

Received Fax:

OCT 26 2005 2:05PM

Fax Station: O X RANCH

p. 2

Sent By: WATER RESOURCES;

2082876701;

Oct-26-05 3:48PM;

Page 2/3

Form 42-248(6.1.00)(6) July, 2004

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

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
	69-2001	B			
	69-2001	A			

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 in 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)

GEORGE C. HIXON
JENNIFER BARNES

4. New Owner/Claimant(s)

WILD HORSE RANCH PARTNERSHIP

Name Character (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1095 CALF PEN ROAD.

City, State and ZIP Code

COUCH ID 83612

New Telephone Number

208 258 4351

5. Date you acquired the property

2 Feb. 1990

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2082876701;

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Form 41-248/42-1409(1) 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 month)
	Irrigation	Description (acres, number and type of stock, homes, etc)
	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 month)
	Irrigation	Description (acres, number and type of stock, homes, etc)
	Stock	
	Domestic	
	Other	
	Total	

7. Signature of New Owner(s) or Claimant(s) WILCO Horse Ranch Partnership
(include title if applicable) by John E. Lytle, mgr.

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 WRC Date 11-8-05 Fee
 Received by Date Receipt No.
 Processed by Date WR Date

OK TO CHANGE
WRC

149109
L-11-8DEED

FOR VALUE RECEIVED, GEORGE C. HIXON, a married man, dealing with his sole and separate property, Grantor, does hereby grant, bargain, sell and convey unto WILD HORSE RANCH PARTNERSHIP, whose address is HC 67, Box 2490, Council, Idaho 83612, Grantee, that certain real property situated in Adams and Washington Counties, Idaho, more particularly described as follows:

All of that real property described in the Warranty Deed from Jon L. Barnes, et ux., dated June 2, 1989, a copy of which is attached hereto as Exhibit "A" and incorporated by this reference, EXCEPTING THEREFROM that real property described in the Bargain and Sale Deed from George C. Hixon, dated October 27, 1989, a copy of which is attached hereto as Exhibit "B" and incorporated by this reference, INCLUDING all water rights appurtenant thereto, any easements or rights of way appurtenant thereto or used for the benefit thereof, all Option and Repurchase Agreements, all Put Options, and all BLM and Forest Service Grazing rights and permits, and SUBJECT TO AND EXCEPTING current taxes and assessments, easements, restrictions, reservations and exceptions listed on Exhibit "C" attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD, all and singular, the said premises, together with their appurtenances, unto the said Grantee, its successors and assigns forever.

The said Grantors do hereby covenant to and with the Grantee that they are the owners in fee simple of said premises and that they are free and clear from all encumbrances, SUBJECT TO AND EXCEPTING current taxes and assessments, easements, restrictions, reservations and exceptions referenced herein.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said Grantor, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee and to its successors and assigns forever.

RECORD No.

147107
3 8WARRANTY DEED

For value received, JON L. BARNES and MARILYN BARNES, husband and wife, grantors, whose address is 1401 Shoreline Drive, Boise, Idaho 83702, do hereby grant, bargain, sell and convey unto GEORGE C. HIXON, a married man dealing with his sole and separate property, grantee, whose address is 341 Milam Building, San Antonio, Texas 78205, the following described property, in Adams and Washington Counties, Idaho, to-wit:

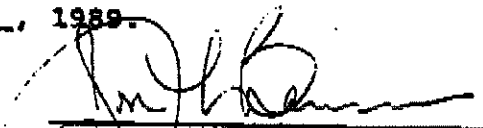
That property described in Exhibit "A", attached hereto and incorporated herein in full by reference.

Including all water and ditch rights appurtenant thereto or used in connection therewith, and including any easements or rights of ways appurtenant to or used for the benefit of, or dedicated to said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

Said property is conveyed "as is" under existing boundary fences, if any, after reasonable inspection by the grantee and grantors do not make any representations or warranties as to the qualifications or suitability of said land or premises for water or electrical power, or as to said land or improvements meeting any Federal, State or local laws, rules or regulations pertaining to zoning, building, subdivision, platting, surveys, planning and use, health, ecology, drainage, irrigation, water quality, sewage or disposal systems. Grantors make no warranties as to surveys, boundaries or any matter mentioned in this paragraph. There are no warranties, express or implied, as to merchantability, in a general sense or for a particular purpose, except as herein contained in writing, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantee, his heirs and assigns forever. And the said grantors do hereby covenant to and with the said grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances, except as may be otherwise stated herein; and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 2 June, 1989.


Jon L. Barnes


Marilyn Barnes

WARRANTY DEED, Page 1.

Instrument No. 149109
4 8

EXHIBIT "A"

Parcel 1:

Land in Adams County, Idaho:

Township 17 North, Range 4 West, Boise Meridian:

Section 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 3: S $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 2, 5, 6 and 7.

Section 5: Lot 4.

Section 6: Lot 1.

Township 18 North, Range 4 West, Boise Meridian:

Section 23: S $\frac{1}{4}$ S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ N $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 26: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 27: NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 31: E $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 32: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$.

Section 33: NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 34: W $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Parcel 2:

Land in Washington County, Idaho:

Township 17 North, Range 4 West of the Boise Meridian:

Section 2: NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$.

which last described land does not include, but specifically excludes approximately 110 acres designated as the Starveout Ranch, title to which is vested in Helena E. Schmidt, and further subject to an easement of right to perpetual use of private roadway over and across the herein described lands in favor of Henry Schmidt and Helena E. Schmidt, as a means of access to and ingress from the premises known as "Starveout Ranch."

Including all water and ditch rights appurtenant to or used in connection with the land being sold or conveyed hereby, as now exists, which includes water from No Business Creek and Wild Horse River. Also including any easements or rights of ways appurtenant to or used for the benefit of said described premises. This sale or conveyance is made subject to easements, rights of ways, reservations and exceptions.

EXHIBIT "A"

Instrument No.

149109

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of

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STATE OF IDAHO

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:ss

County of Ada

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On this 2nd day of June, 1989, before me, a Notary Public in and for said state, personally appeared JON L. BARNES and MARILYN BARNES, husband and wife, known to me, or identified to me to be the persons whose names are subscribed to the within and foregoing 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.



Rosalind A. Hamming
 Notary Public for Idaho
 Residing at Boise, Idaho
 My commission expires: 2/16/93

INSTRUMENT NO. 77190

State of Idaho

:ss.

County of Adams

Filed for record at the request of

Adams County Clerk45 min. past 2 o'clock P.M.on 9th day of June, 19 89at 411 of Drews PG. 468

MICHAEL FISK, RECORDER

by Marlene Stamer Inden

Deputy

Fee \$ 9.00

WARRANTY DEED

Jon L. & Marilyn Barnes

to

George C. Hixon

Instrument No.

149109

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Pages

BARGAIN AND SALE DEED

FOR VALUE RECEIVED, GEORGE C. HIXON, a married man dealing with his sole and separate property, grantor, does hereby grant, bargain, sell and convey unto HIXON PROPERTIES INCORPORATED, dba OK RANCH, HC 67, Box 2490, Council, Idaho 83612 that certain land in Adams County, Idaho, consisting of 110 acres, more or less, described as follows:

Land in Township 18 North, Range 4 West, Boise Meridian:

Section 33: NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
S $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

TOGETHER WITH 1277 Forest Service A.U.M.s appurtenant thereto.

The true and actual consideration for this transfer is TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantee, its heirs and assigns forever.

DATED this 27th day of October, 1989.

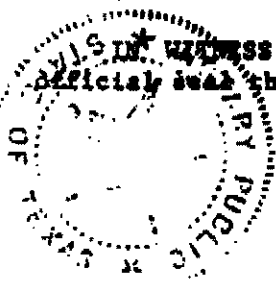
STATE OF TEXAS)

1989

COUNTY OF TEXAS)

On this 27th day of October, 1989, before me, a Notary Public in and for said state, personally appeared GEORGE C. HIXON, known to me, or identified to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he 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.



James C. Barclay
Notary Public for Texas
Residing at San Antonio, Texas
My commission expires: 7/1/90

Form No. 1402-C
ALTA Standard Policy
Western Region
(Rev. 9/87)

Instrument No. 149109
Page 7 of 8 Pages

SCHEDULE B

PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

Section One:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

Section Two:

1. General taxes for the year 1989, which are a lien, not yet payable.
2. An easement, including terms and conditions thereof, granted to IDAHO POWER COMPANY, recorded December 5, 1945 in Book 4 of Miscellaneous page 419, Adams County records.
3. An easement, including terms and conditions thereof, granted by HENRY SCHMIDT and HELENA SCHMIDT to JOE D. SUTTON and ESTELLA E. SUTTON, for a private roadway over, upon and across the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T18N, R4W, and Lot 7, Section 3, T17N, R4W; recorded March 25, 1960 in Book 25 of Deeds page 168, Adams County records.
4. Right, title or interest of the former PACIFIC AND IDAHO NORTHERN RAILWAY COMPANY.
5. County road right of way, including terms and conditions thereof, as granted in deed recorded May 14, 1968 in Book 27 of Deeds page 503, Adams County records.
6. An easement of right to perpetual use of private roadway over and across the herein described lands in favor of Henry Schmidt and Helena E. Schmidt, as a means of access to and ingress from the premises known as "Starvation Ranch". ..as described in Warranty Deed dated February 18, 1978, between Richard E. Armacost et al, Grantor, and John C. Brown, Grantee, recorded June 9, 1989, as Instrument No. 147297 records of Washington County, Idaho.