

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

RECEIVED

SEP 16 2008

DEPARTMENT OF
WATER RESOURCES

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)
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78-12173

*Note: We purchased the first two lots from
Wallace in 1997 totaling 1.24 acres*

*we purchased the second lot from Wallace
in 2001 totaling .34 acres for a*

total of 1.58 acres of water right

78-12173.

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 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)

Howard D. & Corleen R. Wallace
5493 Hwy 95, New Meadows ID. 83654
currently PARMA, IDAHO 83660

4. New Owner/Claimant(s)

Fall Creek Mtn. Ranch, Inc.

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

Pres. Bob Taylor
Vice: Merle Abbott

New Mailing Address

5493 Hwy 95

City, State and ZIP Code

New Meadows ID 83654

New Telephone Number

(208) 628-4107

5. Date you acquired the property

Parcel #1 11/21/97 - Parcel #2 10/1/2001

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		
Irrigation	See Diversion & Apportionment on G-1	Irrigate ~~the~~ ~~the~~ ~~the~~
Stock	with Baumgarten.	1.58 acres
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
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.

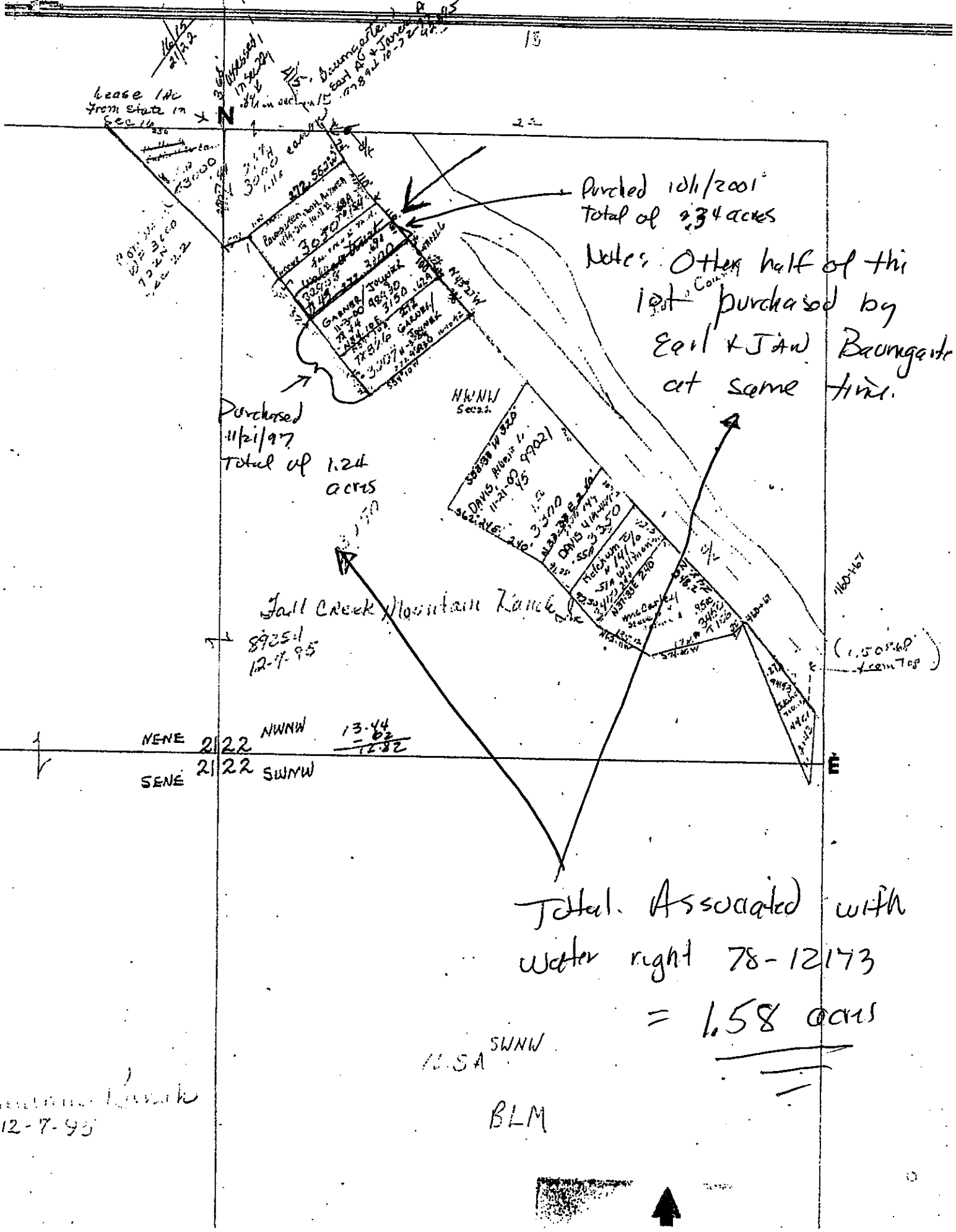
7. Signature(s) of New Owner(s) or Claimant(s) Mark L. Scott Vice Pres.
 Vice President, FCMR Inc. (title if applicable)
 (title if applicable)

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 _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____



12-7-95

BLM

Parcel #1

TOTAL 1.24 acrs

INSTRUMENT NO. 93071
PAGE 1 OF 2
WARRANTY DEED

3207
3150

FOR VALUE RECEIVED, HOWARD D. WALLACE and COLLEEN R. WALLACE as Co-Trustees of the WALLACE TRUST UNDER TRUST AGREEMENT DATED MAY 21, 1990 and their substitutes and assigns as parties hereunder, also shown of record as WALLACE TRUST, H. D. WALLACE and COLLEEN R. WALLACE, Trustees, in trust dated May 21, 1990

do hereby grant, bargain, sell and convey unto

FALL CREEK MOUNTAIN RANCH, INC., an Idaho corporation

the grantee, whose current address is SASCO, 405 Atlantis Rd., Suite D, Cape Canaveral, FL 32900

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

and that they will warrant and defend the same from all lawful claims whatsoever.

Date: November 21, 1997

WALLACE TRUST U/T/A dated May 21, 1990

BY: Howard D. Wallace
Howard D. Wallace,
aka H. D. Wallace, Trustee

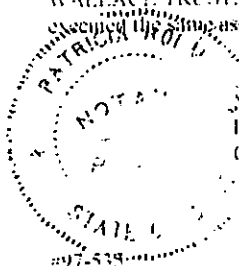
BY: Colleen R. Wallace
Colleen R. Wallace, Trustee

STATE OF Idaho
COUNTY OF Adams

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

On this 21st day of Nov in the year of 1997, before me
a Notary Public, personally appeared
HOWARD D. WALLACE, aka H. D. WALLACE
& COLLEEN R. WALLACE
known or identified to me to be the persons whose names
are subscribed to the within instrument as Co-Trustees of the
WALLACE TRUST, and acknowledged to me that they
executed the same as Co-Trustees of the WALLACE TRUST.

at 40 minutes past 1 o'clock PM
this 21 day of Nov 1997, in my
office, and duly recorded in Book
of Deeds at page



Patricia A. Smith
Notary Public
Residing at 2100 W. 1st St.
Commission expires 12/31/99

MICHAEL FISK
Ex-Officio Recorder

By: Peggy Pindal
Deputy

Fees \$6.00
Mail to Timberline Title & Escrow

INSTRUMENT NO. 93071
PAGE 2 OF 2

100 x 272 / 43,560

EXHIBIT 'A'

62
acres

PARCEL 1

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 22: A parcel in the NW1/4NW1/4 described as follows:
Commencing at a point on the Westerly side of the right-of-way of U.S.
Highway 95 as it existed in 1954, which is South 43°27' East 74 feet of
Station 471+22.6 PC 3° RT of the North and South Highway Survey;
Thence along the Westerly side of said highway right-of-way North 43°27'
West 100 feet to a point;
Thence South 54°10' West 272 feet to a point;
Thence South 43°27' East 100 feet to a point;
Thence North 54°10' East 272 feet to the REAL POINT OF BEGINNING.
EXCEPTING the right-of-way of the highway.

PARCEL 2

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 22: A parcel of land situated in the NW1/4NW1/4 described as
follows:
Commencing at a right-of-way marker on the Westerly right-of-way line of
State Highway 95 which point is marked 471+22.6, PC 3°RT;
Thence South 43°27' East 74.00 feet along said Westerly right-of-way to the
REAL POINT OF BEGINNING;
Thence South 43°27' East 100.00 feet along said right-of-way;
Thence South 54°10' West 272.00 feet;
Thence North 43°27' West 100.00 feet;
Thence North 54°10' East 272.0 feet to the REAL POINT OF BEGINNING.

62
acres

100544
PAGE 1 OF 2

WARRANTY DEED

(34
acres)

PARCEL #2

For Value Received, HOWARD D. WALLACE and COLLEEN R. WALLACE as Co-Trustees of THE WALLACE TRUST UNDER TRUST AGREEMENT DATED MAY 21, 1990 AS AMENDED TO DATE AND THEIR SUBSTITUTES AND SUCCESSORS AS TRUSTEE THEREUNDER

the grantor, does hereby grant, bargain, sell and convey unto
DONALD G. GARNER, a married man as his sole and separate property, and
JESSE ROBERT JOYNER, a married man as his sole and separate property

the grantees, whose current addresses are
(GARNER) 1849 Crestwood Blvd. Birmingham, AL 35210
(JOYNER) 3815 N. US Highway 1 Cocoa, FL 32926

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owner in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: October 1, 2001

HOWARD D. WALLACE and COLLEEN R. WALLACE, as Co-Trustee of THE WALLACE TRUST UNDER TRUST AGREEMENT DATED MAY 21, 1990 AS AMENDED TO DATE AND THEIR SUBSTITUTES AND SUCCESSORS AS TRUSTEE THEREUNDER

BY: Howard D. Wallace
HOWARD D. WALLACE, Co-Trustee

BY: Colleen R. Wallace
COLLEEN R. WALLACE, Co-Trustee

STATE OF)

: ss

COUNTY OF)

On this _____ day of October, in the year of 2001, before me, a Notary Public in and for said State, personally appeared
HOWARD D. WALLACE and COLLEEN R. WALLACE

Known or identified to me to be the persons whose names are subscribed to the within instrument as Co-Trustees of THE WALLACE TRUST UNDER TRUST AGREEMENT DATED MAY 21, 1990 AS AMENDED TO DATE AND THEIR SUBSTITUTES AND SUCCESSORS AS TRUSTEE THEREUNDER and acknowledged to me that they executed the same as Co-Trustees of THE WALLACE TRUST UNDER TRUST AGREEMENT DATED MAY 21, 1990 AS AMENDED TO DATE AND THEIR SUBSTITUTES AND SUCCESSORS AS TRUSTEE THEREUNDER.

Gregory E. Shriver
Notary Public

Residing at: Prima ID 83000

Commission expires:

4-9-2005

Instrument # 100544

COUNCIL, ADAMS, IDAHO

2001-10-15

03:00:00 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee 6.00

Ex-Officio Recorder Deputy

Index to DEED

INSTRUMENT NO 102541
PAGE 2 OF 2

EXHIBIT 'A'

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 22: A parcel of land situated in the NW1/4NW1/4 of said Section,
Township and Range, more particularly described as follows:
Commencing at the Right Of way brass cap marked "471 + 22.6 PC 3° RT" on the
Westerly right of way line of U.S. Highway 95;
Thence North 43° 27' West 26.0 feet along the tangent of said right of way to a 1/2
inch X 24 inch steel rebar;
Thence North 43° 27' West 55.0 feet to the REAL POINT AND PLACE OF
BEGINNING;
Thence North 43° 27' West 55.0 feet along said tangent to a 1/2 inch X 24 inch steel
rebar;
Thence South 54° 10' West 272.0 feet to a 1/2 inch X 24 inch steel rebar;
Thence South 43° 27' East 55.0 feet;
Thence North 54° 10' East 272.0 feet to the POINT OF BEGINNING.

$$55 \times 272 / 43,540 = .34 \text{ acres}$$