

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 29 2024

DEPARTMENT 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
~~78-10320~~ , 78-7333 ✓	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: ROSE, PAUL F, ROSE, UNA L
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): CNL Ventures LLC
New owner(s) as listed on the conveyance document

P.O. Box 506	Homedale	Idaho	83628
Mailing address	City	State	Zip
208-859-2808	cj@tek208.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: 1/24/2024
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.

SUPPORT DATA

IN FILE # 78-733

8. Signature: Carl Johnson Member 8/22/2024
Signature of new owner/claimant Title, if applicable Date
Carl Johnson
Print name
- Signature: Laura Johnson Member 8/22/2024
Signature of new owner/claimant Title, if applicable Date
Laura Johnson
Print name

Received by ASU Date 8/29/24 For IDWR Office Use Only Receipt No. C1188006 Receipt Amt. \$25

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 om Date 8-30-24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Idaho Code §§ 42-248 and 42-1409(6). All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov/forms/water-rights.html. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the IDWR's website using the [Water Right and Adjudication Search](#).

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the IDWR's website at www.idwr.idaho.gov/forms/water-rights.html, or from any IDWR office. The fee for an Assignment of Permit is \$25. There is no charge for an Assignment of Application for Permit or Application for Transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.
- Any action by IDWR updating the ownership of a water right in IDWR's records is not a determination of water right ownership. Water right ownership disputes arising from a notice of change in water right ownership must be resolved in a water rights adjudication or in an action to quiet title.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.



Instrument # 543119

IDAHO COUNTY, IDAHO,

1-26-2024 03:59:28 PM No. of Pages: 2

Recorded for: IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Ex-Officio Recorder Deputy

Fee: \$15.00

Kathy Rick

WARRANTY DEED

Order No.: 620329AM

FOR VALUE RECEIVED

Justin Carl Nemec and Christina Ann Nemec, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

CNL Ventures LLC, an Idaho limited liability company

whose current address is:

P.O.Box 506

Homedale, ID 83628

the grantee(s), the following described premises, in Adams County, Idaho,
TO WIT:

*SEE ATTACHED EXHIBIT C

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 24, 2024

Justin Carl Nemec
Justin Carl Nemec

Christina Ann Nemec
Christina Ann Nemec

State of County ; ss
County of Valley;

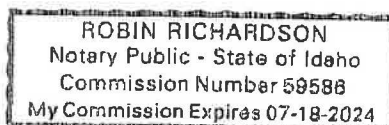
On this 24 day of January, 2024, before me, the undersigned a Notary Public in and for said state, personally appeared Justin Carl Nemec and Christina Ann Nemec, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument and acknowledged to me that they executed 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.

Robin Richardson

Notary Public for the State of County

Residing at: *New Meadows*

Commission Expires: *7.18.2024*



File No.: 35063

SCHEDULE C

Township 22 North, Range 1 East, Boise Meridian, Idaho County, Idaho

Section 26: A parcel of land situate in the NW¼, more particularly described as follows:

Commencing at a brass cap marking the corner common to Sections 22, 23, 26, and 27, said Township and Range;

thence S 00°44'06" E, 1174.83 feet along the line common to said Sections 26 and 27;

thence N 89°32'36" E, 1059.19 feet to a 5/8" rebar, the Real Point of Beginning;

thence continuing N 89°32'36" E, 297.13 feet to a 5/8" rebar;

thence S 26°00'01" W, 240.29 feet to a 1/2" rebar;

thence S 44°48'04" W, 202.40 feet to a 5/8" rebar;

thence S 29°29'20" W, 30.00 feet to a 5/8" rebar;

thence S 81°09'14" W, 214.73 feet to a 5/8" rebar;

thence N 07°26'00" W, 75.00 feet to a 5/8" rebar on the easterly line of Elk Lake Road;

thence N 28°44'00" E, 390.00 feet along said easterly line to the Point of Beginning.

Sometimes known as Assessor's Tax No. 18.

(end schedule c)



0005814889

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005814889

Date Filed: 7/9/2024 9:23:05 PM

Entity Name and Mailing Address:

Entity Name: CNL VENTURES LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0000026401
Address: PO BOX 506
HOMEDALE, ID 83628-0506

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W4465

The registered agent on record is:

Registered Agent: CARL JOHNSON
Registered Agent
Physical Address
3877 RIVER RD
HOMEDALE, ID 83628
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
Carl Johnson	Manager	3877 RIVER ROAD P.O. BOX 506 HOMEDALE, ID 83628

The annual report must be signed by an authorized signer of the entity.

Job Title: Member

Carl Johnson

Sign Here

07/09/2024

Date

BU925-2446 01/09/2024 9:23 PM Received by Office of the Idaho Secretary of State



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 • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 03, 2024

CNL VENTURES LLC
PO BOX 506
HOMEDALE ID 83628-0506

Re: Change in Ownership for Water Right No(s): **78-7333**

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.

Regarding water right **78-10329**: Water right 78-10329 is an appurtenance of Parcel Number RP22N01E263482A, also known as T107 in Idaho county. This water right is not an appurtenance to your parcel.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right. Because the Department received \$25 with your submitted Notice of Change of Water Right Ownership for water rights 78-7333 and 78-10329 there is no refund to issue for water right 78-10329.

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)287-4800.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2024

Water Right 78-7333

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CNL VENTURES LLC PO BOX 506 HOMEDALE, ID 83628-0506

Original Owner	BILLIE L WALKER 146 POTTER LN MC CALL, ID 83638 (208) 634-7406
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Original Owner	MICHAEL A WALKER 146 POTTER LN MC CALL, ID 83638 (208) 634-7406
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Previous Owner	PAUL F ROSE PO BOX 60 NEW MEADOWS, ID 83654 (208) 741-9390
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Previous Owner	UNA L ROSE PO BOX 60 NEW MEADOWS, ID 83654 (208) 741-9390
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Priority Date: 6/8/1992

Basis: License

Status: Active

Source
SPRINGS

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	0.060 CFS	9.0 AF
	<u>Total Diversion</u>		0.060 CFS	9.0 AF

Source and Point(s) of Diversion:

SPRINGS NESWNW

Sec. 26, Twp 22N, Rge 01E, IDAHO County

Place Of Use:

IRRIGATION within IDAHO County

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2024

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22N	01E	26							3.0										3.0

POU Total Acres: 3.0

Conditions of Approval:

1. R49 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.
2. Two points of diversion are located within NESWNW, S26, T22N, R1E.

Dates and Other Information:

Licensed Date: 8/22/1997
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A