

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
73-2098	73-2098	N# <u>OK</u>			

***See Application for Transfer No. 69923**

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) Old Corrals & Sagebrush LLLP
4. New Owner/Claimant(s) Benjamin H. Yates
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 340 Martin Ave. (error on deed shows 304 Martin Ave.)
- City, State and ZIP Code Santa Clara, CA 95050
- New Telephone Number (208)
5. Date you acquired the property March 28, 2006

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OCT 15 2007

Department of Water Resources
Eastern Region

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) Benjamin H. Yates
(include title if applicable) _____

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 _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

55992 UAC (2)

201/507

WARRANTY DEED

FOR VALUE RECEIVED

Yeatashaw Livestock Co., Inc., an Idaho corporation, as to a 50% interest, Benjamin H. Yates, as his sole and separate property, as to a 25% interest, Royden Eaton, as his sole and separate property, as to a 25% interest, all as tenants in common,

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Benjamin H. Yates, a married man as his sole and separate property,

GRANTEE(s) whose address is: 304 Martin Avenue, Santa Clara, CA 95050,

the following described real property in Custer County, Idaho, to wit:

The NW1/4 of Section 14, Township 11 North, Range 23 East Boise Meridian, Custer County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 28, 2006

Yeatashaw Livestock Co., Inc.
an Idaho corporation

By: Benjamin H. Yates, President

Royden Eaton by Benjamin H. Yates,
his attorney in fact

Benjamin H. Yates

PLEASE SEE ATTACHED
CURRENT CALIFORNIA
NOTARY FORM

233788

Custer County Req. of

Alliance 4/7/2006

Time 8:31 AM Date 4/7/2006

Ethel M. Peck, Clerk

Wanda Barber \$12

Deputy

State of California }

}ss.

County of _____ }

On this _____ day of March, in the year 2006, before me, the undersigned, personally appeared **Benjamin H. Yates** known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Notary Public

Commission Expires: _____

233788

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Santa Clara

ss.

On

March 31, 2006

Date

before me,

Lorna K. Roach, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

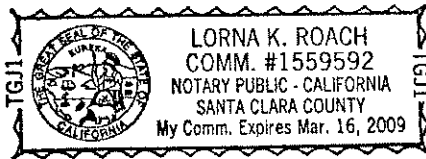
personally appeared

BH Yates

Name(s) of Signer(s)

☐ personally known to me

☒ proved 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 in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Lorna K. Roach
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Warranty Deed

Document Date:

3/28/06

Number of Pages:

1

Signer(s) Other Than Named Above:

none at time of sign

Capacity(ies) Claimed by Signer

Signer's Name:

☐ Individual

☒ Corporate Officer -- Title(s):

President

☐ Partner -- ☐ Limited ☐ General

☐ Attorney-in-Fact

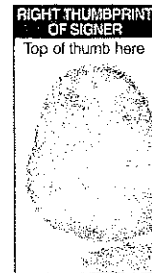
☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

Yateslaw Investment Co Inc



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

233788

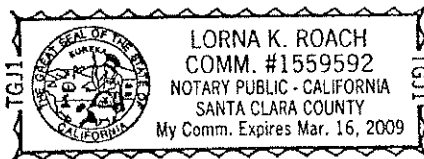
State of California

County of Santa Clara } SS.

On March 31, 2006 before me, Lorna K. Roach, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
 personally appeared BS Yates
Name(s) of Signer(s)

☐ personally known to me
☒ proved 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Lorna K. Roach
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Warranty deed

Document Date: 3/28/06 Number of Pages: 1

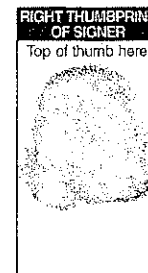
Signer(s) Other Than Named Above: none at time of sign

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☒ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: Rayden Eaton



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

233788

State of California

County of Santa Clara } ss.

On March 31, 2006 before me, Lorna K. Roach, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
 personally appeared B. H. Yates
Name(s) of Signer(s)

- ☐ personally known to me
☒ proved 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Lorna K. Roach
Signature of Notary Public

OPTIONAL

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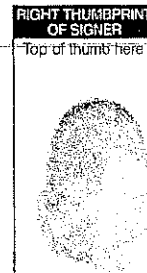
Signer(s) Other Than Named Above: none at time of signing

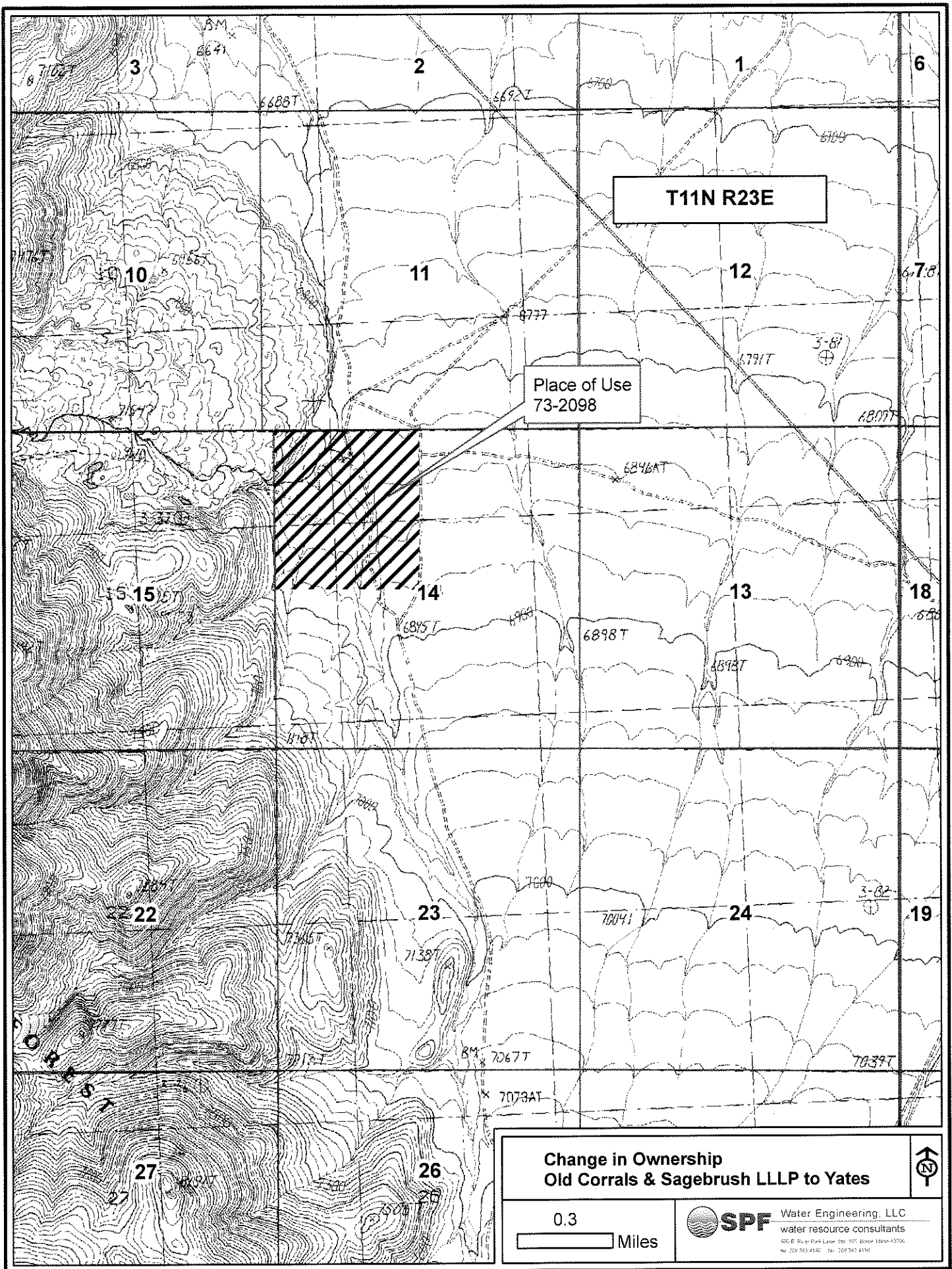
Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☒ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____





**SPF**Water Engineering, LLC
water resource consultants

October 11, 2007

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OCT 15 2007

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718Department of Water Resources
Eastern RegionSubject: Notice of Change in Water Right Ownership
Water Right/Subcase No(s) 73-2098

Dear Eastern,

Enclosed on behalf of Ben Yates, is a *Notice of Change in Water Right Ownership* document. There is no fee for this change because the subcase is pending in the Snake River Basin Adjudication.

The USDI Bureau of Land Management (BLM) has filed a transfer on a portion of water right 73-2098 (Transfer No. 69923). A protest to this action was filed by the Western Watersheds Project. A pre-hearing conference was held April 24, 2006 and the BLM has apparently asked for a delay in the hearing schedule. We understand IDWR will not raise the matter again until one of the parties (BLM or Western Watersheds) requests a resumption of the hearing schedule. A "split" of water right 73-2098 will occur if and when the transfer is approved.

Water right 73-2098 will be placed in the Idaho Water Supply Bank (IWSB) while the transfer is pending. The portion of the water right to be used by BLM under the transfer will be released from the water bank by written request when the transfer is approved.

Please let me know if there are any questions concerning this change.

Sincerely,

Roxanne Brown

Cc: Ben Yates, Circle Pi Ranch

Enclosures

Change in Ownership form w/deed and map

SPF file number: 580.0010