

APR 04 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern 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?
22-7043	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>22-7043</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>22-7043 22-14543</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: BFF HOLDINGS INC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): DARBY DEVELOPMENT INC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 851 PAIUTE ST DRIGGS ID 83422
Mailing address City State Zip
208-201-5151 tetonrealestate@gmail.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: 05/13/2022
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Karin E Wertheim President, Darby Development 4 April 2023
Signature of new owner/claimant Title, if applicable Date
Karin Wertheim
Print name
- Signature: _____
Signature of new owner/claimant Title, if applicable Date
Print name

Received by _____ Date 5/18/2022 For IDWR Office Use Only: Receipt No. E048158 Receipt Amt. \$100.00
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 BJ Processed by BJ Date 4/4/2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 18 2022

Department of Water Resources
Eastern Region

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Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-7043	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: BFF Holdings

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): 325 Blackfoot LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or851 Palute St.

Mailing address

Driggs

City

ID

State

83422

Zip

208.201.5151

Telephone

tetonrealestate@gmail.com

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 11.12.2020

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:

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☐ 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: Karin Wertheim for

Signature of new owner/claimant

Title, if applicable

Date

Karin Wertheim

Print name

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

Print name

For IDWR Office Use Only:

Received by SD Date 5/18/2022Receipt No. 6048158Receipt Amt. \$100.00Active 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 _____

GRANT DEED

FOR VALUE RECEIVED, **BFF Holdings, Inc.**, a **Utah corporation**, Grantor, does hereby grant to **325 Blackfoot LLC**, an **Idaho limited liability company**, Grantee, whose address is **851 Paiute St., Driggs, Idaho 83422** the following described property situated in Teton County, Idaho:

See Exhibit A attached hereto and incorporated herein by this reference.

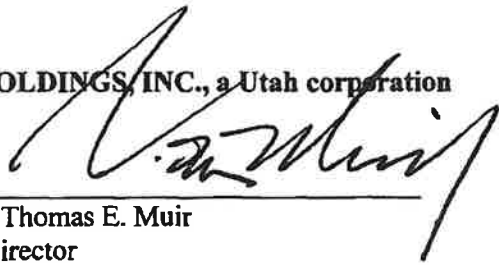
TOGETHER WITH all and singular the tenements, hereditament, and appurtenances thereunto belonging, or otherwise appertaining, including water rights, and all estate, right, title and interest in and to the said property.

SUBJECT TO: Taxes and assessments for the current year and future years; reservations in patents; all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions and other matters that may appear in the records of the recorder of the county in which said property is located; and any matters that would be revealed by an accurate survey or inspection of said property.

IN WITNESS WHEREOF, Grantor has executed this Grant Deed this 4 day of November, 2020.

GRANTOR:

BFF HOLDINGS, INC., a Utah corporation

By: 

Name: Thomas E. Muir

Title: Director

GRANT DEED

FOR VALUE RECEIVED, **BFF Holdings, Inc., a Utah corporation**, Grantor, does hereby grant to **325 Blackfoot LLC, an Idaho limited liability company**, Grantee, whose address is **851 Paiute St., Driggs, Idaho 83422** the following described property situated in Teton County, Idaho:

See Exhibit A attached hereto and incorporated herein by this reference.

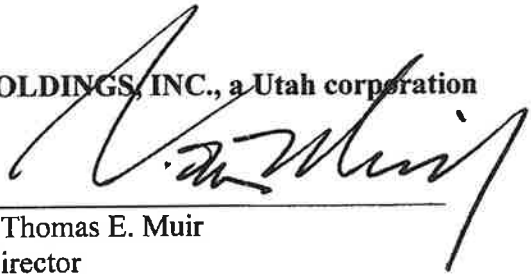
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By: 

Name: Thomas E. Muir

Title: Director

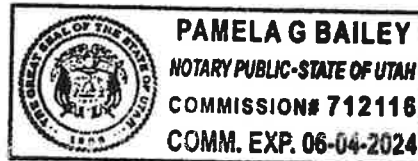
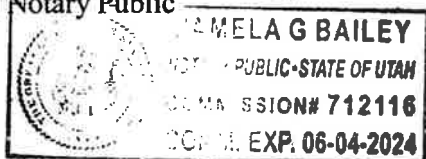
STATE OF Utah)
) ss.
County of Salt Lake

This record was acknowledged before me on Nov. 11, 2020, Thomas E. Muir as
Director of BFF Holdings, Inc., a Utah corporation.

Pamela G. Bailey

Signature of Notary Public

(stamp)



My Commission Expires: June 4, 2024

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

THE NE1/4 SE1/4 SECTION 2, TWP. 4N., RNG. 45E., B.M., TETON COUNTY, IDAHO
BEING FURTHER DESCRIBED AS:

COMMENCING AT THE E1/4 CORNER OF SAID SECTION 2, S 00°19'48"E, 1322.67
FEET TO A POINT;

THENCE N 89°24'00"W, 1327.76 FEET TO A POINT;

THENCE N 00°17'13"W, 1322.67 FEET TO A POINT;

THENCE S 89°23'57"E, 1326.76 FEET TO THE POINT OF BEGINNING.

PARCEL 2: (EASEMENT ESTATE)

TOGETHER WITH A 60 FOOT WIDE ACCESS AND UTILITY EASEMENT BEING
FURTHER DESCRIBED AS:

FROM THE E1/4 CORNER OF SECTION 2, TWP. 4N., RNG. 45E., B.M., TETON
COUNTY, IDAHO S 00°19'48"E, 1322.67 FEET TO THE POINT OF BEGINNING;

THENCE N 89°24'00"W, 60.00 FEET;

THENCE S 00°19'48"E, 1322.67 FEET TO A POINT ON THE COUNTY ROAD W 2000 S;

THENCE S 89°24'04"E, 60.00 FEET TO A POINT;

THENCE N 00°19'48"W, 1322.67 FEET TO THE POINT OF BEGINNING.

Instrument # 275831

TETON COUNTY, IDAHO
05-13-2022 14:48:00 No. of Pages: 4
Recorded for: THORNTON BYRON LLP
KIM KEELEY Fee: \$15.00
Ex-Officio Recorder Deputy, Kim Keeley
Index to: DEED, WARRANTY

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
3101 W. MAIN, SUITE 200
PO Box 7156
BOISE, ID 83707-1156
208-344-8600

(SPACE ABOVE LINE FOR RECORDER'S USE)

WARRANTY DEED

NOT A LEGAL COPY

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
P.O. BOX 7156
BOISE, IDAHO 83707-1156

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

WARRANTY DEED

For Value Received, 325 Blackfoot LLC, an Idaho limited liability company ("Grantor"), does hereby grant, bargain, sell and convey unto Darby Development, Inc., an Idaho corporation ("Grantee"), whose current address is 851 Paiute Street, Driggs, Idaho 83422, all of its right, title and interest in and to that certain real property located in Teton County, Idaho, more particularly described on Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises with its appurtenances unto Grantee and its heirs and assigns forever. And Grantor does hereby covenant, and with Grantee that Grantor is the owner in fee simple of the said premises; that the said premises is free from all encumbrances except the current year's taxes, levies and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument effective the 10th day of May, 2022.

Grantor:

325 Blackfoot LLC

By:

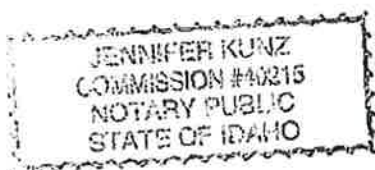
Karin Wertheim

Karin Wertheim, Manager

STATE OF IDAHO)
 SS.
COUNTY OF TETON)

On this 10th day of May, 2022, before me, the undersigned Notary Public in and for said State, personally appeared Karin Wertheim, known or identified to me to be the Manager of 325 Blackfoot LLC, the Idaho limited liability company that executed the foregoing instrument, and the person whose name is subscribed to the within instrument, and acknowledged to me that such Idaho limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



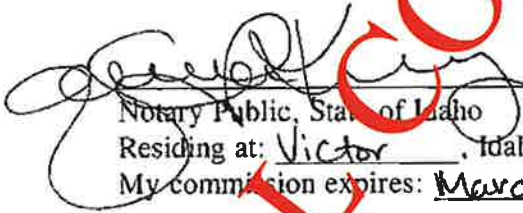

Notary Public, State of Idaho
Residing at: Victor, Idaho
My commission expires: March 14, 2023

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NOT A LEGAL COPY



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 04, 2023

DARBY DEVELOPMENT
851 PAIUTE ST
DRIGGS ID 83422-5238

Re: Change in Water Right Ownership: 22-7043 (Split into 22-7043 and 22-14543)

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) 497-3787.

Sincerely,

Jonie Bailly
Technical Records Specialist 1

Enclosure(s)

c: THE BANK OF COMMERCE
BFF HOLDINGS INC