

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-20344
Date Received: 9/5/2000
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

PITCHFORK RANCH LLC Phone: (425) 460-2504
C/O CHUCK HILL
PO BOX 1607
BELLEVUE WA 98009

2. Date of Priority: 01/25/1904

3. Source: CLOVER CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	11E	8	NE NW SW 1	ELMORE	

5. Description of diverting works:

Headgates, ditches, reservoir, pumps and mainline

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.88	176

7. Total Quantity Appropriated is:

0.88 C.F.S. and/or 176 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
05S	10E	1	NE	NE	1	IRRIGATION	36
			NW	NE	2	IRRIGATION	35
			SW	NE		IRRIGATION	28
			SE	NE		IRRIGATION	40
			NE	SE		IRRIGATION	37
			NW	SE		IRRIGATION	4
			SE	SE		IRRIGATION	9
						Section Acres	189
05S	10E	12	NE	NE		IRRIGATION	4
			Section Acres				
05S	11E	5	NE	SW		IRRIGATION	27
			NW	SW		IRRIGATION	25
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	28
						Section Acres	120
05S	11E	6	NW	NE	2	IRRIGATION	34
			SW	NE		IRRIGATION	22
			SE	NE		IRRIGATION	14
			NE	NW	3	IRRIGATION	38
			NW	NW	4	IRRIGATION	29
			SW	NW	5	IRRIGATION	31
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW	6	IRRIGATION	31
			SW	SW	7	IRRIGATION	20
			SE	SW		IRRIGATION	26
			NE	SE		IRRIGATION	34
			NW	SE		IRRIGATION	38
			SW	SE		IRRIGATION	23
			SE	SE		IRRIGATION	32
						Section Acres	452
05S	11E	7	NE	NE		IRRIGATION	6
			SW	NE	4	IRRIGATION	8
			SE	NE		IRRIGATION	17
			NE	NW		IRRIGATION	14
			NW	NW	1	IRRIGATION	17
			NE	SE	5	IRRIGATION	4
						Section Acres	66
05S	11E	8	NW	NW		IRRIGATION	17
			SW	NW		IRRIGATION	5
			NW	SW	1	IRRIGATION	8
						Section Acres	30

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Right 37-20344 is limited to the irrigation of 44.0 acres within the place of use described above in a single irrigation season.

Right 37-20344 shall not exceed a total diversion rate of 0.88 cfs, a total annual maximum diversion volume of 176.0 af at the field headgate, and the irrigation of 44.0 acres.

Rights 61-349, 61-353, 61-356, 61-357, 61-2242, 61-2243, 61-7231 and 37-20344 when combined shall not exceed a total annual maximum field headgate volume of 2,855.0 af, and the irrigation of 667.0 acres within the place of use described above.

Rights 61-349, 61-353, 61-356, 61-357, 61-2242, 61-2243, 61-7231, 37-20344, and a portion of Right 37-4112, held by King Hill Irrigation District, shall not exceed a total annual maximum field headgate volume of 3,488.0 af, and the irrigation of 825.2 acres within the place of use described above. The total annual field headgate volume and the total acreage limitations in this condition may be amended administratively upon a determination by the SRBA Court that the place of use for the portion of Right 37-4112 appurtenant to the place of use described above is different than the place of use for Right 37-4112 as described in the final decision approving Transfer 68533.

Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

15. Basis of Claim: License

RECEIVED

MAY 25 2006

Form 42-248/42-1409(6) July, 2000

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAY 22 2006

Department of Water Resources
Eastern Region

RECEIVED

MAY 18 2006

WATER RESOURCES
WESTERN REGIONPlease 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, if the change in ownership is limited to a portion of 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
_____	61-349 <u>AS</u>	_____	_____	61-2243 <u>AS</u>	_____
_____	61-353 <u>AS</u>	_____	_____	61-7231 <u>AS</u>	_____
_____	61-356 <u>AS</u>	_____	_____	37-20344 <u>AS</u>	_____
_____	61-357 <u>AS</u>	_____	61-10120 <u>PD</u>	_____	_____
_____	61-2242 <u>AS</u>	_____	37-19839 <u>Withdrawn?</u>	_____	_____
61-10117 <u>PD</u>	_____	_____	37-19389 <u>Withdrawn?</u>	_____	_____
_____	_____	_____	61-10118 <u>PD</u>	_____	_____

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) are for ten or more acres of irrigation, you must submit 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 Rocky Mountain Land and Cattle, LLC
- Owner/Claimant(s) C/o Roger Ball, Rt. 1, Box 318, King Hill, Idaho 83633
4. New Owner/Claimant(s) Pitchfork Ranch LLC
- Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address P.O. Box 1607
- City, State and Zip Code Bellevue, Washington 98009
- New Telephone Number (425) 460-2504
5. Date you acquired the property April 3, 2006

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of 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) PITCHFORK RANCH LLC
(include title if applicable)
By: 
_____ CHARLES E. HILL

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 lg Date 5-18-06 Fee 100.00
 Received by lg Date 5-19-06 Receipt No. W034188
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received and as part of an I.R.C. Section 1031 Tax-Deferred Exchange

Rocky Mountain Land and Cattle LLC, an Idaho limited liability company

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

Pitchfork Ranch LLC, a Washington limited liability company

the grantee(s), whose current address is

P.O. Box 1607, Bellevue, WA 98009

the following described premises, to-wit:

See Attached Exhibit "A"

TOGETHER WITH all water rights and other entitlements to receive water for beneficial use on the real property purchased hereunder including, without limitation, all rights represented by any contract, decree, license, permit, permit application, claim or storage entitlement, and those water rights claimed in the SRBA as 61-349, 61-353, 61-356, 61-357, 61-2242, 61-2243, 61-7231, 37-20344, 61-10120, 37-19359, 61-10117 and 61-10118, and all ditches, ditch rights, easements and rights-of-way associated with the delivery of such water rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all claims whatsoever.

Dated: March 31, 2006

ROCKY MOUNTAIN LAND AND CATTLE, LLC

By: Derek C. Ence
Its: Manager

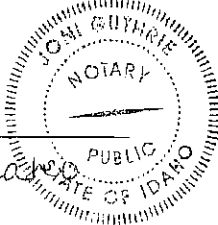
STATE OF IDAHO

COUNTY OF BONNEVILLE

On This 28 day of March, in the year 2006, before me, a Notary Public in and for said State, personally appeared Derek C. Ence, known or identified to me to be the manager of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

WITNESS my hand and official seal.

Jon Guthrie
Notary Public of Idaho
Residing at Boise, Idaho
Commission Expires: 6/16/2011



Instrument # 374749
Elmore County, Idaho
04:43pm Mar. 31, 2006
For: FIRST AMERICAN TITLE COMPAN
No. of Pages: 2 Fee: \$6.00
GAIL L. BEST, Recorder
Deputy: DLE

EXHIBIT A
T060065

Township 5 South Range 10 East, Boise Meridian, Elmore County, Idaho

Section 1:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, U.S. Government Lots 1 and 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 2: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 12: NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$

Township 5 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 5: SW $\frac{1}{4}$

Section 6:

S $\frac{1}{2}$ SE $\frac{1}{4}$, U.S. Government Lots 2, 3, 4, 5, 6 and 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 7:

N $\frac{1}{2}$ NE $\frac{1}{4}$, U.S. Government Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$

And the following described Real Property all located North of State Highway No. 30, as now located and described as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ of U.S. Government Lot 4 and all of U.S. Government Lot 5, saving, excepting and excluding the following described portions thereof to-wit:

Beginning at the Southwest Corner of the East $\frac{1}{2}$ of U.S. Government Lot 4, Section 7, Township 5 South, Range 11 East, Boise Meridian, Elmore County, Idaho; and running thence East along the North boundary line of the Right-of-Way for State Highway No. 30 (as such Highway Existed September 12, 1929) 722 feet to a point; thence

North 200 feet to a point; thence

West in a straight line 122 feet to a point; thence

North in a straight line 125 feet to a point; thence

West in a straight line 600 feet to a point; thence

South in a straight line 325 feet to the Point of Beginning.

Also Saving, Excepting and Excluding that portion of Lot 5 lying South of the Highway Right-of Way.

Section 8:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and U.S. Government Lot 1 excluding the Highway Right-of Way

Township 3 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Idaho Department of Water Resources Receipt

Receipt ID W034188

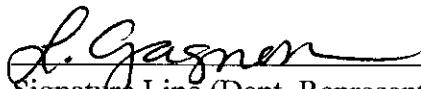
Payment Amount \$100.00 Date Received 5/19/2006 9:07:57 AM Region Western Status ☐
Payment Type Check Check Number 34763

Payer SPECK AND AANSTEAD

Comment CHANGE IN OWNERSHIP 61-10117, 61-10120, 61-10118, 37-19389 ☐

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155


Signature Line (Dept. Representative)

253



APPLICATION FOR REGISTRATION OF FOREIGN LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED EFFECTIVE
MARCH 23 2006 05:00
CLERK OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Pitchfork Ranch LLC

2. If the name of the limited liability company is not permissible or is not available in Idaho, the name the foreign limited liability company will use in Idaho is:

3. The jurisdiction under whose laws the limited liability company is organized is: Washington
and the date of its formation was: March 1, 2006

4. The name and address of the registered agent in Idaho is:

CT Corporation System, 300 North 6th Street, Boise, ID 83701

5. The address of the limited liability company's office in the jurisdiction under whose laws it is organized is:

999 3rd Avenue, Suite 3000, Seattle, WA 98104

6. The address of the limited liability company's principal office, if other than the address in #5 above, is:

7. The address to which correspondence should be addressed is:

c/o SC&B Services, Inc., 999 3rd Avenue, Suite 3000, Seattle, WA 98104

8. Signature of a manager, if any, or a member if there are no managers.

Signature

Investments Manager LLC, Manager,
by Charles E. Hill, its Manager

Typed Name

Manager ☒ Member ☐

Secretary of State use only

Idaho Secretary of State
Revised 05/2002

IDAHO SECRETARY OF STATE
03/23/2006 05:00
CL: 155897 CT: 84496 SN: 945119
1 * 100.00 = 100.00 REGFORLLC # 2
1 * 20.00 = 20.00 EXPEDITE C # 3

6248851



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 26, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PITCHFORK RANCH LLC
PO BOX 1607
BELLEVUE WA 98009

Re: SRBA Claim #37-20344

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie Hahn', is written over a horizontal line.

Carrie Hahn
Office Specialist

Enc.