

OK  
JC 1-3-06

**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.

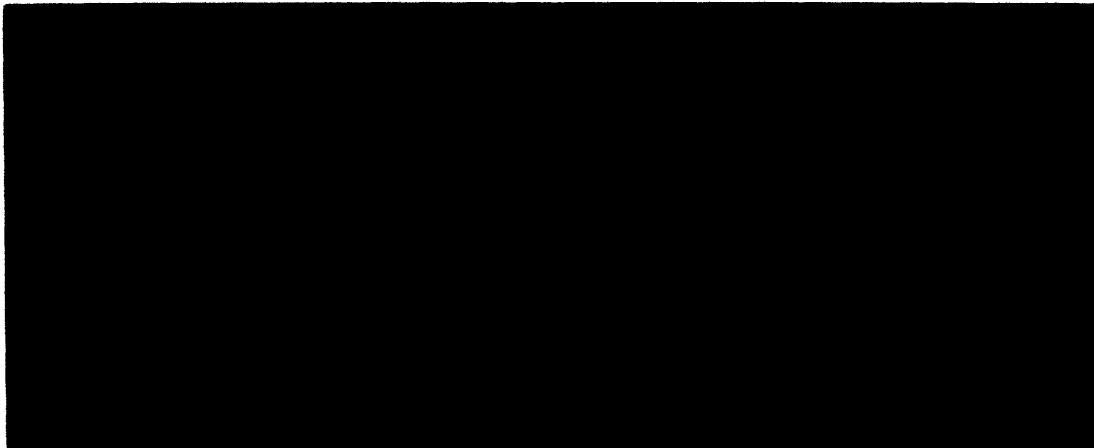
| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 22-13152              |                              |       |                       |                              |       |
| 22-13154              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) Daniel S. Nathan and Sarah L. Nathan
4. New Owner/Claimant(s) 600 South/200 West, LLC  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
95 Horatio Street, Apartment 314  
New Mailing Address New York, New York 10014  
City, State and ZIP Code  
New Telephone Number (212) 727-1038  
Date you acquired the property 09/26/2005

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.




7. Signature of New Owner(s) or Claimant(s)   
(include title if applicable) Daniel S. Nathan, Member

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 _____ |

# 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 22-13152              |                              |       |                       |                              |       |
| 22-13154              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) Avallone & Parekh, LLC
4. New Owner/Claimant(s) Daniel S. Nathan and Sarah L. Nathan  
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or  
95 Horatio Street, Apartment 314  
New Mailing Address New York, New York 10014  
City, State and ZIP Code  
New Telephone Number (212) 727-1038  
Date you acquired the property 11/15/2004 & 06/01/2005

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.

7. Signature of New Owner(s) or Claimant(s)   
(include title if applicable) Daniel S. Nathan Sarah L. Nathan

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 _____ |

171202

RECEIVED

SEP 26 2005

TETON CO., ID  
CLERK RECORDER**Warranty Deed**

For value received, Daniel S. Nathan and Sarah L. Nathan, husband and wife, of 95 Horatio Street, Apartment 314, New York, New York 10014, hereinafter collectively referred to as "Grantors", do hereby grant, bargain, sell and convey unto 600 South/200 West, LLC, A Delaware Limited Liability Company, registered and doing business in the State of Idaho, with its principal place of business at 95 Horatio Street, Apartment 314, New York, New York 10014, hereinafter referred to as "Grantee", the following described premises situate in Teton County, Idaho, to wit:

**PARCEL ONE:**

Part of the SE $\frac{1}{4}$  Section 28, Township 4N, Range 45E, B.M. Teton County, Idaho, being further described as:

From the SE corner of said Section 28;

Thence N89°55'12"W, 880.07 feet along the South Section lines of Section 28 to the point of beginning;

Thence N89°55'12"W, 1132.07 feet further along the Section line to a point

Thence N00°04'01"E, 1253.10 feet to a point;

Thence S89°42'23"E, 685.52 feet to a point;

Thence S00°02'30"W, 700.54 feet to a point;

Thence S89°55'12"E, 446.00 feet to a point;

Thence S00°02'30"W, 550.00 feet the true point of beginning.

Subject to and together with a 60' County road and utility easement along the Southern Property Boundary, and also subject to a 20' gravel and fishing easement on either side of Fox Creek, and also subject to and together with a 60" road and utility easement being further described as follows:

From the SE corner of said Section 28;

Thence N89°55'12"W, 940.07 feet along the South Section line of Section 28 and N00°02'30"E, 30.00 feet to the true point of beginning;

Thence N00°02'30"E, 460.00 feet to a point;

Thence N89°55'12"W, 446.00 feet to a point;

Thence N00°02'30"E, 760.77 feet to a point;

Thence S89°42'23"E, 60.00 feet to a point;

Thence S00°02'30"W, 700.54 feet to a point;

Thence S89°55'12"E, 446.00 feet to a point;

Thence S00°02'30"W, 520.00 feet to a point;

Thence N89°55'12"W, 60.00 feet to the true point of beginning.

|            |  |
|------------|--|
| RELEASED   |  |
| INDEXED    |  |
| ABSTRACTED |  |
| SCANNED    |  |

Grantor: NATHAN, DANIEL S ET UX  
Grantee: 600 SOUTH/200 WEST LLC  
Doc 0656026 bk 597 pg 458-460 Filed at 3:41 on 07/29/05  
Sherry L Daigle, Teton County Clerk fees: 14.00  
By MARY D ANTROBUS Deputy

**Instrument # 171202**

BROOKS, TETON, IDAHO

2005-09-30

01:28:45

No. of Pages: 3

Recorded for : KIMBERLY LARSON &amp; SWEET, LLC

NOLAN G. BOYLE

Fee: 9.00

In-Office Recorder Deputy

Index to: GEMO, WARRANTY

**Warranty Deed**

Page - 1 of 3

171202

**PARCEL TWO:**

Part of the SE¼ Section 28, Township 4N, Range 45E, B.M. Teton County, Idaho, being further described as:

From the SE corner of said Section 28;

Thence N89°55'12"W, 2012.14 feet along the South Section line of Section 28 and N00°04'01"E, 1253.10 feet to the true point of beginning;

Thence N00°04'01"E, 1398.58 feet to a point;

Thence S89°42'23"E, 684.90 feet to a point;

Thence S00°02'30"W, 1398.58 feet to a point;

Thence N89°42'23"W, 685.52 feet to the point of beginning.

Subject to and together with a 60' road and utility easement being further described as follows:

From the SE corner of said Section 28;

Thence N89°55'12"W, 940.07 feet along the South Section Line of Section 28 and N00°02'30"E, 30 feet to the point of beginning;

Thence N00°02'30"E, 460.00 feet to a point;

Thence N89°55'12"W, 446.00 feet to a point;

Thence N00°02'30"E, 760.77 feet to a point;

Thence S89°42'23"E, 60.00 feet to a point;

Thence S00°02'30"W, 700.54 feet to a point;

Thence S89°55'12"E, 446.00 feet to a point;

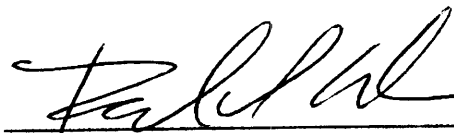
Thence S00°02'30"W, 520.00 feet to a point;

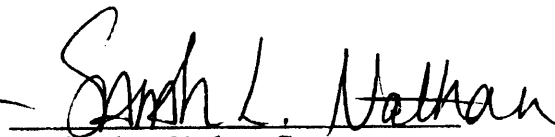
Thence N 89°55'12"W, 60.00 feet to the point of beginning.

Subject to all easements, rights of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by the parties above.

To have and to hold the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that the Grantors are the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies and assessments, and except US Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that the Grantors will warrant and defend the same from all claims whatsoever.

Executed as of this 23<sup>rd</sup> day of May, 2005.

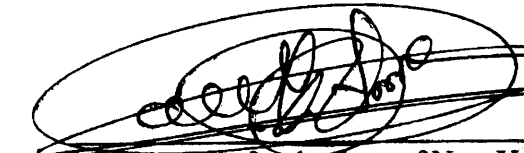
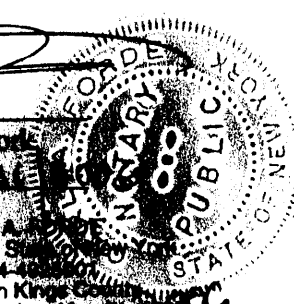
  
By: Daniel S. Nathan, Grantor

  
By: Sarah L. Nathan, Grantor

STATE OF NEW YORK }  
COUNTY OF New York } ss.

On the 23 day of May, 2005, before me the undersigned, a notary public in and for the state, personally appeared Daniel S. Nathan and Sarah L. Nathan, the Grantors, known or identified to me to be said individuals, and who subscribed their name to the foregoing instrument, and acknowledged to me that they executed the same in their names.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

  
Notary Public for the State of New York  
My Commission Expires: 05/31/06  


NOV 15 2004

TETON CO., ID  
CLERK RECORDER

For Value Received **Avallone and Parekh LLC, a Colorado Limited Liability Company**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**Daniel S. Nathan and Sarah L. Nathan, husband and wife**

whose address is: **95 Horatio St. Apt. 314, NY, NY 10014**

Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

**SEE ATTACHED LEGAL:**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Avallone & Parekh, LLC, a Colorado limited liability company

BY: [Signature]  
Bryce Avallone, Member

BY: \_\_\_\_\_  
Rahul Parekh, Member

STATE OF Colorado  
COUNTY OF Adams ss.

**Instrument # 164596**

DRIGGS, TETON, IDAHO  
2004-11-15 03:40:17 No. of Pages: 4  
Recorded for: FIRST AMERICAN TITLE  
NOLAN G. BOYLE Fee: 12.00  
Ex-Officio Recorder Deputy [Signature]  
Index to: DEED, WARRANTY

On this 10<sup>th</sup> day of November, 2004, before me, a Notary Public, personally appeared Bryce Avallone, known or identified to me (or proved to me on the oath of), to be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

[Signature]  
Notary Public of  
Residing at: 3505 E. 14th Ave.  
Commission Expires 13, 2006  
My Commission Expires May 13, 2006

**1st REVISED COMMITMENT**

**ATTACHED LEGAL DESCRIPTION**

Order No.: T12019

Part of the SE¼ Section 28, TWP. 4N., RNG. 45E., B.M. Teton County, Idaho, being further described as: From the SE corner of said Section 28, Thence N 89°55'12"W, 2012.14 feet along the South Section Line of Section 28 and N 00°04'01"E, 1253.10 to the point of beginning;  
Thence N 00°04'01"E, 1398.58 feet further to a point;  
Thence S 89°42'23"E, 684.90 feet to a point;  
Thence S 00°02'30"W, 1398.58 feet to a point;  
Thence N 89°42'23"W, 685.52 feet to the point of beginning;

Subject to and together with a 60' road and utility easement being further described as follows:

From the SE corner of said Section 28,  
Thence N 89°55'12"W, 940.07 feet along the South Section  
Line of Section 28 and N 0°02'30"E, 30 feet to the point of beginning;  
Thence N 00°02'30"E, 460.00 feet to a point;  
Thence N 89°55'12"W, 446.00 feet to a point;  
Thence N 00°02'30"E, 760.77 feet to a point;  
Thence S 89°42'23"E, 60.00 feet to a point;  
Thence S 00°02'30"W, 700.54 feet to a point;  
Thence S 89°55'12"E, 446.00 feet to a point;  
Thence S 00°02'30"W, 520.00 feet to a point;  
Thence N 89°55'12"W, 60.00 feet to the point of beginning.

ALTA Plain Language Commitment Legal Description  
(T12019.PFD/T12019/28)

**164596**

## WARRANTY DEED

167544

For Value Received **Avallone and Parekh LLC, a Colorado Limited Liability Company**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**Daniel S. Nathan and Sarah L. Nathan, husband and wife**

whose address is: **95 Horatio St. Apt 514, New York, New York 10014**

Hereinafter called the Grantee, the following described premises situated in **Teton** County, Idaho, to-wit:

**SEE ATTACHED LEGAL:**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Avallone & Parekh, LLC, a Colorado limited liability company

BY: Bryce Avallone 4/14/05  
Bryce Avallone, Member

167544

BY: \_\_\_\_\_  
Rahul Parekh, Member

**Instrument # 167544**

DRIGGS, TETON, IDAHO  
2005-04-20 03:31:51 No. of Pages: 3  
Recorded for: FIRST AMERICAN TITLE CO  
NOLAN G. BOYLE Fee: 9.00  
Ex-Officio Recorder Deputy  
Index to: DEED, WARRANTY

STATE OF Colorado )  
 )ss.  
COUNTY OF ADAMS )

On this 14 day of April, in the year of 2005, before me a Notary Public, personally appeared Bryce Avallone, known or identified to me (or proved to me on the oath of ), to be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

Notary Public of Colorado  
Residing at \_\_\_\_\_  
Commission Expires: 12-22-2008

STATE OF \_\_\_\_\_ )  
 )ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of April, in the year of 2005, before me a Notary Public, personally appeared Rahul Parekh, known or identified to me (or proved to me on the oath of ), to be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

Notary Public of \_\_\_\_\_  
Residing at \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

167544

167544

## ATTACHED LEGAL DESCRIPTION

Order No.: T12366

Part of the SE 1/4 Section 28, TWP. 4N., RNG. 45E., B.M. Teton County, Idaho, being further described as:

From the SE corner of said Section 28, Thence N 89°55'12"W, 880.07 feet along the South Section Line of Section 28 to the point of beginning;

Thence N 89°55'12"W, 1132.07 feet further along the Section line to a point;

Thence N 00°04'01"E, 1253.10 feet to a point;

Thence S 89°42'23"E, 685.52 feet to a point;

Thence S 00°02'30"W, 700.54 feet to point;

Thence S 89°55'12"E, 446.00 feet to point;

Thence S 00°02'30"W, 550.00 feet to the point of beginning;

SUBJECT to a 60' County road and utility easement along the Southern Property Boundary,  
ALSO SUBJECT to a 20 foot travel and fishing easement on either side of Fox Creek,  
AND ALSO SUBJECT to and together with a 60' road and utility easement being further described as follows:

From the SE corner of said Section 28,

Thence N 89°55'12"W, 940.07 feet along the South Section

Line of Section 28 and N 0°02'30"E, 30 feet to the point of beginning;

Thence N 00°02'30"E, 460.00 feet to a point;

Thence N 89°55'12"W, 446.00 feet to a point;

Thence N 00°02'30"E, 760.77 feet to a point;

Thence S 89°42'23"E, 60.00 feet to a point;

Thence S 00°02'30"W, 700.54 feet to a point;

Thence S 89°55'12"E, 446.00 feet to a point;

Thence S 00°02'30"W, 520.00 feet to a point;

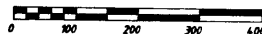
Thence N 89°55'12"W, 60.00 feet to the point of beginning.

C 1/4 CORNER SECTION 28  
FOUND 5/8" IRON PIN W/CAP  
C.P.F.R. INDEX T-11  
INSTRUMENT #122656

E 1/4 CORNER SECTION 28  
FOUND 5/8" IRON PIN W/CAP  
C.P.F.R. INDEX T-13  
INSTRUMENT #102325

S 89°42'23"E 2649.81'  
684.90'

1324.90'



SCALE 1" = 200'

PARCEL 2  
22.00 acres

N 00°04'02"E 2654.07'

N 00°04'01"E 2651.68'

S 89°48'48"E 685.49'

S 89°42'23"E 685.52'

S 00°02'30"W 2099.13'

| LEGEND |                                                                         |
|--------|-------------------------------------------------------------------------|
|        | SECTION CORNER FOUND OR SET AS NOTED                                    |
|        | PROPERTY CORNER - FOUND IRON PIN WITH CAP INSCRIBED: AW ENG 2860        |
|        | ORIGINAL PROPERTY CORNER - FOUND IRON PIN                               |
|        | PROPERTY CORNER - SET 1/2"x30" IRON PIN WITH CAP INSCRIBED: AW ENG 2860 |
|        | ORIGINAL PROPERTY LINE                                                  |
|        | SECTIONAL BREAKDOWN LINE                                                |
|        | FENCE LINE                                                              |
|        | EASEMENT - TYPE AND WIDTH AS NOTED                                      |

60 FOOT ROAD AND  
UTILITY EASEMENT

PARCEL 1  
25.34 acres

TRAVEL AND FISHING EASEMENT  
20 FEET EACH SIDE OF FOX CREEK

S 89°55'12"E 446.00'

N 89°55'12"W 446.00'

S 00°02'30"W 460.00'

S 00°02'30"W 550.00'

640.00'

S 1/4 CORNER SECTION 28  
FOUND 3/4" IRON PIN W/ALUM. CAP  
C.P.F.R. INDEX V-11  
INSTRUMENT #122659

N 89°55'12"W 2652.15'

30 FOOT COUNTY ROAD  
AND UTILITY EASEMENT

880.07'

SE CORNER SECTION 28  
FOUND 1/2" IRON PIN W/CAP  
C.P.F.R. INDEX V-13  
INSTRUMENT #90947

E:\AV\DATA\2004-130\dwg\BRYCE\VAL\LINE-BR.dwg 9/27/2004 11:49:28 AM MST

## PROPERTY DESCRIPTION

### PARCEL 1

PART OF THE SE 1/4 SECTION 28, TWP. 4N., RING. 45E., B.M. TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:  
FROM THE SE CORNER OF SAID SECTION 28,  
THENCE N 89°55'12"W, 880.07 FEET ALONG THE SOUTH SECTION LINE OF SECTION 28 TO THE POINT OF BEGINNING;  
THENCE N 89°55'12"W, 1132.07 FEET FURTHER ALONG THE SECTION LINE TO A POINT;  
THENCE N 00°04'01"E, 1253.10 FEET TO A POINT;  
THENCE S 89°42'23"E, 685.52 FEET TO A POINT;  
THENCE S 00°02'30"W, 700.54 FEET TO A POINT;  
THENCE S 89°55'12"E, 446.00 FEET TO A POINT;  
THENCE S 00°02'30"W, 550.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 25.34 ACRES MORE OR LESS.

SUBJECT TO A 60' COUNTY ROAD AND UTILITY EASEMENT ALONG THE SOUTHERN PROPERTY BOUNDARY, ALSO SUBJECT TO A 20 FEET TRAVEL AND FISHING EASEMENT ON EITHER SIDE OF FOX CREEK, AND ALSO SUBJECT TO A 60' ROAD AND UTILITY EASEMENT BEING FURTHER DESCRIBED AS FOLLOWS:

FROM THE SE CORNER OF SAID SECTION 28,  
THENCE N 89°55'12"W, 940.07 FEET ALONG THE SOUTH SECTION LINE OF SECTION 28 AND N 0°02'30"E, 30 FEET TO THE POINT OF BEGINNING;  
THENCE N 00°02'30"E, 460.00 FEET TO A POINT;  
THENCE N 89°55'12"W, 446.00 FEET TO A POINT;  
THENCE N 00°02'30"E, 760.77 FEET TO A POINT;  
THENCE S 89°42'23"E, 60.00 FEET TO A POINT;  
THENCE S 00°02'30"W, 700.54 FEET TO A POINT;  
THENCE S 89°55'12"E, 446.00 FEET TO A POINT;  
THENCE S 00°02'30"W, 520.00 FEET TO A POINT;  
THENCE N 89°55'12"W, 60.00 FEET TO THE POINT OF BEGINNING.

## PROPERTY DESCRIPTION

### PARCEL 2

PART OF THE SE 1/4 SECTION 28, TWP. 4N., RING. 45E., B.M. TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:  
FROM THE SE CORNER OF SAID SECTION 28,  
THENCE N 89°55'12"W, 2012.14 FEET ALONG THE SOUTH SECTION LINE OF SECTION 28 AND N 00°04'01"E, 1253.10 TO THE POINT OF BEGINNING;  
THENCE N 00°04'01"E, 1398.58 FEET FURTHER TO A POINT;  
THENCE S 89°42'23"E, 684.90 FEET TO A POINT;  
THENCE S 00°02'30"W, 1398.58 FEET TO A POINT;  
THENCE N 89°42'23"W, 685.52 FEET TO THE POINT OF BEGINNING;

CONTAINS 22.00 ACRES MORE OR LESS.

SUBJECT AND TOGETHER WITH TO A 60' ROAD AND UTILITY EASEMENT BEING FURTHER DESCRIBED AS FOLLOWS:

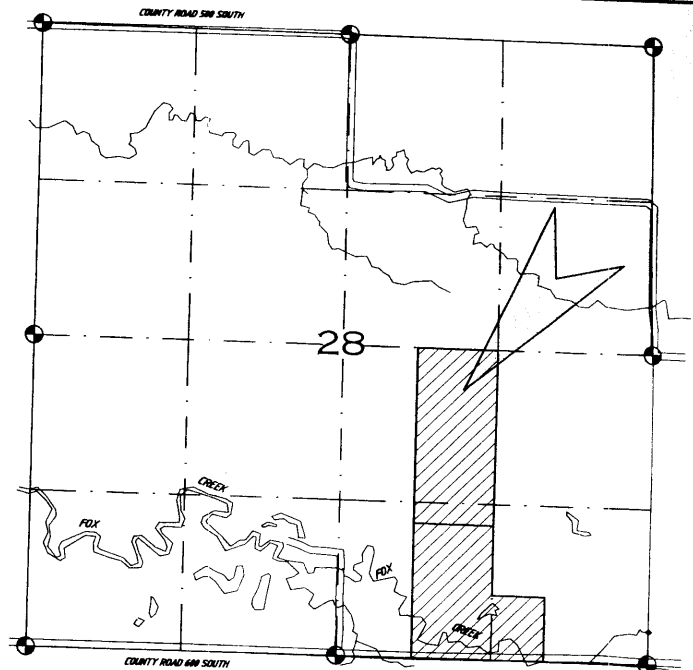
FROM THE SE CORNER OF SAID SECTION 28,  
THENCE N 89°55'12"W, 940.07 FEET ALONG THE SOUTH SECTION LINE OF SECTION 28 AND N 0°02'30"E, 30 FEET TO THE POINT OF BEGINNING;  
THENCE N 00°02'30"E, 460.00 FEET TO A POINT;  
THENCE N 89°55'12"W, 446.00 FEET TO A POINT;  
THENCE N 00°02'30"E, 760.77 FEET TO A POINT;  
THENCE S 89°42'23"E, 60.00 FEET TO A POINT;  
THENCE S 00°02'30"W, 700.54 FEET TO A POINT;  
THENCE S 89°55'12"E, 446.00 FEET TO A POINT;  
THENCE S 00°02'30"W, 520.00 FEET TO A POINT;  
THENCE N 89°55'12"W, 60.00 FEET TO THE POINT OF BEGINNING.

## RECORDER'S CERTIFICATE

STATE OF IDAHO )  
) SS  
COUNTY OF TETON )

I DO HEREBY CERTIFY THAT THIS PLAT WAS FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_\_\_, AT \_\_\_\_\_  
AT THE REQUEST OF \_\_\_\_\_  
INSTRUMENT NUMBER \_\_\_\_\_

COUNTY RECORDER \_\_\_\_\_



## VICINITY MAP

SECTION 28, TWP. 4N., RING. 45E., B.M.  
TETON COUNTY, IDAHO

## PLANNING AND ZONING APPROVAL

PRESENTED TO THE TETON COUNTY PLANNING AND ZONING ADMINISTRATOR ON THE FOLLOWING DATE AT WHICH TIME THIS BOUNDARY ADJUSTMENT WAS APPROVED AND ACCEPTED.

*Patricia Koonce*  
ADMINISTRATOR, PLANNING AND ZONING  
*Patricia Koonce*

10-404  
DATE

## OWNERS' CERTIFICATE

THE UNDERSIGNED OWNERS, AND PROPRIETORS OF THE LANDS SHOWN AND DESCRIBED HEREON HEREBY CERTIFY THAT THE FOREGOING ADJUSTMENT OF THE BOUNDARIES OF SAID LANDS AS SHOWN HEREON IS WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THEIR DESIRES.

*Bryce Avallone*  
BRYCE AVALLONE

9/30/04  
DATE

Instrument # 163881

DRIGGS, TETON, IDAHO  
2004-10-06 08:14:19 No. of Pages: 1  
Recorded for : A W ENGINEERING  
NOLAN G. BOYLE Fee: 5.00  
Ex-Officio Recorder Deputy *Bryce Avallone*  
Index to: PROPERTY SURVEYS

## SURVEYOR'S CERTIFICATE

163881

I, ARNOLD W. WOOLSTENHULME, BEING A REGISTERED LAND SURVEYOR / ENGINEER IN THE STATE OF IDAHO, No. 2860, DO HEREBY CERTIFY THAT I DID CAUSE THE SURVEY OF THE TRACT OF LAND AS HEREIN PLATTED AND DESCRIBED.

RECEIVED

OCT 06 2004

TETON COUNTY  
CLERK RECORDER

## RECORD OF SURVEY BOUNDARY ADJUSTMENT OF ONE TIME ONLY LAND SPLIT

A PART OF THE SE 1/4 SECTION 28, TWP. 4N., RING. 45E.,  
B.M., TETON COUNTY, IDAHO

BRYCE AVALLONE  
2609 TUMWATER LANE  
BOULDER, CO 80304  
(303) 440-8726

**AW** ENGINEERING  
255 South Main P.O. Box 139  
TETON, IDAHO 83426

MULLIKIN, LARSON & SWIFT LLC

ATTORNEYS AT LAW

P.O. BOX 4099

155 E. PEARL ST., SUITE 200

JACKSON, WY 83001

R. MICHAEL MULLIKIN  
DAVID K. LARSON  
PHELPS H. SWIFT, JR.  
SARA E. VAN GENDEREN  
MATTHEW E. TURNER  
JONATHAN J. WYLIE  
CLAY D. GEITTMANN, P.C.

MAIL: P.O. BOX 4099  
TELEPHONE: (307) 733-3923  
FAX NO: (307) 733-3947

October 6, 2005

Idaho Department of Water Resources  
Eastern Region  
900 North Skyline Drive, Suite A  
Idaho Falls, Idaho 83402-1718

[VIA FEDERAL EXPRESS]  
[(208) 525-7161]

**Re: Water Right Numbers 22-13152 & 22-13154**

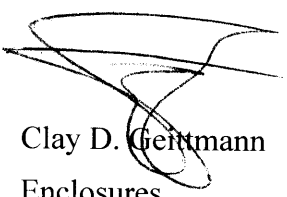
Ladies and Gentlemen:

Enclosed herewith please find two separate original Notices of Change of Water Right Ownership pertaining to the above referenced water right numbers, together with the required attachments. The first form pertains to the transfer of the property benefited by the above referenced water rights from Avallone and Parekh, LLC, to Daniel S. and Sarah L. Nathan on or about November 15, 2004 and April 20, 2005. The second form pertains to the transfer of the same property benefited by the above referenced water rights from Daniel S. and Sarah L. Nathan to 600 South/200 West, LLC, on or about September 26, 2005. By way of these forms, we would appreciate it tremendously if you would update the Idaho Department of Water Resources records to reflect that the current owner of the above referenced water rights is 600 South/200 West, LLC.

Due to the fact that the above referenced water rights are part of the Snake River Basin Adjudication we are not enclosing a filing fee for the filing of the Notices of Change of Water Right Ownership.

I thank you for your time and attention given to these matters and encourage you to give me a call with any questions or concerns that you might have.

Sincerely,



Clay D. Geittmann

Enclosures

cc: 600 South/200 West, LLC  
file