

WTF

RECEIVED

MAY 22 2006

DEPARTMENT OF
WATER RESOURCES
TELEPHONE
(208) 726-4121
FACSIMILE
(208) 726-0752

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

May 16, 2006

RECEIVED

MAY 18 2006

WATER RESOURCES
WESTERN REGION

Steve Lester
IDWR - Western Region
2375 Airport Way
Boise ID 83705-5082

**Re: Pitchfork Ranch, LLC - Notice of Change in
Water Right Ownership
Our File No.: 1198/060004**

Dear Steve:

Enclosed you will find the original and one copy of the Notice of Change in Water Right Ownership for my client, Pitchfork Ranch, LLC, which purchased on April 3, 2006 land commonly known as the "Pitchfork Ranch" and its appurtenant water rights from Rocky Mountain Land and Cattle, LLC. I am also enclosing my firm's check payable to the Department in the amount of \$100 representing the filing fee for the four previously decreed water rights. Kindly have your secretary receipt date stamp the copy of the Notice and return it to me in the enclosed postage prepaid, self-addressed envelope included for that purpose. Please let me know if I also need to send a copy of this Notice to Ms. Trish Fawcett at the Southern Region office to address the change of ownership of the Basin 37 water rights. Call me right away if you have any questions. ✓

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS:jal

Enclosures

cc: Chuck Hill (w/encls.)
Rod Gonsales (w/encls.)

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

RECEIVED
MAY 18 2006
WATER RESOURCES
WESTERN REGION

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, 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>AJ</u>	_____	_____	61-2243 <u>AJ</u>	_____
_____	61-353 <u>AJ</u>	_____	_____	61-7231 <u>AJ</u>	_____
_____	61-356 <u>AJ</u>	_____	_____	37-20344 <u>AJ</u>	_____
_____	61-357 <u>AJ</u>	_____	_____	61-10120 <u>PD</u>	_____
_____	61-2242 <u>AJ</u>	_____	_____	37-19389 <u>Withdrawn?</u>	_____
<u>61-10117 PD</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 Owner/Claimant(s) Rocky Mountain Land and Cattle, LLC
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

61-19839-AJ

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)

PITCHFORK RANCH LLC

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 <u>lg</u>	Date <u>5-18-06</u>	Fee <u>100.00</u>
Received by <u>lg</u>	Date <u>5-19-06</u>	Receipt No. <u>W034188</u>
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:

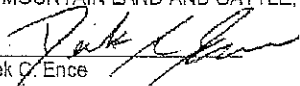
See Attached Exhibit "A"

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, 37-19389, 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

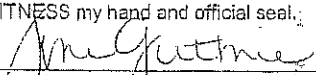
By: 
Derek C. Ence
Its: Manager

STATE OF IDAHO

COUNTY OF BONNEVILLE

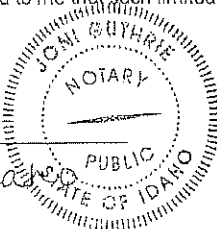
On This 28 day of March, in the year 2006, before me, a Notary Public in and for said State, personally appeared Derek C. Ence, known or identified to me to be the manager of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company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

WITNESS my hand and official seal:


Notary Public of Idaho

Residing at

Commission Expires: 6/10/2011



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 $\frac{1}{4}$

Townsend, KariLynn

From: Fawcett, Trish
Sent: Thursday, May 25, 2006 4:56 PM
To: Townsend, KariLynn
Subject: o/c Rocky Mtn Land & Cattle to Pitchfork Ranch

Howdy,

I just received a copy of an owner change from Western region for these yahoos. The change form lists decreed water rights 61-10117, 61-10120, 37-19389 and 61-10118. Well, just thought I'd let you know there are a couple of numbers transposed on the B37 right. The real number is 37-19839. The number they listed was a withdrawn adj claim from the BLM. Dummies..... Later alligator.....

Trish