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OCT 12 2005

Department of Water Resources

101 S. Capitol Boulevard, Suite 1900
Boise, Idaho 83702
Main 208.389.9000
fax 208.389.9040
www.stoel.com

October 10, 2005

TERESA A. HILL
Direct (208) 387-4264
tahill@stoel.com

VIA US MAIL

Roxanne Brown, Sr. Water Resource Agent
State of Idaho - Department of Water Resources
322 Front Street
Boise, Idaho 83720

Re: Water Right No. 75-4309

Dear Ms. Brown:

Attached please find the Notice of Change in Water Right Ownership for the above referenced matter. I believe the fee for this water change is waived. If I am incorrect, please let me know and I will forward payment.

If any additional information is needed, please feel free to contact me.

Very truly yours,

Zulma Velazquez
Paralegal

Enclosures

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

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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
75-4309					

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) Elizabeth Porter Daane, Successor Trustee of the Main Trust of Frank H. Porter
dated June 7, 2000 as amended
4. New Owner/Claimant(s) Elizabeth Porter Daane, Trustee of the F/B/O Steven Porter under the Main Trust of Frank H. Porter dated June 7, 2000 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address Main Trust of Frank H. Porter c/o Elizabeth Porter Daane, Trustee
 City, State and ZIP Code: 29425 Chagrin Blvd., Suite 207, Pepper Pike, Ohio 44122
 New Telephone Number: (210) 360-8690
5. Date you acquired the property 08/01/2005

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)

Elmer Pater Deane, Trustee

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 _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

AFTER RECORDING, RETURN TO:

Dale G. Higer
STOEL RIVES LLP
101 S. Capitol Blvd., Ste. 1900
Boise, ID 83702

State of Idaho)
County of Lemhi) SS No. 263912
This instrument was filed for record at the recorder
of Stoel Rives LLP
at 12:30 o'clock p.m. 8-1 2005
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
E.O. Recorder
By [Signature] Deputy
Fee 9.00
Return to Stoel Rives

AMENDED QUITCLAIM DEED
(previously recorded as Instrument No. 262674)

FOR VALUE RECEIVED, ELIZABETH PORTER DAANE, SUCCESSOR TRUSTEE OF THE MAIN TRUST OF FRANK H. PORTER DATED JUNE 7, 2000, AS AMENDED, Grantor, does hereby convey, release, remise and forever quitclaim unto ELIZABETH PORTER DAANE, TRUSTEE OF THE TRUST F/B/O STEVEN PORTER UNDER THE MAIN TRUST OF FRANK H. PORTER DATED JUNE 7, 2000, Grantee, whose address is 29425 Chagrin Boulevard, Suite 207, Pepper Pike, Ohio 44122, the real property situated in Lemhi County, Idaho and more particularly described in Exhibit A attached hereto and made a part hereof, together with its appurtenances.

DATED this 26th day of July, 2005.

[Signature]
ELIZABETH PORTER DAANE, SUCCESSOR
TRUSTEE OF THE MAIN TRUST OF
FRANK H. PORTER DATED JUNE 7, 2000

STATE OF OHIO)
) ss.
County of Cuyahoga)

On this 26th day of July, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared ELIZABETH PORTER DAANE, SUCCESSOR TRUSTEE OF THE MAIN TRUST OF FRANK H. PORTER DATED JUNE 7, 2000, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument as Successor Trustee, and acknowledged to me that he executed the same as such Successor Trustee.

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 Ohio
Residing at PEPPER PIKE OHIO
My commission expires: DEC 9, 2009

ALBERT J. BARNABEI
Notary Public, State of Ohio
My Commission Expires Dec. 9, 2009

EXHIBIT A**PARCEL "A"**

The following described premises, in Lemhi County Idaho, to-wit:

Lots 8, 9, 10 and 11, Section 1; and Lot 8, Section 2, Township 23 North of Range 21 East of the Boise Meridian. Consisting of approximately 191.79 acres, more or less.

Together with all water and water rights, ditch and ditch rights thereunto belonging or in anywise appertaining thereto.

Together with all mineral and mineral rights, known and unknown, if any.

Together with appurtenances thereto.

PARCEL "B"

A parcel of land located in the E ½, Section 34, T. 24 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the E ¼ Corner of said Section from which the NE Corner of Section 34 bears N 00°02'00" W, 2634.62 ft. the Basis of Bearing of this description, run thence S 00°03'26" E a distance of 446.78 ft. to a point on the right-of-way of U.S. Highway 93;

Thence S 45°36'07" W along said right-of-way a distance of 1217.88 ft. to the POINT OF BEGINNING;

Continue thence along said right-of-way the following courses:

S 45°36'07" W, 960.71 ft.; 867.20 ft. along a curve to the right having a radius of 586.62 ft., a central angle of 84°42'00" and a chord bearing N 83°19'42" W for 790.36 ft.;

Along the chord of a spiral curve to the right N 34°11'34" W, 169.10 ft.; 758.30 ft. along a curve to the right having a radius of 1223.24 ft., a central angle of 35°31'06" and a chord bearing N 11°04'09" W for 746.22 ft.;

Thence N 33°56'46" E leaving said right-of-way a distance of 505.13 ft.;

Thence N 33°28'22" E a distance of 541.20 ft.;

Thence N 87°52'56" E a distance of 76.33 ft.;

Thence S 22°33'15" E a distance of 226.01 ft.;

Thence S 11°07'22" E a distance of 407.44 ft.;

Thence S 57°43'15" E a distance of 750.03 ft.;

Thence N 71°52'50" E a distance of 197.60 ft.;

Thence S 16°48'02" E a distance of 227.27 ft. to the POINT OF BEGINNING.

**PARCEL CONTAINS 41.85 ACRES
THREE (3) SPLITS REMAIN**

262674

263912

SUBJECT TO: A 30.00 ft. wide ingress/egress easement 15.00 ft. each side of the following described line:

Commencing at said E ¼ Corner of Section 34 from which the NE Corner of Section 34 bears N 00°02'00" W, 2634.62 ft., the Basis Of Bearing of this description, run thence S 67°28'54" W a distance of 2798.70 ft. to a point in the easterly right-of-way of U.S. Highway 93, said point being the **POINT OF BEGINNING**;

Thence along the center of an existing driveway the following courses:

N 64°22'52" E, 41.63 ft.; N 45°10'40" E, 51.19 ft.;

N 34°37'12" E, 91.23 ft.; N 25°52'09" E, 66.19 ft.;

N 18°48'21" E, 111.42 ft.; N 31°05'14" E, 61.12 ft.;

N 46°22'55" E, 191.70 ft.; N 37°35'58" E, 157.30 ft.;

N 22°41'08" E., 184.95 ft.; N 38°09'44" E, 68.77 ft.;

74.02 ft. along a curve to the right having a radius of 40.00 ft., a central angle of 106°01'35" and a chord bearing S 88°49'29" E for 63.90 ft.;

S 35°48'41" E, 42.49 ft.; S 18°20'24" E, 257.51 ft.;

S 14°31'57" E, 221.88 ft.; S 22°01'21" E, 72.92 ft.;

S 28°01'02" E, 98.09 ft.; S 36°12'49" E, 301.66 ft.;

S 53°56'25" E, 84.62 ft.; S 77°20'07" E, 203.95 ft.;

76.32 along a curve to the left having a radius of 30.00 ft., a central angle of 145°45'51" and a chord bearing N 29°46'58" E for 57.34 ft.;

N 43°05'58" W, 133.63 ft.; N 14°55'26" W, 91.16 ft. to a point on the northerly boundary of the above described parcel, said point being the **POINT OF TERMINUS**.

The sidelines of this easement being lengthened or shortened to conform with the grantor's and grantee's property lines.

Together with all water and water rights, ditch and ditch rights thereunto belonging or in anywise appertaining thereto.

Together with all mineral and mineral rights, known and unknown, if any.

Together with appurtenances thereto.