

DEV

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

RECEIVED

MAR 13 2008

Department of Water Resources
Eastern 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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
WR 22-433	Combined Right 22-12165	X			
WR 22-434	22-12166	X			

Note: I purchased 120 ac of decreed place of use for 22-433 & 22-434.
These rights were claimed in combined rights 22-12165 & 22-12166.
My portion of these rights equals $\frac{120 \text{ ac}}{280 \text{ ac}} = \frac{3}{7}$ of the total decreed
to B.F. Parker of 4.20 cfs. or 1.80 cfs. see 2nd page for break down

2. The following **REQUIRED** information must be submitted with this form:

RECEIVED

JUL 16 2008

- 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 on file with the county Planning and Zoning or Recorder's Office).
OR
- D. 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 or equivalent **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)

4. New Owner/Claimant(s)

CHERRY GROVE LLC. % Jodie BRYAN

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 6834

City, State and ZIP Code

Jackson - WY. 83002

New Telephone Number

(208) 354-7325 Email:

5. Date you acquired the property

April 21-06

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>22-12165</u>		
Irrigation	<u>1.11 cfs.</u>	<u>5 1/2 SW 1/4 S18, Lt 1 Sec 19 4N 4E</u>
Stock		
Domestic		<u>74 ac</u>
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>22-12166</u>		
Irrigation	<u>0.69 cfs.</u>	<u>5 1/2 SW 1/4 Sec 18</u>
Stock		<u>Lt 1 Sec 19 T4N R40E</u>
Domestic		
Other		<u>410 ac</u>
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) Sean D. Mallick, Attorney-in-Fact
(title if applicable)
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

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

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.

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3. Name and Address of Former
Owner/Claimant(s)

4. New Owner/Claimant(s)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

() _____ Email: _____

5. Date you acquired the property

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Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number 22-12166		
Irrigation	0.69 cfs.	SW 1/4 Sec 18
Stock		Lt 1 Sec 19 T41S R40E
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) Dean D. Moulton, Attorney-in-Fact
(title if applicable)
(title if applicable)

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For IDWR Office Use Only:

Received by _____	Date _____	Receipt Amt. _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

Order No.:3050614375TD

FOR VALUE RECEIVED

Steven H. Smith and Kendra J. Smith, Husband and Wife

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

Cherry Grove, LLC

whose current address is

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT 'A'

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 21, 2006

Steven H. Smith
Steven H. Smith

Kendra J. Smith
Kendra J. Smith

State of Michigan)
County of Livingston)ss.

On this 21st day of April, in the year 2006 before me, a Notary Public in and for said state, personally appeared Steven H. Smith and Kendra J. Smith known or identified to me to be the person whose name is subscribed to the within 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 first above written.

Nadia H. Nadol
Notary Public, Washtenaw County, MI
My Commission Expires Dec. 19, 2006
acting in Livingston County

Nadia H. Nadol
Notary Public for the State of
Residing at:
Commission Expires:

NOTICE OF CONTRACT OF SALE

NOTICE IS HEREBY GIVEN that STEVEN H. SMITH and KENDRA J. SMITH, husband and wife, whose address is 11391 Nine Mile Road, South Lyons, MI 48178, hereinafter called "SELLER", is selling on written Contract of Sale of this same date, to CHERRY GROVE, LLC, whose current address is 65 South Main Street, Driggs, ID 83422, hereinafter called "BUYER", the following described real property situated in Teton County, to-wit:

The S1/2SE1/4 of Section 13, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Being further described as commencing at the Southeast corner of said Section 13 and running
Thence N 89° 44'28" W, 2685.95 feet to the Southwest corner of the S1/2SE1/4;
Thence N 00° 23'38" E, 1321.64 feet to the Northwest corner of the S1/2SE1/4;
Thence S 89° 44'49" E, 2678.18 feet to the Northeast corner of the S1/2SE1/4;
Thence S 00° 02'26" W, 1321.92 feet to the Southeast corner of the S1/2SE1/4
the point beginning.

Contains 81.38 acres more or less.

With a 30 foot wide county road and utility easement across the south side.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

Such contract is in full force and effect.

You are further notified and advised that any and all interest, right or title you may acquire in the same real property by virtue of subsequent transactions with SELLER will be wholly subject to the right, interest, and equity of the undersigned BUYER in such real property, arising by virtue of this Real Estate Purchase and Sale Agreement.

DATED this ____ day of _____, 2006.

STEVEN H. SMITH

KENDRA J. SMITH

BLT INVESTORS, LLC, Buyer

By
JULIE BRYAN, Majority Member

BRIAN A. PALAFOX LIVING TRUST, Buyer

By *B. A. Palafox, Trustee*
BRIAN A. PALAFOX, Trustee
PALAFOX

THE JOHN & MELISSA HARRIS FAMILY TRUST, Buyer

* By *John M. Harris, Trustee*
JOHN HARRIS, Trustee

* By *Melissa Harris, Trustee*
MELISSA HARRIS, Trustee

* STATE OF MICHIGAN)

County of) : ss.

On this ____ day of _____, in the year of 2006, before me, a Notary Public in and for said State, personally appeared STEVEN H. SMITH and KENDRA J. SMITH, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Notary Public for Michigan
My Commission expires:

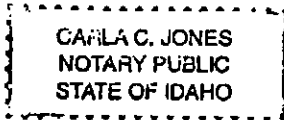
NOTICE OF CONTRACT OF SALE
306 CherryGr-Smith-Notice

2

176342

STATE OF IDAHO)
 : ss.
County of Teton)

On this 25 day of April, 2006, personally appeared before me JULIE BRYAN, who, being by me first duly sworn, declared that she is the Majority Member of BLT INVESTORS, LLC, that she signed the foregoing document as Majority Member of the entity and that the statements therein contained are true.



Carla C. Jones
Notary Public for Idaho
My Commission Expires: 11/19/2011

STATE OF CALIFORNIA)
) ss.
County of ORANGE)

On this 22 day of APRIL, 2006, personally appeared before me BRIAN A. PALAFOX, who, being by me first duly sworn, declared that he is the Trustee of BRIAN A. PALAFOX LIVING TRUST, dated March 9, 1990, that he signed the foregoing document as Trustee of the entity and that the statements therein contained are true.



Fernando P. Iniguez
Notary Public for California
My Commission Expires:

STATE OF CALIFORNIA)
) ss.
County of ORANGE)

On this 22 day of APRIL, 2006, personally appeared before me JOHN HARRIS and MELISSA HARRIS, who, being by me first duly sworn, declared that they are the Trustees of THE JOHN & MELISSA HARRIS FAMILY TRUST, dated December 3, 2004, that they signed the foregoing document as Trustees of the entity and that the statements therein contained are true.



Fernando P. Iniguez
Notary Public for California
My Commission Expires:

176342

Alliance

WARRANTY DEED

Order No.: 3859614375TD

FOR VALUE RECEIVED

Steven H. Smith and Kendra J. Smith, Husband and Wife

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

Cherry Grove, LLC

whose current address is

Instrument # 176342

DRUGGS, TETON, IDAHO 83333 No. of Pages: 6

2006-04-26

Recorded for: ALLIANCE TITLE & ESCROW

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

INDEXED: DEED, WARRANTY

APR 21 2006

TETON CO., IDAHO
CLERK OF DISTRICT COURT

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SEE ATTACHED EXHIBIT 'A'

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Date: April 21, 2006

Steven H. Smith
Steven H. Smith

Kendra J. Smith
Kendra J. Smith

State of Michigan }
County of Livingston }

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IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal this day and year first above written.

Nadia H. Nadol

Notary Public for the State of
Residing at:
Commission Expires:

NADIA H. NADOL
Notary Public, Washtenaw County, MI
My Commission Expires Dec. 19, 2006

acting in Livingston County

176342

Exhibit "A"
Attached Legal Description

Parcel 1: Beginning at the Northwest corner of the South Half Southwest Quarter of Section 18, Township 4 North, Range 46 East, Boise Meridian, Teton County, Idaho, and running thence East 660 feet; thence South 660 feet; thence West 660 feet; thence North 660 feet to the point of beginning.

Parcel 2: Township 4 North, Range 46 East, Boise Meridian, Teton County, Idaho.
Section 19: Lot 1 and Northeast Quarter Northwest Quarter.

Section 18: Lot 4 and the Southeast Quarter Southwest Quarter. Less: Beginning the Northwest corner of the South Half Southwest Quarter of said Section 18, and running thence East 660 feet; thence South 660 feet; thence West 660 feet; thence North 660 feet to the point of beginning.

Parcel 3: Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.
Section 13: South Half Southeast Quarter.

Less: Commencing at the Southeast corner of said Section 13 and running N 89° 44' 28" W, 2685.95 feet to the Southwest corner of the S1/2SE1/4; thence N 88° 23' 38" E, 1321.64 feet to the Northwest corner of the S1/2SE 1/4; thence S 89° 44' 09" E, 2678.18 feet to the Northeast corner of the S1/2SE1/4; thence S 88° 02' 26" W, 1321.92 feet to the Southeast corner of the S1/2SE1/4 to the point of beginning.

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Such contract is in full force and effect.

You are further notified and advised that any and all interest, right or title you may acquire in the same real property by virtue of subsequent transactions with SELLER will be wholly subject to the right, interest, and equity of the undersigned BUYER in such real property, arising by virtue of this Real Estate Purchase and Sale Agreement.

NOTICE OF CONTRACT OF SALE
306 CherryGr-Smith-Notice

176342

3050614375TD

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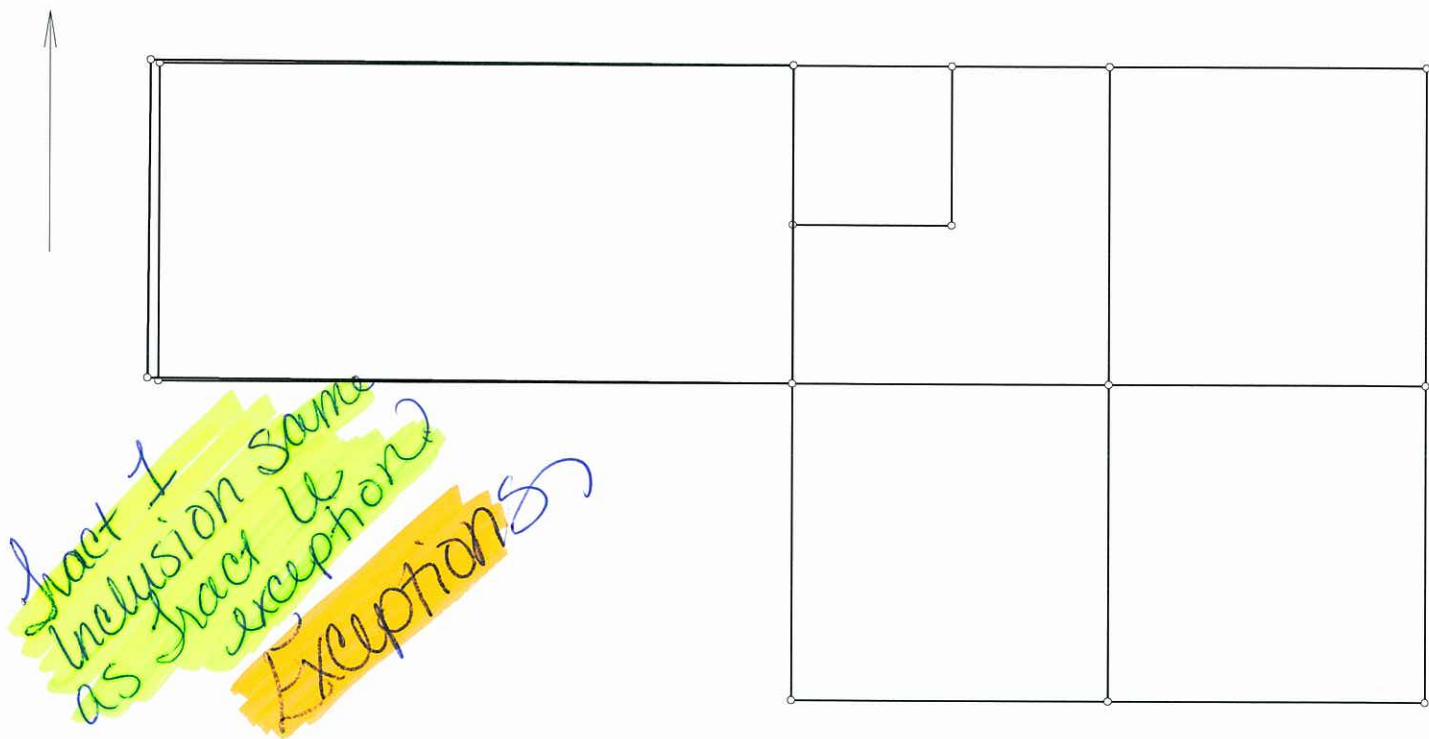
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Section 13: South Half Southeast Quarter.

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177623

176342



Title:		Date: 08-07-2008
Scale: 1 inch = 800 feet	File:	
Tract 1: 10.000 Acres: 435600 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 2640 Feet Tract 2: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet Tract 3: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet Tract 4: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet Tract 5: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet Tract 6: 10.000 Acres: 435600 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 2640 Feet Tract 7: 80.000 Acres: 3484800 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 7920 Feet Tract 8: 81.384 Acres: 3545082 Sq Feet: Closure = n89.3149w 0.38 Feet: Precision =1/20997: Perimeter = 8008 Feet		
001=/nw,sw,sw,18,4n,46e	021=N90E 1320.00	041=s00e 660
002=n90e 660	022=@0 sw,sw,18,4n,46e	042=n90w 660
003=s00e 660	023=/SE,SE,SE,18,4N,46E	043=n00e 660
004=n90w 660	024=/N00E 1320.00	044=@0 s,se,13,4n,45e
005=n00e 660	025=/N90W 3960.00	045=/SE,SE,SE,13,4N,45E
006=@0 nw,nw,19,4n,46e	026=S00W 1320.00	046=/N00E 1320.00
007=/SE,SE,SE,19,4N,46E	027=N90W 1320.00	047=/N90W 0.00
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009=/N90W 3960.00	029=N90E 1320.00	049=N90W 2640.00
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019=N90W 1320.00	039=/nw,sw,sw,18,4n,46e	
020=N00E 1320.00	040=n90e 660	

3050614375TD

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