

04/11/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13152
NAME AND ADDRESS: BC RANCH LLC
PO BOX 254
WILSON WY 83014

SOURCE: FOX CREEK
QUANTITY: 0.230 CFS
PRIORITY DATE: 06/01/1890

TRIBUTARY: TETON RIVER

POINT OF
DIVERSION: T04N R45E S34 NWNWNW Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.230 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T04N R45E S28 NWSE	13.00	T04N R45E S28 SWSE 8.40
	T04N R45E S28 SESE	3.40	
	24.8 ACRES TOTAL		

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 22-360A

Right No. 22-13154 is also diverted through point of diversion described above.



Idaho Department of Water Resources

SRBA Recommendation:

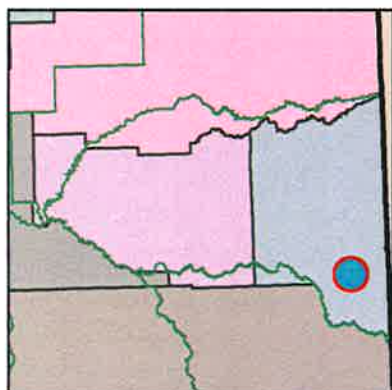
22-13152

22-13154

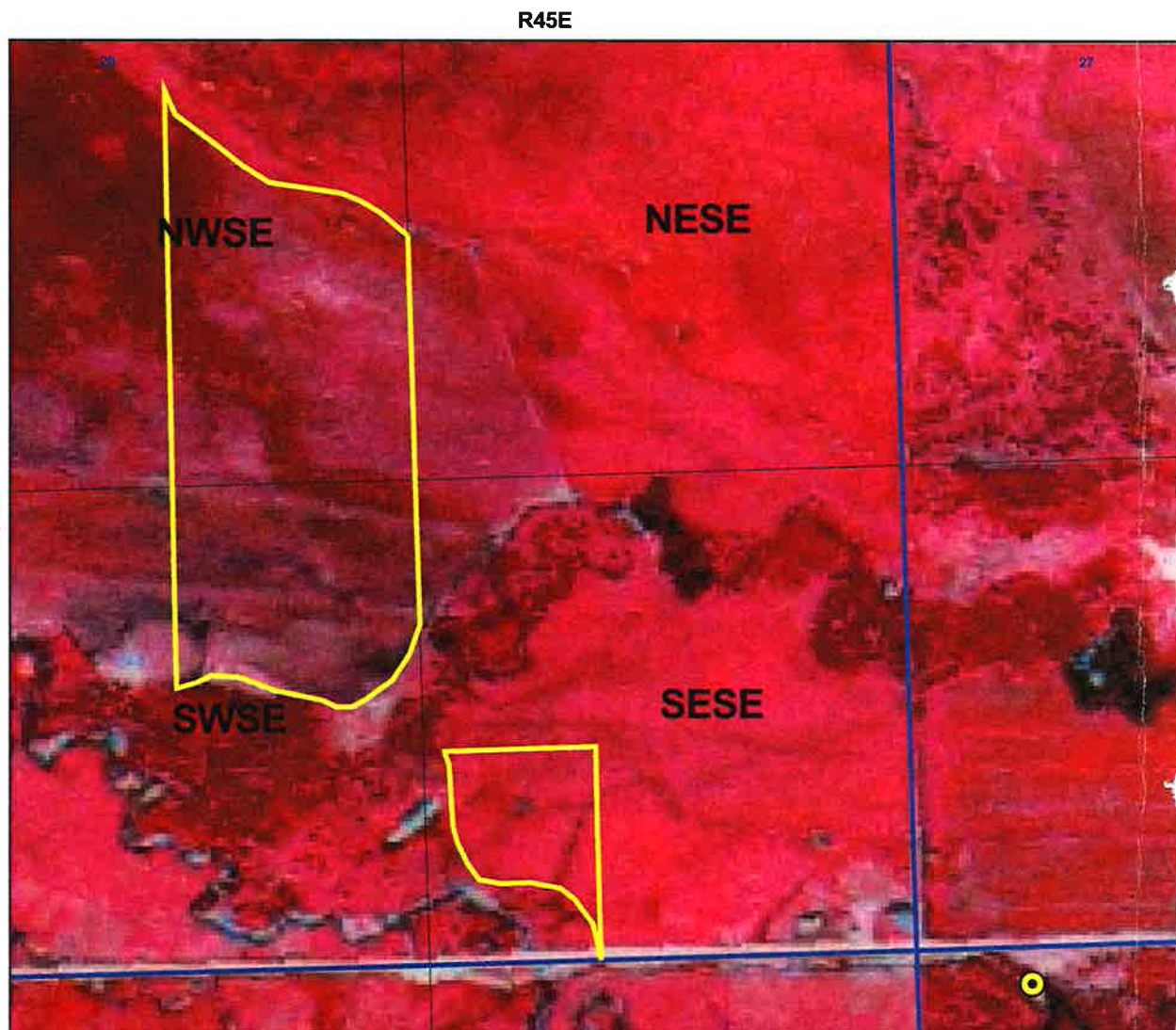
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22



0 0.2 0.4 Miles

Prepared by T. Galbraith
On Friday, November 10, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 11, 2007

BC RANCH LLC
PO BOX 254
WILSON WY 83014

RE: Notice of Change of Water Right Ownership (NCO) for 22-13152, 22-13154
and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On March 9, 2007, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: 600 S. 200 W. LLC

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

In Re SRBA)

Water Rights: 22-13152, 22-13154

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party 600 S 200 W LLC – BC RANCH LLC
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 4-11-07

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 13, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
600 S 200 W LLC
95 HORATIO ST APT 314
NEW YORK NY 10014

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
BC RANCH LLC
PO BOX 254
WILSON WY 83014

4. One copy to:

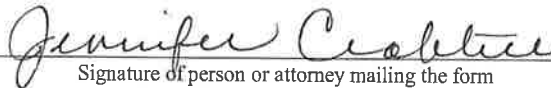
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

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

RECEIVED

MAR 09 2007

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)
22-13152 V1					
22-13154 V1					

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 ^{Attached} **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)

600 S 200 West LLC
 95 Horatio St. Apt. 314 NY, NY 10014

4. New Owner/Claimant(s)

BC RANCH L.L.C.

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

New Mailing Address

P.O. Box 254

City, State and ZIP Code

Wilson, WY. 83014

New Telephone Number

(307) 739 8128

RECEIVED

DEC 15 2006

Department of Water Resources
Eastern Region

5. Date you acquired the property

11/7/06

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		
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)

Charles C. Ross Managing Member

(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 _____

December 12, 2006

IDWR Eastern Division
900 N Skyline Dr Ste A
Idaho Falls, Id. 83402

Dear Sir,

Enclosed find,

1. Notice of Change in Water Right Ownership form
2. Warranty deeds for the subject properties
3. \$50 fee- 2 water rights
4. Chain of ownership changes

RECEIVED
MAR 09 2007
Department of Water Resources
Eastern Region

> Attached

There appears to be no adjudication claim number available in the prior ownership claims. Please let me know if there is anything else that I need to do.

Thank you.

Sincerely,



Charles C. Ross
Managing Member
BC Ranch LLC
PO Box 254
Wilson, Wy 83014

3/7/07

Jennifer - Attached find the
conveyance per your request.

RECEIVED
DEC 15 2006
Department of Water Resources
Eastern Region



Sotheby's

INTERNATIONAL REALTY
JACKSON HOLE BROKERAGE

FACSIMILE COVER LETTER

Ref my letter Dec 12, 2006

Here are the warranty
deeds you asked for.

Please call me if there
are any questions

Thanks,

Charlie

Ross + Broyles

↓

BC Ranch LLC

22-13152
22-13154

Jennifer

To

Fax Number

Charlie Ross

From

208 525 7177

Date

No of Pages Including Cover

185 W. Broadway * Box 3281
Jackson Hole, Wyoming 83001
888.733.9009 Toll Free
307.733.9009 in Wyoming

FAX NUMBERS

185 W. Broadway:	307.733.0511
Village Market:	307.734.7724
Teton Pines Resort:	307.733.7831
Crabtree Corner:	307.739.8625
JH Racquet Club:	307.734.1857
Spring Creek Ranch:	307.733.1964
Alpine, WY:	307.654.9010
Driggs, ID:	208.354.8895
Victor, ID:	208.787.8895

Please call us immediately if any portion of this fax is unclear or missing.

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NOTICE: The information contained in this facsimile is confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited and punishable by law. If you have received this communication in error, please notify us immediately by telephone and return to the original message to us at the above address via the U.S. Postal Service. Thank you.

RECEIVED

JAN 29 2007

TETON CO., ID

INSTANT RECORD

DRIGGS, TETON, IDAHO

2007-01-29

12:23:32 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE

MARY LOU HANSEN

Fee: 9.00

Ex-Officio Recorder Deputy *C. Nelson*

Index to: DEED, WARRANTY

184627

RECORDING REQUESTED BY
First American Title Company**AND WHEN RECORDED MAIL TO:**
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **Charles C. Ross**, a married man as his sole and separate property, as to an undivided 50% interest and **The Broyles Family Trust of 1999**, as to an undivided 50% interest, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **B C Ranch, LLC**, a Wyoming Limited Liability Company, hereinafter called the Grantee, whose current address is **PO Box 254, Wilson, WY 83014**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECEIVED

RECORDING REQUESTED BY
First American Title Company

JAN 29 2007
TETON CO., ID
CLERK RECORDER

184628

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 184628

DRIGGS, TETON, IDAHO

2007-01-29

12:31:41 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 8.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **Charles C. Ross, a married man as his sole and separate property, as to an undivided 50% interest and The Broyles Family Trust of 1999, as to an undivided 50% interest.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **B C Ranch, LLC, a Wyoming Limited Liability Company**, hereinafter called the Grantee, whose current address is **PO Box 254, Wilson, WY 83014**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

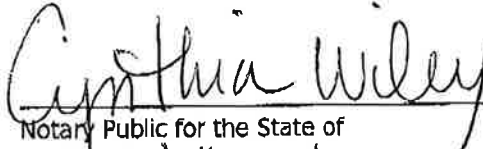
Date: 01/05/2007

Warranty Deed
- continued

File No.: 187294-T (tm)

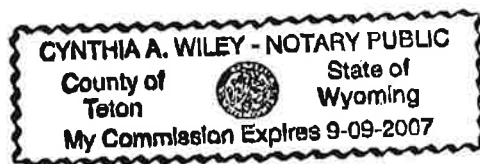
By: 
Charles C. RossBy: 
William D. Broyles, Jr., TrusteeSTATE OF Wyoming)
COUNTY OF Teton)
SS.

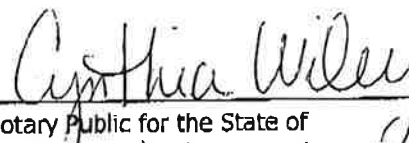
On this 22nd day of January, 2007, before me, a Notary Public in and for said State, personally appeared **William D. Broyles, Jr.**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Trustee of The Broyles Family Trust of 1999**, and acknowledged to me that he/she/they executed the same as such **Trustee**.


Notary Public for the State of
Residing at: Jackson, WY
My Commission Expires: 9/9/07

STATE OF Wyoming)
COUNTY OF Teton)
SS.

On this 22nd day of January, 2007, before me, a Notary Public in and for said State, personally appeared **Charles C. Ross**, 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.




Notary Public for the State of
Residing at: Jackson, WY
My Commission Expires: 9/9/07

Date: 01/05/2007

Warranty Deed
- continued

File No.: 187294-T (tm)

EXHIBIT A**PARCEL 2:**

Part of the SE¼ Section 28, TWP. 4N., RNG. 45E., B.M. Teton County, Idaho, being further described as: From the SE corner of said Section 28, Thence N 89°55'12"W, 2012.14 feet along the South Section Line of Section 28 and N 00°04'01"E, 1253.10 to the point of beginning;

Thence N 00°04'01"E, 1398.58 feet further to a point;

Thence S 89°42'23"E, 684.90 feet to a point;

Thence S 00°02'30"W, 1398.58 feet to a point;

Thence N 89°42'23"W, 685.52 feet to the point of beginning;

Subject to and together with a 60' road and utility easement being further described as follows:

From the SE corner of said Section 28,

Thence N 89°55'12"W, 940.07 feet along the South Section

Line of Section 28 and N 0°02'30"E, 30 feet to the point of beginning;

Thence N 00°02'30"E, 460.00 feet to a point;

Thence N 89°55'12"W, 446.00 feet to a point;

Thence N 00°02'30"E, 760.77 feet to a point;

Thence S 89°42'23"E, 60.00 feet to a point;

Thence S 00°02'30"W, 700.54 feet to a point;

Thence S 89°55'12"E, 446.00 feet to a point;

Thence S 00°02'30"W, 520.00 feet to a point;

Thence N 89°55'12"W, 60.00 feet to the point of beginning.

184628

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

RECEIVED
JAN 29 2007
TETON COUNTY
Instrument # 184627

DRIGGS, TETON, IDAHO

2007-01-29

12:23:32 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

MARY LOU HANSEN

Fee: 9.00

Ex-Officio Recorder Deputy *Eg Nelson*

Index to: DEED, WARRANTY

184627

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **Charles C. Ross, a married man as his sole and separate property, as to an undivided 50% interest and The Broyles Family Trust of 1999, as to an undivided 50% interest.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **B C Ranch, LLC, a Wyoming Limited Liability Company**, hereinafter called the Grantee, whose current address is **PO Box 254, Wilson, WY 83014**, the following described premises, situated in **Teton** County, **Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

South Parcel - 1

184627

Date: **01/05/2007**Warranty Deed
- continued

File No.: **187294-T (tm)**

By:

Charles C. Ross

BV

William D. Broyles, Jr., Trustee

STATE OF Wyoming)
)
) SS.
COUNTY OF Teton)

On this 22 day of **January, 2007**, before me, a Notary Public in and for said State, personally appeared **William D. Broyles, Jr.**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Trustee of The Broyles Family Trust of 1999**, and acknowledged to me that he/she/they executed the same as such **Trustee**.

Notary Public for the State of
Residing at: Jackson, MS
My Commission Expires: 9/14

STATE OF Wyoming)
)
) SS.
COUNTY OF Teton)

On this 22 day of **January, 2007**, before me, a Notary Public in and for said State, personally appeared **Charles C. Ross**, 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.

Notary Public for the State of
Residing at: San Jose, CA
My Commission Expires: 06/29/2014

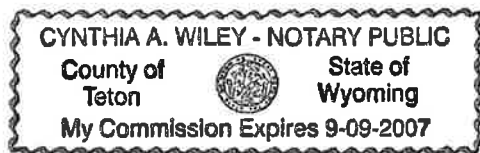


EXHIBIT A

PARCEL 1:

Part of the SE 1/4 Section 28, TWP. 4N., RNG. 45E., B.M. Teton County, Idaho, being further described as:

From the SE corner of said Section 28, Thence N 89°55'12"W, 880.07 feet along the South Section Line of Section 28 to the point of beginning;
Thence N 89°55'12"W, 1132.07 feet further along the Section line to a point;
Thence N 00°04'01"E, 1253.10 feet to a point;
Thence S 89°42'23"E, 685.52 feet to a point;
Thence S 00°02'30"W, 700.54 feet to a point;
Thence S 89°55'12"E, 446.00 feet to a point;
Thence S 00°02'30"W, 550.00 feet to the point of beginning;

SUBJECT to a 60' County road and utility easement along the Southern Property Boundary,
ALSO SUBJECT to and together with a 60' road and utility easement being further described as follows:

From the SE corner of said Section 28,
Thence N 89°55'12"W, 940.07 feet along the South Section
Line of Section 28 and N 0°02'30"E, 30 feet to the point of beginning;
Thence N 00°02'30"E, 460.00 feet to a point;
Thence N 89°55'12"W, 446.00 feet to a point;
Thence N 00°02'30"E, 760.77 feet to a point;
Thence S 89°42'23"E, 60.00 feet to a point;
Thence S 00°02'30"W, 700.54 feet to a point;
Thence S 89°55'12"E, 446.00 feet to a point;
Thence S 00°02'30"W, 520.00 feet to a point;
Thence N 89°55'12"W, 60.00 feet to the point of beginning.

RECEIVED
JAN 29 2007
184628

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 184628

DRIGGS, TETON, IDAHO

2007-01-29

12:31:41 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 9.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **Charles C. Ross, a married man as his sole and separate property, as to an undivided 50% interest and The Broyles Family Trust of 1999, as to an undivided 50% interest.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **B C Ranch, LLC, a Wyoming Limited Liability Company**, hereinafter called the Grantee, whose current address is **PO Box 254, Wilson, WY 83014**, the following described premises, situated in **Teton County, Idaho**, to-wit:

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SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

NORTH Parcel - 2

Date: **01/05/2007**

Warranty Deed
- continued

File No.: **187294-T (tm)**

By: _____

Charles C. Ross

By: _____

William D. Broyles, Jr., Trustee

STATE OF Wyoming)
COUNTY OF Teton)
SS.

On this 22nd day of **January, 2007**, before me, a Notary Public in and for said State, personally appeared **William D. Broyles, Jr.**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Trustee of The Broyles Family Trust of 1999**, and acknowledged to me that he/she/they executed the same as such **Trustee**.

Cynthia Wiley
Notary Public for the State of
Residing at: Jackson, WY
My Commission Expires: 9/9/07

STATE OF Wyoming)
COUNTY OF Teton)
SS.

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Cynthia Wiley
Notary Public for the State of
Residing at: Jackson, WY
My Commission Expires: 9/9/07

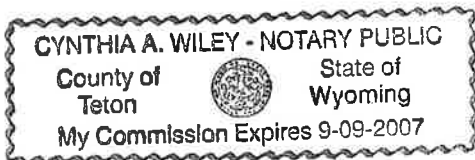


EXHIBIT A

PARCEL 2:

Part of the SE $\frac{1}{4}$ Section 28, TWP. 4N., RNG. 45E., B.M. Teton County, Idaho, being further described as: From the SE corner of said Section 28, Thence N 89°55'12"W, 2012.14 feet along the South Section Line of Section 28 and N 00°04'01"E, 1253.10 to the point of beginning;

Thence N 00°04'01"E, 1398.58 feet further to a point;

Thence S 89°42'23"E, 684.90 feet to a point;

Thence S 00°02'30"W, 1398.58 feet to a point;

Thence N 89°42'23"W, 685.52 feet to the point of beginning;

Subject to and together with a 60' road and utility easement being further described as follows:

From the SE corner of said Section 28,

Thence N 89°55'12"W, 940.07 feet along the South Section

Line of Section 28 and N 0°02'30"E, 30 feet to the point of beginning;

Thence N 00°02'30"E, 460.00 feet to a point;

Thence N 89°55'12"W, 446.00 feet to a point;

Thence N 00°02'30"E, 760.77 feet to a point;

Thence S 89°42'23"E, 60.00 feet to a point;

Thence S 00°02'30"W, 700.54 feet to a point;

Thence S 89°55'12"E, 446.00 feet to a point;

Thence S 00°02'30"W, 520.00 feet to a point;

Thence N 89°55'12"W, 60.00 feet to the point of beginning.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

December 26, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

CHARLES C ROSS
MANAGING MEMBER
BC RANCH LLC
PO BOX 254
WILSON WY 83014

RECEIVED

MAR 09 2007

Department of Water Resources
Eastern Region

RE: OWNERSHIP CHANGE FOR WATER RIGHTS 22-13152, 22-13154

Dear Mr. Ross:

I am returning the above referenced documents for additional information. Please provide the conveyance document described in your letter. The legal description was attached without the first page of the deed.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Attached 3/7/07

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 13, 2007

B C RANCH, LLC
P O BOX 254
WILSON WY 83014

Dear Mr. Ross:

On March 9, 2007 our office received your change in water right ownership form and a copy of your deeds, along with a check for \$50. The change in water right ownership form was submitted for adjudication claims 22-13152 and 22-13154. Because these adjudication claims have not yet been decreed by the SRBA court, there are no fees associated with the processing of the requested change. Therefore, we are returning your check. We will process the requested change in ownership and will notify the SRBA court of the change.

Please contact me at 208-525-7161 if you have questions.

Sincerely,

Michael Holliday
Water Resource Agent
Adjudication Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION
December 26, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

CHARLES C ROSS
MANAGING MEMBER
BC RANCH LLC
PO BOX 254
WILSON WY 83014

RE: OWNERSHIP CHANGE FOR WATER RIGHTS 22-13152, 22-13154

Dear Mr. Ross:

I am returning the above referenced documents for additional information. Please provide the conveyance document described in your letter. The legal description was attached without the first page of the deed.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

~~1-0404~~ 23-0044 ✓
 Johnson, William
 and J. W. McKay
 and Samuel Weeks, Jr. 160 inches. June 1, 1898. Palisade Creek.
~~1-0405~~ 22 0353 ✓
 Johnson, W. R. 96 inches. June 1, 1896. Trail Creek.
 Johnston, James. (See Woodmansee-
 Johnston Ditch.)
~~1-0406~~ 22 0354 ✓
 Johnston, James W. 40 inches. June 1, 1901. Moody Creek. (To be
 reduced to 20 inches
 after June 20th of
 each year.)
 Johnston, Hugh St G (See Woodmansee-
 Johnston Ditch.)
~~1-0407~~ 22 0355 ✓
 Jones, Benjamin 20 inches. June 1, 1889. Trail Creek.
~~1-0408~~ 22 0356 ✓
 Jones, Benjamin 140 inches. June 1, 1893. Trail Creek.
~~1-0409~~ 21 0066 ✓
 Jones, Edward L. 140 inches. June 1, 1898. Canyon Creek.
~~1-0410~~ 21 0067 ✓
 Jones, Edward L. 50 inches. June 1, 1898. Little Spring.
~~1-0411~~ 21 0068 L. 23-0186
 Jones, Edward L. 250 inches. June 1, 1900. Thompson Spring.
~~1-0412~~ 21 0069
 Jones, John F. 200 inches. May 1, 1886. Fall Creek, Tenn. 533
~~1-0413~~ 13-0067 T. 2304
 Jones, John F. 150 inches. May 1, 1888. Indian Creek.
~~1-0414~~ 22 0357 ✓
 Jones, Joshua 100 inches. Oct. 28, 1897. Trail Creek.
~~1-0415~~ 35-0030 ✓
 Jones, T. L. 200 inches. Apr. 22, 1895. Boone Creek.
 Jordan, F. W. The Farmers' Friend
 Canal Company.
 Jordan, James H. The Farmers' Friend
 Canal Company.
 Jordan, Robert L. The Farmers' Friend
 Canal Company.
 Judd, Sanford W. The Farmers' Friend
 Canal Company.
 K.
~~1-0416~~ 22 0358 ✓
 Kay, James. 140 inches. June 1, 1895. Trail Creek.
~~1-0417~~ 25-0227 ✓
 Keefer, J. H. 160 inches. May 28, 1884. Willow Creek.
 Keeler, D. F. Watson Slough Irrigati
 Company.
 Kjelin, Carl The Sunny Dell Irrig-
 ation Canal Company.
~~1-0418~~ 22 0359 ✓
 Kimball, Archie R. 160 inches. June 1, 1895. Trail Creek.
~~1-0419~~ 22 0360 ✓
 Kimball, R. C.
 and A. L. 110 inches. June 1, 1890. Fox Creek.

Keeler, D. F.	N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 2 T., 3 S., R. 34 E. B. M., containing 80 acres.
Kelley, George	60 acres from East side of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 2 T. 2 N. R., 38 E., B. M.
Kelley, J. E.	NE $\frac{1}{4}$ of Sec. 27, T. 1 N. R., 37 E., B. M., containing 160 acres.
Kimball, A. L.	SE $\frac{1}{4}$ of Sec. 28, and E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 2 T. 4 N. R., 45 E., B. M., containing 240 acres.
Kimball, Archie R.	E $\frac{1}{2}$ of NW $\frac{1}{4}$, and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 12, T. 3 N., R. 45 E., B. M., containing 120 acres., and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 1, T. 3 N. R., 45 E., B. M.
King, Daniel	S $\frac{1}{2}$ of SE $\frac{1}{4}$, and SE $\frac{1}{4}$ of SW $\frac{1}{4}$, and Lot 7 of Sec. 16, T. 3, S., R., 35 E. B. M. containing 160 acres.
Kirsley, Edwin N.	NW $\frac{1}{4}$ of NE $\frac{1}{4}$, N $\frac{1}{2}$ of NW $\frac{1}{4}$, of Sec. 17, and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 18, T. 3 N. R., 45 E. B. M.
Kirsley, Mary E.	(No description given.)
Kirsley, Richard	NE $\frac{1}{4}$ of Sec. 15, T. 3 N., R., 45 E. B. M., containing 160 acres.
Knowles, Henry S.	SW $\frac{1}{4}$ and Lots 4 and 5 of Sec. 25, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 26, N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 35 W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 36, and Lot 5 of Sec. 36, T. 3 N. R., 37 E., B. M., contain- 465 acres.
Kooch, John W.	Lot 12 of Sec. 18, and Lots 5, 6 and 11 of Sec. 19, T. 14 N., R., 44 E. B. M.
Kooch, Maggie	Lots 13, 14, and 16 of Sec. 18, Lots 3, 4, 7 and 10, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 19, T. 14, N. R., 44, E. B. M., containing 305.10 acres.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 3, 2006

600 S 200 W LLC
95 HORATIO ST APT 314
NEW YORK NY 10014

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-13152, 22-13154

Dear Sir or Madam:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

PROFILED

SCANNED

JAN 10 2006

OK
gc 1-3-06

RECEIVED
OCT 11 2005
Department of Water Resources
Eastern Region

**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
22-13152					
22-13154					

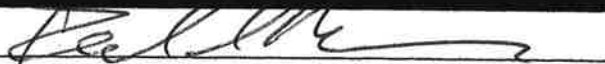
2. The following **REQUIRED** information must be submitted with this form:

- 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) Daniel S. Nathan and Sarah L. Nathan
4. New Owner/Claimant(s) 600 South/200 West, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
95 Horatio Street, Apartment 314
New Mailing Address New York, New York 10014
City, State and ZIP Code
New Telephone Number (212) 727-1038
Date you acquired the property 09/26/2005

PROFILED

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.

7. Signature of New Owner(s) or Claimant(s) 
(include title if applicable) Daniel S. Nathan, Member

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

RECEIVED

OCT 11 2000

Department of Water Resources
Eastern Region

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
22-13152					
22-13154					

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) Avallone & Parekh, LLC
4. New Owner/Claimant(s) Daniel S. Nathan and Sarah L. Nathan
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 95 Horatio Street, Apartment 314
- City, State and ZIP Code New York, New York 10014
- New Telephone Number (212) 727-1038
5. Date you acquired the property 11/15/2004 & 06/01/2005

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.

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

 
Daniel S. Nathan Sarah L. Nathan

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 _____

171202

RECEIVED

SEP 26 2005

TETON CO., ID
CLERK RECORDER**Warranty Deed**

For value received, Daniel S. Nathan and Sarah L. Nathan, husband and wife, of 95 Horatio Street, Apartment 314, New York, New York 10014, hereinafter collectively referred to as "Grantors", do hereby grant, bargain, sell and convey unto 600 South/200 West, LLC, A Delaware Limited Liability Company, registered and doing business in the State of Idaho, with its principal place of business at 95 Horatio Street, Apartment 314, New York, New York 10014, hereinafter referred to as "Grantee", the following described premises situate in Teton County, Idaho, to wit:

PARCEL ONE:

Part of the SE½ Section 28, Township 4N, Range 45E, B.M. Teton County, Idaho, being further described as:

From the SE corner of said Section 28;

Thence N89°55'12"W, 880.07 feet along the South Section lines of Section 28 to the point of beginning;

Thence N89°55'12"W, 1132.07 feet further along the Section line to a point

Thence N00°04'01"E, 1253.10 feet to a point;

Thence S89°42'23"E, 685.52 feet to a point;

Thence S00°02'30"W, 700.54 feet to a point;

Thence S89°55'12"E, 446.00 feet to a point;

Thence S00°02'30"W, 550.00 feet the true point of beginning.

RELEASED	
INDEXED	
ABSTRACTED	
SCANNED	

Subject to and together with a 60' County road and utility easement along the Southern Property Boundary, and also subject to a 20' gravel and fishing easement on either side of Fox Creek, and also subject to and together with a 60' road and utility easement being further described as follows:

From the SE corner of said Section 28;

Thence N89°55'12"W, 940.07 feet along the South Section line of Section 28 and N00°02'30"E, 30.00 feet to the true point of beginning;

Thence N00°02'30"E, 460.00 feet to a point;

Thence N89°55'12"W, 446.00 feet to a point;

Thence N00°02'30"E, 760.77 feet to a point;

Thence S89°42'23"E, 60.00 feet to a point;

Thence S00°02'30"W, 700.54 feet to a point;

Thence S89°55'12"E, 446.00 feet to a point;

Thence S00°02'30"W, 520.00 feet to a point;

Thence N89°55'12"W, 60.00 feet to the true point of beginning.

Grantor: NATHAN, DANIEL S ET UX

Grantee: 600 SOUTH/200 WEST LLC

Doc 0656026 bk 597 pg 458-460 Filed at 3:41 on 07/29/05

Sherry L Dalgie, Teton County Clerk fees: 14.00

By MARY D ANTROBUS Deputy

Instrument # 171202

BRIDGE, TETON, IDAHO

2005-09-26

01:22:45

No. of Pages: 3

Recorded for: BRADLEY LARSON & SWEET, LLC

NOLAN G. BOYLE

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Warranty Deed

Page - 1 of 3

171202

PARCEL TWO:

Part of the SE¼ Section 28, Township 4N, Range 45E, B.M. Teton County, Idaho, being further described as:

From the SE corner of said Section 28;

Thence N89°55'12"W, 2012.14 feet along the South Section line of Section 28 and N00°04'01"E, 1253.10 feet to the true point of beginning;

Thence N00°04'01"E, 1398.58 feet to a point;

Thence S89°42'23"E, 684.90 feet to a point;

Thence S00°02'30"W, 1398.58 feet to a point;

Thence N89°42'23"W, 685.52 feet to the point of beginning.

Subject to and together with a 60' road and utility easement being further described as follows:

From the SE corner of said Section 28;

Thence N89°55'12"W, 940.07 feet along the South Section Line of Section 28 and N00°02'30"E, 30 feet to the point of beginning;

Thence N00°02'30"E, 460.00 feet to a point;

Thence N89°55'12"W, 446.00 feet to a point;

Thence N00°02'30"E, 760.77 feet to a point;

Thence S89°42'23"E, 60.00 feet to a point;

Thence S00°02'30"W, 700.54 feet to a point;

Thence S89°55'12"E, 446.00 feet to a point;

Thence S00°02'30"W, 520.00 feet to a point;

Thence N 89°55'12"W, 60.00 feet to the point of beginning.

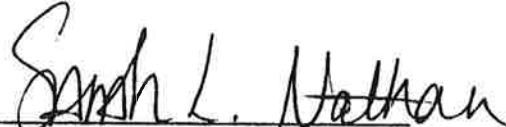
Subject to all easements, rights of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by the parties above.

To have and to hold the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that the Grantors are the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies and assessments, and except US Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that the Grantors will warrant and defend the same from all claims whatsoever.

Executed as of this 23rd day of May, 2005.



By: Daniel S. Nathan, Grantor



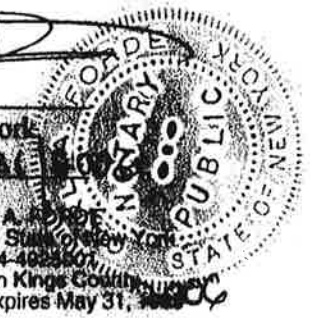
By: Sarah L. Nathan, Grantor

STATE OF NEW YORK }

COUNTY OF New York } ss.

On the 23 day of May, 2005, before me the undersigned, a notary public in and for the state, personally appeared Daniel S. Nathan and Sarah L. Nathan, the Grantors, known or identified to me to be said individuals, and who subscribed their name to the foregoing instrument, and acknowledged to me that they executed the same in their names.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.


Notary Public for the State of New York
My Commission Expires: 05/31/2008

CARL A. RODE
Notary Public, State of New York
No. 24-4023507
Qualified in Kings County
Commission Expires May 31, 2008

For Value Received **Avallone and Parekh LLC, a Colorado Limited Liability Company**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Daniel S. Nathan and Sarah L. Nathan, husband and wife

whose address is: **95 Horatio St. Apt. 314, NY, NY 10014**

Hereinafter called the Grantee, the following described premises situated in **Teton County, Idaho**, to-wit:

SEE ATTACHED LEGAL:

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Avallone & Parekh, LLC, a Colorado limited liability company

BY: *Bryce Avallone*
Bryce Avallone, Member

BY: _____
Rahul Parekh, Member

STATE OF Colorado
COUNTY OF Adams ss.

Instrument # 164596

DRIGGS, TETON, IDAHO
2004-11-15 03:40:17 No. of Pages: 4
Recorded for : FIRST AMERICAN TITLE
NOLAN G. BOYLE Fee: 12.00
Ex-Officio Recorder Deputy *N. Boyle*
Index to: DEED, WARRANTY

On this 10th day of November, 2004, before me, a Notary Public, personally appeared Bryce Avallone, known or identified to me (or proved to me on the oath of), to be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

Monica L. Williams
Notary Public of
Residing at: 3505 E. 14th Ave.
Commission Expires: 13, 2006
My Commission Expires May 13, 2006

1st REVISED COMMITMENT

ATTACHED LEGAL DESCRIPTION

Order No.: T12019

Part of the SE¼ Section 28, TWP. 4N., RNG. 45E., B.M. Teton County, Idaho, being further described as: From the SE corner of said Section 28, Thence N 89°55'12"W, 2012.14 feet along the South Section Line of Section 28 and N 00°04'01"E, 1253.10 to the point of beginning;
Thence N 00°04'01"E, 1398.58 feet further to a point;
Thence S 89°42'23"E, 684.90 feet to a point;
Thence S 00°02'30"W, 1398.58 feet to a point;
Thence N 89°42'23"W, 685.52 feet to the point of beginning;

Subject to and together with a 60' road and utility easement being further described as follows:

From the SE corner of said Section 28,
Thence N 89°55'12"W, 940.07 feet along the South Section
Line of Section 28 and N 0°02'30"E, 30 feet to the point of beginning;
Thence N 00°02'30"E, 460.00 feet to a point;
Thence N 89°55'12"W, 446.00 feet to a point;
Thence N 00°02'30"E, 760.77 feet to a point;
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Thence S 00°02'30"W, 700.54 feet to a point;
Thence S 89°55'12"E, 446.00 feet to a point;
Thence S 00°02'30"W, 520.00 feet to a point;
Thence N 89°55'12"W, 60.00 feet to the point of beginning.

ALTA Plain Language Commitment Legal Description
(T12019.PFD/T12019/28)

164596

WARRANTY DEED

167544

For Value Received **Avallone and Parekh LLC, a Colorado Limited Liability Company**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RECEIVED

Daniel S. Nathan and Sarah L. Nathan, husband and wife

whose address is: **95 Horatio St. Apt 514, New York, New York 10014**

APR 20 2005

TETON CO., ID
CLERK RECORDER

Hereinafter called the Grantee, the following described premises situated in **Teton** County, Idaho, to-wit:

SEE ATTACHED LEGAL:

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Avallone & Parekh, LLC, a Colorado limited liability company

BY: Bryce Avallone 4/14/05
Bryce Avallone, Member

167544

BY: _____
Rahul Parekh, Member

Instrument # 167544
DRIGGS, TETON, IDAHO
2005-04-20 03:31:51 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE CO
NOLAN G. BOYLE Fee: 9.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

STATE OF Colorado)
)ss.
COUNTY OF ADAMS)

On this 14 day of April, in the year of 2005, before me a Notary Public, personally appeared Bryce Avallone, known or identified to me (or proved to me on the oath of), to be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

Notary Public of Colorado
Residing at _____
Commission Expires: 12-22-2008

STATE OF _____)
)ss.
COUNTY OF _____)

On this _____ day of April, in the year of 2005, before me a Notary Public, personally appeared Rahul Parekh, known or identified to me (or proved to me on the oath of), to be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

Notary Public of _____
Residing at _____
Commission Expires: _____

167544

167544

ATTACHED LEGAL DESCRIPTION

Order No.: T12366

Part of the SE 1/4 Section 28, TWP. 4N., RNG. 45E., B.M. Teton County, Idaho, being further described as:

From the SE corner of said Section 28, Thence N 89°55'12"W, 880.07 feet along the South Section Line of Section 28 to the point of beginning;

Thence N 89°55'12"W, 1132.07 feet further along the Section line to a point;

Thence N 00°04'01"E, 1253.10 feet to a point;

Thence S 89°42'23"E, 685.52 feet to a point;

Thence S 00°02'30"W, 700.54 feet to point;

Thence S 89°55'12"E, 446.00 feet to point;

Thence S 00°02'30"W, 550.00 feet to the point of beginning;

SUBJECT to a 60' County road and utility easement along the Southern Property Boundary,

ALSO SUBJECT to a 20 foot travel and fishing easement on either side of Fox Creek,

AND ALSO SUBJECT to and together with a 60' road and utility easement being further described as follows:

From the SE corner of said Section 28,

Thence N 89°55'12"W, 940.07 feet along the South Section

Line of Section 28 and N 0°02'30"E, 30 feet to the point of beginning;

Thence N 00°02'30"E, 460.00 feet to a point;

Thence N 89°55'12"W, 446.00 feet to a point;

Thence N 00°02'30"E, 760.77 feet to a point;

Thence S 89°42'23"E, 60.00 feet to a point;

Thence S 00°02'30"W, 700.54 feet to a point;

Thence S 89°55'12"E, 446.00 feet to a point;

Thence S 00°02'30"W, 520.00 feet to a point;

Thence N 89°55'12"W, 60.00 feet to the point of beginning.

E 1/4 CORNER SECTION 28
 FOUND 5/8" IRON PIN W/CAP
 C.P.F.R. INDEX T-11
 INSTRUMENT #122656

E 1/4 CORNER SECTION 28
 FOUND 5/8" IRON PIN W/CAP
 C.P.F.R. INDEX T-13
 INSTRUMENT #102325

N00°04'02"E 2654.07'

S00°00'58"W 2644.18'

S 89°42'23"E 2649.81'
 640.00' 684.90'

1324.90'



0 100 200 300 400
 SCALE 1" = 200'

PARCEL 2
 22.00 acres

+

SECTION CORNER FOUND OR SET AS NOTED

■

PROPERTY CORNER - FOUND IRON PIN WITH CAP INSCRIBED: AW ENG 2860

○

ORIGINAL PROPERTY CORNER - FOUND IRON PIN

●

PROPERTY CORNER - SET 1/2"x30" IRON PIN WITH CAP INSCRIBED: AW ENG 2860

ORIGINAL PROPERTY LINE

SECTIONAL BREAKDOWN LINE

FENCE LINE

▨

EASEMENT - TYPE AND WIDTH AS NOTED

S 89°42'23"E 685.52'
 589°48'48"E 685.49'

1398.58'
 2099.13'
 S 00°02'30"W

N 00°04'01"E 2651.68'

60 FOOT ROAD AND UTILITY EASEMENT

PARCEL 1
 25.34 acres

S 89°55'12"E 446.00'

N 89°55'12"W 446.00'

TRAVEL AND FISHING EASEMENT
 20 FEET EACH SIDE OF FOX CREEK

760.77'
 700.54'
 S 00°02'30"W

1253.10'

550.00'
 S 00°02'30"W

640.00'

880.07'

S 1/4 CORNER SECTION 28
 FOUND 3/4" IRON PIN W/ALUM. CAP
 C.P.F.R. INDEX V-11
 INSTRUMENT #122659

30 FOOT COUNTY ROAD AND UTILITY EASEMENT

SE CORNER SECTION 28
 FOUND 1/2" IRON PIN W/CAP
 C.P.F.R. INDEX V-13
 INSTRUMENT #90947

N 89°55'12"W 2652.15'
 COUNTY ROAD 600 SOUTH

ENAVD.TA\2004-130.dwg BRYCEAVALLONE-BA.dwg 9/27/2004 11:49:28 AM MST

PROPERTY DESCRIPTION

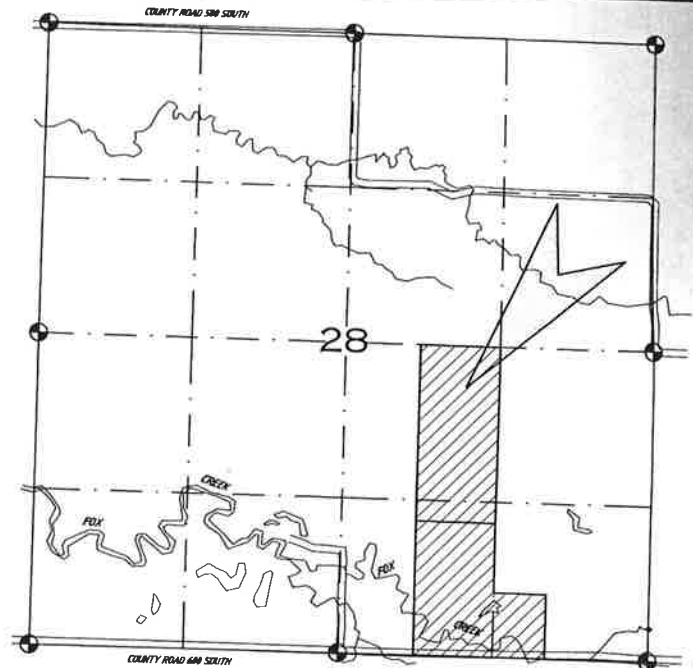
PARCEL 1

PART OF THE SE 1/4 SECTION 28, TWP. 4N., RNG. 45E., B.M. TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:
FROM THE SE CORNER OF SAID SECTION 28,
THENCE N 89°55'12"W, 880.07 FEET ALONG THE SOUTH SECTION LINE OF SECTION 28 TO THE POINT OF BEGINNING;
THENCE N 89°55'12"W, 1132.07 FEET FURTHER ALONG THE SECTION LINE TO A POINT;
THENCE N 00°04'01"E, 1253.10 FEET TO A POINT;
THENCE S 89°42'23"E, 685.52 FEET TO A POINT;
THENCE S 00°02'30"W, 700.54 FEET TO A POINT;
THENCE S 89°55'12"E, 446.00 FEET TO A POINT;
THENCE S 00°02'30"W, 550.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 25.34 ACRES MORE OR LESS.

SUBJECT TO A 60' COUNTY ROAD AND UTILITY EASEMENT ALONG THE SOUTHERN PROPERTY BOUNDARY, ALSO SUBJECT TO A 20 FEET TRAVEL AND FISHING EASEMENT ON EITHER SIDE OF FOX CREEK, AND ALSO SUBJECT TO A 60' ROAD AND UTILITY EASEMENT BEING FURTHER DESCRIBED AS FOLLOWS:

FROM THE SE CORNER OF SAID SECTION 28,
THENCE N 89°55'12"W, 940.07 FEET ALONG THE SOUTH SECTION LINE OF SECTION 28 AND N 0°02'30"E, 30 FEET TO THE POINT OF BEGINNING;
THENCE N 00°02'30"E, 460.00 FEET TO A POINT;
THENCE N 89°55'12"W, 446.00 FEET TO A POINT;
THENCE N 00°02'30"E, 760.77 FEET TO A POINT;
THENCE S 89°42'23"E, 60.00 FEET TO A POINT;
THENCE S 00°02'30"W, 700.54 FEET TO A POINT;
THENCE S 89°55'12"E, 446.00 FEET TO A POINT;
THENCE S 00°02'30"W, 520.00 FEET TO A POINT;
THENCE N 89°55'12"W, 60.00 FEET TO THE POINT OF BEGINNING.



VICINITY MAP

SECTION 28, TWP. 4N., RNG. 45E., B.M.,
TETON COUNTY, IDAHO

PROPERTY DESCRIPTION

PARCEL 2

PART OF THE SE 1/4 SECTION 28, TWP. 4N., RNG. 45E., B.M. TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:
FROM THE SE CORNER OF SAID SECTION 28,
THENCE N 89°55'12"W, 2012.14 FEET ALONG THE SOUTH SECTION LINE OF SECTION 28 AND N 00°04'01"E, 1253.10 TO THE POINT OF BEGINNING;
THENCE N 00°04'01"E, 1398.58 FEET FURTHER TO A POINT;
THENCE S 89°42'23"E, 684.90 FEET TO A POINT;
THENCE S 00°02'30"W, 1398.58 FEET TO A POINT;
THENCE N 89°42'23"W, 685.52 FEET TO THE POINT OF BEGINNING;

CONTAINS 22.00 ACRES MORE OR LESS.

SUBJECT AND TOGETHER WITH TO A 60' ROAD AND UTILITY EASEMENT BEING FURTHER DESCRIBED AS FOLLOWS:

FROM THE SE CORNER OF SAID SECTION 28,
THENCE N 89°55'12"W, 940.07 FEET ALONG THE SOUTH SECTION LINE OF SECTION 28 AND N 0°02'30"E, 30 FEET TO THE POINT OF BEGINNING;
THENCE N 00°02'30"E, 460.00 FEET TO A POINT;
THENCE N 89°55'12"W, 446.00 FEET TO A POINT;
THENCE N 00°02'30"E, 760.77 FEET TO A POINT;
THENCE S 89°42'23"E, 60.00 FEET TO A POINT;
THENCE S 00°02'30"W, 700.54 FEET TO A POINT;
THENCE S 89°55'12"E, 446.00 FEET TO A POINT;
THENCE S 00°02'30"W, 520.00 FEET TO A POINT;
THENCE N 89°55'12"W, 60.00 FEET TO THE POINT OF BEGINNING.

PLANNING AND ZONING APPROVAL

PRESENTED TO THE TETON COUNTY PLANNING AND ZONING ADMINISTRATOR ON THE FOLLOWING DATE AT WHICH TIME THIS BOUNDARY ADJUSTMENT WAS APPROVED AND ACCEPTED.

Deborah Boone
ADMINISTRATOR, PLANNING AND ZONING
Patricia Loppew

10-404
DATE

OWNERS' CERTIFICATE

THE UNDERSIGNED OWNERS, AND PROPRIETORS OF THE LANDS SHOWN AND DESCRIBED HEREON HEREBY CERTIFY THAT THE FOREGOING ADJUSTMENT OF THE BOUNDARIES OF SAID LANDS AS SHOWN HEREON IS WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THEIR DESIRES.

Bryce A. Allone
BRYCE A. ALLONE

9/30/04
DATE

Instrument # 163881

DRIGGS, TETON, IDAHO
2004-10-06 08:14:19 No. of Pages: 1
Recorded for: A W ENGINEERING
NOLAN G. BOYLE
Ex-Officio Recorder Deputy *Boyle*
Index to: PROPERTY SURVEYS

SURVEYOR'S CERTIFICATE

163881

I, ARNOLD W. WOOLSTENHULME, BEING A REGISTERED LAND SURVEYOR / ENGINEER IN THE STATE OF IDAHO, No. 2860, DO HEREBY CERTIFY THAT I DID CAUSE THE SURVEY OF THE TRACT OF LAND AS HEREIN PLATTED AND DESCRIBED.

RECEIVED

OCT 06 2004

TETON CO., ID
CLERK RECORDER

RECORDER'S CERTIFICATE

STATE OF IDAHO)
COUNTY OF TETON)

I DO HEREBY CERTIFY THAT THIS PLAT WAS FILED THIS _____ DAY OF _____, 200____, AT _____, AT THE REQUEST OF _____ INSTRUMENT NUMBER _____

COUNTY RECORDER

RECORD OF SURVEY BOUNDARY ADJUSTMENT OF ONE TIME ONLY LAND SPLIT

A PART OF THE SE 1/4 SECTION 28, TWP. 4N., RNG. 45E.,
B.M., TETON COUNTY, IDAHO

BRYCE AVALONE
2609 TUMWATER LANE
BOULDER, CO 80304
(303) 440-8726

AW ENGINEERING
255 South Main P.O. Box 139
IDAHO, IDAHO 83401

MULLIKIN, LARSON & SWIFT LLC

ATTORNEYS AT LAW

P.O. BOX 4099

155 E. PEARL ST., SUITE 200

JACKSON, WY 83001

RECEIVED

OCT 11 2005

Department of Water Resources
Eastern Region

MAIL: P.O. BOX 4099

TELEPHONE: (307) 733-3923

FAX NO: (307) 733-3947

R. MICHAEL MULLIKIN
DAVID K. LARSON
PHELPS H. SWIFT, JR.
SARA E. VAN GENDEREN
MATTHEW E. TURNER
JONATHAN J. WYLIE
CLAY D. GEITTMANN, P.C.

October 6, 2005

Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

[VIA FEDERAL EXPRESS]
[(208) 525-7161]

Re: Water Right Numbers 22-13152 & 22-13154

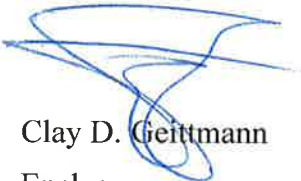
Ladies and Gentlemen:

Enclosed herewith please find two separate original Notices of Change of Water Right Ownership pertaining to the above referenced water right numbers, together with the required attachments. The first form pertains to the transfer of the property benefited by the above referenced water rights from Avallone and Parekh, LLC, to Daniel S. and Sarah L. Nathan on or about November 15, 2004 and April 20, 2005. The second form pertains to the transfer of the same property benefited by the above referenced water rights from Daniel S. and Sarah L. Nathan to 600 South/200 West, LLC, on or about September 26, 2005. By way of these forms, we would appreciate it tremendously if you would update the Idaho Department of Water Resources records to reflect that the current owner of the above referenced water rights is 600 South/200 West, LLC.

Due to the fact that the above referenced water rights are part of the Snake River Basin Adjudication we are not enclosing a filing fee for the filing of the Notices of Change of Water Right Ownership.

I thank you for your time and attention given to these matters and encourage you to give me a call with any questions or concerns that you might have.

Sincerely,



Clay D. Geittmann

Enclosures

cc: 600 South/200 West, LLC
file

...mour, E. B.; June 1, 1886; Spring Creek	8,000
Nave, Martin L.; June 1, 1886; Moody Creek.....	300
To be reduced to 25 inches after June 20th of each year	50
Nave, Martin L.; June 1, 1886; Teton River	25
Breckenridge, David; June 1, 1887; North Leigh Creek; also Swamp Creek for a late right.....	25
Borrowman, John; June 1, 1887; Wood Creek and Springs	260
Jeppson, Hans J.; June 1, 1887; Bigler Slough.....	60
Hegsted, Victor; Sept. 1, 1887; Horse Shoe Creek.....	80
Hegsted, Victor; June 1, 1888; Horse Shoe Creek.....	30
North Salem Agricultural & Milling Canal Co.; Teton River	290
As a high water right until July 1st of each year	1,325
Walters, William; June 1, 1888; Teton River. (Stewart & Walters Ditch.) Joint appropriation with Mons H. Anderson)	168
Woods, William S.; June 1, 1888; Twin Creeks.....	200
W...nansee, Charles H.; Mar. 15, 1889; Moody Creek	160
To be reduced to 80 inches after June 20th of each year	80
Curtis, Owen; Apr. 1, 1889; Trail Creek	160
Little, Zina W.; Apr. 1, 1889; South Leigh Creek.....	120
Hill, William; Apr. 5, 1889; Pack Saddle Creek.....	280
Mortensen, Christian; May 1, 1889; Teton River. (Through the Nelson-Jacobs Ditch)	112
Bates, Thomas; May 3, 1889; Mahogany Creek.....	140
Beezley, Ebenezer, and J.; June 1, 1889; Fox Creek.....	80
Drake, Fred J.; June 1, 1889; John Creek.....	150
Blanchard, John; June 1, 1889; Warm Creek.....	40
Bowles, H. C.; June 1, 1889; Spring Creek.....	140
Drake, William; June 1, 1889; Mahogany Creek.....	10
Lund, William P.; June 1, 1889; Mahogany Creek.....	160
Hubbard, Frank, and wife; June 1, 1889; North Leigh Creek	150
Swanner, Samuel; June 1, 1889; South Leigh Creek...	40
Walton, D. O.; June 1, 1889; Darby Creek.....	20
Jones, Benjamin; June 1, 1889; Trail Creek.....	20
McPherson, Abner; June 10, 1889; North Leigh Creek.	160
Parsons, F. W.; June 15, 1889; Trail Creek.....	160
Tonks, George M.; July 5, 1889; Trail Creek.....	95
T...s, George M.; July 15, 1889; Fox Creek.....	55
K...ey, Mary E.; Sept. 1, 1889; Warm Creek, Spring Creek and Deep Creek	80
Woodmansee-Johnson Ditch; Oct. 1, 1889; Teton River	620
Rexburg Milling Co.; Oct. 1, 1889; Teton River. (Woodmansee-Johnson Ditch.) For power purposes only, and subject to rights of users for agricultural purposes of water through same ditch	3,000
Teton Irrigation & Manufacturing Co.; Oct. 2, 1889; Teton River. (To be diverted at the Bird head-gate near the Teton Mill	500
Kirsley, Mary E.; Apr. 1, 1890; Warm Creek; Spring Creek and Deep Creek	80
Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); April 1, 1890; Trail Creek	115
Wolf Ditch Co.; Apr. 1, 1890; Teton River	2,335
Robertson, A. I.; Apr. 1, 1890; Trail Creek.....	87

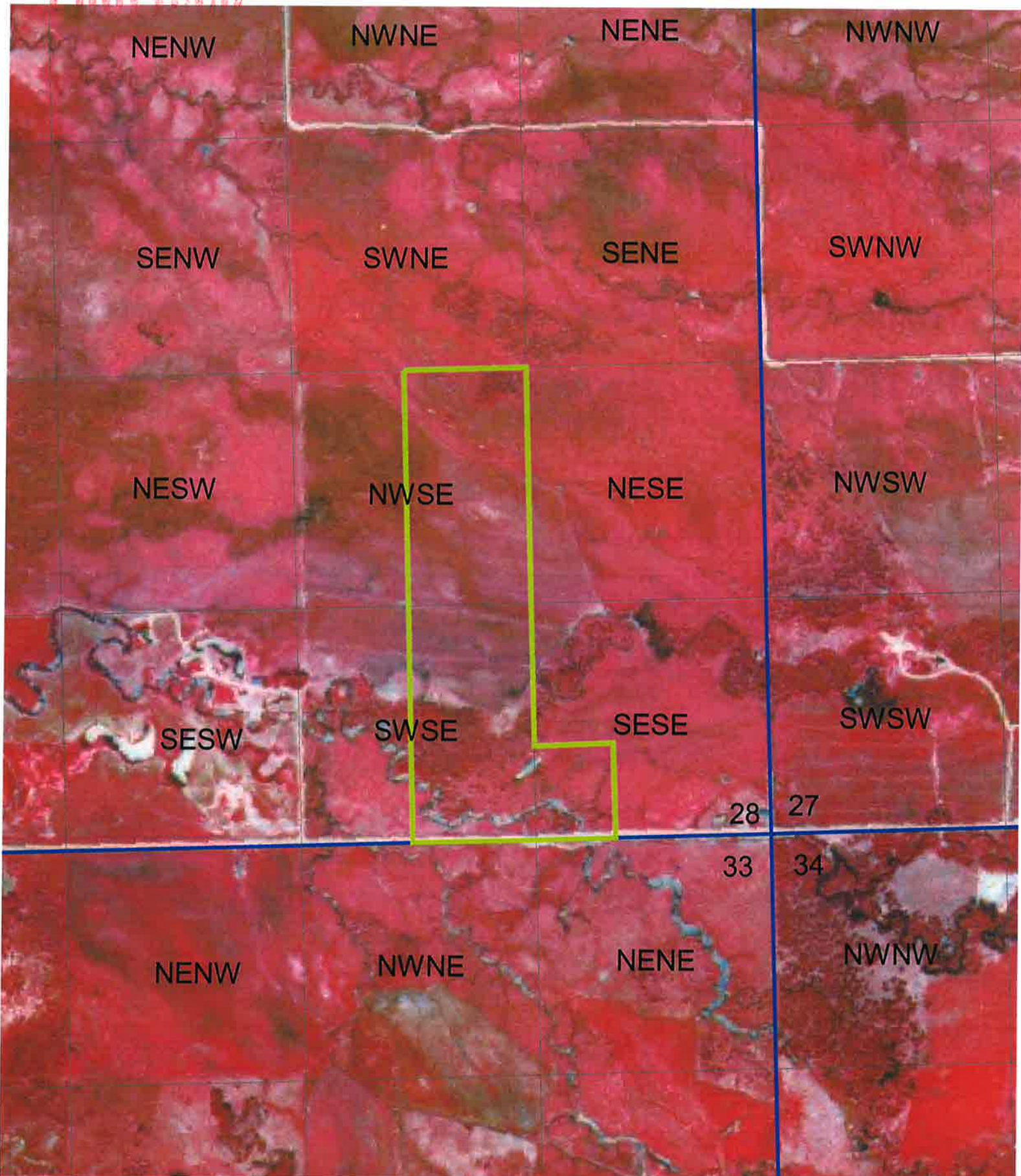
82 Rice, Ed.; Apr. 1, 1890; Trail Creek	160
82 Curtis, Nahum; Apr. 1, 1890; Trail Creek	160
82 Blanchard, John; Apr. 1, 1890; Trail Creek	120
82 Eynon, John; Apr. 1, 1890; Trail Creek	80
85 Paul, John; June 1, 1890; Springs on land	15
85 Paul, William H.; June 1, 1890; Little Springs and Deep Creek	60
85 Jenkins, William; June 1, 1890; Fox Creek	80
85 Kimball, R. C., and A. L.; June 1, 1890; Fox Creek.....	110
85 Lawson, B. G.; June 1, 1890; Spring Creek	240
85 Murphy, G. M.; June 1, 1890; Darby Creek	150
85 Smith, C. M.; Jan. 1, 1890; Darby Creek	160
85 Walton, D. O.; June 1, 1890; Darby Creek	140
85 Shaw, O. W.; June 1, 1890; North Leigh Creek or Spring Creek	135
85 Yearsley, H. C.; June 1, 1890; Spring Creek	240
85 Drake, Richard; June 1, 1890; Patterson Creek	160
85 Chelsey, John P.; June 1, 1890; Paul Spring Creek, Grove Creek, Deep Creep and Little Spring Creek	200
85 Byrne, Michael; June 1, 1890; Fox Creek	85
85 Buxton, Mary A.; June 1, 1890; Sloughs from Twin Creeks	100
85 Beezley, Ebenezer, and J.; June 1, 1890; Fox Creek...	80
85 Andrews, L. W.; June 1, 1890; Grove Creek.....	120
85 Durney, P. S.; June 1, 1900; Trail Creek	15
85 Foote, Arthur L.; June 1, 1890; Mahogany Creek.....	145
85 Ferguson, John; June 1, 1890; Grove Creek and Willow Spring Creek	100
85 Eames, William; June 1, 1890; Spring Creek	240
85 Edlefson, E. B.; June 1, 1890; Leigh Creek	155
85 Drake, Lavina; June 1, 1890; Boquat Creek and Drake Creek	160
88 Drake, William; July 1, 1890; Mahogany Creek.....	150
90 Tonks, William H.; July 15, 1890; Trail Creek	135
92 Curtis, Clarissa A.; Sept. 1, 1890; Trail Creek.....	160
96 Rice, A. L.; Jan. 1, 1891; Patterson Creek	160
98 O'Brien, James A.; June 1, 1891; North Leigh Creek...	100
98 Siddoway-Briggs Co.; June 1, 1891; Teton River. (For power purposes)	2,600
98 Sinclair, D. R.; Adminr. Estate of Fred Sinclair (deceased); June 1, 1891; Eynon Ditch	20
98 Smith, Ellington; June 1, 1891; Spring Creek, Darby Creek and Crandall Springs	100
98 Shaw, L. C.; June 1, 1891; Ragder Creek and water from springs on T. A. Phillips' land	200
98 Swanner, Samuel; June 1, 1891; South Leigh Creek....	120
98 Hubbard, Susan; June 1, 1891; North Leigh Creek and Middle Leigh Creek	150
98 Harrop, Samuel; June 1, 1891; Leigh Creek	200
98 Hill, Mary Ann; June 1, 1891; Pack Saddle Creek.....	120
98 Clark & Houghton; June 1, 1891; Teton River.....	160
98 Dewey, George A.; June 1, 1891; Fox Creek	160
98 Barney, Walter; June 1, 1891; South Leigh Creek.....	160
98 Bowles, Sarah; June 1, 1891; Spring Creek	100
98 Blamires, Robert, and C. J. Burton, W. S. Burton and Thomas H. Philips; June 1, 1891; Badger Creek and springs on land of T. A. Philips	640
98 Edlefson, Noah C.; June 1, 1891; Leigh Creek	40
100 Siddoway Irrigation & Manufacturing Co.; July 1, 1891; Teton River	300

JAN 10 1898
 RECEIVED
 PROHIBITED

PRINTED

22-13152

SCANNED
JAN 10 2006





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 19, 2000

AVALLONE AND PAREKH LLC
2609 TUMWATER LN
BOULDER CO 80304

RE: CHANGE IN OWNERSHIP FOR 22-360A, 22-361A

Dear Sir/Madam:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

22-360A:

22-13151, 0.67 cfs, 72 acres, Douglas

22-13152, 0.43 cfs, 46 acres, Avallone/Parekh

22-361A:

22-13153, 0.49 cfs, 72 acres, Douglas

22-13154, 0.31 cfs, 46 acres, Avallone/Parekh

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree

Technical Records Specialist

PROFILED

SCANNED
JAN 10 2006

DELOG JC
11-8-00

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, 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
~~A 22-00360~~	~~B~~				
~~A 22-00361~~	~~B~~				
A 22-00360	A				
A 22-00361	A				

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) SIM + BOBBIE DOUGLAS
4. New Owner/Claimant(s) AVALLONE AND PAREKH, LLC.
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 2609 TRAWATER LN
- City, State and ZIP Code BOULDER, CO 80304
- New Telephone Number (303) 440-8726
5. Date you acquired the property SEPT. 29, 2000

FILED

SCANNED
JAN 10 2006

Oct 10 00 11:14a

first ame can title

208 354 8825

p.2

RECEIVED

T-8066 SEP 29 2000

TETON CO, ID
CLERK RECORDER**WARRANTY DEED**

139620

For Value Received JAMES DOUGLASS and ROBERTA LYNN DOUGLASS, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

AVALONE and PAREKH LLC, a Colorado Limited Liability Company
whose address is: 2609 TUMWATER LANE, BOULDER, CO, 80304

Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

A part of the SE1/4 Section 28, TWP 4N., RNG 45 E., B.M., Teton County, Idaho, being further described as;
From the S1/4 corner of said Section 28, thence S 89°55'12"E. 640.00 feet along the southern section line to the true point of beginning; thence N 00°04'01"E. 2651.68 feet to a point on the north line of the SE1/4 of said Section 28; thence S 89°42'23"E. 684.90 feet along the north line of the SE1/4 to the NE corner of the W1/2SE1/4 of said Section 28;
thence S 00°02'30"W, 2099.13 feet along the east line of the W1/2SE1/4 to a point;
thence S 89°55'12" E, 446.00 feet to a point;
thence S 00°02'30" W, 550.00 feet to a point on the southern section line of said Section 28;
thence N 89°55'12" W, 1132.07 feet along the Southern section line to the point of beginning.

Subject to a country road and utility easement along the southern property line.

TOGETHER WILL ALL APPURTENANT WATER RIGHTS OWNED BY GRANTOR.

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: 9-29-00

JAMES DOUGLASS

ROBERTA LYNN DOUGLASS

STATE OF IDAHO)
 : ss
COUNTY OF TETON)

DRIGGS - TETON, IDAHO
Recorded for: FIRST AMERICAN
2000-09-29 16:05:49
Instrument # 139620 No. of Pages: 1
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder
Deputy: ELAINE Signature

On this 29th day of September, in the year 2000, before me, a Notary Public in and for said State, personally appeared JAMES DOUGLASS and ROBERTA LYNN DOUGLASS, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

LAYNE W. PRICE
☆ NOTARY PUBLIC ☆
STATE OF IDAHO

Teton County
My Commission Expires 11-19-2000

Notary Public of Idaho
Residing at
Commission Expires 11-19-2000

139620

First American Title Company

SCANNED

JAN 10 2006

134239

RECEIVED

JUN 21 1999

PERSONAL REPRESENTATIVE'S DEED

TETON CO. ID
CLERK RECORDER

WHEREAS, Robert Q. Bean, hereinafter referred to as Grantor, of 1566 Summit Circle, Idaho Falls, Idaho, 83402 is the qualified Personal Representative of the Estate of Yutonna C. Bean, filed as Case Number SP 98-038 in Teton County, Idaho; and

FURTHER, WHEREAS, Roberta Lynn Douglas, 427 W 325 N, Teton, Idaho 83452, is entitled to a grant of the remainder interest in and to the following described real property,

THEREFORE, for valuable consideration received, Grantor conveys to James Douglas and Roberta Lynn Douglas, husband and wife of 427 W 325 N, Teton, Idaho 83452, Grantees, the following described real property located in Teton County, Idaho.

E1/2SW1/4SE1/4 of Section 28, Township 4 North, Range 45 E, B.M.

AND

E1/2NW1/4SE1/4 of Section 28, Township 4 North, Range 45 E, B.M.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or appertaining, SUBJECT HOWEVER, to all easements and rights of way appearing on such premises or of record, reservations in favor of the United States or the State of Idaho.

EXECUTED this 24 day of April, 1999.

134239

Personal Representative AT THE REQUEST OF
Estate of Yutonna C. Bean

STATE OF Idaho)
County of Teton) ss.

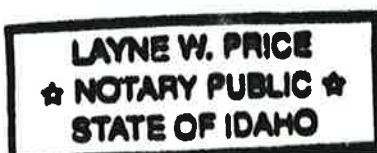
AT 34 MINUTES PAST 20 M

DATE June 21, 1999

CLERK OF RECORD

DEPUTY

On this 24 day of April, 1999, before me, the undersigned Notary Public in and for said state, personally appeared Robert Q. Bean, known to me to be the Personal Representative of the Estate of Yutonna C. Bean, and the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the estate of Yutonna C. Bean.



Teton County
My Commission Expires 11-19-2000

Notary Public for:

Residing at: DELOF

Comm. Expires: 11-19-2000

SCANNED

JAN 10 2006

134239

134240

RECEIVED

JUN 21 1999

TETON CO., ID
CLERK RECORDER

WARRANTY DEED

FOR VALUE RECEIVED, Robert Q. Bean, dealing with his sole and separate property, the Grantor, does hereby grant, bargain, sell and convey unto James Douglas and Roberta Lynn Douglas, husband and wife of 427 W 325 N, Teton, Idaho 83452, the Grantees, the following described premises located in Teton County, Idaho, to-wit:

E1/2SW1/4SE1/4 of Section 28, Township 4 North, Range 45 E., B.M.

AND

E1/2NW1/4SE1/4 of Section 28, Township 4 North, Range 45 E., B.M.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or appertaining, SUBJECT HOWEVER, to all easements and rights of way appearing on such premises or of record, reservations in favor of the United States or the State of Idaho.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that he is the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 21 day of June, 1999.

GRANTOR

ROBERT Q. BEAN

STATE OF IdahoCounty of Teton

ss.

On this 21st day of June, 1999, before me a notary public for the State of Idaho, personally appeared Robert Q. Bean, known or identified to me to be the person who executed this instrument, and acknowledged to me that he executed the same.

Notary Public for:

Residing at: PriceCommission Exp: 11-19-2000

134240

FILED

AT THE REQUEST OF

First AmericanAT 35 MINUTES PAST 20 MDATE June 21, 1999Debra H. SmithBY Debra H. SmithCLERK OF RECORD
DEPUTY

LAYNE W. PRICE

☆ NOTARY PUBLIC ☆

STATE OF IDAHO

Teton County

My Commission Expires 11-19-2000

JAN 10 2008

134240

WARRANTY DEED

FOR VALUE RECEIVED, Daned Kirkham and Susan Kirkham, husband and wife of 6410 Silver Beach South, Cedar Grove, Wisconsin 53013, the Grantors, do hereby grant, bargain, sell and convey unto Robert Q. Bean and Yutonna C. Bean, husband and wife of P. O. Box 765, Driggs, Idaho 83422, the Grantees, the following described premises, to-wit:

Southeast Quarter of Section 28, Township 4 North, Range 45 East Boise Meridian, less the following described property:

Beginning at the Southwest corner of the Southeast Quarter, Section 28, Township 4 North, Range 45 East, Boise Meridian, thence East 640 feet, thence North 2640 feet, thence West 640 feet, thence South 2640 feet to the point of beginning.

Subject to all roadways, easements, rights of way and reservations of record.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining including all water and water rights and ditch and ditch rights appertaining.

Grantees will assume and pay all real and personal property taxes commencing January 1, 1990.

TO HAVE AND TO HOLD the said 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 as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 15 day of May, 1990.

Daned Kirkham
Grantor

Susan Kirkham
Grantor

106013

FILED

AT THE REQUEST OF

Robert Bean

AT 10 MINUTES PAST 10 A.M.

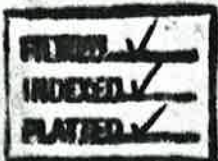
DATE May 25, 1990

E. Wayne Schiss

CLERK OF RECORDER

BY Nora Skill

DEPUTY



SCANNED

JAN 10 2006

STATE OF WISCONSIN)

) ss.

County of Milwaukee

On this 15th day of May, 1990, before me, a Notary Public in and for said state, personally appeared Daned Kirkham and Susan Kirkham, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Gloria deWitt
Notary Public for Wisconsin
Residing at: Milwaukee
Comm. Expires: 10-3-93



1008013

SCANNED

JAN 10 2000

FEB 23 2000

#136787

TETON CO., ID
CLERK RECORDER

PERSONAL REPRESENTATIVE'S DEED

WHEREAS, Brian Quinn Bean and Roberta Lynn Douglas, hereinafter referred to as Grantors, are the qualified Personal Representatives of the Estate of Yutonna C. Bean, filed as Case Number SP 98-038 in Teton County, Idaho and the Estate of Robert Q. Bean, filed as Case Number SP 99-051 in Teton County, Idaho; and

FURTHER, WHEREAS, Roberta Lynn Douglas, 427 W 325 N, Tetonla, Idaho 83452, is entitled to a grant of the following described real property,

THEREFORE, for valuable consideration received, Grantors convey to James Douglas and Roberta Lynn Douglas, husband and wife of 427 W 325 N, Tetonla, Idaho 83452, Grantees, the following described real property located in Teton County, Idaho, to-wit:

SE1/4 of Section 28, Township 4 North, Range 45 E., B.M. less Tax 3103 described as follows, to-wit:

Commencing at the SW corner of SE 1/4, Section 28, Township 4 N, Range 45 E., B.M., which is the true point of beginning, and running thence east 640 feet; thence north 2640 feet; thence west 640 feet; thence south 2640 feet to the point of beginning.

Together with _____ shares of capital stock of Fox Creek Irrigation Company, and all water and water rights appertaining.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or appertaining, SUBJECT HOWEVER, to all easements and rights of way appearing on such premises or of record, reservations in favor of the United States or the State of Idaho.

EXECUTED this 27th day of December, 1999.

Brian Quinn Bean

Personal Representative
Estate of Robert Q. Bean

Brian Quinn Bean

Personal Representative
Estate of Yutonna C. Bean

Roberta Lynn Douglas

Personal Representative
Estate of Robert Q. Bean

Roberta Lynn Douglas

Personal Representative
Estate of Yutonna C. Bean

#136787

FILED

AT THE REQUEST OF

Jim Douglas

21 MINUTES PAST 10 M

DATE Feb 23 2000

Valen E. Bayley

BY *E. Smith* CLERK RECORDER DEPUTY

#136787

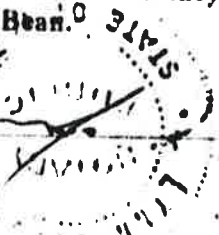
SCANNED

JAN 10 2000

STATE OF IDAHO)
) ss.
County of Fremont)

On this 27th day of December, 1999, before me, the undersigned Notary Public in and for said state, personally appeared Brian Quinn Bean and Roberta Lynn Douglas, known to me to be the Personal Representatives of the Estate of Yutonna C. Bean and Robert Q. Bean, and the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the estates of Yutonna C. Bean and Robert Q. Bean.


Notary Public for:
Residing at: Ashton, Idaho
Comm. Expires: 4/12/2002



SCANNED

JAN 10 2006

121-007

T-1133
RECEIVED

MAR 10 2000

TETON CO. ID
CLERK RECORDER

136988

QUITCLAIM DEED

Recorded to correct spelling of Grantee's Name

For Value Received

James Douglas & Roberta Lynn Douglas, husband and wife

do hereby convey, release, remise and forever quit claim unto

James Douglass & Roberta Lynn Douglass, husband and wife
427 W. 325 N.
Tetonia, Idaho 83452

the following described premises, to-wit:

SE1/4 of Section 28, Township 4 North, Range 45 E., B.M., Teton
County, Idaho

LESS Tax No. 3101 described as follows: Commencing at the SW corner of SE1/4,
Section 28, Township 4 North, Range 45 East, Boise Meridian, which is the true
point of beginning, and running thence East 640 feet; thence North 2640 feet;
thence West 440 feet; thence South 2640 feet to the point of beginning.

together with the appurtenances.

Dated: March, 2000

James Douglas aka James Douglass
James Douglas aka James Douglass

Roberta Lynn Douglas aka Roberta Lynn Douglass
Roberta Lynn Douglas aka Roberta
Lynn Douglass

STATE OF IDAHO, COUNTY OF

On this day of March, 2000 before me, a
notary public in and for said State,
personally appeared

James Douglas aka James Douglass and
Roberta Lynn Douglas aka Roberta Lynn
Douglass

known to me to be the person whose names are
subscribed to the within instrument, and
acknowledged to me that they executed the
same.

Notary Public
Notary Public

Residing at 614 1/2 N. Idaho
Comm. Expires.

4-27-2001

136988

FILED

AT THE REQUEST OF

First American
AT 50 MINUTES PAST 2 P M

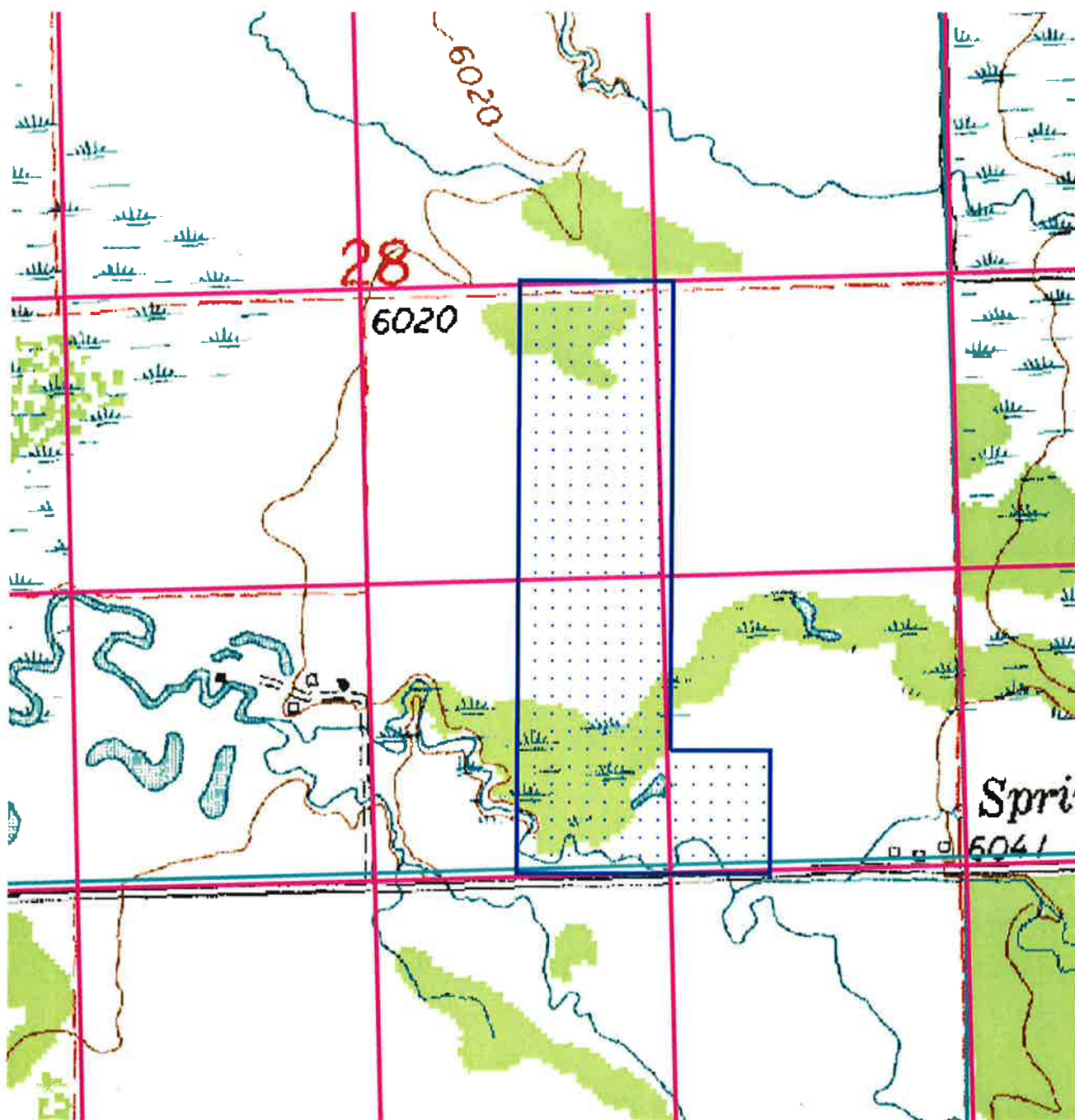
DATE 3-15-2000

Nelson J. Boyle
CLERK OF RECORD

E. Smith
BY

SCANNED
JAN 10 2006

Ownership Change: Douglas to Avallone/Parekh (split)

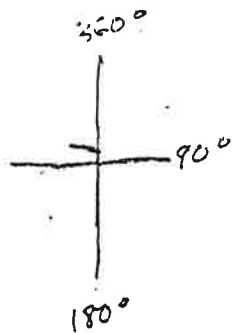


-  Parekh.shp
-  T04n45e.shp
-  Sections.shp

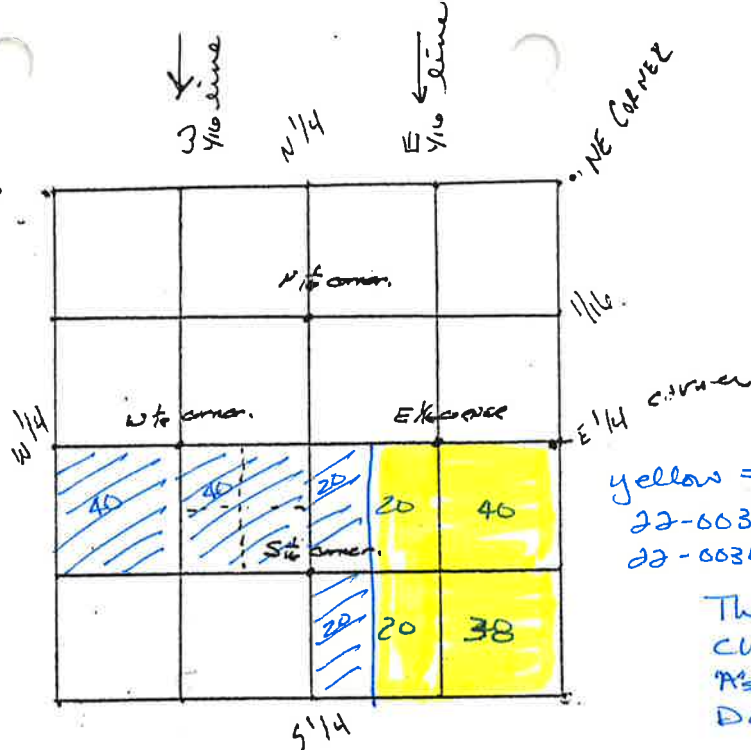
5.72 acres

SCANNED

JAN 10 2006



blue =
 22-00360B
 22-00361B
NOT part
 of this
 ownership
 change



< SECTION

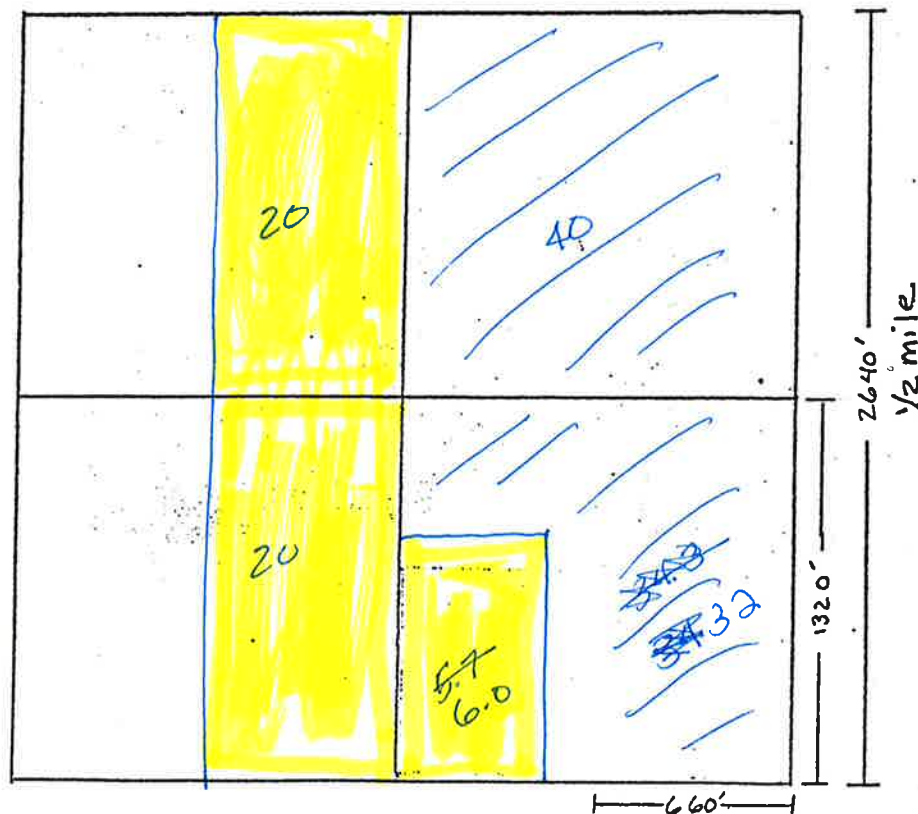
yellow =
 22-00360A - Douglas
 22-00361A

The ownership
 change splits the
 A's between
 Douglas + Avalone

Result
 of Ownership
 Change:

1/4 of
 SECTION >
 1/2 mile
 of land

Douglas = blue
 Avalone/
 Parck LLC
 = yellow



SCANNED

JAN 10 2006

22-13152/22-13154

28

NWSE

SWSE

SESE



SCANNED
JAN 10 2016

Bryce Avallone
2609 Tumwater Lane
Boulder, CO 80304
(303)570-1567

Craig Saxton
Water Resource Agent
Adjudication Bureau
Eastern Regional Office
Dept. of Water Resources
900 N Skyline Drive Suite A
Idaho Falls, ID 83402-1718

RECEIVED
NOV 06 2000
Department of Water Resources
Eastern Region

Dear Craig:

Enclosed please find my application for a transfer of ownership of water rights on a 47 acre property that I purchased this fall in Victor, Idaho. I stopped in at your office on October 13th (same day as your dentist appointment) and you helped me locate the appropriate water rights. The only problem we encountered was that the property owners that sold me the property (the Douglas's) had never changed the water rights into their names. You said I needed to establish a clear line of title. I have enclosed titles provided by First American Title Company that show the title transfers for both water right claims.

I did not know how to fill out section 6 on the application. Hopefully the enclosed information on the water rights is sufficient. Please call me at (303)570-1567 if you have any questions, or send correspondence to the address above. Thanks for your help.

Sincerely,

 10/30/00
Bryce Avallone

SCANNED
JAN 10 2006

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 22-13152
Date Received: 12/19/00
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

AVALLONE AND PAREKH LLC Phone: (303) 440-8726

2609 TUMWATER LN
BOULDER CO USA 80304

2. Date of Priority: 06/01/1890

3. Source: FOX CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
04N	45E	34	NW NW NW	TETON

5. Description of diverting works:

DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	12/01	0.43	

7. Total Quantity Appropriated is:
0.43 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED

JAN 10 2006

22 - 13152

FILED

12 / 19 / 2000

A2213152



10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	45E	28	NW	SE	IRRIGATION	20
			SW	SE	IRRIGATION	20
			SE	SE	IRRIGATION	6
			Section Acres			
Total Acres					46	

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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.

SCANNED

JAN 10 2000