



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

December 7, 2009

M ROBERT CHING
150 LIMELIGHT WAY
OROVILLE CA 95966

RE: Change in Ownership for Water Right No. 73-10033, 73-10035,
73-12028(Adj), 72-4069 , 72-7383, 72-4228 & 72-10171

Dear Claimant:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. We are returning your Ownership Change for the following items:

- XXX **Filing Fee** of \$25 per water right number, \$100 per water right for changes resulting from division of a water right (split). Please note that there is no fee for a water right that is still active in the adjudication.
- XXX Complete Sections 3 and 4.
- XXX Evidence of Water Right Ownership: **RECORDED** copy of Warrant Deed and a **COMPLETE** copy of the Title Insurance.

Please enclose the requested items and resubmit the entire packet to our Idaho Falls office.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Bobby Kern
Office Specialist II

Enclosure(s)

150 Limelight Way
Oroville, CA 95966
November 30, 2009

RECEIVED
DEC 07 2009
Department of Water Resources
Eastern Region

Idaho Department of Water Resources
900 N. Skyline Ave., Ste. A
Idaho Falls, ID 83402

Attn: Jonie Barg, Technical Records Specialist

Dear Jonie Barg,

The Dowton Ranch is owned by:

- 1) The Ching Revocable Trust—54.07%
- 2) BBB Assets, LLC—45.93%

Included are the Title Policy and the recent endorsement dated Oct. 16, 2009, of The Ching Revocable Trust's 54.07 % ownership.

Included in the Warranty Deed is the legal description of the Dowton Ranch. Also included is the aerial photograph of the Dowton Ranch and topographic map.

Respectfully submitted,



M. Robert Ching

COPY

**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 IDWR will produce new water right number(s) for the split(s).

Water	Adjudication	Water	Adjudication
Right No(s)	Claim No(s)	Right No(s)	Claim No(s)
WR 73-10033		WR 72-10171	
WR 73-10035			
ADJ 73-12028(Adj)			
WR 72-4069			
WR 72-7383			
WR 72-4228			

RECEIVED

Department of Labor Resources
Baltimore, Maryland

2. The following **REQUIRED** information must be submitted with this form:
- Department of Water Resources
Boulder Region
- 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) | | |
| | | | |
| | | | |
| | | | |
| | New Mailing Address | | |
| | City, State and ZIP Code | | |
| | New Telephone Number | | |
| | | | |

5. Date you acquired the property

May 9, 2008

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		
Stock		
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)

The Marshall Robert Ching and Phyllis J. Ching Revocable Trust
Marshall Ching / Phyllis J. Ching, trustees ↑ - 54.01
Marshall Ching / manager BBB Assets, LLC - 45.93
 (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 _____

Endorsement

Issued by

Chicago Title Insurance Company

File No.: 3070704502L-D

Attached to Policy No.: 72106-1521428

Date: October 16, 2009

Premium: \$40.00

The policy of hereby amended by adding as a named insured therein

Marshall Robert Ching and Phyllis J. Ching, Trustees of The Marshall Robert Ching and Phyllis J. Ching Revocable Trust as to an 54.07% interest.

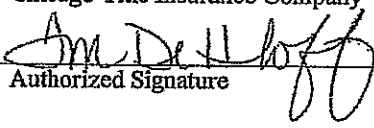
This endorsement does not extend the coverage of the policy to any later date than the date of the policy.

The total liability of the Company under the policy and any endorsements therein shall not exceed, in the aggregate, the face amount of the policy and costs which the Company is obligated under the conditions and stipulations thereof to pay.

This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and an of any prior endorsement thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the effective date of the policy and any prior endorsements, nor does it increase the face amount thereof.

Endorsement 107.10
Owner or Lender (Reorder Form 9177)

Chicago Title Insurance Company


Authorized Signature



Order No. 3070704502

WARRANTY DEED

For Value Received,

Sydney M. Dowton, Jr., aka Sydney M. Dowton and Karen A. Dowton, husband and wife

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

Butte Creek Property Corporation, a California corporation as to an undivided 29% interest; ~~BBB Assets, LLC, a Delaware limited liability company, as to an undivided 45.93% interest~~ and Marshall Robert Ching and Phyllis J. Ching, Trustees of The Marshall Robert Ching and Phyllis J. Ching Revocable Trust as to an undivided 25.07% interest, as Tenants in Common

GRANTEE(s), whose address is: 150 Limelight Way, Oroville, CA 95966

the following described real property, to-wit:

THE FOLLOWING DESCRIBED REAL ESTATE YING AND BEING SITUATE IN TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 25: LOT 2

SECTION 26: THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; LOTS ONE, THREE, FOUR, SEVEN, NINE, ELEVEN AND LOT 8 EXCEPTING LAND FROM A FENCELINE NORTH EAST, ALSO ANY PORTIONS DEEDED FOR HIGHWAY PURPOSES.

SECTION 23: LOT 3

SECTION 27: LOT 7

SECTION 35: ALL THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, EXCEPT THAT PART DEEDED FOR HIGHWAY PURPOSES.

PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees; their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 9th day of May, 2008.

Sydney M. Dowton Jr.
Sydney M. Dowton, Jr. aka Sydney M. Dowton

Karen A. Dowton
Karen A. Dowton

State of Idaho }
County of Bonne } ss.

On this 9th day of May, in the year 2008, before me, the undersigned, personally appeared Sydney M. Dowton, Jr., aka Sydney M. Dowton and Karen A. Dowton known or identified to me 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.

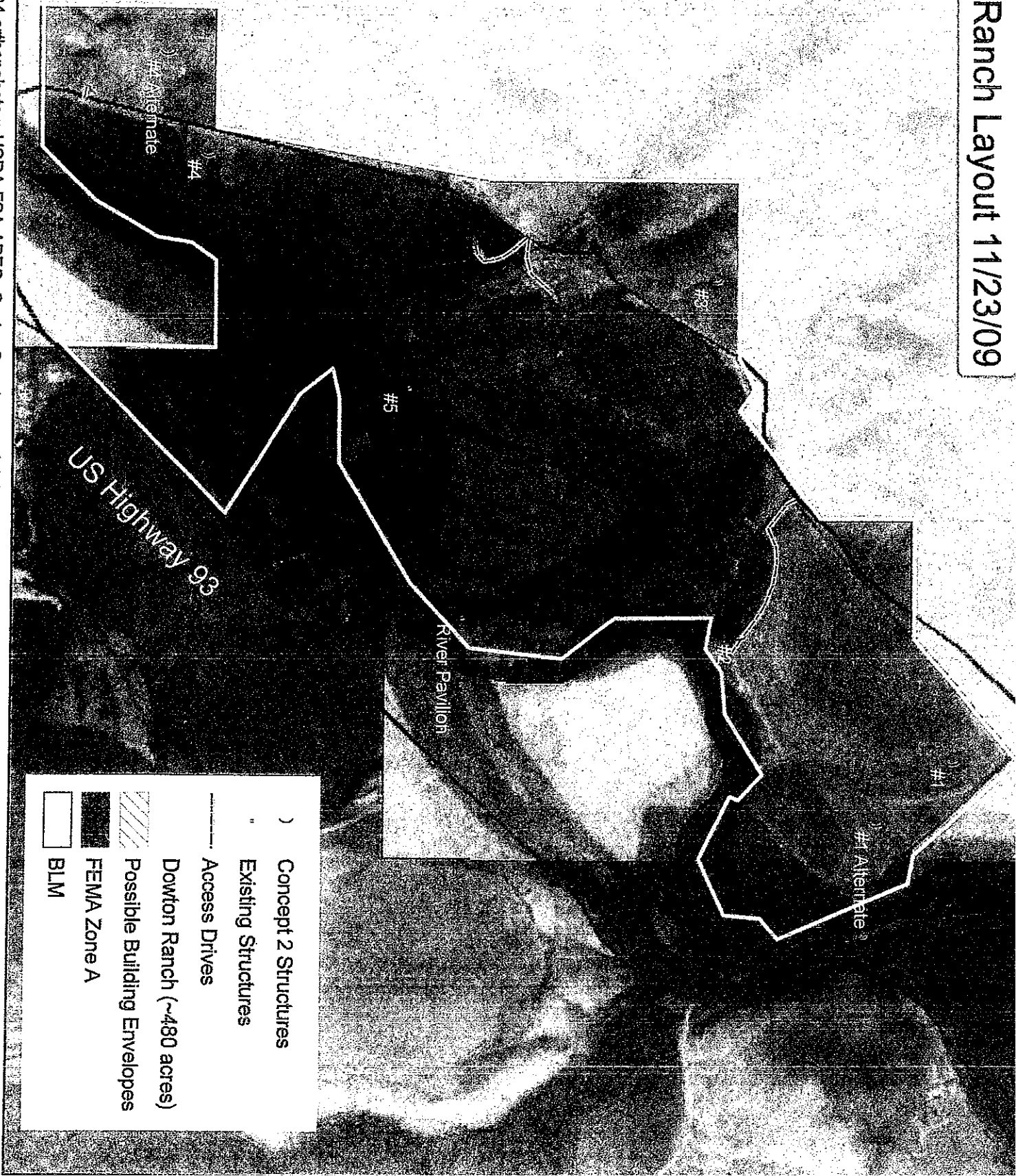
WITNESS my hand and official seal.

Jamie L. Springer
Notary Public
Commission Expires: 5/19/2010

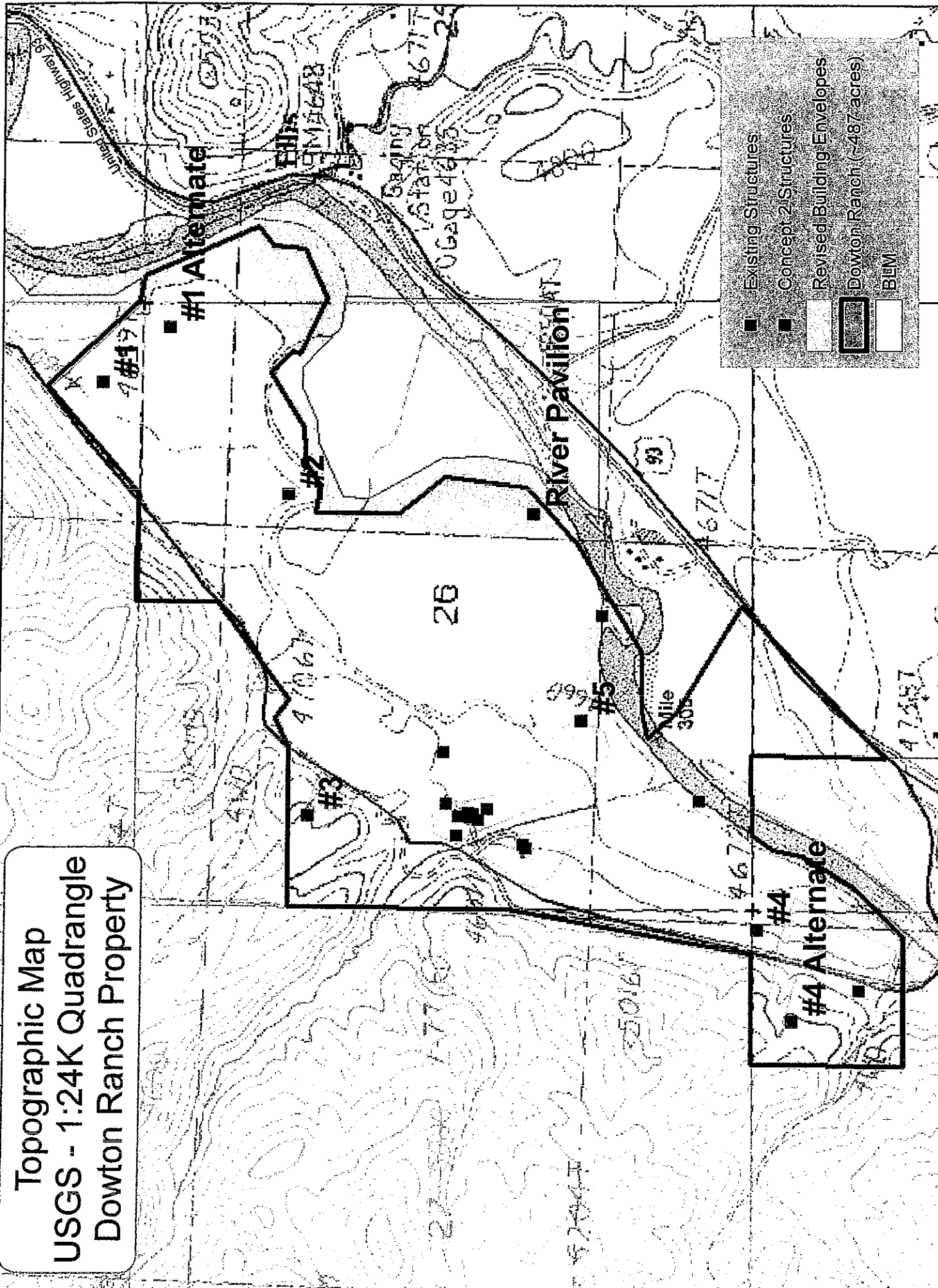


Dowton Ranch Layout 11/23/09

Sources: 2004 orthophoto = USDA-FSA-APFO; Custer County parcel data = Wood River Land Trust. Prepared by Wood River Land Trust 08 October 2009



Topographic Map
USGS - 1:24K Quadrangle
Downton Ranch Property



Sources: 1:24 USGS Quadrangle (1967, 40 ft contours) = INSIDE Idaho (USGS).
 Drawn by Wind River Land Trust 25 November 2000

AND
OVER
YOU

150 Limelight Way
Oroville, CA 95966
November 30, 2009

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DEC 9 7 2009

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
900 N. Skyline Ave., Ste. A
Idaho Falls, ID 83402

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DEC 14 2009

Department of Water Resources
Eastern Region

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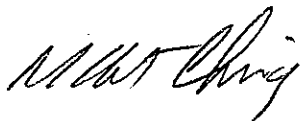
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M. Robert Ching