

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
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(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

July 17, 2006

RECEIVED

JUL 18 2006

DEPARTMENT OF
WATER RESOURCES

Ms. Roxanne Brown
Idaho Department of Water Resources
322 E. Front Street
Boise, Idaho 83720-0098

Re: Flying Joseph Ranch, L.L.C.;
SRBA Claim 73-10020A;
Our File No.: 1402/060033

Dear Roxanne:

Enclosed you will find the original and one copy of the Notice of Change in Water Right Ownership for the above-referenced claim. As we have previously discussed, by acquiring the Ziegler Ranch, Flying Joseph Ranch, L.L.C. will now own all of the place of use and, therefore, ownership of the entire claimed water right should be transferred to that entity.

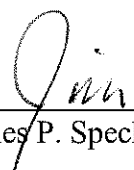
I also understand you will change the name of the claimant on all of the former Pines Ranch water rights to Flying Joseph Ranch, L.L.C. without requiring us to file another ownership change request. I also look forward to receiving your preliminary recommendations on these water rights so that we can begin working our way through them.

Please receipt date-stamp the copy of the enclosed Notice of Change in Water Right Ownership and return it to me in the postage prepaid, self-addressed envelope included for that purpose. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____


James P. Speck

JPS/jef
Enclosures
cc: Joe Clark (w/encl.)

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.

ORIGINAL IN RED

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
_____	73-10020A	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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 Owner/Claimant(s) Leon and Ila Ziegler
HC62, Box 2140, May, Idaho 83253
4. New Owner/Claimant(s) Flying Joseph Ranch, L.L.C.
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address 7213 Perimeter Rd. S
- City, State and Zip Code Seattle, Washington 98108
- New Telephone Number (800) 946-4538
5. Date you acquired the property April 17, 2006

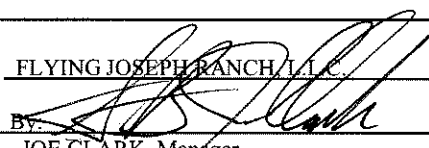
6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water 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)
(include title if applicable)

FLYING JOSEPH RANCH, L.L.C.

BY: 

JOE CLARK, Manager

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 _____

0216420

WARRANTY DEED

FOR VALUE RECEIVED, LEON J. ZIEGLER and ILA K. ZIEGLER, husband and wife, Grantors, do hereby Grant, Bargain, Sell and Convey unto TROY R. ZIEGLER and MAURENE S. ZIEGLER, husband and wife, Grantees, whose address is HC 62 Box 2140, May, Idaho 83253, all of Grantors' interest, in and to the following described premises, in Custer County, Idaho, to-wit:

A parcel of land located in Section 12, Township 13 North, Range 22 East, Boise Meridian, Custer County, Idaho more particularly described as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 13 North, Range 22 East, Boise Meridian, Custer County, Idaho, and

Lots 2 and 3, Section 7, Township 13 North, Range 23 East, Boise Meridian, Custer County, Idaho.

TOGETHER WITH an access easement located in Lot 4, Section 7, Township 13 North, Range 23 East, Boise Meridian, Custer County, Idaho more particularly described as follows: A 50.00 foot wide easement along the west boundary line of Lot 4 of said Section 7 described as follows: COMMENCING at the SW corner of said Section 7 and running North along the West boundary of said Lot 4 and the West boundary line of said Section 7 to the North line of said Lot; thence East 50 feet along the North line of said Lot; thence South parallel to the West line of said Lot to the South boundary line of said Lot; thence West 50 feet to the point of beginning.

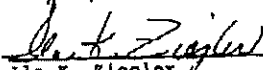
Together with all appurtenances.

SUBJECT HOWEVER To encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their successors, administrators and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho, and that they will warrant and defend the same from all lawful claims whatsoever.

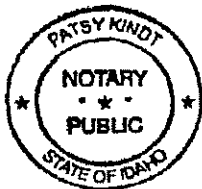
Dated: 2/19/78


Leon J. Ziegler


Ila K. Ziegler

STATE OF IDAHO)
) ss.

Pottery Kimmell
Notary Public for Idaho
Residing at Crathco
Commission Expires 3/12/2004



Ethel M. Peck
Ex-Officio Recorder

BY Wanda J. Murphy
Deputy

Fee: \$ 6²
Mail to:

BCT
BLAINE COUNTY TITLE

228862 233877
Custer County Req. of
BLAINE COUNTY TITLE
Time 9:28 AM Date 4/20/06
Ethel M. Peck, Clerk
Ruth Spunkin S.G.
Deputy

233839
Custer County Req. of
TROY ZIEGLER
Time 9:45 AM Date 4/20/06
Ethel M. Peck, Clerk
Ruth Spunkin S.G.
Deputy

WARRANTY DEED

FOR VALUE RECEIVED

Troy Ziegler and Maureen Ziegler, husband and wife,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Flying Joseph Ranch, LLC, an Idaho Limited Liability Company

GRANTEE(S), whose current address is: 7213 Perimeter Rd S, Seattle, WA 98108

the following described premises, to wit:

See "Exhibit A" attached hereto

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 that water right identified in the records of the Idaho Department of Water Resources ("IDWR") as 73-10020A, all ditches, ditch rights, easements and rights-of-way associated with the delivery of such water rights.

And As Relinquished Property in an I.R.C 1031 Tax Deferred Exchange

Parcel Number: RP13N22E121801A and RP13N23E073601A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 17 day of April, 2006.

Troy Ziegler
Troy Ziegler

Maureen Ziegler
Maureen Ziegler

STATE OF Idaho)

) ss.

COUNTY OF Custer)

On this 17th day of April, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Troy Ziegler and Maureen Ziegler known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

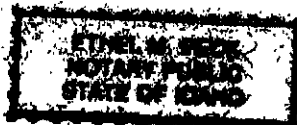
WITNESS MY HAND AND OFFICIAL SEAL.

Ethel M. Peck

Notary Public

Residing at: C. Hallis

My commission expires: 3-19-10



233877 233839

EXHIBIT "A"

PARCEL 1:

Township 13 North, Range 22 E.B.M., Custer County, Idaho
Section 12: SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$

Township 13 North, Range 23 E.B.M., Custer County, Idaho
Section 7: Lots 2 and 3.

PARCEL 2:

An access easement located in Lot 4, Section 7, Township 13 North, Range 23 E.B.M., Custer County, Idaho, more particularly described as follows: A 50.00 foot wide easement along the west boundary line of Lot 4 of said Section 7 described as follows: Commencing at the SW corner of said Section 7 and running North along the West boundary of said Lot 4 and the West boundary line of said Section 7 to the North line of said Lot; thence E. 50 feet along the North line of said Lot; thence S. parallel to the West line of said Lot to the South boundary line of said Lot; thence W. 50 feet to the Point of Beginning.