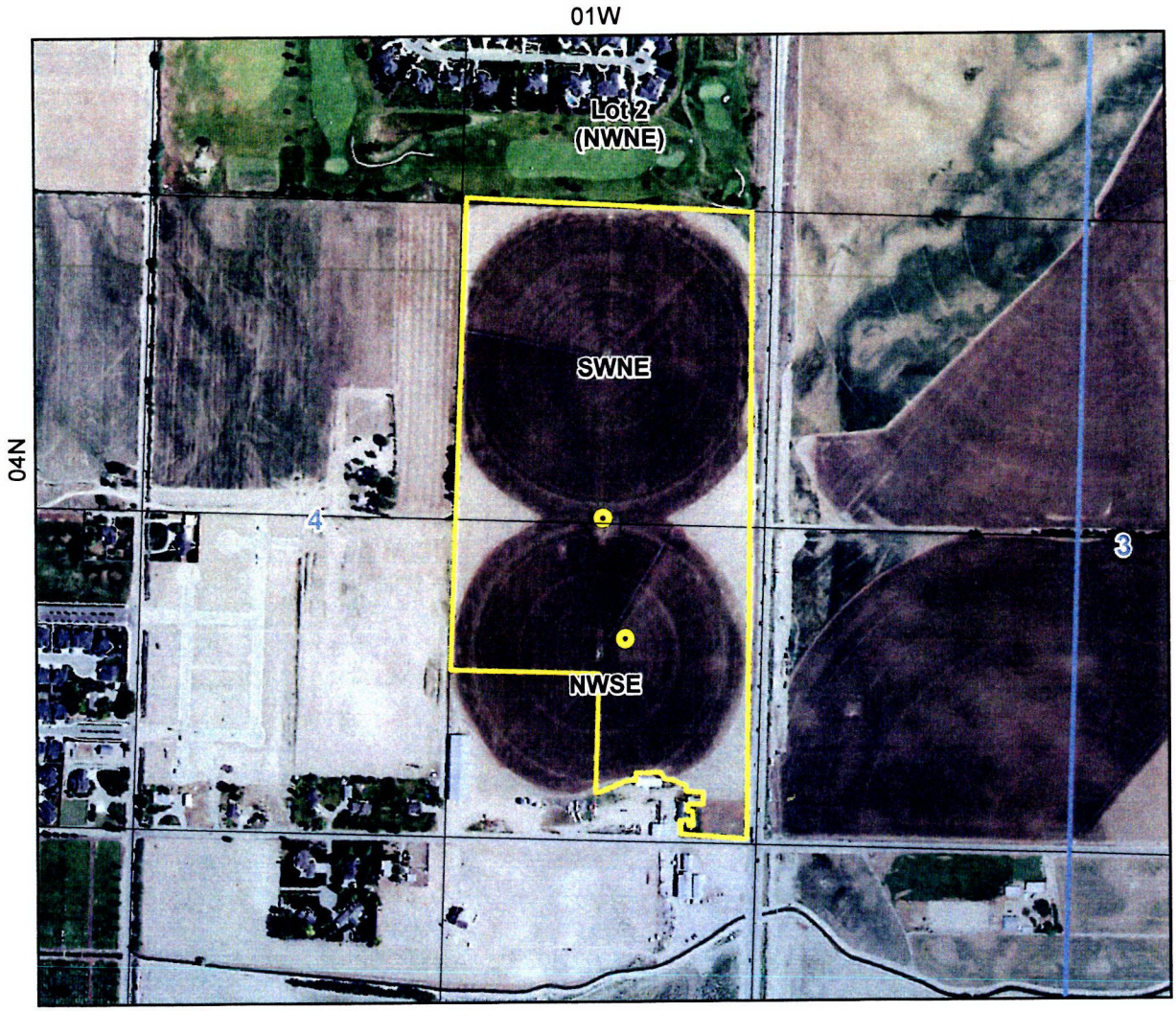
SCANNED
63-35360
JAN 12 2023

State of Idaho
Department of Water Resources

Attachment to Water Right License

63-35360
Created by Split

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



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

0 0.075 0.15 0.3 Miles

N

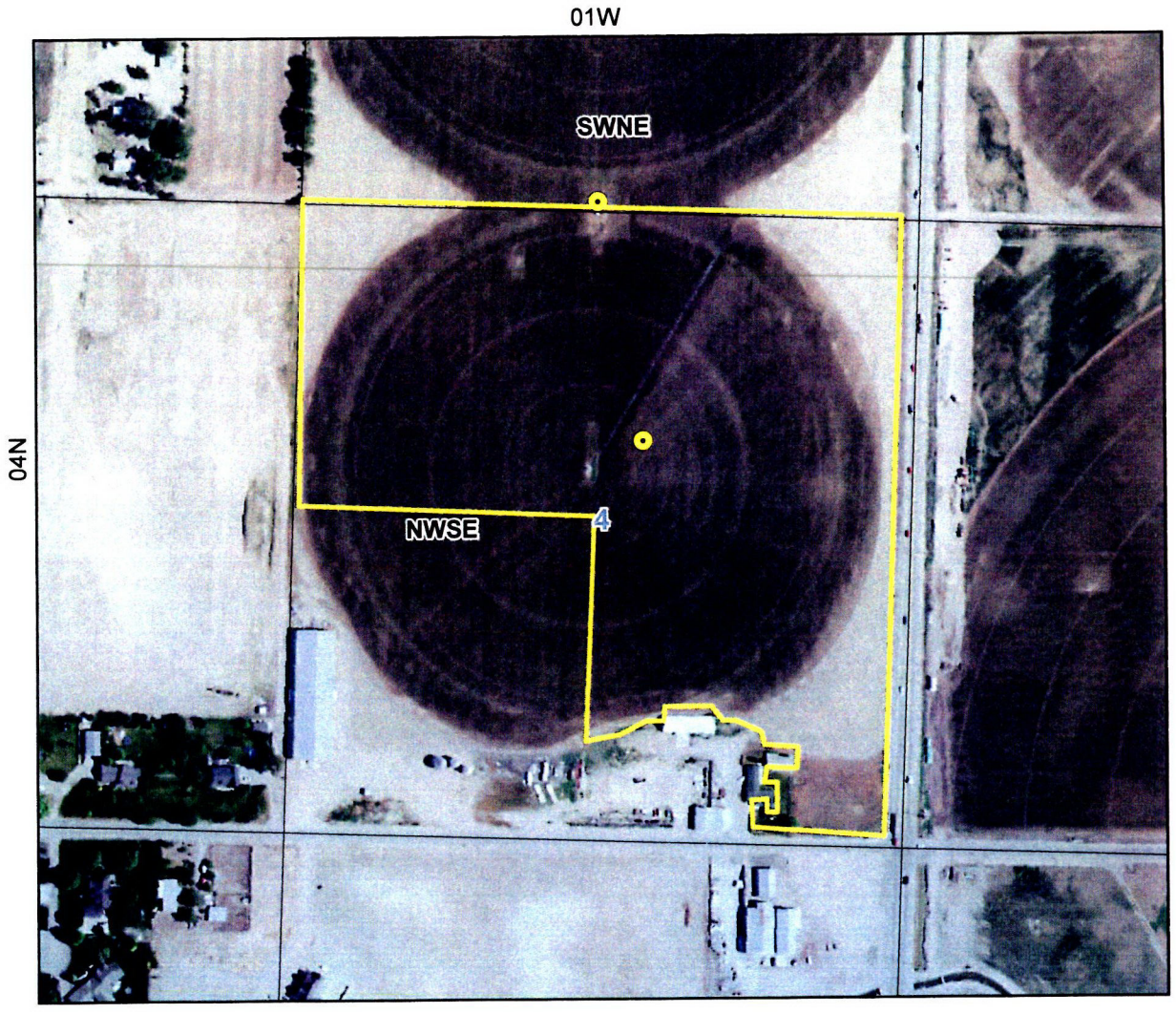
SCANNED
JAN 12 2023

State of Idaho
Department of Water Resources

Attachment to Water Right License

63-35360
Created by Split

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



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JAN 12 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 11, 2023

BHEG MILESTONE RANCH LLC
1140 VIRGINIA DR
FT WASHINGTON PA 19034-3204

Re: Transfer No: 86472
Water Right No(s).: 63-35360

Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change.

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APR 12 2023

Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

Lynne Evans
Administrative Assistant I

Enclosure(s)

CC: LORI GRAVES, HDR INC

SCANNED
APR 12 2023

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 86472
Water Right No(s).: 63-35360

BHEG MILESTONE RANCH LLC
1140 VIRGINIA DR
FT WASHINGTON PA 19034-3204

LORI GRAVES
HDR INC
300 E MALLARD DR STE 350
BOISE ID 83706-6660

Lynne Evans
Administrative Assistant I

SCANNED
APR 12 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

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APR 12 2023

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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APR 12 2023

MEMORANDUM

TO: Transfer No. 86472
FROM: Marcelina Williams
DATE: March 06, 2023
RE: Evaluation of Application

The transfer proposes to add a point of diversion (POD) to water right 63-35360. The additional POD will be located on the BHEG Milestone Ranch Property which is at the intersection of Emmett HWY 16 and Floating Feather Road.

Summary of Information Submitted

Authority to File:
Transfer 86472 was filed by BHEG Milestone Ranch LLC. Idaho Department of Water Resources (IDWR) records show the applicant as the current owner of water right 63-35360. The online parcel map of Gem County also shows the applicant as the current owner at the place of use for water right 63-35360. Additionally, a document titled "Action by Written Consent of The Members and Manager of BHEG Venture I LLC" was enclosed with the transfer application that give authority for A. Jenelle Iturbe to sign on behalf of BHEG Milestone Ranch LLC.

Water Right Validity and Partial Forfeiture Discussion:

Water right no. 63-35360 is the result of a split from water right 63-2957. The partial decree for water right no. 63-2957 was issued on 2/16/2007. This right is presumed to be valid because beneficial use has occurred within the last five years. Beneficial use confirmed by Department aerial imagery, Landsat images, google earth images, or other evidence. Evidence of beneficial use does not need to be added to the file as it is an IDWR product available to other staff.

Injury to Other Water Rights:

The approval of the transfer will not result in a higher quantity of water used for this right. The purpose of this transfer is to add a point of diversion on the applicant's property. The proposed transfer was advertised along with requests for comment and no protests were received. No injury is anticipated.

Enlargement of Use:
The proposed changes will not result in an increase in diversion rate or number of acres irrigated. Enlargement is not anticipated to be an issue.

Local Public Interest:
Evidence has not been found to suggest the changes proposed by this transfer conflict with the local public interest.

Beneficial Use/Conservation of Water Resources:
The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

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APR 12 2023

Discussion

If approved the following changes should be made to the conditions of water right no. 63-35360; Add standard transfer conditions T07 and T08, 65,01M, and update condition C18 to T19.

Assuming other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

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APR 12 2023

McClatchy

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
26965	370244	Print Legal Ad-IPL01053940 - IPL0105394		$51.90	1	37 L

Attention: Lynne Evans

IDAHO DEPT OF WATER RESOURCES / WEST
2735 W AIRPORT WAY
BOISE, ID 837055082

RECEIVED
JAN 26 2023
WATER RESOURCES
WESTERN REGION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 86472

BHEG MILESTONE RANCH LLC, 1140 VIRGINIA DR, FT WASHINGTON, PA 19034-3204 has filed Application No. 86472 for changes to the following water rights within ADA County(s): Right No(s). 63-35360; to see a full description of these rights and the proposed transfer, please see *https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers*. The purpose of the transfer is to change a portion of the above rights as follows: to add a new point of diversion in the NWSE quarter-quarter of Sec. 04, T04N, R01W.

For additional information concerning the property location, contact Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 2/6/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on 1/19/2023
and 1/26/2023
IPL0105394
Jan 19,26 2023

OK
LE
2/3/23

Bettina Jantzen, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 insertion(s) published on:
01/19/23, 01/26/23

(Legals Clerk)

On this 26th day of January in the year of 2023 before me, a Notary Public, personally appeared before me Bettina Jantzen known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

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APR 12 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

January 11, 2023

BHEG MILESTONE RANCH LLC
1140 VIRGINIA DR
FT WASHINGTON, PA 19034-3204

RE: Transfer No. 86472
Water Right No(s). 63-35360

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO STATESMAN on 1/19/2023 and 1/26/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

CC: LORI GRAVES, HDR INC

SCANNED
JAN 12 2023

Evans, Lynne

From: Evans, Lynne
Sent: Wednesday, January 11, 2023 2:36 PM
To: BOI Legals
Subject: Legal Notice for Transfer No. 86472; Water Right No(s). 63-35360
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Idaho Statesman on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 2/6/2023. Your cooperation is appreciated.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
JAN 12 2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86472

BHEG MILESTONE RANCH LLC, 1140 VIRGINIA DR, FT WASHINGTON, PA 19034-3204 has filed Application No. 86472 for changes to the following water rights within ADA County(s): Right No(s). 63-35360; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows:
to add a new point of diversion in the NWSE quarter-quarter of Sec. 04, T04N, R01W.

For additional information concerning the property location, contact Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 2/6/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 1/19/2023 and 1/26/2023

SCANNED
JAN 12 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

January 11, 2023

FARMERS UNION DITCH CO LTD
PO BOX 1474
EAGLE, ID 83616-9101

RE: Transfer No. 86472

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

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JAN 12 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

December 09, 2022

BHEG MILESTONE RANCH LLC
1140 VIRGINIA DR
FT WASHINGTON PA 19034-3204

Re: Change in Water Right Ownership: 63-2957 (Split into 63-2957 and *63-35360*),

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 Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of 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.

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) 605-4632.

Sincerely,

Marcelina Williams

Marcelina Williams
Water Resource Agent

SUPPORT DATA
IN FILE # 63-2957

Enclosures: Proof Report and Map for child right

SCANNED
JAN 12 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

December 09, 2022

HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
8542 FLOATING FEATHER RD
STAR, ID 83669-5255

Re: Change in Water Right Ownership: 63-2957 (Split into 63-2957 and ***63-35360***),

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 Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of 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.

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If you have any questions concerning the enclosed information, please contact me at (208) 605-4632.

Sincerely, Marcelina Williams
Marcelina Williams
Water Resource Agent

Enclosures: Before and after proof report and map
Cc: BHEG MILESTONE RANCH LLC

SCANNED
JAN 12 2023

[redacted] [redacted]

RECEIVED
JUL 01 2022
WATER RESOURCES
WESTERN REGION

HDR | SPF

June 28, 2022

Scott Storms
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer

Dear Scott,

Enclosed on behalf of BHEG Milestone Ranch LLC, is an *Application for Transfer* proposing an additional point of diversion for applicant's portion of water right 63-2957. Check #10576503 is enclosed for $680, which covers the $580 application filing fee and $100 water right split fee.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

HDR Engineering, Inc.

Lori Graves

Lori Graves
Sr. Water Rights Specialist

Cc: Toll Bros.

Enclosers: application, check

[redacted]

hdrinc.com

HDR | SPF, 300 E. Mallard Dr., Suite 350, Boise, ID 83706
(208) 872-9500

SCANNED
JAN 12 2023

March 2017

REVIEW CHECKLIST TRANSFER -- OR -- EXCHANGE

(Workflow) (maybe Workflow)

Application # 86472 **Reviewer** MW **Date** 07/26/22

Acceptable Filing (TP Memo #24 Sect. 3) ✓ Y ____ N If "N" 30-day Deficiency Ltr Sent _____(date & initial)

Initial Review & Abbreviated Data Entry AB 07.06.22 (date & initial) Supervisor Notes ✓ Y ____N

Right(s) in Water Bank _____ Y ✓ N, Notify S.O. _____ (date) - WSB App Attachment _____

COMMENT LETTERS X Y _____ N

Water District # EC (Required even if No Legal Notice Required)

Other(s): list here or see attached Farmers Union

ADVERTISING ✓ Y _____ N If "N" Save Legal Notice Not Required DB Comment in Workflow & Memo ___

Legal Notice Required - Saved as Legal Notice Remarks in Workflow _____Y *uncheck "Currently in Data Entry" flag

Statewide ads _____ Y ✓ N ("Y" only if any single right > 10 cfs, 1000 af storage)

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

ADVERTISER COMPLETES

LEGAL NOTICE & PROTEST

Protest Deadline 2/6/23

Y	N			
____	✓	Protested	If Y: ____	Scan protest
✓	____	Affidavit received/published correctly	If N:____	Re-advertised & published correctly

REVIEW MEMO -- DRAFT APPROVAL -- APPROVAL COVER LETTER

Drilling fee upgrade _____ Paid _____WC & WR File Documented (Request, CAN NOT hold xFer if unpaid).

Review Memo Completed ✓ (See Review Memo Template N:/WRProcessing/Transfers/Review Memo Template).

Data Entry, Conditions, & ArcMap Data Entry Completed ✓

E'folder w/ Draft Approval B Drive
(applicant last name + application #)

NOTE FOR CLERICAL STAFF APPROVAL COVER LETTER

Add WSB paragraph to approval cover letter (see N:WRFormLetters/Water Bank Paragraph) _____ Y X N

March 2017

OPTIONAL PAGE -- CONDITIONS & NOTES

GROUNDWATER:

WD 161 (Non-de minimis uses) - R05
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 214

~~WD~~
- < 0.24 cfs/5 acres - No MD
- ≥ 0.24 cfs/5 acres - 01M or 01Q (ref. MD flowchart)

No water measurement districts in Western Region at this time.
DRILLING PERMIT - 046 (new well)

SURFACE WATER:

WD - R05
≤ 0.20 cfs - R02, 01P or No MD (ref. MD flowchart)
> 0.20 cfs - R43
~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE
< 0.24 cfs/5 acres - No MD
≥ 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)
STANDARD VOLUME_____ af/ac
CONSUMPTIVE USE VOLUME _____ af/ac

USES:

STORAGE - 18C-18B/R40-123-220-219-221-222-259-937-938
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
Volume only - R58/R59/R60/R61
Supplemental - 943 & WB7
Storage - R70
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029 (70's basins only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077-218
DAIRY - 082 (zoning if a concern)-106-WD8

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN – 007-109-X64
Irr., GW supp to SW - 102

DOMESTIC
Surface water - WB5 (Boise above Star Bridge)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. condition outside a WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined **limits** of multiple rts

X49 - measure p/'d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
205 - use when quantity reduced by xFer approval
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X63 - replaced C12 through C17 - ultimately C18 placed on rts to cover issue. If C18 on rts replace with T19 and remove X63.

Apply one to chg'd & unchg'd rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt yet)
T19 - replaces C18 (if at Directors Report or Partial Decree stage)
T20 – use only on unchg'd rts not subject to SRBA

NOTES: