

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 OCT 12 PM 2 00

**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

Case No. 39576

Subcase No. 37-212A, 37-2621,
37-4337, 37-20381

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 10/12/07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/12, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. Copies to:

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

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

Helios Development LLC
c/o Stan Castleton
PO Box 4151
Park City UT 84060

James P Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340

Edward A Lawson
Lawson & Laski PLLC
PO Box 3110
Ketchum ID 83340



Signature of person or attorney mailing the form

10/04/2007

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

RIGHT NUMBER: 37-212A

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O STAN CASTLETON
PO BOX 4151
PARK CITY UT 84060

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 2.800 CFS

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to a total combined diversion rate of 2.8 cfs.

PRIORITY DATE: 06/23/1888

POINT OF
DIVERSION:

T04N R17E S11 SESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	2.800 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S11 SWSE 4.00	T04N R17E S11 Lot 6 SWSE	0.60
	T04N R17E S11 SESE 15.00	T04N R17E S12 SWSW	4.40

24 ACRES TOTAL

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 24 acres in a single irrigation season.

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

10/04/2007

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

RIGHT NUMBER: 37-2621

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O STAN CASTLETON
PO BOX 4151
PARK CITY UT 84060

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.480 CFS

This right shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to a total combined diversion rate of 2.8 cfs.

PRIORITY DATE: 08/06/1959

POINT OF
DIVERSION:

T04N R17E S12 SWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.480 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T04N R17E S11	SWSE	4.00	T04N R17E S11 Lot 6 SWSE	0.60
T04N R17E S11	SESE	15.00	T04N R17E S12	SWSW 4.40

24 ACRES TOTAL

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 24 acres in a single irrigation season.

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 - License

10/04/2007

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

RIGHT NUMBER: 37-4337

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O STAN CASTLETON
PO BOX 4151
PARK CITY UT 84060

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 01/01/1952

POINT OF
DIVERSION:

T04N R17E S12 SWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

FISH PROPAGATION

01/01 12/31

1.000 CFS

PLACE OF USE:

FISH PROPAGATION in BLAINE County

T04N R17E S12

SWSW

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 - Beneficial Use

10/04/2007

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

RIGHT NUMBER: 37-20381

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O STAN CASTLETON
PO BOX 4151
PARK CITY UT 84060

SOURCE: WARM SPRING CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.500 CFS

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to a total combined diversion rate of 2.8 cfs.

PRIORITY DATE: 11/12/1936

POINT OF
DIVERSION:

T04N R17E S11 SESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.500 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S11 SWSE 4.00	T04N R17E S11 Lot 6 SWSE	0.60
	T04N R17E S11 SESE 15.00	T04N R17E S12 SWSW	4.40

24 ACRES TOTAL

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 24 acres in a single irrigation season.

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This claim is based upon a portion of 37-833. This claim also identifies a change of source from the Big Wood River to Warm Springs Creek, a tributary of the Big Wood .

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

October 12, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

HELIOS DEVELOPMENT LLC
C/O STAN CASTLETON
PO BOX 4151
PARK CITY UT 84060

RE: SRBA Claim(s) 37-212a, 37-2621, 37-4337, 20381

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: James S Speck
Speck & Aanstad
PO Box 987
Ketchum ID 83340

Edward A Lawson
Lawson & Laski
PO Box 3110
Ketchum ID 83340

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

RECEIVED

MAY 31 2007

DEPT. OF WATER RESOURCES
SOUTHERN 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)
37-212A - A1			37-11885 - didn't change		
37-2621 - A1					
37-4337 - A1					
37-8304					
37-20381 - A1					
37-11883 - didn't change					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Whitetail, A Club For All Seasons, LLC
231 W. Lake St., McCall, ID 83638

4. New Owner/Claimant(s) Helios Development LLC, c/o Stan Castleton
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address at DDRM Greatplace LLC, 333 Main Street

City, State and ZIP Code Suite 325, PO Box 4151, Park City, UT 84060

New Telephone Number (435) 655-3288 (949) 981-3871

5. Date you acquired the property

January 5, 2007

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)

Helios Development LLC
 by [Signature] (title if applicable)
 (title if applicable)

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

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

LAWSON & LASKI, PLLC
ATTORNEYS AT LAW

Edward A. Lawson
eal@LawsonLaski.com

675 SUN VALLEY ROAD, SUITE A
POST OFFICE BOX 3310
KETCHUM, IDAHO 83340
TELEPHONE: 208-725-0055
FACSIMILE: 208-725-0076
WWW.LAWSONLASKI.COM

May 30, 2007

RECEIVED

MAY 31 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Certified Mail Return Receipt Requested

IDWR Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Re: Notice of Change of Water Right Ownership
Our File No.:10612-001

Dear Sir/Madam:

Enclosed please find an original Notice of Change In Water Right Ownership which we are filing on behalf of the new owner, Helios Development, LLC.

Also enclosed is our check payable to you in the amount of \$175.00 which represents your filing fee for the seven water rights.

Please advise if you require any additional information.

Sincerely,

LAWSON & LASKI, PLLC


Edward A. Lawson

Cc: client



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
~~Interim~~ Director

June 4, 2007

EDWARD A LAWSON
LAWSON & LASKI PLLC
PO BOX 3310
KETCHUM ID 83340

Re: Notice of Change in Water Right Ownership / Helios Development LLC
Your File No.: 10612-001

Dear Mr. Lawson:

The Department of Water Resources acknowledges receipt of the Notice of Change in Water Right Ownership you recently submitted on behalf of your client, Helios Development LLC. The Snake River Basin Adjudication Court has not yet decreed all of the water rights listed on the owner change form except for 37-8304; consequently, no fee is due to process the owner change. I am herein returning your firm's check #2590 in the amount of \$175.00.

Water right 37-8304 has not been licensed, so an *Assignment of Permit* is required to complete this ownership change. Enclosed is an assignment form for your use. Please note that there is a \$25 per water right fee to process Assignments of Permit.

Thank you for your prompt attention to this matter and please feel free to contact this office if you have any questions.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures

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

RECEIVED
MAY 31 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

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37-11883 - did not change					

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231 W. Lake St., McCall, ID 83638

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

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City, State and ZIP Code Suite 325, PO Box 4151, Park City, UT 84060

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Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
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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)

Helios Development LLC
by Stacy Kessler

(title if applicable)

(title if applicable)

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

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____

Date _____

When recorded, please return to:

Givens Pursley LLP
Attention: Anne C. Kunkel
601 West Bannock Street
Boise, Idaho 83702

Instrument # 543557

HAILEY, BLAINE, IDAHO

2007-01-05 04:06:00 No. of Pages: 20

Recorded for : FIRST AMERICAN TITLE

MARSHA RIEMANN

Fee: 60.00

Ex-Officio Recorder Deputy

Index to: GRANT DEED

DKS

185831

GRANT DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, Whitetail, A Club for All Seasons, LLC, an Idaho limited liability company (the "Grantor"), whose address is 231 West Lake Street, McCall, Idaho 83638, does hereby grant unto Helios Development, LLC, a Delaware limited liability company, whose address is c/o Baker & McKenzie, Attention Matthew C. Alshouse, One Prudential Plaza, 130 East Randolph Street, Suite 3600, Chicago, Illinois, 60601 ("Grantee"), all of Grantor's right, title and interest in and to that certain real property located in Blaine County, Idaho, legally described on Exhibit A, attached hereto and incorporated herein (the "Premises").

TO HAVE AND TO HOLD the Premises, with its appurtenances unto Grantee, and Grantee's successors and assigns forever.

SUBJECT TO the following exceptions, which shall mean: (a) general taxes and assessments, including utility assessments for the current year, which are not yet due and payable, and will be prorated between Grantor and Grantee as of the date of execution of this deed; (b) any easements, restrictions and conditions of record or shown on the recorded plat, if any, for the Premises or that may be determined by an inspection of the Premises; (c) building, zoning and other applicable ordinances and regulations of Blaine County, Idaho; and (d) the easements, rights of way and other matters listed as "Permitted Exceptions" on Exhibit B attached hereto and incorporated herein.

[end of text]

IN WITNESS WHEREOF, this Grant Deed is dated effective as of the 5TH day of January, 2007.

GRANTOR:

WHITETAIL, A CLUB FOR ALL SEASONS, LLC,
an Idaho limited liability company

By: Whitetail Management, Inc.,
an Idaho ~~limited liability company~~ as Manager
Corporation

By:

Name:

Title:

STATE OF Idaho)
) ss.
County of Valley)

On this 26th day of Dec., 2006, before me, Melanie L. Holmes a Notary Public in and for said State, personally appeared John Entala, known or identified to me to be the President of Whitetail Management, Inc., the Manager of Whitetail, A Club for All Seasons, LLC, 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.

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



Melanie L. Holmes
NOTARY PUBLIC FOR Amerititle
Residing at: Nelae, ID
My Commission Expires: 2-25-08

GRANT DEED

Exhibit A

Legal Description

Parcel 1:

A PARCEL OF LAND LOCATED WITHIN THE NE1/4NW1/4 OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, AND THE SE1/4SW1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, lying South and West of the Northeasterly bank of Warm Springs Creek, more particularly described as follows:

COMMENCING at a brass cap marking the Center North 1/16 corner of Section 13, running thence S89°27'01"E, 660.25 feet along the Southerly boundary of said NE1/4NW1/4 of Section 13 to a brass cap marking the 1/64 corner, said corner being the TRUE POINT OF BEGINNING; thence S89°50'16"W, 664.57 feet along the Southerly boundary to the Northwest 1/16 corner; thence N01°28'41"E, 1333.74 feet, to the West 1/16 corner common to Section 12 and 13; thence N89°40'19"E, 99.90 feet along the Northerly boundary of Section 13 to a point on the Southwesterly boundary of Warm Springs Townhouse No. 2, said plat being on file of the Blaine County Recorder; thence S33°38'59"E, 105.45 feet along said boundary to the Northwesterly corner of Tax Lot 6571; thence S50°39'23"E, 180.35 feet along the Southwesterly boundary of Tax Lot 6571; thence S45°12'11"E, 239.58 feet to the Westerly corner of Tax Lot 3172; thence S45°27'01"E, 142.98 feet along the Southwesterly boundary of Tax Lot 3172; thence S43°32'16"E, 61.00 feet along the Southwesterly boundary of Tax Lot 3172 to the Westerly corner of Tax Lot 3217; thence S40°41'16"E, 60.10 feet along the Southwesterly boundary of Tax Lot 3217 to the Westerly corner of Tax Lot 7617; thence S30°47'54"E, 87.55 feet to a point on the Westerly boundary of Lot 1, Block 5, SUN VALLEY SUBDIVISION 1ST ADDITION REVISED; thence S13°12'18"E, 202.46 feet along said Westerly boundary; thence S34°20'18"E, 5.47 feet to a point on the Northerly boundary of Lot 4A, SUN VALLEY SUB., 1ST ADD. REV., BLOCK 5, REPLAT OF LOT 4 AND LOT 7A said plat being on file with the Blaine County Recorder; thence N74°20'27"W, 7.98 feet along said Northerly boundary; thence along the Westerly boundary of said Lot 4A and Lot 7AA of same said REPLAT by the following courses: thence S11°48'54"W, 34.06 feet; thence S19°39'59"W, 21.70 feet; thence S10°38'35"W, 22.88 feet; thence S02°18'27"W, 90.75 feet; thence S36°53'14"E, 7.24 feet; thence S05°54'54"W, 38.05 feet; thence S05°24'39"E, 37.44 feet; thence S23°28'05"E, 49.10 feet; thence S30°24'02"E, 45.25 feet; thence S30°46'34"E, 31.10 feet to a found 5/8" rebar by LS4345 marking the northwest corner of Lot 8A, SUN VALLEY SUB., 1ST ADD., REV., BLOCK 5, REPLAT OF LOTS 8A & 9A; thence along the Westerly boundary of said Lot 8A by the following courses: thence S18°19'31"E, 36.69 feet; thence S02°54'06"E, 32.00 feet; thence S14°07'43"W, 24.42 feet; thence S22°44'11"W, 27.91 feet; thence S00°26'46"E, 20.08 feet to a point on the Southerly boundary of said NE1/4NW1/4 of Section 13; thence S89°27'01"W, 143.94 feet along said Southerly boundary to the TRUE POINT OF BEGINNING.
(TAX LOT 6980)

Parcel 2:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°46'11" W., 2403.78 feet from the East 1/4 corner of Section 11;

thence N08°00'33" E., 965.74 feet to a point on the Southerly boundary of Tax Lot 7833 as shown on that record of survey recorded as Instrument #268626, records of Blaine County, said point being the TRUE POINT OF BEGINNING;

thence along the easterly boundary of said Tax Lot 7833 by the following courses N53°50'30"E, 14.14 feet; thence N08°50'30"E, 104.11 feet to a found 5/8" rebar on the southerly right-of-way of Bald Mountain Road; thence N12°03'12"W, 42.82 feet to a found 5/8" rebar by LS 4345 on the Northerly right-of-way of Bald Mountain Road; thence along the southerly boundary of Bald Mountain Townhomes N76°24'36"E, 272.54 feet to a set 5/8" rebar by LS4345 on the Southerly right-of-way of Warm Springs Road; thence along said Southerly right-of-way along a curve to the right 674.53 feet, said curve having a radius of 3205.76 feet, a chord bearing S73°28'54"E, 673.28 feet and a delta angle of 12°03'20" to a set 5/8" rebar by LS4345; thence continuing along said Southerly right-of-way S66°58'26"E, 234.91 feet to a set 5/8" rebar by LS4345 at a corner common to Tax Lot 7641 and 7638; thence along the Northerly boundary of said Tax Lot 7641 along a curve to the left 254.20 feet, said curve having a radius of 613.43 feet, a chord bearing N88°16'55"W, 252.39 feet and a delta angle of 23°44'36"; thence S80°13'18"W, 15.60 feet to that corner common to Tax Lots 7368, 7639 and 7641; thence along the Northerly boundary of said Tax Lot 7639 by the following courses S88°59'46"W, 150.00 feet; thence N39°24'07"W, 51.99 feet; thence N47°28'34"W, 95.15 feet; thence N72°16'37"W, 177.43 feet; thence along the Westerly boundary of said Tax Lot 7639 S14°29'38"W, 223.87 feet to a point on the Northerly boundary of Tax Lot 7642; thence along said Northerly boundary by the following courses N55°55'22"W, 178.35 feet; thence N77°45'05"W, 101.20 feet; thence N89°43'23"W, 152.67 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7638)

Parcel 3:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S00°46'11"W., 2403.78 feet from the East 1/4 corner of Section 11; thence N52°41'14"E, 956.46 feet to a point on the Northerly boundary of Tax Lot 7642, said point being the TRUE POINT OF BEGINNING; thence along said Northerly boundary by the following courses; thence N33°25'29"W, 162.25 feet; thence N44°44'05"W, 106.07 feet; thence N55°55'22"W, 76.81 feet to a corner on the boundary common to Tax Lots 7639 and 7638; thence along said

common boundary by the following courses N14°29'38"E, 223.87 feet; thence S72°16'37"E, 177.43 feet; thence S47°28'34"E, 95.15 feet; thence S39°24'07"E, 51.99 feet; thence N88°59'46"E, 150.00 feet to that corner common to Tax Lots 7638, 7639 and 7641; thence along the Westerly boundary of said Tax Lot 7641 S34°21'20"E, 47.81 feet to the corner of Tax Lot 7640; thence along the Northwesterly boundary of said Tax Lot 7640 by the following courses S41°12'46"W, 218.55 feet; thence S50°18'13"W, 173.48 to the TRUE POINT OF BEGINNING. (Tax Lot 7639)

Parcel 4:

A PARCEL OF LAND IN SECTION 12, 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S00°46'11"W., 2403.78 feet from the East 1/4 corner of Section 11; thence N52°41'14"E, 957.45 feet to a point on the Southwesterly boundary of Tax Lot 7639, said point being the TRUE POINT OF BEGINNING; thence along said Southwesterly boundary by the following courses:

Thence N50°18'13"E, 173.48 feet; thence N41°12'46"E, 218.55 feet to the Westerly boundary of Tax Lot 7641; thence along said Westerly boundary by the following courses; thence S34°21'42"E, 140.00 feet; thence S53°07'42"E, 102.90 feet; thence S02°55'42"E, 171.00 feet; thence S39°46'00"E, 55.19 feet to a found 1/2" rebar by LS4345 marking the Westerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS; thence along said Westerly boundary S40°03'03"E, 145.68 feet to a found 1/2" rebar on the Westerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS 4; thence along said Westerly boundary S00°01'01"W, 18.26 feet to a found 1/2" rebar marking the Northerly boundary of Tax Lot 5105; thence S81°38'38"W, 85.75 feet to a found 1/2" rebar by LS4345 at the Northwest corner of said Tax Lot 5105; thence along the Westerly boundary of said Tax Lot 5105 S08°21'22"E, 133.97 feet; thence along the Southerly boundary of said Tax Lot 5105 N81°38'38"E, 77.90 feet to a found 1/2" rebar on the Westerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS 3; thence along said Westerly boundary S18°38'18"E, 129.05 feet to a set 5/8" rebar by LS4345 on the Northerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS 2; thence along said Northerly boundary S61°23'39"W, 25.79 feet to a point on the Northerly boundary of Tax Lot 7926; thence along said Northerly boundary by the following courses N33°44'00"W, 56.40; thence N43°15'17"W, 37.14 feet to the Northerly corner common to Tax Lots 7926 and 7642; thence along the Northerly boundary of said Tax Lot 7642 by the following courses N43°13'28"W, 113.01 feet; thence N70°37'05"W, 181.81 feet; thence N63°57'15"W, 131.45 feet; thence N65°42'28"W, 69.22 feet; thence N29°41'05"W, 242.36 feet to the TRUE POINT OF BEGINNING. (Tax Lot 7640)

Parcel 5:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S00°46'11"W, 2403.78 feet from the East 1/4 corner of Section 11; thence N70°51'51"E, 1417.05 feet to a found 1/2" rebar marking the East corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho, said corner being the TRUE POINT OF BEGINNING; thence N89°39'45"W, 94.41 feet along the Northerly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS to a found 1/2" rebar by LS4345 marking the West corner of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS; thence along the westerly boundary of Tax Lot 7640 by the following courses, N39°46'00"W, 55.19 feet; thence N02°55'42"W, 171.00 feet; thence N53°07'42"W, 102.90 feet; thence N34°21'42"W, 187.80 feet to a point on the Southerly boundary of Tax Lot 7638; thence along said Southerly boundary by the following courses N80°13'18"E, 15.60 feet; thence along a curve to the right 254.20 feet, said curve having a radius of 613.43 feet, a chord bearing S88°16'55"E, 252.39 feet and a delta angle of 23°44'36" to a set 5/8" Rebar on the Southerly right-of-way of Warm Springs Road; thence along said right-of-way S66°58'26"E, 66.82 feet to a found 5/8" rebar by LS4345 marking the Northwest corner of WARM SPRINGS TENNIS CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 208961, records of Blaine County, Idaho; thence S00°24'37"W, 38.17 feet along the Westerly boundary of said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2 to a found 5/8" rebar marking the Northerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 6, according to the official plat thereof, recorded as Instrument No. 163389, records of Blaine County, Idaho; thence along the boundary of said WARM SPRING TOWNHOUSE CONDOMINIUMS NO. 6 by the following courses: S85°52'38"W, 59.63 feet to a found 1/2" rebar by LS1028 marking the Northwest corner; thence S03°23'22"E, 72.63 feet to a found 1/2" rebar by LS1028 marking the West corner common to said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 6 and WARM SPRINGS TENNIS CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 199114, records of Blaine County, Idaho; thence along the boundary of said WARM SPRINGS TENNIS CONDOMINIUMS by the following courses: thence S03°46'41"E, 80.00 feet to a set 5/8" rebar by LS4345 marking the Westerly corner; thence S62°06'29"E, 55.23 feet to a found 5/8" rebar marking the Westerly boundary of said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2; thence S00°21'42"W, 69.00 feet along said Westerly boundary to a found 1/2" rebar marking the West corner common to said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2 and COUNTRY CLUB TOWNHOUSES, according to the official plat, thereof recorded as Instrument No. 315898, records of Blaine County, Idaho; thence S00°18'03"W, 109.86 feet along the Westerly boundary of said COUNTRY CLUB TOWNHOUSES to the TRUE POINT OF BEGINNING.

SUBJECT TO a 30-foot wide Roadway Easement serving Tax Lot 5991 and Warm Springs Townhouse Condominiums, as depicted within the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho.
(Tax Lot 7641)

Parcel 6:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12, and said corner being the TRUE POINT OF BEGINNING; thence N00°46'11"E, 993.17 feet along the Westerly boundary of said Section 12 to the Southerly boundary of Tax Lot 7833 as shown on that Record of Survey, Instrument #268626, records of Blaine County; thence along said Southerly boundary by the following courses: S76°19'18"E, 50.55 feet; thence S71°00'37"E, 76.25 feet to a point on the Southerly boundary of Tax Lot 7638; thence along said Southerly boundary S89°43'23"E, 152.67 feet; thence S77°45'05"E, 101.20 feet; thence S55°55'22"E, 178.60 feet to a point on the Southerly boundary of Tax Lot 7639; thence along said Southerly boundary by the following courses: S55°55'22"E, 76.55 feet; thence S44°44'05"E, 106.07 feet; thence S33°25'29"E, 162.25 feet to a point on the Southerly boundary of Tax Lot 7640; thence along said Southerly boundary by the following courses: S29°41'05"E, 242.36 feet; thence S65°42'28"E, 69.22 feet; thence S63°57'15"E, 131.45 feet; thence S70°37'05"E, 181.81 feet; thence S43°13'28"E, 109.68 feet to the Easterly boundary of said SW1/4SW1/4; thence along said Easterly boundary S01°28'41"W, 133.23 feet to an aluminum cap marking the southeast corner of said SW1/4SW1/4; thence along Southerly boundary of said SW1/4SW1/4 S89°24'51"W, 653.37 feet to an aluminum cap marking the southeast corner of the SW1/4SW1/4SW1/4 of said Section 12; thence along the Southerly boundary of said Section 12 S89°41'29"W, 652.58 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7642)

Parcel 7:

A Parcel of Land Located within H.E.S. 292, Section 11, Township 4 North, Range 17 East, B.M., Blaine County, Idaho

Commencing at a Brass Cap marking the west section corner common to Sections 12 and 13 only, said Brass Cap lies S00°46'11"W a distance of 2403.78 feet from a Brass Cap marking the East Quarter Corner of Section 11;
thence northerly along the section line common to Sections 11 and 12 N00°46'11"E a distance of 422.02 feet to a point of intersection on the southerly boundary of H.E.S. 292, said point lies S80°24'44"W a distance of 13.71 feet from a Brass Cap marking Corner 10 of said H.E.S. 292, said point of intersection being the TRUE POINT OF BEGINNING.

Thence S80°24'44"W along the south boundary of said H.E.S. 292 a distance of 2206.75 feet to the east boundary of Tax Lot 3082 witnessed by a Brass Cap marked 'Cimino' which lies S00°26'48"W a distance of 2.35 feet from said south boundary, a Brass Cap marking Corner 9 of said H.E.S. lies S80°24'44"W a distance of 488.41 feet;
thence N00°26'48"E along the east boundary of said Tax Lot 3082 and Tax Lot 2784 a distance of 765.87 feet to a point on the south boundary of Tax Lot 5103 and Mendivil Subdivision, recorded as Instrument #282852, records of Blaine County;
thence S53°49'42"E along the south boundary of Tax Lot 5103 a distance of 183.90 feet to a ½" Rebar marking the southwest corner of Lot 12, Warm Springs Creekside Subdivision, recorded as Instrument #16033, records of Blaine County;

thence along the south boundary of said Warm Springs Creekside Subdivision by the following courses:

S46°44'58"E a distance of 73.97 feet;
S56°52'58"E a distance of 75.36 feet;
S61°05'58"E a distance of 74.58 feet;
S65°47'22"E a distance of 101.10 feet;
S89°01'17"E a distance of 100.62 feet;
N73°05'42"E a distance of 98.53 feet;
N74°57'21"E a distance of 97.10 feet;
N80°46'46"E a distance of 76.20 feet;
N79°49'43"E a distance of 75.99 feet;
N80°40'31"E a distance of 76.18 feet;
N86°16'48"E a distance of 77.89 feet;
N71°01'39"E a distance of 75.00 feet;
N69°53'59"E a distance of 65.70 feet;
N66°15'48"E a distance of 169.10 feet;
N40°49'49"E a distance of 141.14 feet the southernmost corner of Lot 1A, Lost Hills Subdivision recorded as Instrument #460880, records of Blaine County, Idaho;
thence N38°01'52"E along the south boundary of said Lot 1A a distance of 69.39 feet;
thence continuing along said south boundary N55°19'48"E a distance of 43.17 feet to the southwest corner of Rockview West Condominiums, recorded as Instrument #198899, records of Blaine County, Idaho;
thence along south boundary of said Rockview West Condominiums N55°19'48"E a distance of 26.29 feet;
thence continuing along said south boundary N67°46'41"E a distance of 60.05 feet to the southwest corner of Lot 1, Fern Tree West Subdivision, recorded as Instrument #213825, records of Blaine County, Idaho;
thence along the south boundary of said Lot 1 by the following courses:
N67°46'41"E a distance of 23.93 feet;
N77°05'15"E a distance of 76.50 feet;
N84°23'36"E a distance of 40.45 feet to the southwest corner of Fern Tree West Condominiums, recorded as Instrument #232805, records of Blaine County, Idaho;
Thence along the south boundary of Fern Tree West Condominiums N84°23'36"E a distance of 25.31 feet;
thence continuing along said south boundary N63°56'57"E a distance of 68.33 feet to the southwest corner of Rockview East Townhouses, recorded as Instrument #397778, records of Blaine County, Idaho;
thence N85°01'05"E along the south boundary of Rockview East Townhouses a distance of 104.78 feet to the southwest corner of Ketch and Release Townhouses, recorded as Instrument #404114, records of Blaine County, Idaho;
thence along the south boundary of Ketch and Release Townhouses by the following courses:
N85°31'10"E a distance of 27.06 feet;
S05°42'25"E a distance of 19.21 feet;
S88°19'11"E a distance of 65.22 feet to the southwest corner of Pioneer Condominiums, recorded as Instrument #267425, records of Blaine County, Idaho;

thence N87°36'51"E along the south boundary of said Pioneer Condominiums a distance of 63.73 feet to a point on the westerly boundary of Sun River Townhomes, recorded as Instrument #311138, records of Blaine County, Idaho;
thence S02°23'42"W along the west boundary of said Sun River Townhomes a distance of 9.71 feet to;
thence S84°15'25"E along the south boundary of said Sun River Townhomes a distance of 81.58 feet;
thence departing said south boundary S76°32'12"E a distance of 35.64 feet to the southwest corner of Tax Lot 7833 as shown on that Record of Survey for Mr. Don Gilday recorded as Instrument #268626, records of Blaine County, Idaho;
thence along the south boundary of said Tax Lot 7833 S76°22'42"E a distance of 37.15 feet to the section line common to said Sections 11 and 12;
thence S00°46'11"W along said section line a distance of 571.04 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7643)

Parcel 8:

A parcel of land within the SE1/4SE1/4 of Section 11, Township 4 North, Range 17 East, Boise Meridian, Ketchum, Blaine County, Idaho and more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S00°46'11"W, 2403.78 feet from the East 1/4 corner of Section 11; thence N01°54'23"W 1086.92 feet to a found 1/2" rebar marking the northeast corner of Sun River Condominium and the TRUE POINT OF BEGINNING; thence S73°32'14"E, 46.11 feet along the southerly boundary of Bald Mountain Road to a northwesterly corner of Tax Lot No. 7833 as shown on that record of survey recorded as Instrument #268626, records of Blaine County, Idaho; thence following the westerly boundary of said Tax Lot No. 7833, 42.26 feet along a curve to the left with a central angle of 105°16'10", a radius of 23.00 feet and a long chord of 36.56 feet that bears S16°15'18"W; thence S01°29'29"W, 49.95 feet along said westerly boundary of Tax Lot No. 7833 to the southwest corner of Tax Lot No. 7833; thence N76°31'11"W, 35.47 feet along the northerly boundary of Tax Lot 7643 to the southeast corner of Sun River Condominium; thence N15°33'26"E, 79.05 feet along the east boundary of Sun River Condominium to the TRUE POINT OF BEGINNING.
(Tax Lot 7776)

Parcel 9:

**TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 12, Ketchum, Blaine County, Idaho**

A parcel of land within a portion of SE1/4 SW1/4 Section 12, Blaine County, Idaho, said parcel being more particularly described by metes and bounds as follows:

Commencing at an brass cap marking the SW Corner of said SE1/4 SW1/4 Section 12, thence N89°24'51"E, 653.37 feet to a BLM aluminum cap marking the West 1/16 corner common to

said Sec. 12 and Sec. 13 and said aluminum cap being the True Point of Beginning.

Thence N01°28'41"E, 133.23 feet along the westerly boundary of said SE1/4 SW1/4 Sec. 12 to a point on the northeasterly bank of Warm Springs Creek, said point also on the southwesterly boundary of Tax Lot 7640;
thence along said Tax Lot 7640 by the following courses: S43°13'55"E, 40.47;
thence S33°44'00"E, 56.40 feet to the westerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho;
thence S33°38'55"E along the southwesterly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2 a distance of 67.54 feet to a point on the southerly boundary of said Section 12;
thence S89°40'19"W along southerly boundary of said Section 12 a distance of 99.90 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7926)

Parcel 10:

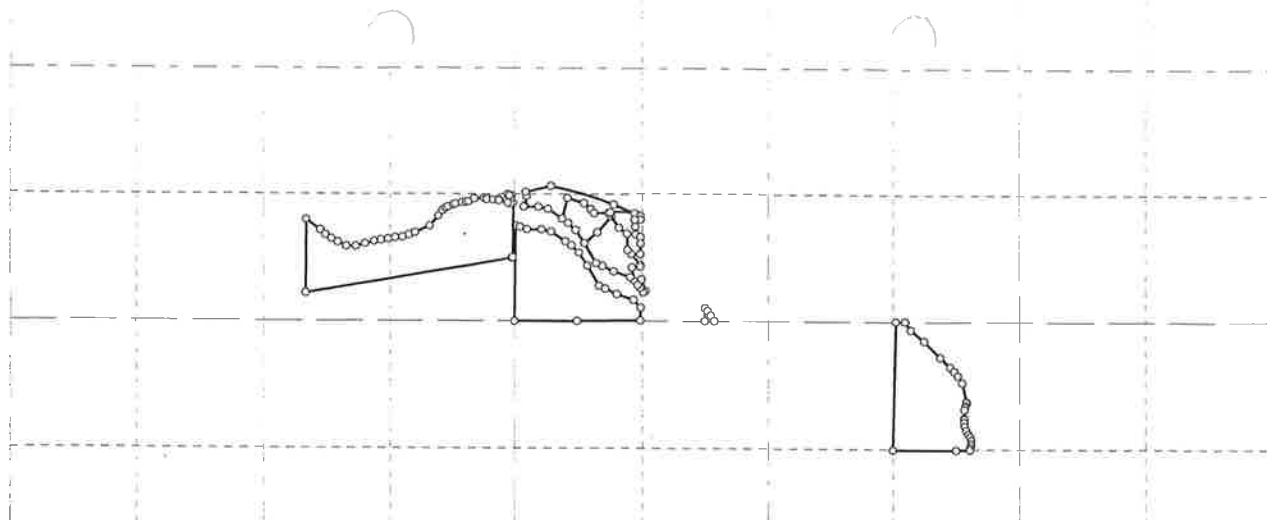
Lot 12 of WARM SPRINGS CREEKSIDE SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 166033, records of Blaine County, Idaho.

Also shown of record as:

PARCEL 1:

A PARCEL OF LAND LOCATED WITHIN THE NE1/4NW1/4 OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, AND THE SE1/4SW1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, lying South and West of the Northeasterly bank of Warm Springs Creek, more particularly described as follows:

COMMENCING at a brass cap marking the Center North 1/16 corner of Section 13, running thence S. 89°37'23" W., 660.46 feet along the Southerly boundary of said NE1/4NW1/4 of Section 13 to a brass cap marking the 1/64 corner, said corner being the TRUE POINT OF BEGINNING; thence S. 89°37'23" W., 664.71 feet, along the Southerly boundary to the Northwest 1/16 corner; thence N. 00°58'45" E., 1329.70 feet, to the West 1/16 corner common to Section 12 and 13; thence N. 89°25'00" E., 107.46 feet along the Northerly boundary of Section 13 to a point on the Southwesterly boundary of Warm Springs Townhouse No. 2, said plat being on file of the Blaine County Recorder; thence S. 33°57'00" E. 104.38 feet along the boundary to the Northwesterly corner of Tax Lot 6571; thence S. 50°57'00" E., 180.00 feet along the Southwesterly boundary of Tax Lot 6571; thence S. 45°32'00" E., 240.00 feet to the Westerly corner of Tax Lot 3172; thence S. 45°40'00" E., 142.60 feet along the Southwesterly boundary of Tax Lot 3172; thence S. 43°45'00" E., 61.00 feet along the Southwesterly boundary of Tax Lot 3172 to the Westerly corner of Tax Lot 3217; thence S. 40°54'00" E., 60.10 feet along the



Title:

Date: 06-05-2007

Scale: 1 inch = 2000 feet

File: whitetail.des

Data and Deed Call Listing of File: whitetail.des

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+Tract 3: 2.736 Acres: 119189 Sq Feet: Closure = n29.0436e 0.01 Feet: Precision =1/261646: Perimeter = 1483 Feet
+Tract 4: 4.469 Acres: 194673 Sq Feet: Closure = n33.0543w 0.00 Feet: Precision =1/540659: Perimeter = 2309 Feet
+Tract 5: 1.689 Acres: 73554 Sq Feet: Closure = n00.2259w 0.15 Feet: Precision =1/9376: Perimeter = 1432 Feet
+Tract 6: 19.011 Acres: 828120 Sq Feet: Closure = s71.4438e 1.01 Feet: Precision =1/4010: Perimeter = 4070 Feet
+Tract 7: 26.791 Acres: 1166995 Sq Feet: Closure = s59.5129w 11.15 Feet: Precision =1/536: Perimeter = 5984 Feet
+Tract 8: 0.065 Acres: 2849 Sq Feet: Closure = n54.4834w 23.73 Feet: Precision =1/11: Perimeter = 253 Feet
+Tract 9: 0.162 Acres: 7070 Sq Feet: Closure = s89.5507w 0.00 Feet: Precision =1/156131: Perimeter = 398 Feet
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Data and Deed Call Listing of File: whitetail.des

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Data and Deed Call Listing of File: whitetail.des

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Southwesterly boundary of Tax Lot 3217 to the Westerly corner of Tax Lot 3362 thence S. 31°01'09" E., 87.55 feet to a point on the Westerly boundary of Lot 1, Block 5, SUN VALLEY SUBDIVISION 1ST ADDITION REVISED; thence S. 12°53'25" E., 202.98 feet along the Westerly boundary to a point on the East bank of Warm Springs Creek; thence S. 12°00'43" W., 34.06 feet along said bank; thence S. 19°51'48" W., 21.70 feet along said bank; thence S. 10°50'24" W., 22.88 feet along said bank; thence S. 02°30'16" W., 90.75 feet along said bank; thence S. 36°41'25" E., 7.24 feet along said bank; thence S. 06°06'43" W., 38.05 feet along said bank; thence S. 05°12'50" E., 37.44 feet along said bank; thence S. 23°16'16" E., 49.10 feet along said bank; thence S. 30°12'13" E., 45.25 feet along said bank; thence S. 31°29'18" E., 31.73 feet along said bank; thence S. 17°08'10" E., 36.19 feet along said bank; thence S. 02°42'17" E., 32.00 feet along said bank; thence S. 14°19'32" W., 24.42 feet along said bank; thence S. 22°56'00" W., 27.91 feet along said bank; thence S. 00°38'03" E., 20.18 feet along said bank to the Southerly boundary of said NE1/4NW1/4 of Section 13; thence S. 89°37'23" W., 143.94 feet along the boundary to the TRUE POINT OF BEGINNING.
(TAX LOT 6980)

PARCEL 2:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West 1/4 corner of said Section 12; thence N. 07°54'41" E., 968.69 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence leaving said Northerly bank N. 52°30'21" E., 14.14 feet along the boundary common to Tax Lot 6312; thence N. 07°30'21" E., 104.21 feet along said common boundary; thence N. 14°22'29" W., 40.00 feet to a point on the Southeasterly boundary of Owen Simpson Subdivision, according to the official plat thereof, recorded as Instrument No. 192109, records of Blaine County, Idaho; thence following said Southeasterly boundary N. 76°11'31" E., 276.40 feet, more or less, to the Southerly boundary of Warm Springs Road; thence along said Southerly boundary of Warm Springs Road by the following courses: S. 77°34'30" E., 192.53 feet; thence 478.19 feet along a curve to the right, said curve having a central angle of 08°32'48", a radius of 3205.76 feet, and a chord length of 477.75 feet that bears S. 71°34'50" E.; thence S. 67°18'26" E., 234.29 feet; thence leaving said Southerly boundary 253.89 feet along a curve to the left, said curve having a central angle of 23°42'49", a radius of 613.43 feet, and a chord length of 252.08 feet that bears N. 88°42'36" W., thence S. 79°56'08" W., 15.60 feet; thence S. 88°42'36" W. 150.00 feet; thence N. 39°41'17" W., 51.99 feet; thence N. 47°45'44" W. 95.15 feet; thence N. 72°33'47" W., 177.43 feet, thence S. 14°08'46" W., 223.19 feet to a point on the Northerly bank of Warm Springs Creek; thence along said Northerly bank by the following courses; N. 56°11'08" W., 178.35 feet; thence N. 78°01'26" W., 101.20 feet; thence N. 88°42'01" W., 148.87 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7683)

PARCEL 3:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West 1/4 corner of said Section 12; thence N. 52°26'13" E., 956.46 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence along said Northerly bank by the following courses; N. 33°41'24" W., 162.25 feet; thence N. 45°00'00" W., 106.07 feet; thence N. 56°11'07" W., 76.81 feet; thence leaving said Northerly bank N. 14°08'46" E. 223.19 feet; thence S. 72°33'47" E., 177.43 feet; thence S. 47°45'44" E., 95.15 feet; thence S. 39°41'17" E., 51.99 feet; thence N. 88°42'36" E., 150.00 feet; thence S. 34°38'29" E., 47.81 feet; thence S. 40°55'36" W., 218.55 feet; thence S. 50°04'55" W., 172.91 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7639)

PARCEL 4:

A PARCEL OF LAND IN SECTION 12, 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West 1/4 corner of said Section 12; thence N. 52°26'13" E., 956.46 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence along said Northerly bank by the following courses: S. 29°57'00" E., 242.36 feet; thence S. 65°58'23" E., 69.22 feet; thence S. 64°13'10" E., 131.45 feet; thence S. 70°53'00" E. 181.81 feet; thence S. 43°29'50" E., 150.15 feet; thence S. 33°35'21" E., 56.51 feet, more or less, to the Westerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho; thence leaving said Northerly bank N. 61°07'48" E., 25.79 feet along the Northwesterly boundary said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2 to the Southerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 3, according to the official plat thereof, recorded as Instrument No 141402, records of Blaine County, Idaho; thence N. 18°54'09" W., 129.05 feet along the Southwesterly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 3 to the Southeast corner of Tax Lot 5105; thence along the exterior boundary of said Tax Lot 5105 by the following courses: S. 81°22'42" W., 77.94 feet; thence N. 08°37'18" W., 134.00 feet; thence N. 81°22'42" E., 85.75 feet to a point on the Westerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 4, according to the official plat thereof, recorded as Instrument No. 147288, records of Blaine County, Idaho; thence N. 00°03'08" E., 18.20 feet along said Westerly boundary to the South corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho; thence N. 40°19'52" W., 145.72 feet along the Southwesterly boundary to the West corner of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS, thence N. 40°03'09" W., 55.19 feet; thence N. 03°12'52" W., 171.00 feet; thence N. 53°24'52" W., 102.90 feet; thence N. 34°38'52" W., 140.00 feet; thence S. 40°55'32" W., 218.55 feet; thence S. 50°04'55" W., 172.91 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7640)

PARCEL 5:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West 1/4 corner of said Section 12; thence N. 70°37'44" E., 1415.83 feet to the East corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho, said corner being the TRUE POINT OF BEGINNING; thence N. 89°56'55" W., 94.41 feet along the Northerly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS to the West corner so said WARM SPRINGS TOWNHOUSE CONDOMINIUMS; thence N. 40°03'09" W., 55.19 feet; thence N. 03°12'52" W., 171.00 feet; thence N. 53°24'52" W., 102.90 feet; thence N. 34°38'48" W., 187.80 feet; thence N. 79°56'08" E., 15.60 feet; thence 253.89 feet along a curve to the right, said curve having a central angle of 23°42'49", a radius of 613.43 feet, and a chord length of 252.08 feet that bears S. 88°12'27" E., more or less, to a point on the Southerly boundary of Warm Springs Road; thence S. 68°42'30" E., 66.64 feet, more or less, along said Southerly boundary to the Northwest corner of WARM SPRINGS TENNIS CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 208961, records of Blaine County, Idaho; thence S. 00°03'08" W., 38.55 feet along the Westerly boundary of said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2 to a point on the Northerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 6, according to the official plat thereof, recorded as Instrument No. 163389, records of Blaine County, Idaho; thence along the boundary of said WARM SPRING TOWNHOUSE CONDOMINIUMS NO. 6 by the following courses: S. 86°11'23" W., 59.46 feet to the Northwest corner; thence S. 03°48'44" E., 73.00 feet to the West corner common to said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 6 and WARM SPRINGS TENNIS CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 199114, records of Blaine County, Idaho; thence along the boundary of said WARM SPRINGS TENNIS CONDOMINIUMS by the following courses: S. 03°48'44" E., 80.00 feet to the Westerly corner; thence S. 62°11'14" E., 55.23 feet to a point on the Westerly boundary of said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2; thence S. 00°03'08" W., 69.02 feet along said Westerly boundary to the West corner common to said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2 and COUNTRY CLUB TOWNHOUSES, according to the official plat, thereof recorded as Instrument No. 315898, records of Blaine County, Idaho; thence S. 00°03'08" W., 109.59 feet along the Westerly boundary of said COUNTRY CLUB TOWNHOUSES to the TRUE POINT OF BEGINNING.

SUBJECT TO a 30-foot wide Roadway Easement serving Tax Lot 5991 and Warm Springs Townhouse Condominiums, as depicted within the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho.
(Tax Lot 7641)

PARCEL 6:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12, and said corner being the TRUE POINT OF BEGINNING; thence N. 00°31'53" E., 993.78 feet along the Westerly boundary of said Section 12 to the Southerly boundary of that parcel of land recorded as Instrument No. 222504; thence S. 77°51'39" E., 52.66 feet along said Southerly boundary; thence S. 72°17'39" E., 76.24 feet along said Southerly boundary; thence along the Northerly bank of Warm Springs Creek by the following courses and distances: S. 88°42'01" E., 148.87 feet; thence S. 78°01'26" E., 101.20 feet; thence S. 56°11'07" E., 255.16 feet; thence S. 45°00'00" E., 106.07 feet; thence S. 33°41'24" E., 162.25 feet; thence S. 29°57'00" E., 242.36 feet; thence S. 65°58'23" E., 69.22 feet; thence S. 64°13'10" E., 131.45 feet along the Northerly bank of Warm Springs Creek and also the Southerly boundary of that parcel of land recorded as Instrument No. 148523; thence S. 70°53'00" E., 181.81 feet along said Northerly bank and Southerly boundary; thence S. 43°29'23" E., 113.01 feet along said Northerly bank and Southerly boundary to the Easterly boundary of the SW1/4SW1/4 of said Section 12; thence S. 00°26'50" W., 128.28 feet along said Easterly boundary to the Southeast corner of said SW1/4SW1/4; thence S. 89°12'53" W., 1309.44 feet along the Southerly boundary of said SW1/4SW1/4 to the TRUE POINT OF BEGINNING.
(TAX LOT 7642)

PARCEL 7:

A PARCEL OF LAND IN HES 292, SECTION 11, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12; thence N. 00°31'53" East 422.22 feet along the North-South section line between said Section 11 and Section 12 to the Southerly boundary of Homestead Entry Survey No. 292 and the TRUE POINT OF BEGINNING;
thence S. 80°11'09" W., 2,210.80 feet along the Southerly boundary of H.E.S. 292 to the Southeast corner of Tax Lot 3082; thence N. 00°12'52" E., 766.29 feet along the Easterly boundary of Tax Lots 3082 and 2784 to a point on the Northerly bank of Warm Springs Creek; thence S. 54°08'10" E., 183.59 feet along the Southwesterly boundary of Tax Lot 5103 to the Southwest corner of Lot 12, WARM SPRINGS CREEKSIDE SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence along said Southerly boundary of WARM SPRINGS CREEKSIDE SUBDIVISION by the following courses and distances: S. 46°53'48" E., 73.97 feet; thence S. 57°01'48" E., 75.36 feet; thence S. 61°14'48" E., 74.58 feet; thence S. 65°56'12" E., 101.10 feet; S. 89°10'07" E., 100.62 feet; thence N. 72°56'28" E., 98.55 feet; thence N. 74°47'57" E., 97.10 feet; thence N. 80°37'22" E., 76.20 feet; N. 79°40'19" E., 75.99 feet; thence N. 80°31'07" E., 76.18 feet; thence N. 86°07'24" E., 77.89 feet; thence N. 70°13'18" E., 75.00 feet; thence N. 69°54'47" E., 65.71 feet; thence N. 66°04'53" E., 169.10 feet; thence N. 40°37'18" E., 140.80 feet to the Easterly corner of Lot 25, WARM SPRINGS CREEKSIDE SUBDIVISION; thence N. 37°26'22" E., 69.30 feet along the Southeasterly boundary of LOST HILLS : LOT 1A, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 54°49'22" E., 42.80 feet along the

Southeasterly boundary of said LOST HILLS : LOT 1A; thence N. 54°49'22" E., 26.30 feet along the Southeasterly boundary of ROCKVIEW WEST CONDOMINIUMS, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 67°53'22" E., 60.05 feet along the Southerly boundary of said ROCKVIEW WEST CONDOMINIUM;
thence N. 67°53'22" E., 15.05 feet along the Southerly boundary of the FERN TREE WEST SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 76°58'22" E., 76.50 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 84°33'20" E., 65.76 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 64°08'33" E., 69.09 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 84°35'49" E., 131.28 feet along the Southerly boundary of the ROCKVIEW SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence S. 06°28'11" E., 19.22 feet along the Southerly boundary of said ROCKVIEW SUBDIVISION;
thence S. 88°21'58" E., 65.30 feet along the Southerly boundary of said ROCKVIEW SUBDIVISION; thence N. 87°22'22" E., 63.82 feet along the Southerly boundary of Tax Lot 4102; thence S. 02°03'03" W., 10.00 feet along the Westerly boundary of Tax Lot 5765; thence S. 84°33'52" E., 81.76 feet along the Southerly boundary of Tax Lot 5765; thence S. 79°49'03" E., 22.19 feet to the Southwest corner of that parcel of land recorded as Instrument No. 148900; thence S. 77°51'39" E., 14.00 feet along the Southerly boundary of said parcel; thence S. 77°51'39" E., 39.39 feet along the Southerly boundary of that parcel of land recorded as Instrument No. 222504 to the Easterly boundary of said Section 11; thence S. 00°31'53" W., 571.56 feet along said Easterly boundary to the TRUE POINT OF BEGINNING.
(TAX LOT 7643)

PARCEL 8:

A parcel of land within the SE1/4SE1/4 of Section 11, Township 4 North, Range 17 East, Boise Meridian, Ketchum, Blaine County, Idaho and more particularly described as follows:

Commencing at a brass cap marking the East Quarter Corner of said Section 11; thence S02°47'00"W, 1318.87 feet to the northeast corner of Sun River Condominium and the TRUE POINT OF BEGINNING; thence S74°02'46"E, 46.11 feet along the southerly boundary of Bald Mountain Road to a northwesterly corner of Tax Lot No. 6312; thence following the westerly boundary of Tax Lot No. 6312 a distance of 42.26 feet along a curve to the left with a central angle of 105°16'10", a radius of 23.00 feet and a long chord of 36.56 feet that bears S16°15'18"W; thence S00°59'08"W, 49.95 feet along the westerly boundary of Tax Lot No. 6312 to the southwest corner of Tax Lot No. 6312; thence N76°59'06"W, 35.64 feet along the northerly boundary of the Warm Springs Golf Course property to the southeast corner of Sun River Condominium; thence N15°10'07"E, 79.03 feet along the east boundary of Sun River Condominium to the TRUE POINT OF BEGINNING.
(Tax Lot 7776)

PARCEL 9:

TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN

SECTION 12, Ketchum, Blaine County, Idaho

A parcel of land within a portion of SE1/4 SW1/4 Section 12, Ketchum, Blaine County, Idaho, said parcel being more particularly described by metes and bounds as follows:

Commencing at a brass cap marking the SW Corner of said Section 12, thence N89°32'53"E, 1304.81 feet, more or less, to a BLM aluminum cap marking the West 1/16 corner common to said Sec. 12 and Sec. 13 and said aluminum cap being the True Point of Beginning.

Thence N00°04'35"E, 137.41 feet, more or less, along the westerly boundary of said SE1/4 SW1/4 Sec. 12 to a point on the northeasterly bank of Warm Springs Creek, said point also on the southwesterly boundary of Parcel 4 as described in that Warranty Deed recorded as Instrument No. 480648, records of Blaine County, Idaho;
thence along said Parcel 4 by the following courses: S43°29'50"E, 45.75 feet;
thence S33°35'21"E, 56.51 feet, more or less, to the westerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho;
thence S33°56'52"E, 67.91 feet, more or less, along the southwesterly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2 to a point on the southerly boundary of said Sec. 12;
thence S89°32'23"W, 100.86 feet, more or less, along said southerly boundary of Sec. 12 to the True Point of Beginning.
(TAX LOT 7926)

PARCEL 10:

Lot 12 of WARM SPRINGS CREEKSIDE SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 166033, records of Blaine County, Idaho.

Exhibit B

Permitted Exceptions

Parcels 1 through 9

2. Levies and assessments for service charges for the City of Ketchum. (As to Parcels 2,3,4 & 5) (current)
3. Right, title and interest of the State of Idaho within the natural bed of Warm Springs Creek below the ordinary high water line, and also excepting any artificial accretions waterward of said ordinary high water line. (As to Parcel 1 thru 9)
4. Lack of right of access to and from said land. Access may be by way of easements or permits granted by the bureau of Land Management or the Forest Service. If so, such access is subject to the terms and conditions of such easements or permits. (As to Parcel 1)
5. Easements depicting a road access on the Official Plat of Warm Springs Townhouse Condominiums, recorded January 22, 1968, as Instrument No. 129077, records of Blaine County, Idaho. (As to Parcels 5 and 2)
6. Private Roadway and Utility Easement, recorded May 7, 1976, as Instrument No. 165890, records of Blaine County, Idaho. (As to Parcel 5)
7. Water Line Easement in favor of the city of Ketchum, recorded August 23, 1978, as Instrument No. 185873, records of Blaine County, Idaho. (As to parcel 7)
8. Water Line Easement in favor of the City of Ketchum, recorded August 23, 1978, as Instrument No. 185874, records of Blaine County, Idaho. (As to Parcels 5 and 2)
9. Easement depicted in that certain Warranty Deed, recorded June 6, 1989, as Instrument No. 306216, records of Blaine County, Idaho. (As to Parcel 5)
10. Matters contained in that certain Survey, recorded April 14, 1994, as Instrument No. 364675, records of Blaine County, Idaho. (As to Parcel 1)
11. Restrictions contained in that certain Warranty Deed, recorded March 21, 2003, as Instrument No. 480648, records of Blaine County, Idaho. (As to Parcels 1 thru 9)

13. Terms and Conditions contained in that certain Bill of Sale, Assignment and Conveyance, recorded March 21, 2003, as Instrument No. 480650, records of Blaine County, Idaho.

Said Bill of Sale, Assignment and Conveyance was re-recorded May 21, 2003, as Instrument No. 484230, records of Blaine County,
14. Exceptions contained in that certain Quitclaim Deed, recorded March 21, 2003, as Instrument No. 480652, records of Blaine County, Idaho.

(As to Parcels 1 thru 9)
15. Terms and conditions contained in that certain Right-of-Way Easement granted by the United States Department of the Interior, Bureau of Land Management IDI-31063, in favor of Sun Valley Ventures, LLC, recorded in that certain Affidavit of Mailing, recorded September 19, 2005, as Instrument No. 526128, records of Blaine County, Idaho.

(As to Parcel 1)
16. Various Instruments appear of record affecting the interests of the parties of various leases, but neither this Commitment or the forthcoming Policy covers an examination of or Insurance as to the effect thereof, or the present ownership, encumbrances on, or condition of said leaseholds.

(As to Parcels 1 thru 9)
17. Unrecorded leaseholds; rights of parties in possession, rights of secured parties, vendors and vendees under conditional sales contracts of personal property installed on the premises herein, and rights of tenants to remove trade fixtures.

(As to Parcels 1 thru 9)
18. Memorandum of Option to Purchase Real Property by and between Whitetail, A Club for All Seasons, LLC and Ivanhoe Capital, LLC, a Nevada limited liability company, recorded May 1, 2006, as Instrument No. 534864
19. An inspection of said land discloses a possible fence encroachment on the northeasterly boundary of Parcel 5 of said land, and any rights, easements, interests or claims which may exist by reason thereof.
20. An inspection of said land discloses a possible Landscape, Asphalt and Dumpster encroachment along the south easterly boundary of Parcel 5 of said land, and any rights, easements, interests or claims which may exist by reason thereof
21. An inspection of said land discloses a possible road way encroachment of Bald Mountain Road along the north westerly boundary of Parcel 2 of said land, and any rights, easements, interests or claims which may exist by reason thereof.
22. An inspection of said land discloses a possible driveway encroachment by Bald Mountain Townhomes along the north westerly boundary of Parcel 2 of said land, and any rights, easements, interests or claims which may exist by reason thereof.
23. An inspection of said land discloses a possible deck encroachment along the most south westerly boundary of Parcel 2 of said land, and any rights, easements, interests or claims which may exist by reason thereof.

24. An inspection of said land discloses a possible water and sewer line along the approximate northerly boundary of Parcel 2 of said land, and any rights, easements, interests or claims which may exist by reason thereof.

Parcel 10

2. Levies and Assessments for service charges of the City of Ketchum Water and Sewer Department.
3. Matters as shown on the official plat of Warm Spring Creekside Subdivision.
4. Covenants and Conditions for WARM SPRINGS CREEKSIDE SUBDIVISION, recorded as Instrument No. 166046, but deleting any covenant, condition or restriction indicating a preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c), records of Blaine County, Idaho.
5. Terms and conditions contained in that certain Water Line Easement, recorded August 23, 1978, as Instrument No. 185873, records of Blaine County, Idaho.
6. Terms and conditions pertaining to that certain Memorandum of Option, recorded May 1, 2006, as Instrument No. 534864, records of Blaine County, Idaho.
7. Right, title and interest of the State of Idaho within the natural bed of Warm Springs Creek below the ordinary high water line, and also excepting any artificial accretions waterward of said ordinary high water line.

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 37-2621
Date Received: 10/21/1988
Receipt No: S003125
Received By:

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

1. Name of Claimant(s)

WHITETAIL A CLUB FOR ALL SEASONS Phone: (208) 630-0250
501 WEST LAKE STREET
MC CALL ID 83638

2. Date of Priority: 08/06/1959

3. Source: WARM SPRINGS CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	17E	12	SW SW	BLAINE	

5. Description of diverting works:

WING WALL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	11/01	0.48	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
04N	17E	11	SW	SE	IRRIGATION	8	
			SE	SE	IRRIGATION	11	
			Section Acres				19
04N	17E	12	SW	SW	IRRIGATION	5	
			Section Acres				5
			Total Acres				24

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

See remarks for additional conditions of approval.

.48 CFS IS TO BE SUPPLEMENTAL OR IN LIEU OF DECREED RIGHTS.

THE TOTAL FROM ALL SOURCES NOT TO EXCEED 1 MINERS INCH PER ACRE. THE ORIGINAL PERMIT WAS ON A SPRING BUT THE TRANSFER WAS DONE BEFORE 1969 (1960) THEREFORE SOURCE IS NOW WARM SPRINGS CREEK

15. Basis of Claim: License

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

RECEIVED
 SEP 11 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN 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 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
_____	37-212A	_____	_____	_____	_____
_____	37-2621	_____	_____	_____	_____
_____	37-4337	_____	_____	_____	_____
_____	37-20381	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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 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) Sun Valley Ventures, LLC
P.O. Box 5500, Ketchum, Idaho 83340
4. New Owner/Claimant(s) Whitetail, A Club For All Seasons, LLC
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address 501 West Lake Street
- City, State and Zip Code McCall, ID 83638
- New Telephone Number (208) 634-2244
5. Date you acquired the property 05/01/2006

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of 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.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New owner(s) or Claimant(s) WHITE TAIL, A CLUB FOR ALL SEASONS, LLC
(include title if applicable)

By: _____

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 _____

156848 -k
②
Recording Requested By and
When Recorded Return to:

Stephen A. Hardesty
Hawley Troxell Ennis & Hawley LLP
P.O. Box 1617
Boise, ID 83701-1617

Instrument # 534863

HAILEY, BLAINE, IDAHO
2006-05-01 04:11:00 No. of Pages: 7
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 21.00
Ex-Officio Recorder Deputy *mp*
Index to: GRANT DEED

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED

THIS GRANT DEED, made this 1st day of May, 2006, by and between SUN VALLEY VENTURES LLC, a California limited liability company ("Grantor"), and WHITETAIL, A CLUB FOR ALL SEASONS, LLC, an Idaho limited liability company, whose address is 501 West Lake Street, McCall, Idaho 83638 ("Grantee").

WITNESSETH:

FOR VALUE RECEIVED, Grantor does hereby grant, sell and convey to Grantee, his heirs, successors and assigns forever, all that certain real property located in Blaine County, State of Idaho, more particularly described on EXHIBIT "A" attached hereto and incorporated herein by this reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including any and all improvements located thereon; the reversion and reversions, remainder and remainders, rents, issues and profits thereof (collectively "Premises").

Grantor hereby covenants with Grantee that the Premises are free from all encumbrances made by Grantor and that Grantor will warrant and defend the Premises against the lawful claims of all persons claiming by, through or under Grantee; subject, however, to the rights of all persons in possession.

TO HAVE AND TO HOLD all and singular the Premises, together with the appurtenances unto Grantee, his heirs, successors and assigns forever.

The Premises are sold and conveyed to Grantee, "AS IS AND WHERE IS AND WITH ALL FAULTS, IF ANY." Except as provided above, Grantor makes no warranties either express or implied in fact or by operation of law concerning the Premises.

GRANT DEED - 1 -

42477.0001.873105.9

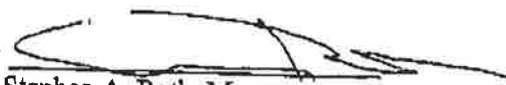
IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GRANTOR:

SUN VALLEY VENTURES LLC

By: Marronnier, LLC, a Managing Member

By:


Stephen A. Roth, Manager

STATE OF IDAHO

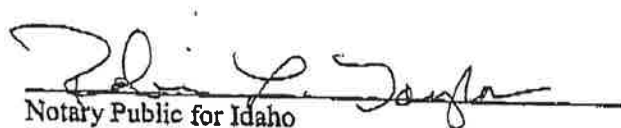
County of Blaine

)
) ss.
)

On this 1st day of May, 2006, before me, ROBIN L. TAYLOR, a Notary Public in and for said State, personally appeared Stephen A. Roth, known or identified to me to be the Manager of Marronnier, LLC, which is a Managing Member of Sun Valley Ventures LLC, a California limited liability company, and acknowledged to me that he is the Manager who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said company, and that such company executed the same in said company name.

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 for Idaho
Residing at Hailey
My commission expires 3/11/2010

GRANT DEED - 2 -

EXHIBIT "A"
(attached hereto)

GRANT DEED - 3 -

42477.0001.873105.3

Exhibit "A"

Parcel 1:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. $00^{\circ}31'53''$ W., 2668.94 feet from the West $\frac{1}{4}$ corner of said Section 12; thence N. $07^{\circ}54'41''$ E., 968.69 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence leaving said Northerly bank N. $52^{\circ}30'21''$ E., 14.14 feet along the boundary common to Tax Lot 6312; thence N. $07^{\circ}30'21''$ E., 104.21 feet along said common boundary; thence N. $14^{\circ}22'29''$ W., 40.00 feet to a point on the Southeasterly boundary of Owen Simpson Subdivision, according to the official plat thereof, recorded as Instrument No. 192109, records of Blaine County, Idaho; thence following said Southeasterly boundary N. $76^{\circ}11'31''$ E., 276.40 feet, more or less, to the Southerly boundary of Warm Springs Road; thence along said Southerly boundary of Warm Springs Road by the following courses: S. $77^{\circ}34'30''$ E., 192.53 feet; thence 478.19 feet along a curve to the right, said curve having a central angle of $08^{\circ}32'48''$, a radius of 3205.76 feet, and a chord length of 477.75 feet that bears S. $71^{\circ}34'50''$ E., thence S. $67^{\circ}18'26''$ E., 234.29 feet, thence leaving said Southerly boundary 253.89 feet along a curve to the left, said curve having a central angle of $23^{\circ}42'49''$, a radius of 613.43 feet, and a chord length of 252.08 that bears N. $88^{\circ}42'36''$ W., thence S. $79^{\circ}56'08''$ W., 15.60 feet; thence S. $88^{\circ}42'36''$ W. 150.00 feet; thence N. $39^{\circ}41'17''$ W., 51.99 feet; thence N. $47^{\circ}45'44''$ W. 95.15 feet; thence N. $72^{\circ}33'47''$ W., 177.43 feet, thence S. $14^{\circ}08'46''$ W., 223.19 feet to a point on the Northerly bank of Warm Springs Creek; thence along said Northerly bank by the following courses; N. $56^{\circ}11'08''$ W., 178.35 feet; thence N. $78^{\circ}01'26''$ W., 101.20 feet; thence N. $88^{\circ}42'01''$ W., 148.87 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7638)

Parcel 2:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. $00^{\circ}31'53''$ W., 2668.94 feet from the West $\frac{1}{4}$ corner of said section 12; thence N. $52^{\circ}26'13''$ E., 956.46 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence along said Northerly bank by the following courses; N. $33^{\circ}41'24''$ W., 162.25 feet; thence N. $45^{\circ}00'00''$ W.,

106.07 feet; thence N. 56°11'07" W., 76.81 feet; thence leaving said Northerly bank N. 14°08'46" E., 223.19 feet; thence S. 72°33'47" E., 177.43 feet; thence S. 47°45'44" E., 95.15 feet; thence S. 39°41'17" E., 51.99 feet; thence N. 88°42'36" E., 150.00 feet; thence S. 34°38'29" E., 47.81 feet; thence S. 40°55'36" W., 218.55 feet; thence S. 50°04'55" W., 172.91 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7639)

Parcel 3:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO more particularly described as follows:

COMMENCING at a brass cap marking the Southeast Corner of Said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West ¼ corner of said Section 12; thence N. 52°26'13" E., 956.46 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence along said Northerly bank by the following courses: S. 29°57'00" E., 242.36; thence S. 65°58'23" E., 69.22; thence S. 64°13'10" E., 131.45 feet; thence S. 70°53'00" E., 181.81 feet; thence S. 43°29'50" E., 150.15 feet; thence S. 33°35'21" E., 56.51 feet, more or less, to the Westerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho; thence leaving said Northerly bank N. 61°07'48" E., 25.79 feet along the Northwesterly boundary said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2 to the Southerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 3, according the official plat thereof, recorded as Instrument No. 141402, records of Blaine County, Idaho; thence N. 18°54'09" W., 129.05 feet along the Southwesterly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 3 to the Southeast corner of Tax Lot 5105; thence along the exterior boundary of said Tax Lot 5105 by the following courses: S. 81°22'42" W., 77.94 feet, thence N. 08°37'18" W., 134.00 feet; thence N. 81°22'42" E., 85.75 feet to a point on the Westerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 4, according the official plat thereof, recorded as Instrument No. 147288, records of Blaine County, Idaho; thence N. 00°03'08" E., 18.20 feet along said Westerly boundary to the South corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho; thence N. 40°19'52" W., 145.72 feet along the Southwesterly boundary to the West Corner of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS, thence N. 40°03'09" W., 55.19 feet; thence N. 03°12'52" W., 171.00 feet; thence N. 53°24'52" W., 102.90 feet; thence N. 34°38'52" W., 140.00 feet, thence S. 40°55'32" W., 218.55 feet; thence S. 50°04'55" W., 172.91 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7640)

Parcel 4:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West ¼ corner of said Section 12; thence N. 70°37'44" E., 1415.83 feet to the East corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho, said corner being the TRUE POINT OF BEGINNING; thence N. 89°56'55" W., 94.41 feet along the Northerly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS to the West corner of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS; thence N. 40°03'09" W., 55.19 feet, thence N 03°12'52" W., 171.00 feet; thence N. 53°24'52" W., 102.90 feet; thence N. 34°38'48" W., 187.80 feet; thence N. 79°56'08" E., 15.60 feet; thence 253.89 feet along a curve to the right, said curve having a central angle of 23°42'49", a radius of 613.43 feet, and a chord length of 252.08 feet that bears S. 88°12'27" E., more or less, to a point on the Southerly boundary of Warm Springs Road; thence S. 68°42'30" E., 66.64 feet, more or less, along said Southerly boundary to the Northwest corner of WARM SPRINGS TENNIS CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 208961, records of Blaine County, Idaho, thence S. 00°03'08" W., 38.55 feet along the Westerly boundary of said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2, to a point on the northerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 6, according to the official plat thereof recorded as Instrument No. 163389, records of Blaine County, Idaho; thence along the boundary of said WARM SPRING TOWNHOUSE CONDOMINIUMS NO. 6 by the following courses: S. 86°11'23" W., 59.46 feet to the Northwest corner; thence S. 03°48'44" E., 73.00 feet to the West corner common to said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 6 and WARM SPRINGS TENNIS CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 199114, records of Blaine County, Idaho; thence along the boundary of said WARM SPRINGS TENNIS CONDOMINIUMS by the following courses: S 03°48'44" E., 80 feet to the Westerly corner; thence S. 62°11'14" E., 55.23 feet to a point on the Westerly boundary of said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2; thence S. 00°03'08" W., 69.02 feet along said Westerly boundary to the West corner common to said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2 and COUNTRY CLUB TOWNHOUSES, according to the official plat, thereof recorded as Instrument No. 315898, records of Blaine County, Idaho; thence S. 00°03'08" W., 109.59 feet along the Westerly boundary of said COUNTRY CLUB TOWNHOUSES to the TRUE POINT OF BEGINNING.

SUBJECT TO a 30 - foot wide Roadway Easement serving Tax Lot 5991 and Warm Springs Townhouse Condominiums, as depicted within the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho.
(Tax Lot 7641)

Parcel 8

A parcel of land within the SE1/4SE1/4 of Section 11, Township 4 North, Range 17 East, Boise Meridian, Ketchum, Blaine County, Idaho and more particularly described as follows:

Commencing at a brass cap marking the East Quarter Corner of said Section 11; thence S. 02°47'00"W, 1318.87 feet to the northeast corner of Sun River Condominium and the TRUE POINT OF BEGINNING; thence S. 74°02'46" E, 46.11 feet along the southerly boundary of Bald Mountain Road to a northwesterly corner of Tax Lot No. 6312; thence following the westerly boundary of Tax Lot No. 6312 a distance of 42.26 feet along a curve to the left with a central angle of 105°16'10", a radius of 23.00 feet and a long chord of 36.56 feet that bears S. 16°15'18" W; thence S. 00°59'08" W, 49.95 feet along the westerly boundary of Tax Lot No. 6312 to the southwest corner of Tax Lot No. 6312; thence N. 76°59'06" W, 35.64 feet along the northerly boundary of the Warm Springs Golf Course property to the southeast corner of Sun River Condominium; thence N. 15°10'07" E, 79.03 feet along the east boundary of Sun River Condominium to the TRUE POINT OF BEGINNING. (Tax Lot 7776)

Parcel 9

TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN SECTION 12,
Ketchum, Blaine County, Idaho

A parcel of land within a portion of SE1/4SW1/4 Section 12, Ketchum, Blaine County, Idaho, said parcel being more particularly described by metes and bounds as follows:

Commencing at a brass cap marking the SW Corner of said Section 12, thence N. 89°32'53" E., 1304.81 feet, more or less, to a BLM aluminum cap marking the West 1/16 corner common to said Sec. 12 and Sec. 13 and said aluminum cap being the True Point of Beginning.

Thence N. 00°04'35" E., 137.41 feet, more or less, along the westerly boundary of said SE1/4SW1/4 Sec. 12 to a point on the northeasterly bank of Warm Springs Creek, said point also on the southwesterly boundary of Parcel 4 as described in that Warranty Deed recorded as Instrument No. 480648, records of Blaine County, Idaho; thence along said Parcel 4 by the following courses: S. 43°29'50" E., 45.75 feet; thence S. 33°35'21" E., 56.51 feet, more or less, to the westerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho; thence S. 33°56'52" E., 67.91 feet, more or less, along the southwesterly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2 to a point on the southerly boundary of said Sec. 12; thence S89°32'23" W, 100.86 feet, more or less, along said southerly boundary of Sec. 12 to the True Point of Beginning.

(Tax Lot 7926)

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

September 7, 2006

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301

RECEIVED
SEP 11 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: ***Whitetail, A Club For All Seasons, LLC***
Notice of Change in Water Right Ownership
Our File No.: 307/060048

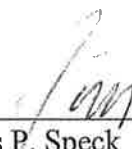
Dear Allen:

Enclosed you will find the original and one copy of the Notice of Change in Water Right Ownership for Water Right Nos., 37-212A, 37-2621, 37-4337 and 37-20381. Please receipt date-stamp the copy and return it to me in the postage prepaid, self-addressed envelope included for that purpose. Please call me right away if you have any questions or concerns about this notice.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS/jal
Enclosures
cc: Clients (w/encl.)
Steve Hardesty (w/encl.)
F:\WPDATA\JIM\Whitetail\Correspondence\Merritt 09-07.wpd

0 156248-K
Recording Requested By and
When Recorded Return to:

Stephen A. Hardesty
Hawley Troxell Ennis & Hawley LLP
P.O. Box 1617
Boise, ID 83701-1617

Instrument # 534862

HAILEY, BLAINE, IDAHO

2006-05-01

04:18:00 No. of Pages: 6

Recorded for: FIRST AMERICAN TITLE

MARSHA RIEMANN

Fee: 18.00

Ex-Officio Recorder Deputy

Index to: GRANT DEED

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED

THIS GRANT DEED, made this 1st day of May, 2006, by and between CREEKSIDE I, LLC, an Idaho limited liability company ("Grantor"), and WHITETAIL, A CLUB FOR ALL SEASONS, LLC, an Idaho limited liability company, whose address is 501 West Lake Street, McCall, Idaho 83638 ("Grantee").

WITNESSETH:

FOR VALUE RECEIVED, Grantor does hereby grant, sell and convey to Grantee, his heirs, successors and assigns forever, all that certain real property located in Blaine County, State of Idaho, more particularly described on EXHIBIT "A" attached hereto and incorporated herein by this reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including any and all improvements located thereon; the reversion and reversions, remainder and remainders, rents, issues and profits thereof (collectively "Premises").

Grantor hereby covenants with Grantee that the Premises are free from all encumbrances made by Grantor and that Grantor will warrant and defend the Premises against the lawful claims of all persons claiming by, through or under Grantee; subject, however, to the rights of all persons in possession.

TO HAVE AND TO HOLD all and singular the Premises, together with the appurtenances unto Grantee, his heirs, successors and assigns forever.

The Premises are sold and conveyed to Grantee, "AS IS AND WHERE IS AND WITH ALL FAULTS, IF ANY." Except as provided above, Grantor makes no warranties either express or implied in fact or by operation of law concerning the Premises.

GRANT DEED - 1 -

42477.0001.873115.3

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GRANTOR:

CREEKSIDE I, LLC

By: Maronnier, LLC, its Manager


By: _____
Stephen A. Roth, Manager

STATE OF IDAHO)

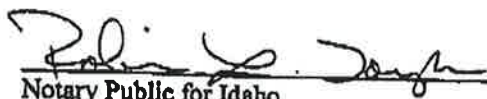
County of Blaine)

) ss.

On this 1st day of May, 2006, before me, ROBIN L. TAYLOR, a Notary Public in and for said State, personally appeared Stephen A. Roth, known or identified to me to be the Manager of Maronnier, LLC, the Manager of the limited liability company of Creekside I, LLC, and the Manager who subscribed said company name to the foregoing instrument, and acknowledged to me that Creekside I, LLC executed the same in said company name.

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 for Idaho
Residing at Boise
My commission expires 3/11/2010

GRANT DEED - 2 -

EXHIBIT "A"

(attached hereto)

GRANT DEED - 3 -

42477.0001.873113.3

Legal Descriptions
Order No. 156898

Exhibit "A"

Parcel 5:

A PARCEL OF LAND IN HES 292, SECTION 11, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12; thence N. 00°31'53" East, 422.22 feet along the North - South section line between said Section 11 and Section 12 to the Southerly boundary of Homestead Entry Survey No. 292 and the TRUE POINT OF BEGINNING; thence S. 80°11'09" W., 2,210.80 feet along the Southerly boundary of H.E.S. 292 to the Southeast corner of Tax Lot 3082; thence N. 00°12'52" E., 766.29 feet along the Easterly boundary of Tax Lots 3082 and 2784 to a point on the Northerly bank of Warm Springs Creek; thence S. 54°08'10" E., 183.59 feet along the Southwesterly boundary of Tax Lot 5103 to the Southwest corner of Lot 12, WARM SPRINGS CREEKSIDE SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence along said Southerly boundary of WARM SPRINGS CREEKSIDE SUBDIVISION by the following courses and distances: S. 46°53'48" E., 73.97 feet; thence S. 57°01'48" E., 75.36 feet; thence S. 61°14'48" E., 74.58 feet; thence S. 65°56'12" E., 101.10 feet; S. 89°10'07" E., 100.62; thence N. 72°56'28" E., 98.55 feet; thence N. 74°47'57" E., 97.10 feet; thence N. 80°37'22" E., 76.20 feet; N. 79°40'19" E., 75.99; thence N. 80°31'07" E., 76.18 feet; thence N. 86°07'24" E., 77.89 feet; thence N. 70°13'18" E., 75.00 feet; thence N. 69°54'47" E., 65.71 feet; thence N. 66°04'53" E., 169.10 feet; thence N. 40°37'18" E., 140.80 feet to the Easterly corner of Lot 25, WARM SPRINGS CREEKSIDE SUBDIVISION; thence N. 37°26'22" E., 69.30 feet along the Southeasterly boundary of Tax Lot 5761; thence N. 54°49'22" E., 42.80 feet along the Southeasterly boundary of Tax Lot 6012; thence N. 54°49'22" E., 26.30 feet along the Southeasterly boundary of ROCKVIEW WEST CONDOMINIUMS, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 67°53'22" E., 60.05 feet along the Southerly boundary of said ROCKVIEW WEST CONDOMINIUM; thence N. 67°53'22" E., 15.05 feet along the Southerly boundary of the FERN TREE WEST SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 76°58'22" E., 76.50 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 84°33'20" E., 65.76 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 64°08'33" E., 69.09 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 84°35'49" E., 131.28 feet along the Southerly boundary of the ROCKVIEW SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence S. 06°28'11" E., 19.22 feet along the Southerly boundary of said ROCKVIEW SUBDIVISION; thence S. 88°21'58" E., 65.30 feet along

the Southerly boundary of said ROCKVIEW SUBDIVISION; thence N. 87°22'22" E., 63.82 feet along the Southerly boundary of Tax Lot 4102; thence S. 02°03'03" W., 10.00 feet along the Westerly boundary of Tax Lot 5765; thence S. 84°33'52" E., 81.76 feet along the Southerly boundary of Tax Lot 5765; thence S. 79°49'03" E., 22.19 feet to the Southwest corner of that parcel of land recorded as Instrument No. 148900; thence S. 77°51'39" E., 14.00 feet along the Southerly boundary of said parcel; thence S. 77°51'39" E., 39.39 feet along the Southerly boundary of that parcel of land recorded as Instrument No. 222504 to the Easterly boundary of said Section 11; thence S. 00°31'53" W., 571.56 feet along said Easterly boundary to the TRUE POINT OF BEGINNING.
(Tax Lot 7643)

Parcel 6:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12, and said corner being the TRUE POINT OF BEGINNING; thence N. 00°31'53" E., 993.78 feet along the Westerly boundary of said Section 12 to the Southerly boundary of that parcel of land recorded as Instrument No. 222504; thence S. 77°51'39" E., 52.66 feet along said Southerly boundary; thence S. 72°17'39" E., 76.24 feet along said Southerly boundary; thence along the Northerly bank of Warm Springs Creek by the following courses and distances: S. 88°42'01" E., 148.87 feet; thence S. 78°01'26" E., 101.20 feet; thence S. 56°11'07" E., 255.16 feet; thence S. 45°00'00" E., 106.07 feet; thence S. 33°41'24" E., 162.25 feet; thence S. 29°57'00" E., 242.36 feet; thence S. 65°58'23" E., 69.22 feet; thence S. 64°13'10" E., 131.45 feet along the Northerly bank of Warm Springs Creek and also the Southerly boundary of that parcel of land recorded as Instrument No. 148523; thence S. 70°53'00" E., 181.81 feet along said Northerly bank and Southerly boundary; thence S. 43°29'23" E., 113.01 feet along said Northerly bank and Southerly boundary to the Easterly boundary of the SW1/4SW1/4 of said section 12; thence S. 00°26'50" W., 128.28 feet along said Easterly boundary to the Southeast corner of said SW1/4SW1/4; thence S. 89°12'53" W., 1309.44 feet along the Southerly boundary of said SW1/4SW1/4 to the TRUE POINT OF BEGINNING.
(Tax Lot 7642)

Parcel 7:

A PARCEL OF LAND LOCATED WITHIN THE NE1/4NW1/4 OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, AND THE SE1/4SW1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, lying South and West of the Northeasterly bank of Warm Springs Creek, more particularly described as follows:

COMMENCING at a brass cap marking the Center North 1/16 corner of Section 13, running thence S. 89°37'23" W., 660.46 feet along the Southerly boundary of said NE1/4NW1/4 of Section 13 to a brass cap marking the 1/64 corner, said corner being the TRUE POINT OF BEGINNING; thence S. 89°37'23" W., 664.71 feet, along the Southerly boundary to the Northwest 1/16 corner; thence N. 00°58'45"E., 1329.70 feet, to the West 1/16 corner common to Section 12 and 13; thence N. 89°25'00" E., 107.46 feet along the Northerly boundary of Section 13 to a point on the Southwesterly boundary of Warm Springs Townhouse No. 2, said plat being on file of the Blaine County Recorder; thence S. 33°57'00" E. 104.38 feet along the boundary to the Northwesterly corner of tax lot 6571; thence S. 50°57'00" E., 180.00 feet along the Southwesterly boundary of Tax Lot 6571; thence S. 45°32'00" E., 240.00 feet to the Westerly corner of Tax lot 3172; thence S. 45°40'00" E., 142.60 feet along the Southwesterly boundary of Tax Lot 3172; thence S. 43°45'00" E., 61.00 feet along the Southwesterly boundary of Tax Lot 3172 to the Westerly corner of Tax Lot 3217; thence S. 40°54'00" E., 60.10 feet along the Southwesterly boundary of Tax Lot 3217 to the Westerly corner of Tax Lot 3362 thence S. 31°01'09" E., 87.55 feet to a point on the Westerly boundary of Lot 1, Block 5, SUN VALLEY SUBDIVISION 1st ADDITION REVISED; thence S. 12°53'25" E., 202.98 feet along the Westerly boundary to a point on the East bank of Warm Springs Creek; thence S. 12°00'43" W., 34.06 feet along said bank; thence S. 19°51'48" W., 21.70 feet along said bank; thence S 10°50'24" W., 22.88 feet along said bank; thence S. 02°30'16" W., 90.75 feet along said bank; thence S. 36°41'25" E., 7.24 feet along said bank; thence S. 06°06'43" W., 38.05 feet along said bank; thence S. 05°12'50" E., 37.44 feet along said bank; thence S. 23°16'16" E., 49.10 feet along said bank; thence S. 30°12'13" E., 45.25 feet along said bank; thence S. 31°29'18" E., 31.73 feet along said bank; thence S. 17°08'10" E., 36.19 feet along said bank; thence S. 02°42'17" E., 32.00 feet along said bank; thence S. 14°19'32" W., 24.42 feet along said bank; thence S. 22°56'00" W., 27.91 feet along said bank; thence S. 00°38'03" E., 20.18 feet along said bank to the Southerly boundary of said NE1/4NW1/4 of Section 13; thence S. 89°37'23" W., 143.94 feet along the boundary to the TRUE POINT OF BEGINNING.
(Tax Lot 6980)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

September 21, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

WHITETAIL A CLUB FOR ALL SEASONS LLC
501 WEST LAKE STREET
MCCALL ID 83638

Re: SRBA Claim #37-212A, #37-2621, #37-4337, #37-20381

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Office Specialist

Enc.

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 37-2621
Date Received: 10/21/1988
Receipt No: S003125
Received By:

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

1. Name of Claimant(s)

SUN VALLEY VENTURES LLC Phone: (208)726-8304
PO BOX 5500
KETCHUM ID 83340-5500

2. Date of Priority: 08/06/1959

3. Source: WARM SPRINGS CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	17E	12	SW SW	BLAINE	

5. Description of diverting works:

WING WALL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	11/01	0.48	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

04N	17E	11	SW	SE	IRRIGATION	8
			SE	SE	IRRIGATION	11
					Section Acres	19
04N	17E	12	SW	SW	IRRIGATION	5
					Section Acres	5
					Total Acres	24

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

See remarks for additional conditions of approval.

.48 CFS IS TO BE SUPPLEMENTAL OR IN LIEU OF DECREED RIGHTS.

THE TOTAL FROM ALL SOURCES NOT TO EXCEED 1 MINERS INCH PER ACRE. THE ORIGINAL PERMIT WAS ON A SPRING BUT THE TRANSFER WAS DONE BEFORE 1969 (1960) THEREFORE SOURCE IS NOW WARM SPRINGS CREEK

15. Basis of Claim: License

RECEIVED

DEC 27 2004

Department of Water Resources
Southern 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
<u>37-212</u>	<u>A37-212</u>	☐	<u>37-833N</u>	<u>A37-20381</u>	☐
<u>37-2621</u>	<u>A37-2621</u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐

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) 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 PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): Simpson Family Limited Partnership
4. New Owner/Claimant(s): Sun Valley Ventures, LLC
 New Mailing Address: P.O. Box 5500
 City, State, Zip Code: Ketchum, ID 83340-5500
 New Telephone Number: 208-726-4830
5. Date you acquired the property: March 18, 2003 (warranty deed date)

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 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(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	

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

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: _____
Received by: _____
Processed by: _____ AJ

Date: _____
Date: _____
Date: _____

Fee: _____
Receipt No: _____
WR: _____ Date: _____

See 37-212A for ownership change support
documents



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 18, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SUN VALLEY VENTURES LLC
PO BOX 5500
KETCHUM ID 83340-5500

Re: SRBA Claim #37-212A, #37-2621, #37-20381, #37-4337

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownerships to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Office Specialist

Enc.

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: **A37-02621**
Date Received: 10/21/1988
Receipt No: S003125
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: SIMPSON FAMILY LIMITED PARTNERSHIP 208-726-3249
Address: BOX 336
KETCHUM ID 83340

2. Date of Priority: AUG 6, 1959

3. Source: WARM SPRINGS CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	17E	12	SW	SW	SW		BLAINE

5. Description of diverting works:
WING WALL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/01	0.480		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	17E	11	SW	SE		IRR	8.0
			SE	SE		IRR	11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	19.0
		12	SW	SW	IRR	5.0
					Section Acres	5.0
					Total Acres	24.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00212A

14. Remarks:

.48 CFS IS TO BE SUPPLEMENTAL OR IN LIEU OF DECREED RIGHTS.
THE TOTAL FROM ALL SOURCES NOT TO EXCEED 1 MINERS INCH PER ACRE.
THE ORIGINAL PERMIT WAS ON A SPRING BUT THE TRANSFER WAS DONE
BEFORE 1969 (1960) THEREFORE SOURCE IS NOW WARM SPRINGS CREEK

15. Basis of Claim: LICENSE

Water Right Number: 28093

ASK

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: A37-02621
Date Received: 10/21/1988
Receipt No: S003125
Received By: Tw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SIMPSON FAMILY LIMITED PARTNERSHIP 208-726-3249
Address: BOX 336
KETCHUM, ID 83340
2. Date of Priority: AUG 06, 1959
3. Source: WARM SPRINGS CREEK Trib. to: BIG WOOD RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04N | 17E | 12 | SW | SW | | | BLAINE |
5. Description of diverting works:
WING WALL, PUMP AND PIPELINE
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/15 | 11/01 | 0.480 | | |
7. Total Quantity Appropriated is:
0.480 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	11	SW	SE		IRR	8.0
			SE	SE		IRR	11.0
						Section Acres	19.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	17E	12	SW	SW	IRR	5.0
Section Acres						5.0
Total Acres						24.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00212A

14. Remarks:
.48 CFS IS TO BE SUPPLEMENTAL OR IN LIEU OF DECREED RIGHTS.
THE TOTAL FROM ALL SOURCES NOT TO EXCEED 1 MINERS INCH PER ACRE.
THE ORIGINAL PERMIT WAS ON A SPRING BUT THE TRANSFER WAS DONE
BEFORE 1969 (1960) THEREFORE SOURCE IS NOW WARM SPRINGS CREEK

15. Basis of Claim: LICENSE
Water Right Number: 28093

COPY

MICROFILMED
FEB 23 1993

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): Jack Simpson Date: 10-21-88
_____ Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 21st day

of Oct 19 88

Lon White
Notary Public

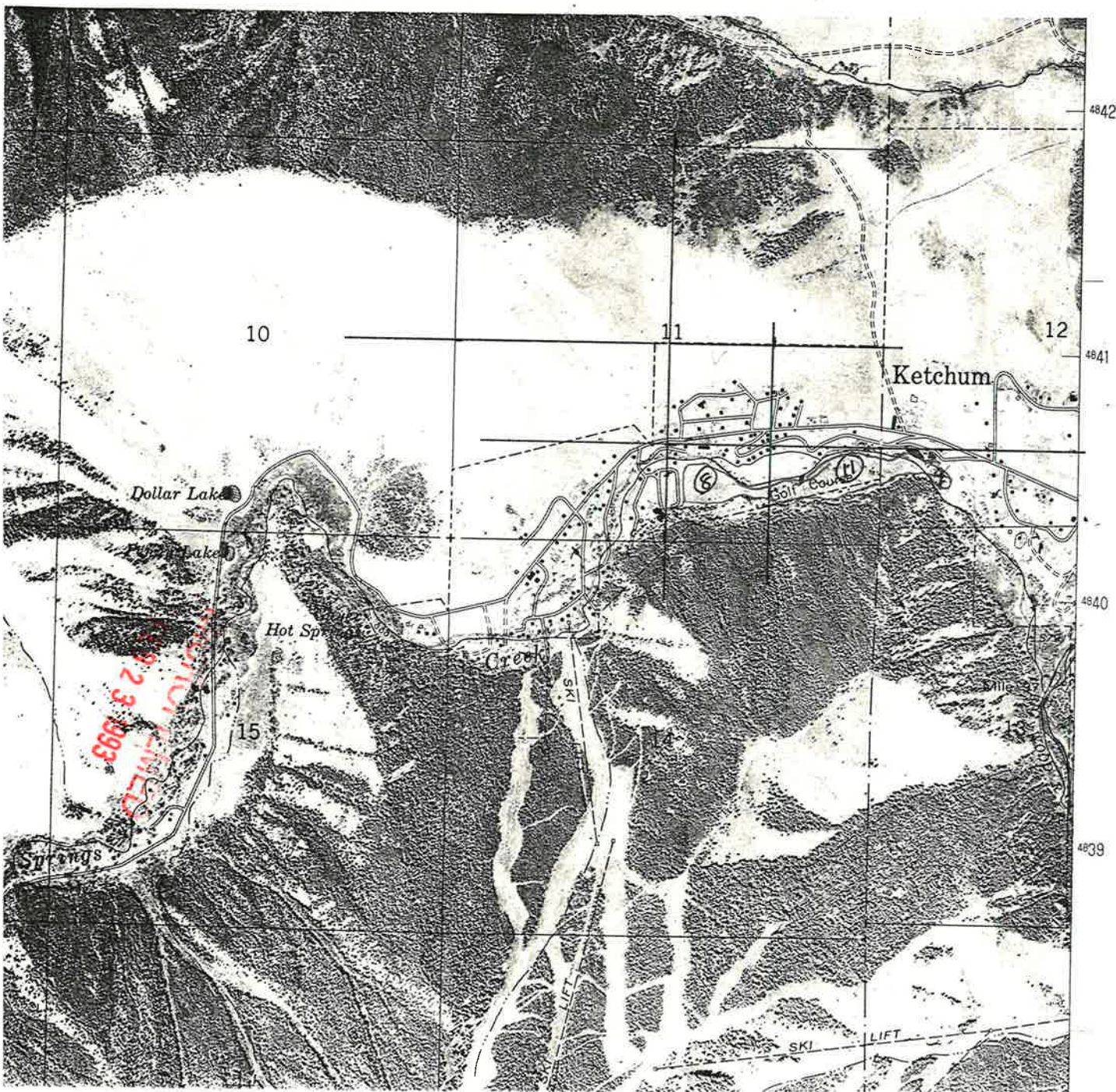
Seal

Residing at TF

My Commission Expires 5/95

COPY

MICROFILMED
FEB 23 1993



NE NW NE

10/29/2009

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

RIGHT NUMBER: 37-2621

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

VERIFIED BY *KKC*
10-29-09

SOURCE: SPRING

TRIBUTARY: WARM SPRINGS CREEK

QUANTITY: 0.480 CFS

The rights listed below are limited to a total combined diversion rate of 1.12 cfs. Combined Right Nos.: 37-212A, 37-2621 and 37-20381.

PRIORITY DATE: 08/06/1959

POINT OF
DIVERSION:

T04N R17E S11 NWSESE Rediversion Within BLAINE County

T04N R17E S12 SWSWSW Within BLAINE County

T04N R17E S12 SESWSW Injection Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.480 CFS
<u>IRRIGATION in BLAINE County</u>		
T04N R17E S11 SWSE 4.30	T04N R17E S11 SESE 16.00	
T04N R17E S12 SWSW 4.40		

24.7 ACRES TOTAL

Place of use does not include federal public lands.

This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 27.9 acres in a single irrigation season.

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

Property is also known as Homestead Entry Survey No. 292.

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 - License

10/29/2009

IDAHO DEPARTMENT OF WATER RESOURCES
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C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.480 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T04N R17E S11	SWSE	4.30	T04N R17E S11	SESE	16.00
T04N R17E S12	SWSW	4.40			

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

10/29/2009

IDAHO DEPARTMENT OF WATER RESOURCES
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RIGHT NUMBER: 37-2621
NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

SF-5

VERIFIED BY KKC
3-18-10

SOURCE: SPRING

TRIBUTARY: WARM SPRINGS CREEK

QUANTITY: 0.480 CFS

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PRIORITY DATE: 08/06/1959

POINT OF
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T04N R17E S11 NWSESE Rediversion Within BLAINE County
T04N R17E S12 SWSWSW Within BLAINE County
T04N R17E S12 SESWSW Injection Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
PLACE OF USE:	IRRIGATION	04/15 10/31	0.480 CFS
	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S11 SWSE 4.30	T04N R17E S11 SESE	16.00
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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

10/23/2009

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

RIGHT NUMBER: 37-2621

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

SOURCE: SPRING

TRIBUTARY: WARM SPRINGS CREEK

QUANTITY: 0.480 CFS

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PRIORITY DATE: 08/06/1959

POINT OF
DIVERSION:

T04N R17E S12 SWSW Injection Within BLAINE County
T04N R17E S12 SWSW Rediversion Within BLAINE County
T04N R17E S12 SWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.480 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S11	SWSE	4.30	T04N R17E S11	SESE	16.00
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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

State of Idaho

License and Certificate of Water Right

Water License No. G-28093 Priority August 6, 1959 Amount 0.48 c.f.s.

THIS IS TO CERTIFY that OWEN SIMPSON

of Ketchum, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 6, 1959; that Permit No. G-28093 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.48 second feet, was issued thereunder on October 18, 1966, showing that said works were completed on the 31st day of July, 1964; and that on the 31st day of July, 1964;

OWEN SIMPSON of Ketchum, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a subterranean spring

a tributary of for the purpose of irrigation under Use Permit No. G-28093 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses, at Page 8568, on the 18th day of October, 1966. The right hereby confirmed dates from August 6, 1959. The Point of Diversion is located

in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, Twp. 4 N, R. 17 E, B.M. Blaine County. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.48 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N	17 E	11	SW $\frac{1}{4}$ SE $\frac{1}{4}$	35	4
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	37	15
		12	SW $\frac{1}{4}$ SW $\frac{1}{4}$	37	<u>5</u>
Total number of acres to be irrigated: 24					
Note: 0.48 c.f.s. is to be supplemental or in lieu of decreed rights, the total from all sources not to exceed 1 miner's inch per acre.					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 18th day of October, 1966.

R. Keith Higgins
State Reclamation Engineer.

57 2021

28093

12/18/2006

RECEIVED

JAN 05 2007

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-2621

WHITETAIL A CLUB FOR ALL SEASONS
501 WEST LAKE STREET
MC CALL ID 83638
Telephone Number: (208)630-0250

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

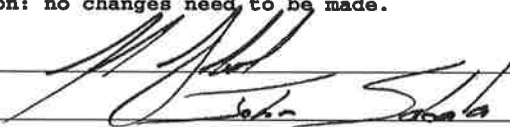
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

1/25/07

SIGNATURE:



Please print your name:

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

JAN 08 2007

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS
120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

RECEIVED

SEP 15 2006

DEPARTMENT OF
WATER RESOURCES

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

September 13, 2006

Kari Lynn Townsend
Idaho Department of Water Resources
322 E. Front St.
P. O. Box 83720
Boise ID 83720-0098

Re: Whitetail, A Club For All Seasons, LLC
Notice of Change in Water Right Ownership;
Water Rights: 37-212A, 37-2621, 37-4337 and 37-20381

Dear Kari:

Jim Speck asked that I send you a copy of a second Quitclaim Deed for the above-referenced Notice of Change in Water Right Ownership.

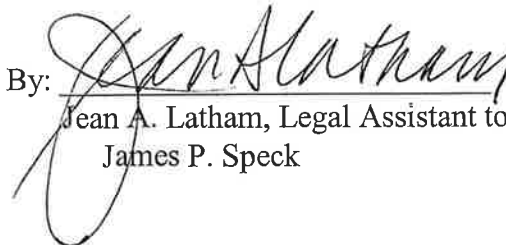
Please call our office if you have any further questions concerning this matter.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By:


Jean A. Latham, Legal Assistant to
James P. Speck

Enclosure

RECEIVED

SEP 15 2006

DEPARTMENT OF
WATER RESOURCES

Claimants Names:

Whitetail, A Club For All Seasons, LLC

Attorney Name & Address:

James P. Speck, ISB#2067

Speck & Aanestad

A Professional Corporation

120 East Avenue

P. O. Box 987

Ketchum, Idaho 83340

(208) 726-4421

FAX: (208) 726-0752

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

Case No. 39576

)
)
) NOTICE OF APPEARANCE
)
)
)

DESCRIPTIVE SUMMARY

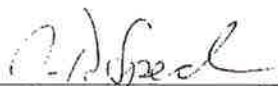
This is a notice of appearance by counsel on behalf of the claimant and purchaser of the water right identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Whitetail, A Club For All Seasons, LLC, for the following water right which is not the subject of a subcase: 37-2621.

DATED this 7 day of September, 2006.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 8 day of September, 2006, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

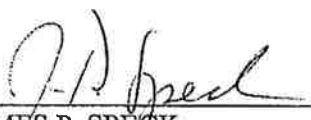
- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

SD-0601-2 Last Name: SIMPSON STATE

S	O	W	Water	Priority		Total	Use
E		N	Right No.	Date	Source	Diversion	Code Desc
L	First						
	Name						
---	---	---	---	---	---	---	---
---	SIMPSON						
---	DENINE	C	A37-00561B	05/02/1884	LITTLE WOOD	0.480	01 IRR
---	RICHARD	C	A37-02657B	07/21/1961	GROUNDWATER	2.500	01 IRR
---	DENINE	C	A37-02657B	07/21/1961	GROUNDWATER	2.500	01 IRR
---	RICHARD	C	A37-11730	10/10/1947	GROUNDWATER	0.070	43 DOMEST
---							04 STOCK
---	DENINE	C	A37-11730	10/10/1947	GROUNDWATER	0.070	43 DOMEST
---							04 STOCK
---	ROBERT L.	C	A37-12071	01/01/1951	GROUNDWATER	0.040	43 DOMEST
---	SIMPSON FAMILY LIMITED PARTNERSHIP						
---		C	A37-00212A	06/23/1888	WARM SPRING	2.800	01 IRR
---		C	A37-02621	08/06/1959	WARM SPRING	0.480	01 IRR

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
 (Enter=Continue) (GOLD7=This Query)

(Menu ____)

*Claims filed
in the SRBA*

1:00 Thursday Ed Lawson