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RECEIVED

APR 06 2023

WATER RESOURCES
DIVISION REGION

Deborah E. Nelson
Samuel F. Parry
Randall A. Peterman
Blake W. Ringer
Michael O. Roe
Danielle M. Strollo
Robert B. White
Michael V. Woodhouse

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

April 6, 2023

Via Email (Nick.Miller@idwr.idaho.gov)

Nick Miller,
Manager, Western Regional Office
Idaho Department of Water Resources
2735 W. Airport Way
Boise, Idaho 83705-5082

RE: Brisbie LLC – Transfer Application No. 87042

Dear Nick:

In relation to the above-referenced transfer application, I am enclosing with this letter a copy of a Special Warranty Deed (Ada County Instrument No. 2022-090678, recorded 11/2/2022) by which Brisbie LLC conveyed to Idaho Power Company an approximately 10 acre parcel of land in the NW of Section 31, T2N, R2E, reserving to Brisbie “all water and water rights and entitlements to water appurtenant to or beneficially used upon the property.”

The location of the parcel conveyed to Idaho Power is generally depicted below:



Nick Miller, Idaho Department of Water Resources
April 6, 2023
Page 2

Brisbie's conveyance to Idaho Power occurred after Brisbie filed transfer application no. 87042. As a consequence of this conveyance and Brisbie's reservation of water rights, (a) Idaho Power owns none of Brisbie's water rights subject to the transfer application, and (b) the land conveyed to Idaho Power should not be included as a place of use in the transfer approval.

Please contact me if you have any questions.

Best regards,

A handwritten signature in blue ink, appearing to read "MPL", with a stylized flourish at the end.

Michael P. Lawrence

Enclosure

cc: Darrell Early, attorney for protestant City of Boise

MPL
16683371_3 [14808-2]

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

INB2679034



AFTER RECORDING MAIL TO:

Idaho Power Company
Corporate Real Estate
Plaza II
P.O. Box 70
Boise, ID 83707

3983704- TD/mc

ADA COUNTY RECORDER Phil McGrane	2022-090678
BOISE IDAHO Pgs=4 CHE FOWLER	11/02/2022 01:34 PM
FIRST AMERICAN TITLE AND ESCROW COMPANY	\$15.00

Space Above This Line for Recorder's Use Only

SPECIAL WARRANTY DEED

For Value Received, **Brisbie LLC**, a Delaware limited liability company ("**Grantor**"), does hereby grant, bargain, sell and convey unto **Idaho Power Company**, an Idaho corporation ("**Grantee**"), whose current address is 1221 W. Idaho St., Boise, Idaho, 83702, the following described premises, situated in Ada County, Idaho, to-wit:

LEGAL DESCRIPTION: Real property in the County of Ada, State of Idaho, described in Exhibit A, attached hereto and made a part hereof (the "**Property**").

RESERVING TO GRANTOR any and all water and water rights and other entitlements to water appurtenant to or beneficially used upon the Property.

TO HAVE AND TO HOLD the Property unto Grantee and Grantee's successors and assigns, forever. This deed is executed and delivered subject to (collectively the "**Permitted Exceptions**") (i) property taxes for the current year and subsequent years, the payment of which Grantee assumes, (ii) rights, easements, covenants, restrictions, rights-of-way, reservations and zoning regulations or ordinances as may appear of record, (iii) those permitted exceptions listed on Exhibit B attached hereto and made a part hereof for all purposes, and (iv) all matters that would be disclosed by a current survey of the Property, including all encroachments and protrusions that would be shown thereon.

[Signatures appear on next page.]



DATED effective as of the 23 day of October, 2022.

GRANTOR:

BRISBIE LLC, a Delaware limited liability company

By: [Signature]

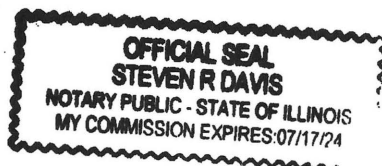
Name: BRADLEY DAVIS

Its: Authorized Representative

STATE OF ILLINOIS)
COUNTY OF LAKE)
SS.

On this 23rd day of **October 2022** before me, a Notary Public in and for said State, personally appeared BRADLEY DAVIS, known or identified to me to be the ^{Authorized} REPRESENTATIVE of BRISBIE LLC, a Delaware limited liability company, and the person who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said limited liability company name.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public for the State of IL
Residing at: LAKE County
My Commission Expires: _____

**Exhibit A****Legal Description of the Land**

A parcel of land situated in a portion of the Northwest One Quarter of Section 31, Township 2 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Southwest Corner of said Section 31, thence following the westerly line of said Section 31,

North 0°27'47" East a distance of 2,656.49 feet to the West One Quarter Corner of said Section 31;

Thence following the westerly line of said Section 31, North 0°27'07" East a distance of 652.98 feet to the POINT OF BEGINNING;

Thence following said westerly line, North 0°27'07" East a distance of 667.10 feet to the Northwest Corner of Government Lot 2 of said Section 31;

Thence leaving said westerly line and following the northerly line of said Government Lot 2, South 89°06'35" East a distance of 671.02 feet to the Northeast Corner of said Government Lot 2;

Thence leaving said northerly line, South 0°27'07" West a distance of 668.27 feet;

Thence North 89°00'34" West a distance of 671.03 feet to the POINT OF BEGINNING.

The above-described parcel of land contains 10.29 acres, more or less.



Exhibit B
Permitted Exceptions

1. General taxes which may be assessed and extended on any "subsequent" or "occupancy" tax roll, which may escape assessment of the regular tax roll; which are a lien not yet due or payable.
2. Any tax, fee, assessments or charges as may be levied by City of Kuna.
3. Any tax, fee, assessments or charges as may be levied by Pleasant Valley Irrigation District.
4. Except mineral or water rights, claims or title to mineral or water.
5. Rights of way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States as granted to the United States under provisions of Section 58-604, Idaho Code.
6. Reservations in recorded United States Patents
7. Right of way South Cole Road.
8. Easement, including terms and provisions contained therein:
Recording Information: 672018
In Favor of: Idaho Power Company
For: power line
9. Development Agreement and the terms and conditions thereof:
Between: City of Kuna
And: GC Kuna Land LC and KC Gardner Company, LC
Recording Information: 2021-176244
10. Any off-record facts, encumbrances, easements or possessory claims, a survey or inspection would disclose.