

HOLLAND & HART^{LLP}

ATTORNEYS AT LAW



DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE • CASPER
CHEYENNE • JACKSON HOLE
SALT LAKE CITY • SANTA FE
WASHINGTON, D.C.

SUITE 1400
101 SOUTH CAPITOL BOULEVARD
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-6000
FACSIMILE (208) 343-8869

LINDA B. JONES
ljones@hollandhart.com

RECEIVED

JAN 04 2003

WATER RESOURCES
WESTERN REGION

January 4, 2008

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

JAN 08 2008

DEPARTMENT OF
WATER RESOURCES

Re: Notice of Change in Ownership of Water Rights

Ladies and Gentlemen:

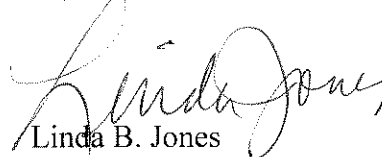
Enclosed for filing on behalf of our client Agua Caliente LLC is a Notice of Change in Water Right Ownership, together with a copy of the Warranty Deed, an aerial photo of the land, and a check in the amount of \$75.00 for the filing fee.

I also enclose a copy of the Notice of Appearance that we are filing with the SRBA Court.

If you have any questions about this filing or any of the enclosures, please contact me.

Sincerely,

HOLLAND & HART^{LLP}



Linda B. Jones

LBJ:tn

Enclosures

cc: William Powell (w/enclosures)
Anna Wells (wo/enclosures)

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RECEIVED

JAN 08 2008

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JAN 04 2003

WATER RESOURCES
WESTERN REGION

Form 42-148(42-1409(6)) July, 2000

**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
AG 67-666A	A67-666A	---			
AG 67-4077	A67-4077	---			
AG 67-14702	A67-14702	---			

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) Rodney and Jessie Woodland
861 Woodland Lane, Weiser, ID 83672-5371
4. New Owner/Claimant(s) Agua Caliente LLC
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address Attn: W. Powell c/o AMG Trust Bank 6501 East Belleview Avenue, Suite 400
City, State and ZIP Code Englewood, CO 80111-6020
- New Telephone Number (303) 486-1465
5. Date you acquired the property 12/19/2007

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 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) Anna M R Wells
(include title if applicable) President, St. Anselm Exploration Company,
Manager of Terra Caliente LLC,
Manager of Agua Caliente LLC

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	
Received by <u>[Signature]</u>	Date <u>1-04-07</u>	Fee <u>\$75.00</u>	
Processed by	Date	Receipt No.	
Processed by <u>AJ</u>	Date <u>1-04-07</u>	Receipt No. <u>62036666</u>	
		WR	Date

Instrument # 207729

STATE OF IDAHO, COUNTY OF WASHINGTON

2007-12-19

01:18:00 No. of Pages: 3

Recorded for : WASHINGTON COUNTY TITLE

SHARON WIDNER

Ex-Officio Recorder Deputy *Lisa McKnight* Fee: 9.00

Index to: DEED

When recorded, return to:

Agua Caliente LLC

c/o AMG National Trust Bank

Attn: William K. Powell

6501 East Bellevue Avenue, Suite 400

Englewood, CO 80111-6020

Space above line for Recorder's Use

WARRANTY DEED

FOR VALUE RECEIVED, **RODNEY R. WOODLAND and JESSIE C. WOODLAND**, husband and wife, together, the Grantors, do hereby grant, bargain, sell and convey unto **AGUA CALIENTE LLC**, a Colorado limited liability company, the Grantee, with an address c/o AMG National Trust Bank, Attn: William K. Powell, 6501 East Bellevue Avenue, Suite 400, Englewood, CO 80111-6020, the real property described on Exhibit A attached hereto and incorporated herein as if fully set forth, which property is located in Washington County, State of Idaho,

TOGETHER WITH all privileges, rights, easements, hereditaments, and appurtenances thereunto belonging and all rights, title and interests of Grantor in and to: the house and all other buildings, structures, fixtures, and other improvements located thereon (including fences, irrigation pumps, pivots, piping and other equipment); all roads, streets, alleys, passages, and other rights-of-way included therein or adjacent thereto; all metallic and nonmetallic minerals (including oil and gas) and rights thereto ("**Minerals**"); all geothermal resources and rights thereto ("**Geothermal Resources**"); and all other subsurface materials and all rights thereto,

TOGETHER WITH all of Grantors' rights and interests in and to all water located thereon and thereunder (including surface waters, springs and subsurface waters) and all water rights appurtenant thereto ("**Water Rights**"), which Water Rights include, without limitation, Water Right Numbers 67-666A, 67-4077, 67-14702 and all right, title and interest of Grantors in and to any and all lands lying beneath, or constituting the bed of any waterway or body of water, abutting upon said real property or any part thereof,

TO HAVE AND TO HOLD the same, together with all other rights and appurtenances to the same belonging, unto Grantee and its successors and assigns forever,

SUBJECT TO:

- (i) existing building and zoning regulations,
- (ii) existing easements, deed restrictions and reservations, surveys, and other matters of record;
- (iii) matters which an inspection of the premises would reveal;

(iv) the lien for local real property taxes for the current year which are not yet due and payable; and

(v) unpatented mining claims and reservations or exceptions in patents or in Acts authorizing the issuance thereof,

AND Grantor does hereby covenant that it and its successors shall and will WARRANT and DEFEND the title to said premises unto Grantee and its successors and assigns forever against the lawful claims of all persons, excepting, however, the matters above set forth.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands effective as of the 19th day of December, 2007.

GRANTORS:

Rodney R. Woodland
Rodney R. Woodland

Jessie C. Woodland
Jessie C. Woodland

STATE OF IDAHO)
: ss.
County of WASHINGTON)

On this 17 day of December, 2007 before me, CLARENCE R. STARK a notary public in and for said State, personally appeared Rodney R. Woodland and Jessie C. Woodland, husband and wife, known or identified to me to be the persons who executed the 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.

Clarence R. Stark
Notary Public
Residing at: WELSEN
My Commission Expires: 9-7-2011

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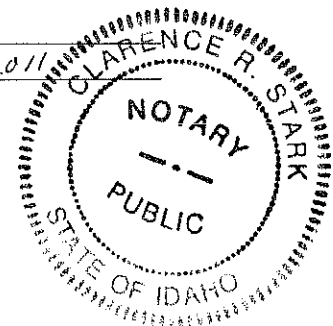


**EXHIBIT A
LEGAL DESCRIPTION**

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 11 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN:

Section 7: Lot 4;

Section 18: Lots 2, 3, 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 19: Lots 1, 2, 3, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, SAVE AND EXCEPT all that portion of Lot 3 and the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying southerly of the center line of a creek known
as FIRST CREEK and westerly of the center line of a road
known as WOODLAND LANE.

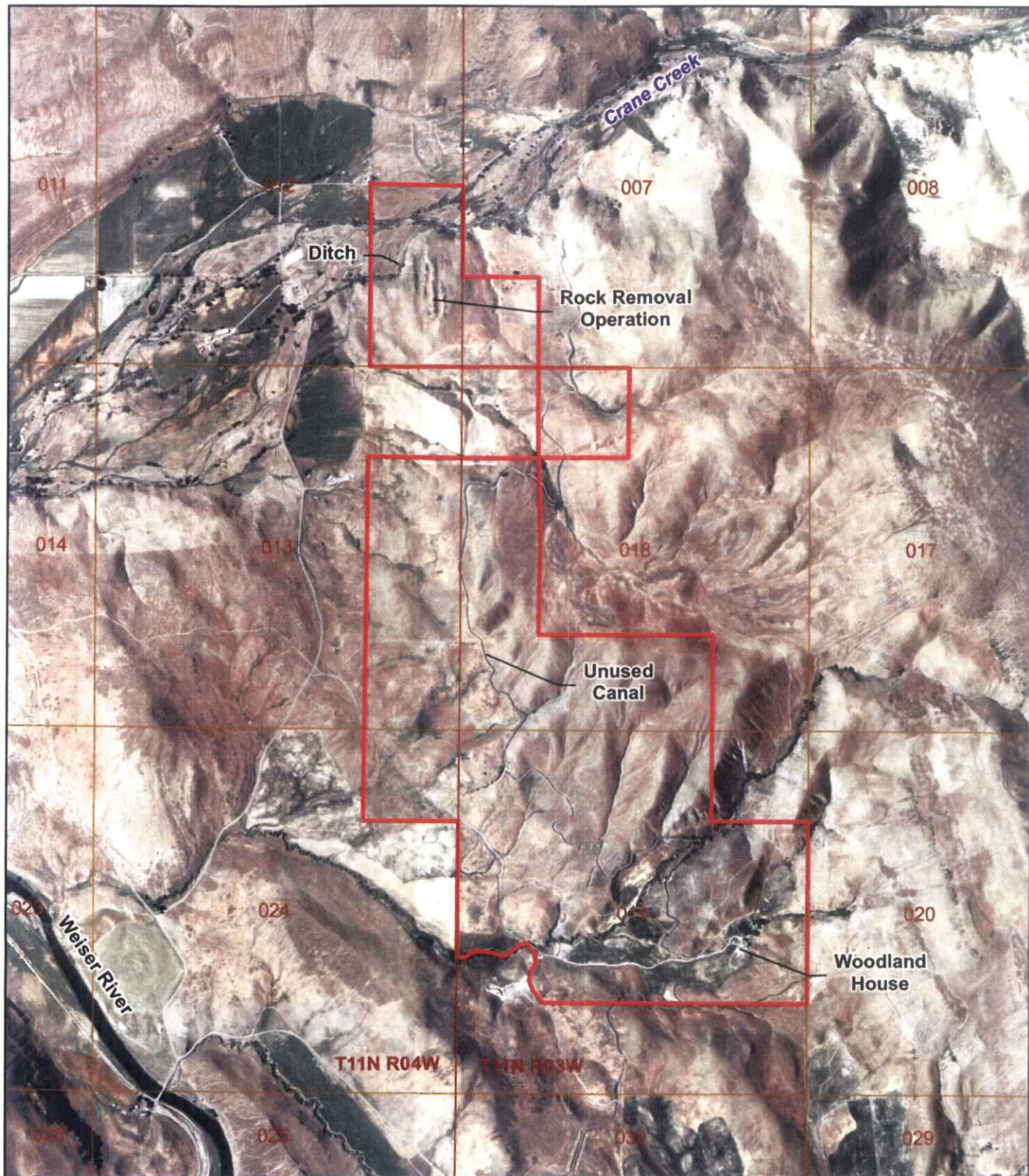
SUBJECT TO: the right of way of Woodland Lane as established.

TOWNSHIP 11 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 12: E $\frac{1}{2}$ SE $\frac{1}{4}$;

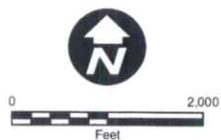
Section 13: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$.



From USDA National Agricultural Imagery Program, Washington County Mosaic, 2006

October 2007



 Approximate Property Boundary

Site Map
Woodland Property
Crane Creek Area
Washington County, Idaho