

RECEIVED

AUG 05 2024

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

DEPT. OF WATER RESOURCES

## 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 #6 of the instructions.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 72-4092 ✓             | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> | 72-10019 ✓            | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 72-4093A ✓            | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 72-4093B ✓            | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 72-4094 ✓             | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 72-4112 ✓             | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Matthew Berry and Stephanie Berry  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): RBR Investments Stanley LLC  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1700 Robinson Bar Road Stanley ID 83278  
Mailing address City State ZIP  
(206) 861-2299 mberry1@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: \_\_\_\_\_
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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.

SUPPORT DATA

IN FILE # 72-4092

8. Signature: [Signature] Manager & Member 4-22-2024  
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] Member 4-22-2024  
Signature of new owner/claimant Title, if applicable Date

## For IDWR Office Use Only:

Received by KM Date 8.5.24 Receipt No. C118712 Receipt Amt. 150.00Active 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 DM Date 8-7-24

RECEIVED

1964

1964

1964-66-7

1964-66-8

1964-66-9

1964-66-10

1964-66-11

1964-66-12

1964

1964

1964

1964

**WHEN RECORDED**

**RETURN TO:**

**McAnaney & Associates, PLLC**  
1101 W. River Street, Suite 100  
Boise, Idaho 83702

**SEND TAX NOTICES TO:**

**RBR Investments Stanley LLC**  
Attn: Matthew R. Berry, Manager  
1700 Robinson Bar Road  
Stanley, Idaho 83278

# 265718  
Custer County Req. of  
McAnaney & Assoc  
Time 10:47 AM Date 7/23/2024  
Lura H. Baker, Clerk  
Dellie S \$ 15.00  
Deputy

**CORRECTION QUITCLAIM DEED**

This Correction Quitclaim Deed is being recorded to correct and add the parcel number referenced on the first page of that certain Quitclaim Deed recorded on May 6, 2024, as Instrument Number 265477 in the records of Custer County, Idaho.

GRANTORS, **Matthew Berry** and **Stephanie Berry**, husband and wife, as community property with right of survivorship, do hereby REMISE, RELEASE and forever QUITCLAIM, unto **RBR Investments Stanley LLC**, an Idaho limited liability company, whose current address is **1700 Robinson Bar Road, Stanley, Idaho 83278**, as GRANTEE and to Grantee's successors and assigns, all of Grantors' right, title and interest in and to the real property situated in Custer County, Idaho, more particularly described as follows:

See Exhibit A attached hereto.

Custer County Parcel Nos. RPHO11N15E6201 and RPHO11N15E6300.

TOGETHER with all tenements, hereditaments, and appurtenances there unto belonging.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

*[Signatures and notary on the following page]*



**EXHIBIT A**

Custer County Parcel Nos. RPHO11N15E6201 and RPHO11N15E6300.

Parcel 1:

Township 11 North, Range 15 East Boise Meridian Custer County, Idaho

H.E. Survey No. 419, embracing a portion of approximately Sections 26, 27, 34 and 35, described as follows:

Beginning at Corner No. 1, from which U.S. Location Monument No. 5 bears:

North 22°29' East 7.5 chains distant; thence  
 North 45°03' East 18.12 chains to Corner No. 2; thence  
 South 80°43' East 30.20 chains to Corner No. 3; thence  
 South 4°54' West 6.94 chains to Corner No. 4; thence  
 South 65°41' West 56.5 chains to Corner No. 5; thence  
 North 66°37' West 3.57 chains to Corner No. 6; thence  
 North 20°38' East 9.15 chains to Corner No. 7; thence  
 North 66°37' West .50 chains to Corner No. 8; thence  
 South 20°38' West 9.15 chains to Corner No. 9; thence  
 North 65°37' West 3.56 chains to Corner No. 10; thence  
 North 5°46' East 8.57 chains to Corner No. 11; thence  
 North 38°49' West 9.47 chains to Corner No. 12; thence  
 North 49°42' East 20.33 chains to Corner No. 13; thence  
 South 31°21' East 11.53 chains to Corner No. 1, the True Point of Beginning.

AND Government Tract 37 in Sections 26, 34 and 35, Township 11 North, Range 15 East, Boise-Meridian, Custer County, Idaho, described as follows:

Beginning at Corner No. 4, H.E.S. No. 419, identical with Angle Point No. 1, Tract 37, Township 11 North, Range 15 East, Boise-Meridian, Custer County, Idaho, and True Point of Beginning; thence  
 South 65°42'45" West 39.483 chain (2604.56 feet) on line 4 - 5, HES No. 419 to Angle Point No. 2, identical with Angle Point No. 1, Tract 38, on line 4 - 5 HES No. 419; thence  
 South 89°29'15" East 1.684 chains (111.14 feet) to Angle Point No. 3; thence  
 North 79°15'30" East 6.984 chains (460.94 feet) to Angle Point No. 4; thence  
 North 68°25'15" East 4.819 chains (318.05 feet) to Angle Point No. 5; thence  
 North 53°32'00" East 10.438 chains (688.91) to Angle Point No. 6; thence  
 North 72°43'45" East 6.630 chains (437.58 feet) to Angle Point No. 7; thence  
 North 58°07'15" East 9.685 chains (639.21 feet) to Angle Point No. 1 and Point of Beginning.

ALSO with Government Tract 38 in Sections 34 and 35, Township 11 North, Range 15 East, Boise-Meridian, Custer County, Idaho, described as follows:

Beginning at Corner No. 4, H.E.S. No. 419, identical with Angle Point No. 1, Tract 37, Township 11 North, Range 15 East, Boise-Meridian; thence

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South 65°42'45" West 39.463 chains (2604.56 feet), of line 4 - 5, HES No. 419, to Angle Point No. 1, identical with Angle Point No. 2, Tract 37, on the 4 - 5 line, HES No. 419, and True Point of Beginning; thence

South 65°42'45" West 17.100 chains (1128.60 feet), on line 4 - 5, HES No. 419, to Angle Point No. 2, identical with Angle Point No. 1, Tract 39 and Corner No. 5, HES No. 419; thence

North 78°20'45" East 8.105 chains (534.93 feet), to Angle Point No. 3; thence

North 57°23'30" East 2.581 chain (170.346 feet), to Angle Point No. 4; thence

North 35°02'45" East 1.416 chains (93.46 feet), to Angle Point No. 5; thence

North 58°33'15" East 5.464 chains (360.62 feet) to Angle Point No. 1 and Point of Beginning.

FURTHER WITH Government Tract 39 in Sections 27 and 34, Township 11 North, Range 15 East, Boise-Meridian, Custer County, Idaho, described as follows:

Beginning at Corner No. 5, H.E.S. No. 419, identical with Angle Point No. 2, Tract 38, and Angle Point No. 1, Tract 39, Township 11 North, Range 15 East, Boise-Meridian; and the True Point of Beginning; thence

North 66°30'45" West 3.578 chains (236.15 feet) to Angle Point No. 2, identical with Corner No. 6, HES No. 419; thence

North 20°30'45" East 9.148 chains (603.77 feet) to Angle Point No. 3, identical with Corner No. 7, HES No. 419; thence

North 65°57'15" West 0.509 chains (33.60 feet) to Angle Point No. 4, identical with Corner No. 8, HES No. 419; thence

South 20°28'15" West 9.157 chains (604.36 feet) to Angle Point No. 5, identical with Corner No. 9, HES No. 419; thence

North 66°37'00" West 3.566 chains (235.36 feet), to Angle Point No. 6, identical with Corner No. 10, HES No. 419; thence

South 6°56'00" West 6.538 chains (431.51 feet), to Angle Point No. 7; thence

North 66°06'45" East 8.535 chains (563.31 feet) to Angle Point No. 1 and Point of Beginning.

Parcel 2:

The following described tract in H.E.S. No. 419, in Sections 26, 27, 34 and 36, Township 11 North, Range 15 East, Boise-Meridian, Custer County, Idaho, described as follows:

Commencing at the U.S.L.M. No. 5; thence

South 22°29' West a distance of 495 feet to a point on the boundary of said H.E.S. No. 419, said point designated on the Official Plat as Point No. 1; thence

North 31°21' West a distance of 760.98 feet to a Brass Cap designating Point No. 13; thence

South 27°12'30" West a distance of 416.78 feet to a 5/8" rebar set, which is the Real Point of Beginning; thence

South 4°29' West a distance of 120 feet to a 5/8" rebar; thence

North 81°01' East a distance of 321.91 feet to a point from which a 5/8" rebar witness corner bears

South 81°01' West a distance of 3.0 feet; thence

North 2°26' East a distance of 149.78 feet to a 5/8" rebar; thence

South 75°42' West a distance of 325.0 feet to the Real Point of Beginning.



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098  
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

August 20, 2024

RBR INVESTMENTS STANLEY LLC  
1700 ROBINSON BAR RD  
STANLEY ID 83278-5506

Re: Change in Ownership for Water Right No(s): **72-4092, 72-4093A, 72-4093B, 72-4094, 72-4112, 72-10019**

Dear Water Right Holder(s):

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

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208)287-4921.

Sincerely,

Debra Mansfield  
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

8/20/2024

Water Right 72-4092

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                            |
|-------------------|--------------------------------------------------------------------------------------------------------------------|
| Attorney          | JEFFREY C FEREDAY<br>GIVENS PURSLEY LLP PO BOX 2720<br>BOISE, ID 83701-2720<br>(208) 388-1200                      |
| Attorney          | MILLEMANN & PITTENGER<br>PO BOX 1066 706 N 1ST ST<br>MC CALL, ID 83638<br>(208) 634-7641                           |
| Attorney          | MCANANEY & ASSOCIATES PLLC<br>C/O JASON D MELVILLE 1101 W<br>RIVER ST STE 100<br>BOISE, ID 83702<br>(208) 344-7500 |
| Current Owner     | RBR INVESTMENTS STANLEY LLC<br>1700 ROBINSON BAR RD<br>STANLEY, ID 83278-5506<br>(206) 861-2299                    |
| Original Owner    | CAROLE KLEIN<br>16000 VENTURA BLVD STE 600<br>ENCINO, CA 91436-2753<br>(818) 933-6293                              |
| Previous Owner    | MATTHEW BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394                                 |
| Previous Owner    | STEPHANIE BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394                               |

**Priority Date:** 1/1/1916

**Basis:** Decreed

**Status:** Active

**Source**  
SPRINGS

**Tributary**  
WARM SPRINGS CREEK

## IDAHO DEPARTMENT OF WATER RESOURCES

8/20/2024

## Proof Report

|                       |                        |           |                       |               |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| <b>Beneficial Use</b> | <b>From</b>            | <b>To</b> | <b>Diversion Rate</b> | <b>Volume</b> |
| RECREATION            | 1/01                   | 12/31     | 0.060 CFS             |               |
|                       | <b>Total Diversion</b> |           | 0.060 CFS             |               |

**Source and Point(s) of Diversion:**

SPRINGS SWSESE Sec. 27, Twp 11N, Rge 15E, CUSTER County

**Place Of Use:**

RECREATION within CUSTER 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 |        |
| 11N | 15E | 27  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 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. FACILITY VOLUME 9412.5 CU. FT.
3. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419.
4. RECREATION, SWIMMING POOLS

**Dates and Other Information:**

Decreed Date: 11/17/2000  
 Civil Case Number: 39576  
 Judicial District: FIFTH  
 State or Federal: S  
 Owner Name Connector: AND  
 Water District Number: 170  
 Mitigation Plan: False

**Combined Use Limits:**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

## IDAHO DEPARTMENT OF WATER RESOURCES

8/20/2024

## Proof Report

## Water Right 72-4093A

|                          |                                                                                                                                           |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                                                                            |
| Attorney                 | MILLEMANN PITTENGER & MC<br>MAHAN LLP<br>BRIAN L MC MAHAN AND/OR<br>STEVEN J MILLEMANN PO BOX 1066<br>MC CALL, ID 83638<br>(208) 634-7641 |
| Current Owner            | RBR INVESTMENTS STANLEY LLC<br>1700 ROBINSON BAR RD<br>STANLEY, ID 83278-5506<br>(206) 861-2299                                           |
| Original Owner           | CAROLE KLEIN<br>16000 VENTURA BLVD STE 600<br>ENCINO, CA 91436-2753<br>(818) 933-6293                                                     |
| Previous Owner           | MATTHEW BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394                                                        |
| Previous Owner           | STEPHANIE BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394                                                      |

**Priority Date:** 6/1/1916**Basis:** Decreed**Status:** Active

**Source**  
WARM SPRINGS CREEK

**Tributary**  
SALMON RIVER

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 6/15                          | 10/31            | 0.090 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.090 CFS                    |                      |

**Source and Point(s) of Diversion:**

|                    |        |                                          |
|--------------------|--------|------------------------------------------|
| WARM SPRINGS CREEK | NWNENE | Sec. 34, Twp 11N, Rge 15E, CUSTER County |
| WARM SPRINGS CREEK | SWSESE | Sec. 27, Twp 11N, Rge 15E, CUSTER County |

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/20/2024

**Place Of Use:**

IRRIGATION within CUSTER County

| Twp | Rng | Sec | NE  |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |     | Totals |
|-----|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|--------|
|     |     |     | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE  |        |
| 11N | 15E | 27  |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.5 | 1.5    |
| 11N | 15E | 34  | 1.5 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     | 1.5    |

POU Total Acres: 3.0

**Conditions of Approval:**

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE JUNE 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. USE OF THIS RIGHT WITH RIGHT NO. 72-04094 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE IRRIGATION SEASON.
4. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419.

**Dates and Other Information:**

Decreed Date: 11/17/2000  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Owner Name Connector: AND  
Water District Number: 170  
Mitigation Plan: False

**Combined Use Limits:**

|                    |                      |                            |
|--------------------|----------------------|----------------------------|
| <b><u>Rate</u></b> | <b><u>Volume</u></b> | <b><u>Water Rights</u></b> |
|                    | 3.0                  | 72-4093A, 72-4094          |

**SubCase:**

N/A

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

8/20/2024

**Water Supply Bank:**

N/A

## IDAHO DEPARTMENT OF WATER RESOURCES

8/20/2024

## Proof Report

## Water Right 72-4093B

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                                   |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Attorney          | MILLEMANN PITTENGER & MC<br>MAHAN LLP<br>BRIAN L MC MAHAN AND/OR<br>STEVEN J MILLEMANN PO BOX 1066<br>MC CALL, ID 83638<br>(208) 634-7641 |
| Current Owner     | RBR INVESTMENTS STANLEY LLC<br>1700 ROBINSON BAR RD<br>STANLEY, ID 83278-5506<br>(206) 861-2299                                           |
| Original Owner    | CAROLE KLEIN<br>16000 VENTURA BLVD STE 600<br>ENCINO, CA 91436-2753<br>(818) 933-6293                                                     |
| Previous Owner    | STEPHANIE BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394                                                      |
| Previous Owner    | MATTHEW BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394                                                        |

**Priority Date:** 6/1/1916**Basis:** Decreed**Status:** Active

| <u>Source</u>      | <u>Tributary</u> |
|--------------------|------------------|
| WARM SPRINGS CREEK | SALMON RIVER     |

| <u>Beneficial Use</u> | <u>From</u>                   | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 6/15                          | 10/31     | 1.580 CFS             |               |
|                       | <b><u>Total Diversion</u></b> |           | 1.580 CFS             |               |

**Source and Point(s) of Diversion:**

WARM SPRINGS CREEK      SENWNE      Sec. 34, Twp 11N, Rge 15E, CUSTER County

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/20/2024

**Place Of Use:**

IRRIGATION within CUSTER 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 |
| 11N | 15E | 27  |    |    |    |    |    |    |    |    |    |    |    |    | 3.0 |    |    | 9.5 | 12.5   |

POU Total Acres: 12.5

**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. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE JUNE 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419.
4. 0.15 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

**Dates and Other Information:**

Decreed Date: 11/17/2000  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Owner Name Connector: AND  
Water District Number: 170  
Mitigation Plan: False

**Combined Use Limits:**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES****8/20/2024****Proof Report****Water Right 72-4094**

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                            |
|-------------------|--------------------------------------------------------------------------------------------------------------------|
| Attorney          | MCANANEY & ASSOCIATES PLLC<br>C/O JASON D MELVILLE 1101 W<br>RIVER ST STE 100<br>BOISE, ID 83702<br>(208) 344-7500 |
| Attorney          | JEFFREY C FEREDAY<br>GIVENS PURSLEY LLP PO BOX 2720<br>BOISE, ID 83701-2720<br>(208) 388-1200                      |
| Attorney          | MILLEMANN & PITTENGER<br>PO BOX 1066 706 N 1ST ST<br>MC CALL, ID 83638<br>(208) 634-7641                           |
| Current Owner     | RBR INVESTMENTS STANLEY LLC<br>1700 ROBINSON BAR RD<br>STANLEY, ID 83278-5506<br>(206) 861-2299                    |
| Original Owner    | CAROLE KLEIN<br>16000 VENTURA BLVD STE 600<br>ENCINO, CA 91436-2753<br>(818) 933-6293                              |
| Previous Owner    | MATTHEW BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394                                 |
| Previous Owner    | STEPHANIE BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394                               |

**Priority Date:** 1/1/1916**Basis:** Decreed**Status:** Active**Source**  
GROUND WATER**Tributary**

## IDAHO DEPARTMENT OF WATER RESOURCES

8/20/2024

## Proof Report

| <u>Beneficial Use</u> | <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 6/15                   | 10/31     | 0.090 CFS             | 9.0 AF        |
| STOCKWATER            | 1/01                   | 12/31     | 0.020 CFS             |               |
| DOMESTIC              | 1/01                   | 12/31     | 0.080 CFS             | 1.3 AF        |
|                       | <u>Total Diversion</u> |           | 0.100 CFS             | 10.3 AF       |

Source and Point(s) of Diversion:

GROUND WATER

NWNENE

Sec. 34, Twp 11N, Rge 15E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER 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  |        |
| 11N | 15E | 27  |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.5 | 1.5    |
| 11N | 15E | 34  | 1.5 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     | 1.5    |

POU Total Acres: 3.0

STOCKWATER within CUSTER 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 |        |
| 11N | 15E | 34  | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

DOMESTIC within CUSTER 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 |        |
| 11N | 15E | 27  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |        |
| 11N | 15E | 34  | 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. N14 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE JUNE 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
4. USE OF THIS RIGHT WITH RIGHT NO. 72-04093A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE IRRIGATION SEASON.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

**8/20/2024**

5. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419.
6. N09 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

**Dates and Other Information:**

Decreed Date: 11/17/2000  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Owner Name Connector: AND  
Water District Number: 170  
Mitigation Plan: False

**Combined Use Limits:**

| <b><u>Rate</u></b> | <b><u>Volume</u></b> | <b><u>Acres</u></b> | <b><u>Water Rights</u></b> |
|--------------------|----------------------|---------------------|----------------------------|
|                    |                      | 3.0                 | 72-4093A ,72-4094          |

**SubCase:**

N/A

**Water Supply Bank:**

N/A

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

8/20/2024

Water Right 72-4112

| <u>Owner Type</u> | <u>Name and Address</u>                                                                         |
|-------------------|-------------------------------------------------------------------------------------------------|
| Attorney          | MILLEMANN & PITTENGER<br>PO BOX 1066 706 N 1ST ST<br>MC CALL, ID 83638<br>(208) 634-7641        |
| Attorney          | JEFFREY C FEREDAY<br>GIVENS PURSLEY LLP PO BOX 2720<br>BOISE, ID 83701-2720<br>(208) 388-1200   |
| Current Owner     | RBR INVESTMENTS STANLEY LLC<br>1700 ROBINSON BAR RD<br>STANLEY, ID 83278-5506<br>(206) 861-2299 |
| Original Owner    | CAROLE KLEIN<br>16000 VENTURA BLVD STE 600<br>ENCINO, CA 91436-2753<br>(818) 933-6293           |
| Previous Owner    | MATTHEW BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394              |
| Previous Owner    | STEPHANIE BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394            |

Priority Date: 1/1/1916

Basis: Decreed

Status: Active

Source  
SPRINGS

Tributary  
WARM SPRINGS CREEK

| <u>Beneficial Use</u> | <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| HEATING               | 1/01                   | 12/31     | 0.040 CFS             | 29.0 AF       |
|                       | <u>Total Diversion</u> |           | 0.040 CFS             | 29.0 AF       |

Source and Point(s) of Diversion:

## IDAHO DEPARTMENT OF WATER RESOURCES

8/20/2024

## Proof Report

SPRINGS  
SPRINGSNWSWNE  
SWNENESec. 34, Twp 11N, Rge 15E, CUSTER County  
Sec. 34, Twp 11N, Rge 15E, CUSTER County**Place Of Use:**

HEATING within CUSTER 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 |        |
| 11N | 15E | 27  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |        |
| 11N | 15E | 34  | 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. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419. SOURCE IN NWSWNE IS ALSO KNOWN AS BOARDWALK SPRING.

**Dates and Other Information:**

Decreed Date: 11/17/2000  
 Civil Case Number: 39576  
 Judicial District: FIFTH  
 State or Federal: S  
 Owner Name Connector: AND  
 Water District Number: 170  
 Mitigation Plan: False

**Combined Use Limits:**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

## IDAHO DEPARTMENT OF WATER RESOURCES

8/20/2024

## Proof Report

## Water Right 72-10019

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                                   |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Attorney          | MILLEMANN PITTENGER & MC<br>MAHAN LLP<br>BRIAN L MC MAHAN AND/OR<br>STEVEN J MILLEMANN PO BOX 1066<br>MC CALL, ID 83638<br>(208) 634-7641 |
| Current Owner     | RBR INVESTMENTS STANLEY LLC<br>1700 ROBINSON BAR RD<br>STANLEY, ID 83278-5506<br>(206) 861-2299                                           |
| Original Owner    | CAROLE KLEIN<br>16000 VENTURA BLVD STE 600<br>ENCINO, CA 91436-2753<br>(818) 933-6293                                                     |
| Previous Owner    | MATTHEW BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394                                                        |
| Previous Owner    | STEPHANIE BERRY<br>1201 3RD AVE STE 3800<br>SEATTLE, WA 98101-3087<br>(206) 373-7394                                                      |

**Priority Date:** 1/1/1916**Basis:** Decreed**Status:** Active**Source**  
GROUND WATER**Tributary**

| <u>Beneficial Use</u> | <u>From</u>                   | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------------------------|-----------|-----------------------|---------------|
| DOMESTIC              | 1/01                          | 12/31     | 0.020 CFS             |               |
|                       | <b><u>Total Diversion</u></b> |           | 0.020 CFS             |               |

**Source and Point(s) of Diversion:**

GROUND WATER      SWSESE      Sec. 27, Twp 11N, Rge 15E, CUSTER County

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/20/2024

**Place Of Use:**

DOMESTIC within CUSTER 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 |  |
| 11N | 15E | 27  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X      |  |

**Conditions of Approval:**

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419.

**Dates and Other Information:**

Decreed Date: 10/3/1997  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Owner Name Connector: AND  
Water District Number: EXC  
Mitigation Plan: False

**Combined Use Limits:**

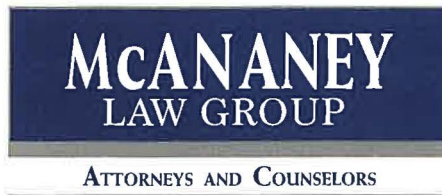
N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A



RECEIVED

AUG 05 2024

DEPT. OF WATER RESOURCES

tem@mcananey.us

TAYLOR E. MCANANEY, LEGAL ASSISTANT

t: 208.344.7500 f: 208.344.7501 Golden Eagle at Forest River 1101 W. River Street, Suite 100 Boise, ID 83702

August 1, 2024

***VIA FIRST CLASS MAIL***

Idaho Department of Water Resources  
P.O. Box 83720  
Boise, Idaho 83720-0098

**RE: Notice of Change in Water Right Ownership  
M&A File No. 22100.002**

To whom it may concern:

Enclosed please one (1) Notice of Change in Water Right Ownership and supporting documentation for the transfer of the following water rights:

- 72-4092;
- 72-4093A;
- 72-4093B;
- 72-4094;
- 72-4112; and
- 72-10019.

We are also including a check in the amount of \$150.00 to cover the transfer fees. If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Taylor E. McAnaney".

Taylor E. McAnaney

/tem

Enclosures