

04/19/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-10094
NAME AND ADDRESS: SHEPP RANCH LLC
HC 83 BOX 8000
CASCADE ID 83611-8000
SOURCE: CROOKED CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 4.470 AFY
PRIORITY DATE: 12/31/1950
POINT OF DIVERSION:

T24N R06E S12 SENW Within IDAHO County
T24N R06E S12 SENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER STORAGE	1/01 12/31	~~4.476 CFS~~
POWER FROM STORAGE	1/01 12/31	~~4.476 CFS~~

PLACE OF USE: POWER STORAGE Within IDAHO County
T24N R06E S12 SENW
POWER FROM STORAGE Within IDAHO County
T24N R06E S12 SENW

4.47 AF

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

PROPERTY IS ~~ALSO~~ KNOWN AS HOMESTEAD ENTRY SURVEY NO. 773.

EXPLANATORY MATERIAL: Beneficial Use

307-733-7882

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number

Date Received

Receipt Number

A77-10094

67/26/88

W001182

RECEIVED

AUG 3 1988

Department of Water Resources
Western Regional Office

Department of Water Resources
NOTICE OF CLAIM

TO A

WATER RIGHT**ACQUIRED UNDER STATE LAW**

RECEIVED

JUL 26 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Shepp Ranch/Paul M. Resnick Phone (213) 659-6302Mailing Address 116 N. Robertson Blvd., #603, Los Angeles, CA Zip 900482. Date of Priority (Only one (1) per claim) 19503. Source of water supply (a) Crooked Creek
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 24N Range 6E Section 12,
SE 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of IdahoAdditional points of diversion if any: Both dams are in the same Section and Quarters

b. If instream flow, beginning point of claimed instream flow is:

Township 24N Range 6E Section 12, SE 1/4 of NW 1/4 of 1/4,Govt. Lot B.M., County of Idahoending point is: Township 24N Range 6E Section 12, SE 1/4 of NW 1/4 of 1/4 ofSE 1/4, Govt. Lot B.M., County of Idaho

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Concrete dam spanning Crooked Creek with
an overflow spillway and headgate. Dam is approximately 65' wide and 10' high.
Spillway connects to 36" pipe which dumps into elevated Pelton wheel type generator
constructed on the east bank of Crooked Creek. Length of pipe is approximately 1/4 mile.
Additionally, there is a rock wing dam 30' long, 4' high with headgate at ditch with
overflow spillway. Pipe is 12" in diameter. Ditch runs 3/4 mile to Pelton wheel.

MICROFILMED

Copies: White State Yellow Claimant

OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

Storage for
For Hydro Electric Power purposes from Jan. 1 to Dec. 31 amount _____ or 4.4766

For Power from Storage purposes from Jan. 1 to Dec. 31 amount _____ or 4.4766

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) Not Known (cfs) and/or (b) 4.4766 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Hydropower generation: 40' head, 40 KW generator

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
24N	6E	12								P									

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Idaho

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

Last Name Shepp Ranch
Resnick Ident No. _____

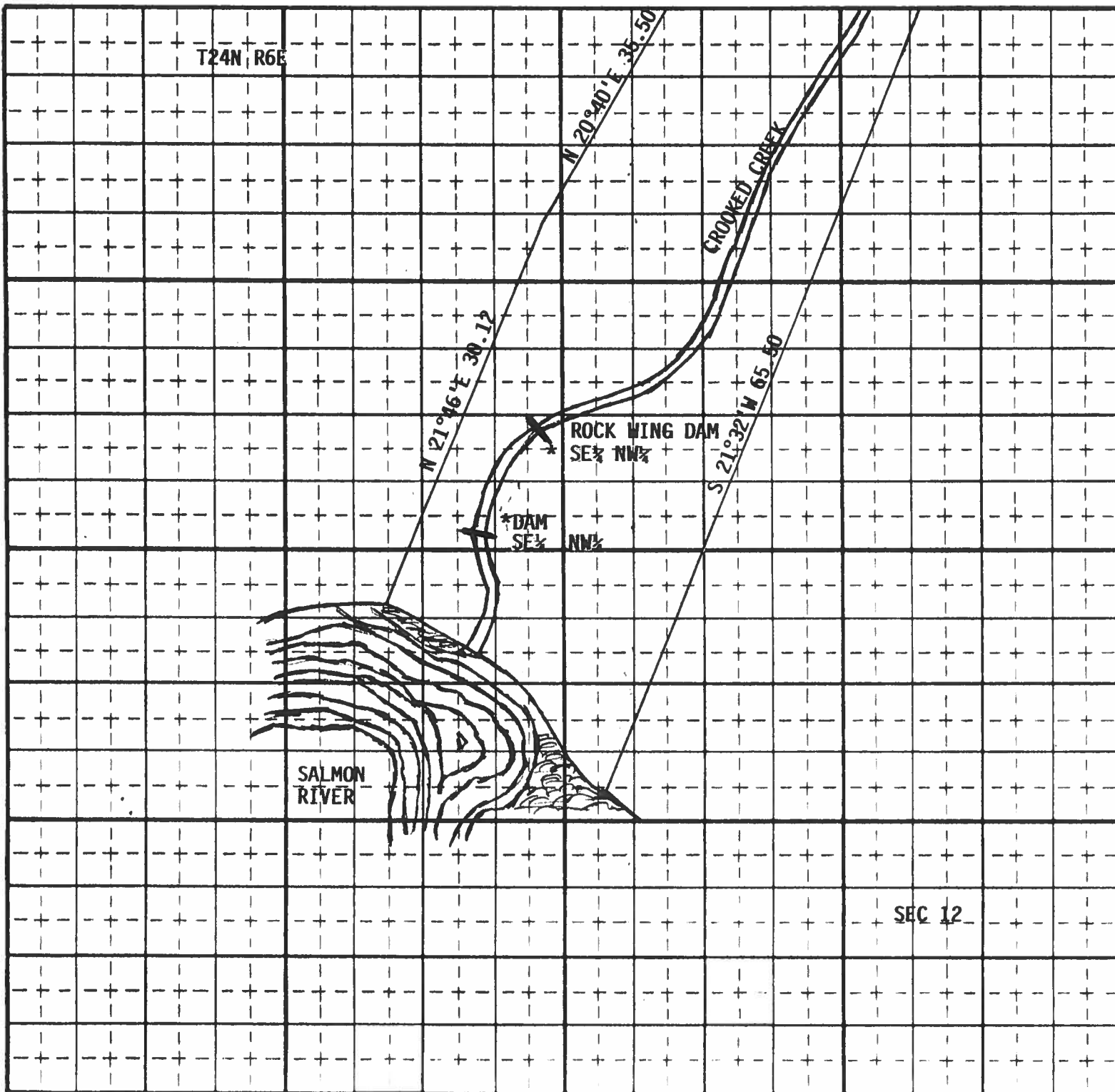
MICROFILMED
Copies: White, State, Yellow, Claimant

OCT 05 1992

(Signature)

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 Inches equals 1 mile



*Points of diversion

Last Name Shepp Ranch
Resnick Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 25 1988

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ✓ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) [Signature]

Date July 25, 1988

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____

Title _____

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

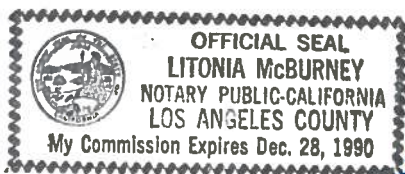
Title and Organization _____

Date _____

State of Idaho/or California)
County of Los Angeles) SS.

Subscribed and sworn (or affirmed) before me this 25th day of July 19 88

SEAL



Notary Public Litonia McBurney

Residing at Los Angeles, California

My Commission Expires 12/28/90

Please Print Name Litonia McBurney

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Shepp Ranch
Resnick Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
OCT 05 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A77-10094
Date Received: 7/26/1988
Receipt No: W001182
Received By: DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHEPP RANCH/PAUL M. RESNICK 213-659-6302
Address: 116 N. ROBERTSON BLVD. #603
LOS ANGELES, CA 90048

2. Date of Priority: DEC 31, 1950

3. Source: CROOKED CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	06E	12	SE	of	NW		IDAHO

5. Description of diverting works:
65' DAM W/SPILLWAY & HEADGATE, PIPE TO WHEEL TYPE GENERATOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER STORAGE	01/01	12/31	4.476		
POWER FROM STORAGE	01/01	12/31	4.476		

7. Total Quantity Appropriated is:
C.F.S. (and/or) 4.47 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
HYDROPOWER GENERATION 40' HEAD, 40KW GENERATOR

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	06E	12	SE	NW		POW S	

11. Place of use in counties: IDAHO

A77-10094

Page 1

Date: 10/25/88

MICROFILMED

OCT 05 1992

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 77-10094
Date Received: 10/24/1988
Receipt No: W001182
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SHEPP RANCH LLC
HC 83 BOX 8000
CASCADE ID USA 83611-8000

Phone:

2. Date of Priority: 12/31/1950

3. Source: CROOKED CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	06E	12	SE NW	IDAHO	

5. Description of diverting works:

65' DAM W/SPILLWAY & HEADGATE, PIPE TO WHEEL TYPE GENERATOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
POWER STORAGE		1/01	12/31 4.476	
POWER FROM STORAGE			1/01 12/31 4.476	

7. Total Quantity Appropriated is:
4.47 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	06E	12	SE	NW	POWER STORAGE	

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 12/4/2003

15. Basis of Claim: Beneficial Use

77-10092
77-10093
77-10094

modified
re cond's.
8-18-04
-AS

RECEIVED

AUG 20 2004

WATER RESOURCES
WESTERN REGION

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

☐ No account number on mail

Lynn A. Demerse

☐ Account number illegible

Addressee's Name

Michael A. Demerse

Old Address (Include
apartment or suite number)

Shepp Ranch Hc 83

City, State, and ZIP Code

Cascade, Id 83611

New Address (Include
apartment or suite number)

Hc 83 Box 8000

City, State, and ZIP Code

Cascade, Id 83611-8000

This card is furnished: ☐ For address correction, as requested (your mailpiece was forwarded).
☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address

☐ No such street

☐ No such number

☐ Refused

☐ Attempted, not known

☐ Unclaimed

SCANNED

AUG 19 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 77-10094
Date Received: 10/24/1988
Receipt No: W001182
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SHEPP RANCH LLC
PO BOX 2425
SALT LAKE CITY UT USA 84110

Phone: (801) 363-9380

2. Date of Priority: 12/31/1950

3. Source: CROOKED CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	06E	12	SE NW	IDAHO	

5. Description of diverting works:

65' DAM W/SPILLWAY & HEADGATE, PIPE TO WHEEL TYPE GENERATOR

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
POWER STORAGE	1/01 12/31	4.476	
POWER FROM STORAGE	1/01 12/31	4.476	

7. Total Quantity Appropriated is:
4.47 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	06E	12	SE	NW	POWER STORAGE	

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 12/4/2003

15. Basis of Claim: Beneficial Use

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

RECEIVED

FEB 14 2003

WATER RESOURCES
WESTERN 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, 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
77-10092			
77-10093			
77-10094			

Original maps
are in file
77-10092.

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) are 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) Timothy H. Turnbull
P.O. Box 2425, Salt Lake City, UT 84110
4. New Owner/Claimant(s) Shepp Ranch, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 2425
- City, State and ZIP Code Salt Lake City, UT 84110
- New Telephone Number (801) 363-9380
- Date you acquired the property February 6, 2003

COPY

WARRANTY DEED

For value received, TIMOTHY H. TURNBULL (the "Grantor") does hereby grant, bargain, sell and convey unto SHEPP RANCH, LLC, an Idaho limited liability company, whose address is P.O. Box 2425, Salt Lake City, UT 84110, (the "Grantee"), all of the real property described on **Exhibit A** attached hereto, together with all of Grantor's rights, title, and interest in and to all improvements thereon and all rights, privileges, hereditaments, and appurtenances related or pertaining thereto, including but not limited to all irrigation fixtures, irrigation equipment, plumbing and heating fixtures, water heaters and burners, electric light fixtures, bathroom fixtures, roller shades, curtain rods and fixtures, blinds, window and door screens, storm doors and windows, linoleum, attached television antennas, all shrubs and trees, and all other fixtures attached thereto (collectively, the "Property").

SUBJECT TO those encumbrances set forth on **Exhibit B**, attached hereto, insofar and only to the extent the same are valid, subsisting, and enforceable and apply to and cover the Property.

TO HAVE AND TO HOLD the Property unto the Grantee, its heirs and assigns forever. Grantor will warrant and defend the same from all lawful claims whatsoever, and Grantor does hereby covenant to and with the said Grantee that he is the owner in fee simple of said Property, that said Property is free from all encumbrances except for the matters set forth on Exhibit B.

DATED this 6 day of FEBRUARY, 2003.

GRANTOR:

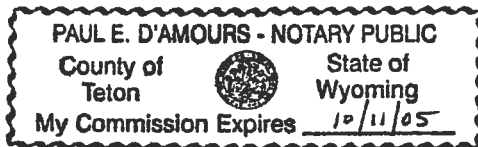
Timothy H. Turnbull
Timothy H. Turnbull

[Notary acknowledgment follows.]

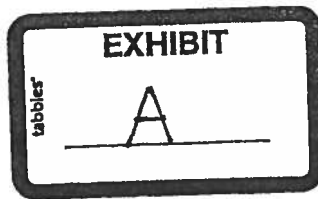
STATE OF WYOMING)
)
COUNTY OF TETON)

On the 6th day of FEBRUARY, 2003, before me, the undersigned, a notary public, in and for said State, personally appeared Timothy H. Turnbull, known to me to be the person who executed the within instrument and acknowledged to me that he 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.




Notary Public
Residing at: TETON COUNTY, WY.
My Commission Expires: 10/11/05



Block 2, Block 3, Lots 1, 2, 3 and 4 of Block 4, Lots 1, 2, 3 and 4 of Block 5, Lots 1, 2, 3 and 4 of Block 6, Lots 1, 2, 3 and 4 of Block 7, Lots 1, 2, 3 and 4 of Block 8, all in Shepp Ranch Subdivision of Idaho County, State of Idaho, as shown by the recorded plat thereof, recorded March 9, 1981, under Instrument No. 289844, records of Idaho County, Idaho.

Exhibit B
to Warranty Deed

Encumbrances

1. Easements as shown by the recorded plat of Shepp Ranch Subdivision under Instrument No. 289844, recorded March 9, 1981, records of Idaho County, Idaho.
2. Sanitary Restrictions as shown by recorded plat.
3. Restrictive Covenants, including the terms and conditions thereof, recorded December 9, 1983, under Instrument No. 310183, records of Idaho County, Idaho. Said Restrictive Covenants were partially released by Release and Coveyance recorded June 16, 1986, under Instrument No. 327500, records of Idaho County, Idaho. (a copy will be attached to the policy when issued)
4. Lack of a right of access to and from the land. Right of access to and from the land, if any, is not established of record, and assurance of such right of access is excluded from coverage of this policy.
5. Subject to the terms and conditions in Private Waterline Easement, by and between UNITED STATES OF AMERICA, acting by and through the Forest Service, Department of Agriculture, Grantor and PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, and JAVELIN PARTNERSHIP, a California limited partnership, Grantee, recorded November 25, 1998, under Instrument No. 0403357, records of Idaho County, Idaho, and shown by Record of Survey No. S-1580 recorded November 25, 1998, under Instrument No. 403358, records of Idaho County, Idaho.

NOTE: The terms provisions and conditions in above referenced Waterline Easement are applicable to the "Grantee, its permittees, contractors, assignees, and successors in interest."

6. Subject to Trail Easement, including the terms and conditions thereof, by and between PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, and JAVELIN PARTNERSHIP, a California limited partnership, Grantor and UNITED STATES OF AMERICA, Grantee, recorded November 25, 1998, under Instrument No. 0403359, and re-recorded June 17, 1999, under Instrument No. 406608, records of Idaho County, Idaho, and as shown by Record of Survey No. S-1581, recorded November 25, 1998, under Instrument No. 403360, records of Idaho County, Idaho.

7. Subject to matters as shown by Record of Survey No. S-1635A, recorded April 30, 1999, under Instrument No. 405797, records of Idaho County, Idaho.
8. National Wild and Scenic River System Easement Deed, including the terms and conditions thereof, by and between PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, as to an undivided 45% interest; and JAVELIN PARTNERSHIP, a California limited partnership, as to an undivided 55% interest, Grantor and UNITED STATES OF AMERICA, Department of Agriculture, United States, recorded April 30, 1999, under Instrument No. 0405798, records of Idaho County, Idaho.
9. Rights and easements in favor of the public for recreational uses of Crooked Creek.

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

RECEIVED

FEB 14 2003

WATER RESOURCES
WESTERN 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, 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
77-10092					
77-10093					
77-10094					

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) are 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) Shepp Ranch - Paul M. Resnick
116 N. Robertson Blvd. #603, Los Angeles, CA 90048
4. New Owner/Claimant(s) Timothy H. Turnbull
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 2425
- City, State and ZIP Code Salt Lake City, UT 84110
- New Telephone Number (801) 363-9380
- Date you acquired the property November 25, 2002

425528

COPY

RECORDING REQUESTED BY:

After Recording Return To:

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at	4:30 P. M. on 11-25-07
ROSE E. GEHRING	
By	Amale Crosby Recorder
Fees \$	18.00 Deputy

mipu

Above Space Reserved For Recorder's Use Only

WARRANTY DEED

For value received, PAUL MARTIN RESNICK, trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, as to an undivided 45% interest, and the JAVELIN PARTNERSHIP, a California limited partnership, as to an undivided 55% interest, (collectively, the "Grantor"), does hereby grant, bargain, sell and convey unto TIMOTHY H. TURNBULL, whose address is P.O. Box 2425, Salt Lake City, UT 84110, (the "Grantee"), all of the real property described on **Exhibit A** attached hereto, together with all of Grantor's rights, title, and interest in and to all improvements thereon and all rights, privileges, hereditaments, and appurtenances related or pertaining thereto, including but not limited to all irrigation fixtures, irrigation equipment, plumbing and heating fixtures, water heaters and burners, electric light fixtures, bathroom fixtures, roller shades, curtain rods and fixtures, blinds, window and door screens, storm doors and windows, linoleum, attached television antennas, all shrubs and trees, and all other fixtures attached thereto (collectively, the "Property").

SUBJECT TO those encumbrances set forth on **Exhibit B**, attached hereto, insofar and only to the extent the same are valid, subsisting, and enforceable and apply to and cover the Property.

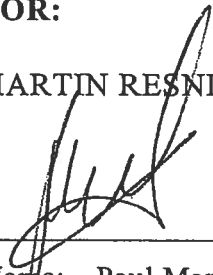
TO HAVE AND TO HOLD the Property unto the Grantee, his heirs and assigns forever. Grantor will warrant and defend the same from all lawful claims whatsoever, and Grantor does hereby covenant to and with the said Grantee that it is the owner in fee simple of said Property, that said Property is free from all encumbrances except for the matters set forth on Exhibit B.

[Rest of this page left blank.]

Dated effective as of: 11/25/02

GRANTOR:

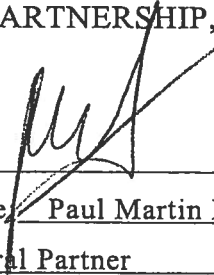
PAUL MARTIN RESNICK REVOCABLE
TRUST

By  _____

Printed Name: Paul Martin Resnick

Title: Trustee

JAVELIN PARTNERSHIP, a California limited
partnership

By  _____

Printed Name: Paul Martin Resnick

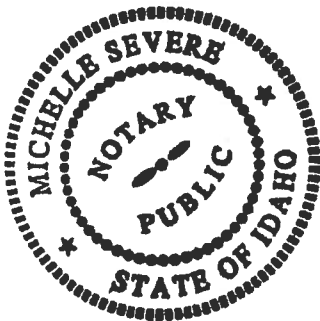
Title: General Partner

[Notary acknowledgment follows.]

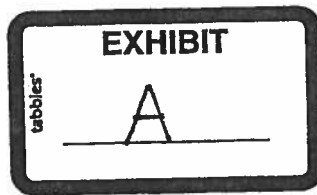
STATE OF Idaho)
) ss:
County of Ada)

On this 20th day of November, 2002, before the undersigned Notary Public, personally appeared Paul Martin Resnick, known or proved to me to be trustee of the Paul Martin Resnick Revocable Trust and the general partner of the Javelin Partnership, a California limited partnership, whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.



Michelle Severe
Notary Public
Residing at Kuna Idaho
My Commission Expires 2/7/07



Block 2, Block 3, Lots 1, 2, 3 and 4 of Block 4, Lots 1, 2, 3 and 4 of Block 5, Lots 1, 2, 3 and 4 of Block 6, Lots 1, 2, 3 and 4 of Block 7, Lots 1, 2, 3 and 4 of Block 8, all in Shepp Ranch Subdivision of Idaho County, State of Idaho, as shown by the recorded plat thereof, recorded March 9, 1981, under Instrument No. 289844, records of Idaho County, Idaho.

**Exhibit B
to Warranty Deed**

Encumbrances

1. Easements as shown by the recorded plat of Shepp Ranch Subdivision under Instrument No. 289844, recorded March 9, 1981, records of Idaho County, Idaho.
2. Sanitary Restrictions as shown by recorded plat.
3. Restrictive Covenants, including the terms and conditions thereof, recorded December 9, 1983, under Instrument No. 310183, records of Idaho County, Idaho. Said Restrictive Covenants were partially released by Release and Coveyance recorded June 16, 1986, under Instrument No. 327500, records of Idaho County, Idaho. (a copy will be attached to the policy when issued)
4. Lack of a right of access to and from the land. Right of access to and from the land, if any, is not established of record, and assurance of such right of access is excluded from coverage of this policy.
5. Subject to the terms and conditions in Private Waterline Easement, by and between UNITED STATES OF AMERICA, acting by and through the Forest Service, Department of Agriculture, Grantor and PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, and JAVELIN PARTNERSHIP, a California limited partnership, Grantee, recorded November 25, 1998, under Instrument No. 0403357, records of Idaho County, Idaho, and shown by Record of Survey No. S-1580 recorded November 25, 1998, under Instrument No. 403358, records of Idaho County, Idaho.

NOTE: The terms provisions and conditions in above referenced Waterline Easement are applicable to the "Grantee, its permittees, contractors, assignees, and successors in interest."

6. Subject to Trail Easement, including the terms and conditions thereof, by and between PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, and JAVELIN PARTNERSHIP, a California limited partnership, Grantor and UNITED STATES OF AMERICA, Grantee, recorded November 25, 1998, under Instrument No. 0403359, and re-recorded June 17, 1999, under Instrument No. 406608, records of Idaho County, Idaho, and as shown by Record of Survey No. S-1581, recorded November 25, 1998, under Instrument No. 403360, records of Idaho County, Idaho.

7. Subject to matters as shown by Record of Survey No. S-1635A, recorded April 30, 1999, under Instrument No. 405797, records of Idaho County, Idaho.
8. National Wild and Scenic River System Easement Deed, including the terms and conditions thereof, by and between PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, as to an undivided 45% interest; and JAVELIN PARTNERSHIP, a California limited partnership, as to an undivided 55% interest, Grantor and UNITED STATES OF AMERICA, Department of Agriculture, United States, recorded April 30, 1999, under Instrument No. 0405798, records of Idaho County, Idaho.
9. Rights and easements in favor of the public for recreational uses of Crooked Creek.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 5, 2003

SHEPP RANCH LLC
PO BOX 2425
SALT LAKE CITY UT 84110

Re: Notice of Claim to a Water Right No. 77-10092, 77-10093 & 77-10094

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you again for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

cc: Paul E D'Amours, attorney

Frank Hess*
Leonard R. Carlman*
Paul E. D'Amours**

HESS CARLMAN & D'AMOURS, LLC
ATTORNEYS AT LAW
30 East Simpson St.
P.O. Box 449
Jackson, Wyoming 83001

(307) 733-7881 Phone
(307) 733-7882 Fax

pauldamours@yahoo.com

* Admitted in WY
** Admitted in WY, ID & CO

December 2, 2003

IDWR Western Region
Attn: Denise Hattfield
2735 Airport Way
Boise, ID 83702-5082

RECEIVED

DEC 04 2003

**WATER RESOURCES
WESTERN REGION**

Re: Notice of Change of Water Right Ownership
No. 77-10092, 77-10093 and 77-10094.

Dear Denise,

I received the enclosed letter from you requesting more information regarding the legal description of the Shepp Ranch.

The plat that established the Shepp Ranch Subdivision was filed in the office of the Idaho County Recorder in March, 1981. Upon filing the plat, the legal description of the Shepp Ranch legally changed from a metes and bounds description to a Lot, Block, Plat description. I have enclosed a copy of the plat. Page one of the plat indicates what sections, township, etc. the ranch is located in, namely Sections 1 and 12, T.24N., R.6 E, B.M. and Section 6, T.24N., R.7 E., B.M.

The plat also refers to HES #733, of which I have enclosed a copy. HES 733 shows that all portions of the Shepp Ranch owed by Shepp Ranch, LLC are located in Sections 1 and 12. The only block not owned by Shepp Ranch, LLC is Block 1, a portion of which is located in Section 6; Block 1 is now owned by the federal government.

Additionally, I have enclosed copies of a survey prepared by Daryl Mullinix for the Forest Service, and a topo map that I printed off the internet showing the Shepp Ranch, to assist you in locating the property.

Unfortunately, none of the photos that we ordered through the USDA Aerial Photography Field Office indicate any legal description by 1/4, 1/4, Section, Township and Range. I hope that the maps I have provided will be sufficient to so identify the Shepp Ranch.

If you have any questions or need additional information, please don't hesitate to call. Thank you.

Sincerely,



Paul E. D'Amours

77-10092

-10093

-10094

2/14/03

Called Idaho County Assessor -
to obtain legal description for
the Subdivision listed on attached
documents.

They do not show any sub by the name
of "Shepp Ranch Subdivision".

They only have individual owners.

- Possible that the lot #'s listed
are gov't lots - but it doesn't
appear to match up that way either.
- Maps attached
- Need to contact owners to get legal desc
by Twp - Rge - Section, etc ...

Letter sent to attorney on cover
letter 10/22/03.

DH 10/22/03

*maps rec'd 12.4.03



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 22, 2003

HESS & CARLMAN LLC
PAUL E. D' AMOURS
30 E SIMPSON ST
PO BOX 449
JACKSON WY 83001

RE: Notice of Change of Water Right Ownership No. 77-10092, 77-10093 and 77-10094

Dear Claimants:

Enclosed is a copy of the Notices of Change of Water Right Ownership form that were submitted to our office for Timothy Turnbull and Shepp Ranch LLC. However, we cannot continue to process the ownership change without additional information regarding the legal description of the property. The deeds submitted show the legal description as certain lot numbers in Shepp Ranch Subdivision. In addition, the aerial photo attached does not indicate a legal description by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range.

In order to further review this ownership change, we need to have sufficient documentation referencing the property description by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range, as that is how they are filed in our records. Our files do not indicate the referenced lot numbers and/or subdivision name.

Please submit this additional information, and we will be able to further review this ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

DH: dh

Enclosures

Frank Hess
Leonard R. Carlman

(307) 733-7881 Voice
(307) 733-7882 Fax

HESS & CARLMAN, LLC
ATTORNEYS AT LAW
30 East Simpson Street
P.O. Box 449
Jackson, Wyoming 83001

Paul E. D'Amours
Associate, admitted in WY, CO and ID

Angela K. Twitchell, Jill Oja-Johnson
Legal Assistants

February 11, 2003

IDWR Western Region
2735 Airport Way
Boise, ID 83702-5082

RECEIVED

FEB 14 2003

WATER RESOURCES
WESTERN REGION

Re: Notice of Change in Water Right Ownership
of Shepp Ranch

To Whom It May Concern:

Please find enclosed two (2) Notice of Change in Water Right Ownership forms. The first provides notice of change in ownership from Paul Resnick to Timothy Turnbull. The second provides notice of change in ownership from Timothy Turnbull to Shepp Ranch, LLC, an Idaho limited liability company. I have also enclosed Warranty Deeds for the respective transfers of the real property. However, I have only enclosed one USDA aerial photo, together with an enlarged color copy to better show the irrigated lands. I hope that the one photo is enough.

If you have any questions, please don't hesitate to call and leave a message that I will return. I will be out of the office until March 5, 2003, but will return any calls when I get back.

Thank you.

Sincerely,



Paul E. D'Amours



The ultimate Western Resort

RECEIVED
OCT 17 1988

Department of Water Resources

October 11, 1988

Mr. Eldon L. Roush
Water Resource Agent
Adjudication Section
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

RECEIVED
OCT 21 1988

Department of Water Resources
Western Regional Office

Dear Mr. Roush:

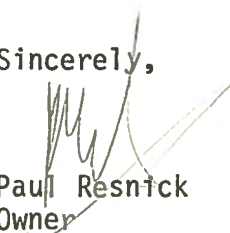
Enclosed are the revised Notice of Claims for Shepp Ranch. Corrections have been made to the forms in accordance with your notes outlined in your letter and the maps have been redrawn. Therefore, a new map sheet has been attached to each claim.

For Claim #2, you indicated that water for irrigation purposes should be listed separately. The water that we use for irrigation is shown on Claim #1 as that water comes from Crooked Creek rather than the spring from which the domestic water is taken.

On Claim #3, you seem to indicate that the calculation for the check originally submitted to you was in error. Our calculation was made on the basis of $40\text{kw} \times \$3.50 = \$140.00$. Adding the \$50.00 filing fee makes a total of \$190.00. We had several conversations with Ron in your office regarding this claim for hydropower, and based on these conversations we believe our documentation as well as our calculation of the amount required is correct.

Again, we believe these documents are correct, but if you have any further problems, please advise.

Sincerely,


Paul Resnick
Owner

Enclosures

MICROFILMED



CECIL D. ANDRUS
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

RECEIVED
OCT 17 1988
Department of Water Resources
R. KEITH HIGGINSON
Director

August 29, 1988

1301 N. ORCHARD ST
STATE HOUSE MAIL
BOISE, ID 83720

Shepp Ranch - Paul Resnick
116 N. Robertson Blvd. #603
Los Angeles, CA 90048

Dear Mr. Resnick:

Enclosed are your Notice of Claims that the Department received on July 26, 1988. Also enclosed are check #s 1466 for \$55.00, #1467 for \$190.00 and #1465 for \$50.45. Regretfully these claims must be returned to you in order to obtain the necessary information to process them. I have labeled each claim numerically from 1-3 and will state what information is required on each.

Claim #1

A. Item #4 - A complete legal description is required. List the quarter-quarters. Be sure to list both points of diversion as stated in Item #5.

B. Item #10 - You have described the place of use as being 15 acres but totaled the number of acres as being 5 acres. Please amend to show correct acreage. If acreage is 15 acres, please make check payable for \$65.00 (\$50.00 filing fee and \$15.00 variable fee: \$1.00/acre.)

C. Project Map - Map quarter-quarters must coincide with item #4a(points of diversion) and item #10(places of use). Also show the points of diversion on the map and list as point of diversion.

Claim #2

A. Item #4a - List quarter-quarters of the point of diversion.

B. Item #6 & #7 - The amount of water claimed(0.00445 cfs) is not a sufficient amount to service the 7 households claimed in item #9. In-house use only requires on the average of 0.02 with no irrigation. If lawn and garden irrigation is needed, a sufficient amount would be 0.04 cfs/house; however for this amount of homes to be serviced, the irrigation must be listed separately in item #6. Also, since there is more than a single dwelling, the filing fee would be \$50.00, plus a variable fee of \$100.00 per cfs claimed)multiply total amount claimed by \$100.00.

MICROFILMED

OCT 05 1992

C. Project Map - Include and list the points of diversion and places of use and make sure they coincide with descriptions listed in item #s 4a and 10.

Claim #3

A. Item #4 - Show quarter-quarters of points of diversion listed in item #5.

B. Item #5 - You have described two points of diversion, one of which is 65' x 10'. If this reservoir will fill itself within 24 hours at the claimed amount of water, then it can be considered a part of the diversion and not power storage. If it does not, then in item #6 claim power storage in acre feet (length x width x height of dam divided by 43560 = acre feet), power from storage in acre feet, and power in cfs (see attachment). The approximate cfs required at 40' head and 40kw is 0.17. The fee would be \$50.00 filing fee plus \$3.50.

C. Project Map - Include and list the points of diversion and place of use and make sure they coincide with descriptions listed in Item #s 4a and 10.

You have also stated that you wish to subscribe to the monthly publication of the docket sheet. Please submit the fee of \$7.50 for this service and you will be placed on the mailing list. The subscription is good for one year (January 1 - December 31) and you will be sent a renewal notification near the end of this period.

Please include a copy of this correspondence when you submit these claims. If you need further assistance please feel free to contact me or this department.

Sincerely,



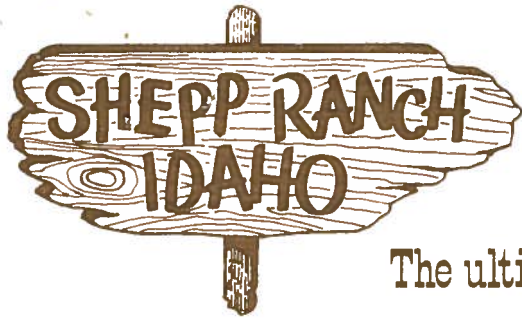
Eldon L. Roush
Water Resource Agent
Adjudication Section

ER:lh
Enclosures



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OCT 05 1992



The ultimate Western Resort

RECEIVED
JUL 26 1988

Department of Water Resources

July 25, 1988

Idaho Dept. of Water Resources
1301 North Orchard
Statehouse Mail
Boise, ID 83720

Gentlemen:

Enclosed are three Notices of Claim to a Water Right along with checks for the required fees.

These forms have been completed to the best of our ability, and we believe they are correct. However, since we have never done this before, there may possibly be an error.

Sincerely,


Paul Resnick

Enclosures

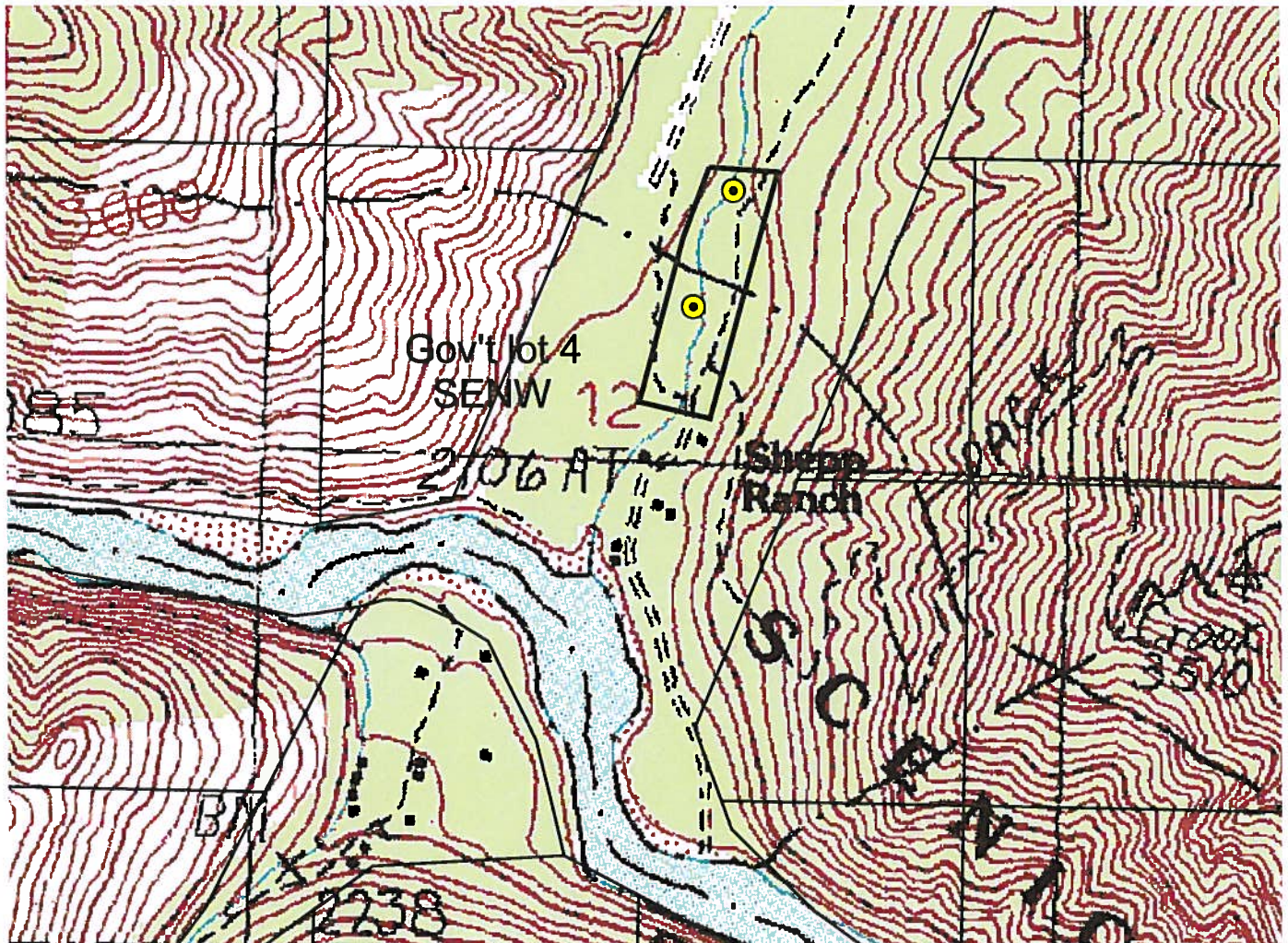
RECEIVED
AUG 3 1988

Department of Water Resources
Western Regional Office

MICROFILMED

OCT 05 1992

77-10094



0 500 1000 Feet

Section 12
T24N R6E



● Point of Diversion

□ Place of Use

Map prepared on April 19, 2005
By Kenneth Knoblock
Idaho Department of Water Resources