

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?
103-15733	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Robert Friday
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Owyhee Holdings, LLC
New owner(s) as listed on the conveyance document

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

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: 06/28/2019

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.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] By: Mark Bottles Date: 3/2/2022
Signature of new owner/claimant Title, if applicable Authorized Agent
Owyhee Holdings, LLC Print name

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

Print name

For IDWR Office Use Only:

Received by LE Date 03/11/2022 Receipt No. W050196 Receipt Amt. \$25.00
Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by _____ Processed by _____ Date _____

678343 SRM / GL

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=6 BONNIE OBERBILLIG
PIONEER TITLE COMPANY OF ADA COUNTY

2019-056681
06/28/2019 11:26 AM
\$15.00

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, STERLING FAMILY, L.L.C., an Idaho limited liability company; and DANIEL B. COLLINS and KERRI M. COLLINS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto Owyhee Holdings, LLC, an Idaho limited liability company, the Grantee, whose address is 839 S. Bridgeway Place, Eagle, Id 83616 the premises situate in Ada County, Idaho, as described in the attached Exhibit "A" and which is incorporated herein by this reference.

TOGETHER WITH all and singular easements, licenses, permits, water rights, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well as law as in equity of the Grantors.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantee, and Grantee's heirs and assigns. EXCEPT those to which this conveyance is expressly made subject as set forth below and those made, suffered or done by the Grantee or Grantors' predecessors in title, easements of record or use, and except general taxes and assessments (including irrigation and utility assessments, if any) for the current year and covenants and matters of record or use.

Grantee is relying solely upon Grantee's inspections as to the condition of the Property. Grantors and Grantors' agents, employees and attorneys are not making, have not made and expressly disclaim any representations or warranties, express or implied, with respect to any aspect, feature or condition of the property, including, without limitation, the existence of hazardous waste, or the suitability of the property for Grantee's intended use. Grantee shall independently verify all information regarding any aspect or feature of the property provided by Grantors. Grantors do not guaranty the accuracy of any information provided by Grantors, its agents, employees or attorneys. Grantee is purchasing the Property in an "AS IS" "WHERE IS" condition, subject to all faults (whether they be physical, environmental or otherwise), including both latent and patent defects.

Grantors make no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantors have 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 Grantors, or any person claiming under Grantor.

Grantee, by execution of this Special Warranty Deed, acknowledges Grantee's acceptance of the conveyance herein in accordance with the terms hereof.

IN WITNESS WHEREOF, the parties hereto have set their hands this 27 day of June, 2019.

GRANTORS:

STERLING FAMILY, L.L.C.
an Idaho limited liability company

By: John Sterling
John Sterling, Managing Member

By: Lynne Sterling
Lynne Sterling, Managing Member

Daniel B. Collins
Daniel B. Collins

Kerri M. Collins
Kerri M. Collins

GRANTEE:

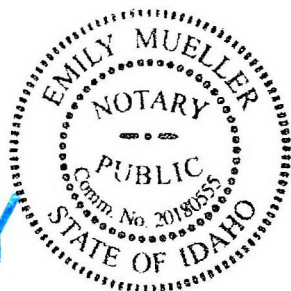
Mark Bottles
Owyhee Holdings, LLC
By: Sawtooth Property Holdings, LLC Its Manager
Mark Bottles, Managing Member

STATE OF Idaho)
) ss.
County of Ada)

On the 27 day of June, 2019, before me, the undersigned Notary Public, personally appeared MARK BOTTLES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

COPY

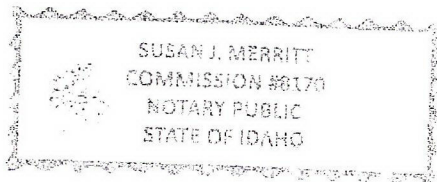


Emmu
Notary Public for State of Idaho
Residing at Eagle ID
Commission Expires: 3/28/2024

STATE OF Idaho)
) ss.
County of Ada)

On the 27 day of June, 2019, before me, the undersigned Notary Public, personally appeared DANIEL B. COLLINS and KERRI M. COLLINS, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.



Susan J. Merritt
Notary Public for _____
Residing at _____
Commission Expires: _____

Residing at Caldwell, ID
My Commission Expires: 05-05-2023

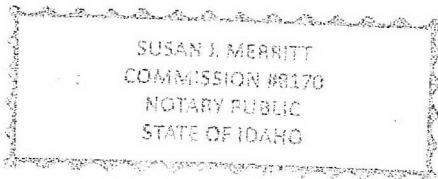
Residing at Caldwell, ID
My Commission Expires: 05-05-2023

COPY

STATE OF IDAHO)
) ss.
County of Ada)

On this 27th day of June, 2019, before me the undersigned, personally appeared JOHN STERLING and LYNNE STERLING, known or identified to me to be the managing members of STERLING FAMILY, L.L.C., the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

SUBSCRIBED AND SWORN TO Before me this 27 day of June, 2019.



Susan J. Merritt
Notary Public for Idaho
Residing at _____, Idaho
My Commission Expires: _____

Residing at Caldwell, ID
My Commission Expires: 05-05-2023

COPY

Exhibit "A"

Legal Description

COPY

Parcel S0431110200

A parcel of land located in the Northeast quarter of Section 31, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the corner common to Sections 29, 30, 32 and the said Section 31, from which the quarter corner common to said Sections 31 and 32 bears South 00 degrees 00'00" West, 2629.79 feet;

Thence South 00 degrees 00'00" West, 853.51 feet to the real point of beginning;

Thence South 90 degrees 00'00" West, 798.55 feet;

Thence South 00 degrees 00'00" West, 648.58 feet to a point on the Northerly boundary of the Five Mile Drain right of way;

Thence along said Northerly boundary and said boundary extended South 88 degrees 46'00" West, 429.60 feet;

Thence North 73 degrees 32'00" West, 350.95 feet to a point in the center of the Phyllis Canal;

Thence along the center of the Phyllis Canal North 00 degrees 32'08" West, 1416.48 feet to a point on the North boundary of said Section 31;

Thence along said North boundary South 89 degrees 50'03" East, 1225.86 feet;

Thence South 00 degrees 00'00" West 247.50 feet;

Thence South 89 degrees 50'03" East. 352.00 feet to a point on the East boundary of said Section 31;

Thence South 00 degrees 00'00" West, 606.01 feet to the point of beginning.

EXCEPT any portion lying within the right of way of Star Road, McMillan Road and Phyllis Canal.

DBC
KALC
ZLS
JS
MB

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/5/2023

Water Right 63-15733

Owner Type **Name and Address**
Current Owner ROBERT FRIDAY
 4190 N STAR RD
 MERIDIAN, ID 83642

Current Owner SUSAN FRIDAY
 4525 N STAR RD
 MERIDIAN, ID 83642
 (208) 466-3020

Priority Date: 12/31/1935

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

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

Source and Point(s) of Diversion:

GROUND WATER NENE Sec. 31, Twp 04N, Rge 01W, ADA County

Place Of Use:

DOMESTIC within ADA 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	
04N	01W	31	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. S0431110020

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/5/2023

Dates and Other Information:

Decreed Date: 12/30/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-15733

NAME AND ADDRESS: ROBERT FRIDAY
4190 N STAR RD
MERIDIAN, ID 83642

SUSAN FRIDAY
4525 N STAR RD
MERIDIAN, ID 83642

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1935

POINT OF DIVERSION: T04N R01W S31 NENE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Ada County
T04N R01W S31 NENE

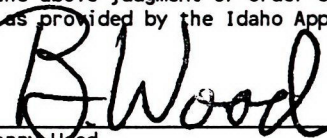
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

Mansfield, Debra

From: Mansfield, Debra
Sent: Tuesday, June 6, 2023 3:16 PM
To: IdwrPayable
Subject: REFUND REQUEST - OWYHEE HOLDINGS LLC

TO: Sascha Marston, Susan Steed

FROM: Debra Mansfield

DATE: June 6, 2023

RE: Refund: Notice Of Change In Water Right Ownership

OWHYEE HOLDINGS LLC submitted a Notice Of Change In Water Right Ownership but did not provide an adequate deed to complete the request.

Please issue a refund of \$25.00 to:

OWYHEE HOLDINGS LLC
839 S BRIDGEWAY PL
EAGLE ID 83616

RECEIPT #

W050196

Thank you,

Debra Mansfield | Office Specialist II
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | Debra.Mansfield@idwr.idaho.gov

SCANNED

JUN 06 2023



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

June 06, 2023

OWYHEE HOLDINGS LLC
839 S BRIDGEWAY PL
EAGLE ID 83616-6097

RE: Notice of Change in Water Right Ownership for Water Right No: **63-15733**

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on March 11, 2022 for the above referenced water right. The Notice could not be processed. The parcel that is named in the deed you submitted (S0431110200) has been split into multiple properties. The Water Right 65-15733 is a domestic water right that no longer applies to the property that your warranty deed describes. We required additional documentation proving ownership of the domestic property that this Water Right is associated with.

On May 5, 2023 the Department requested the required information from you. As of the date of this letter, the Department has not received the required information.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$25.00 has been requested and will be mailed to OWYHEE HOLDINGS LLC under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208)605-4620.

Sincerely,

Debra Mansfield
Office Specialist II

Enclosure(s)

SCANNED

JUN 06 2023

Mansfield, Debra

From: Mansfield, Debra
Sent: Friday, May 5, 2023 4:38 PM
To: 'emily@markbottles.com'
Subject: RE: OWYHEE HOLDINGS LLC - Notice of Change in Water Right Ownership, Water Right No. 63-15733
Attachments: OWYHEE HOLDINGS LLC.pdf

Hello,

I am reaching out to you as you are the listed email contact for the applicant OWYHEE HOLDINGS LLC for a Notice of Change in Water Right Ownership we received on 03/11/2022. The Department of Water Resources is needing additional information if you want to proceed with this Change in Ownership.

Please see the above attached letter that is requesting this information. I have also included a copy of the original paperwork we received, for your reference.

If you wish to proceed with making this change, please submit the required information. Documentation can be mailed or submitted electronically to: file@idwr.idaho.gov

I have also mailed out a physical copy of the above attachment to the applicant, OWYHEE HOLDINGS LLC, in case this email has not reached an appropriate contact.

Thank you,

Debra Mansfield | Office Specialist II
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | Debra.Mansfield@idwr.idaho.gov



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

May 05, 2023

OWYHEE HOLDINGS LLC
839 S BRIDGEWAY PL
EAGLE ID 83616-6097

RE: Notice of Change in Water Right Ownership for Water Right No(s): **63-15733**

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice). Please refer to the attached documents I have included when reviewing this letter.

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

During our review of your submitted Notice and documentation we found that Water Right 63-15733 is a DOMESTIC Water Right. Since the creation of this Water Right the parcel S0431110200 has been split into multiple properties and the Water Right 65-15733 no longer applies to the property that your Warranty Deed describes. We also found that the IRRIGATION Water Right 63-31332, which matches your described property is already in your name.

If you own the domestic properties that would be associated with this Water Right, please send us the supporting documents to prove ownership for domestic use. If you do not own the domestic property associated with the Water Right then we can cancel this request for you and issue a refund.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208)605-4620.

Sincerely,

SCANNED

JUN 06 2023

Debra Mansfield
Office Specialist II

Enclosure(s)

SCANNED

JUN 06 2023