

RECEIVED

OCT 13 2004

DEPARTMENT OF
WATER RESOURCES

Law Offices of
MARTIN & ESKELSON, PLLC

Stephen E. Martin, Email: semartin@onewest.net
Scott P. Eskelson, Email: seskelson@onewest.net

P.O. BOX 3189
IDAHO FALLS, ID 83403-3189
PHONE: (208) 523-6644
FAX: (208) 522-0791

OFFICES:
425 S. HOLMES
IDAHO FALLS, ID 83401

October 6, 2004

Roxanne Brown
Idaho Department of Water Resources
1301 North Orchard Street
PO Box 83720
Boise, ID 83720-0098

Re: Eagle Valley Ranch

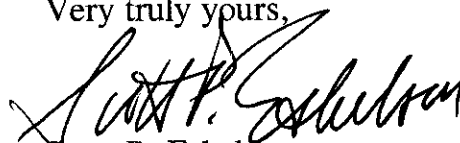
Dear Ms. Brown:

Enclosed with this letter please find the following:

1. An original executed "Notice of Change in Water Right Ownership" form. Attached thereto is an itemization of the water rights transferred.
2. A copy of the recorded Warranty Deed evidencing transfer of the underlying property.
3. An aerial photograph outlining thereon the water rights. This aerial photo has superimposed over it a surveyed outline of the subject property. The photo designates the location and point of use for the various springs associated with the water rights. The places of diversion and place of use for the water diverted out of flowing streams (such as Bohannon Creek) are as outlined in prior filings of record with your department. These are unchanged.
4. Our check in the amount of \$375.00 representing the appropriate transfer fees for these rights.

Will you please process these and return any completed paperwork to my attention.

Very truly yours,



Scott P. Eskelson

Enclosures

cc: Nikolaos Monoyios (w/o encl)
Valerie Brackett (w/o encl)
Mark Norem (w/o encl)
Mike Koster (w/o encl)

Form 42 248/42-14(09/06) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**OCT 13 2004****DEPARTMENT OF
WATER RESOURCES**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
See Attached List					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) CECIL T JACKSON & JUDITH BAILEY JACKSON
SALMON, ID
4. New Owner/Claimant(s) EAGLE VALLEY RANCH, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
446 BOHANNON CREEK ROAD, SALMON, ID 83467
 New Mailing Address
 City, State and ZIP Code
 New Telephone Number (208) 756-1510
5. Date you acquired the property _____

Form 42-24B(42-1409(6)) July, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Monogeros Valerie A. Bruck
 Manager & CO-Owner of Eagle Valley Ranch, LLC
 NIKOLAS D. MONOGEROS VALERIE A. BRACKETT

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by <i>P.M.C.B.</i>	Date <i>10-14-04</i>	Receipt No. <i>6073423</i>
Processed by _____	Date _____	WR _____

JACKSON RANCH

As of July 15, 2004

Irrigation Water Rights:	
74-185	74-723
Stock Water Rights:	
74-7388	✓74-10175
74-453	✓74-4028
✓74-4029	✓74-4030
✓74-4031	*74-4032
*74-4033	*74-4034
*74-4035	*74-4036
*74-4037	

✓ = 1/3 share
* = 1/3 share

\$ 50.00 1/3 share
\$ 75.00 2/3 share
\$ 25.00 1/3 share

259578

WARRANTY DEED

THIS INDENTURE is made this 3rd day of August, 2004, by **CECIL T. JACKSON AND JUDITH BAILEY JACKSON**, the "Grantor", and **EAGLE VALLEY RANCH, LLC**, whose mailing address is 6 Stewart Road, Short Hills, NJ 07078, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Lemhi, State of Idaho, to-wit:

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

SUBJECT TO:

(i) real property taxes and assessments for the year 2004 and all periods thereafter;

(ii) any taxes impositions or assessments resulting from a change in the use or tax status of the Property effectuated by the grantee relating to periods after the Closing or thereafter;

(iii) all covenants, conditions, easements and rights of way of record;

(iv) any mechanics or materialmans' liens or other similar liens or claims and other matters arising through the acts or omissions of the grantee;

(v) a power line easement granted in favor of Idaho Power Company, recorded August 9, 1940, at Book 35, Page 320, Official Records of Lemhi County, Idaho;

(vi) a power line easement granted in favor of Idaho Power Company, recorded February 17, 1973, as Instrument No. 123074, Official Records of Lemhi County, Idaho;

(vii) sanitary regulations as set forth in an instrument recorded November 10, 1998 as Instrument no. 238659; and

(viii) a certain easement recorded July 25, 1988 as Instrument No. 191241, records of Lemhi County, Idaho.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

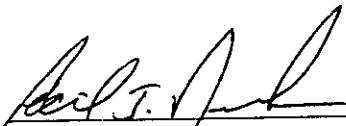
TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

259578

State of Idaho)
County of Lemhi) SS No. _____
This instrument was filed for record at the request
of Allice Little
at 3:10 o'clock P.m. 8-3 2004
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Anne Eagle Deputy
Fee 18.
Return to C.T.


CECIL T. JACKSON


JUDITH BAILEY JACKSON

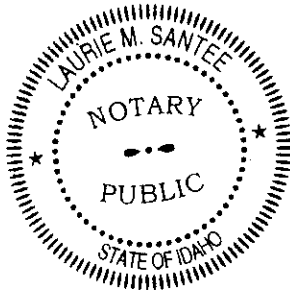
259578

STATE OF IDAHO)
) ss.
County of Lemhi)

On the this 3rd day of August, 2004, before me, the undersigned, a notary public, in and for said State, personally appeared **CECIL T. JACKSON AND JUDITH BAILEY JACKSON**, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.

(seal)



Laurie M Santee
Notary Public for Idaho
Residing at Salmon
My Commission Expires: 6-19-2007

C:\MyFiles\sem-clients\4635\JacksonTransaction\Deed-Warranty.wpd

LEGAL DESCRIPTION
EXHIBIT 'A'

PARCEL A:

A PARCEL OF LAND LOCATED IN THE W1/2, SECTION 27 AND IN SECTION 28, T. 21 N., R. 23 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF SAID SECTION 28 RUN
THENCE S. 89° 43' 56" W. A DISTANCE OF 2631.13 FT. TO THE S1/4 CORNER OF SECTION 28, THE BASIS OF BEARING OF THIS DESCRIPTION;

THENCE N. 89° 37' 45" W. ALONG THE SOUTHERLY BOUNDARY OF SECTION 28 A DISTANCE OF 451.96 FT.;

THENCE N. 13° 04' 39" W. A DISTANCE OF 108.04 FT.;

THENCE N. 19° 28' 54" E. A DISTANCE OF 258.11 FT.;

THENCE N. 69° 17' 35" W. A DISTANCE OF 72.82 FT.;

THENCE N. 20° 09' 35" E. A DISTANCE OF 231.66 FT.;

THENCE N. 71° 07' 24" W. A DISTANCE OF 464.84 FT.;

THENCE S. 09° 57' 00" W. A DISTANCE OF 372.71 FT. TO A POINT ON THE CENTER LINE OF THE OLD LEMHI ROAD;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTER LINE:

N. 60° 31' 54" W., 248.99 FT.; N. 58° 47' 38" W., 259.63 FT.;

132.87 FT. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 273.94 FT., A DELTA OF 27° 47' 26" AND A CHORD BEARING N. 72° 41' 22" W. FOR 131.57 FT.;

THENCE N. 30° 12' 56" E. A DISTANCE OF 34.96 FT. TO A POINT IN AN EXISTING FENCE LINE;

THENCE ALONG SAID FENCE LINE THE FOLLOWING COURSES AND DISTANCES:

N. 30° 12' 56" E., 154.37 FT.; N. 24° 51' 08" E., 156.16 FT.;

N. 33° 46' 37" E., 99.35 FT.; N. 37° 32' 10" E., 141.75 FT.;

N. 38° 03' 58" E., 96.38 FT.; N. 28° 32' 31" E., 214.84 FT.;

N. 51° 32' 03" E., 190.64 FT.; N. 19° 04' 10" E., 248.75 FT.;

S. 86° 24' 50" W., 133.89 FT.; N. 60° 10' 15" W., 214.50 FT.;

N. 29° 20' 36" E., 362.62 FT.; N. 32° 56' 14" E., 218.19 FT.;

N. 41° 14' 35" E., 178.05 FT.; N. 37° 16' 35" E., 182.97 FT.;

N. 45° 31' 13" E., 2.27 FT.; N. 89° 57' 40" E., 2650.11 FT.;

N. 59° 08' 34" E., 163.55 FT.; N. 43° 38' 05" E., 617.91 FT.;

N. 25° 49' 49" E., 125.67 FT.; N. 40° 25' 46" E., 548.00 FT.;

N. 51° 04' 27" W., 10.99 FT.; N. 39° 13' 01" E., 321.77 FT.;

N. 39° 13' 01" E., 557.19 FT.; S. 40° 52' 38" E., 509.75 FT.;

S. 28° 39' 49" W., 6.00 FT.; S. 00° 09' 44" W., 30.63 FT. TO THE NE CORNER OF THE SW1/4NW1/4 OF SAID SECTION 27;

THENCE S. 00° 09' 44" W. ALONG THE EASTERLY BOUNDARY OF SAID SW1/4 NW1/4 A DISTANCE OF 1330.89 FT. TO THE NE CORNER OF THE NW1/4SW1/4 OF SECTION 27;

THENCE S. 00° 09' 48" W. ALONG THE EASTERLY BOUNDARY OF SAID NW1/4SW1/4 A DISTANCE OF 1327.19 FT. TO THE SE CORNER OF THE NW1/4SW1/4;

THENCE S. 89° 55' 10" W. ALONG THE SOUTHERLY BOUNDARY OF SAID NW1/4SW1/4 A DISTANCE OF 1310.24 FT. TO THE SW CORNER OF THE NW1/4NW1/4;

THENCE S. 00° 26' 30" W. ALONG THE WESTERLY BOUNDARY OF SAID SECTION 27 A DISTANCE OF 1328.90 FT. TO THE SW CORNER OF SECTION 27 AND THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE OLD LEMHI ROAD.

PARCEL B:

A PARCEL OF LAND LOCATED IN THE SE1/4SW1/4, SECTION 28, T. 21 N., R. 23 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE S1/4 CORNER OF SAID SECTION 28, FROM WHICH THE SE CORNER OF SECTION 28 BEARS N. 89° 43' 56" E., 2631.13 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N. 89° 37' 45" W. ALONG THE SOUTHERLY BOUNDARY OF SECTION 28 A DISTANCE OF 451.96 FT. TO THE POINT OF BEGINNING;

CONTINUE THENCE N. 89° 37' 45" W. A DISTANCE OF 91.39 FT. TO A POINT ON THE CENTER LINE OF THE OLD LEMHI ROAD;

THENCE ALONG SAID CENTER LINE THE FOLLOWING COURSES AND DISTANCES:

279.59 FT. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 212.24 FT., A DELTA OF 75° 28' 37" AND A CHORD BEARING N. 22° 47' 35" W. FOR 259.81 FT.; N. 60° 31' 54" W., 274.34 FT.;

THENCE N. 09° 57' 00" E. A DISTANCE OF 372.71 FT.;

THENCE S. 71° 07' 24" E. A DISTANCE OF 464.84 FT.;

THENCE S. 20° 09' 35" W. A DISTANCE OF 231.66 FT.;

THENCE S. 69° 17' 35" E. A DISTANCE OF 72.82 FT.;

THENCE S. 19° 28' 54" W. A DISTANCE OF 258.11 FT.;

THENCE S. 13° 04' 39" E. A DISTANCE OF 108.04 FT. TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE OLD LEMHI ROAD.

259578

PARCEL C:

**N1/2NW1/4SW1/4, SECTION 27 , T. 21 N., R. 23 E., BOISE MERIDIAN,
LEMHI COUNTY, IDAHO.**