

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

DEC 29 2017

DEPARTMENT OF
WATER RESOURCES

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check “Yes” in the “Split?” column. If the water right is leased to the Water Supply Bank, check “Yes”. If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-8702	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-8703	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-22475	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: New TR Acquisition Co. LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Tamarack Homeowners Acquisition Company LLC (THAC)
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|--------------------------|-----------------------|-----------|--------------|
| <u>311 Village Drive</u> | <u>Tamarack</u> | <u>ID</u> | <u>83615</u> |
| Mailing address | City | State | ZIP |
| <u>805-452-1949</u> | <u>PeterL@nyla.cc</u> | | |
| Telephone | Email | | |
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: October 11, 2016
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

- | | | |
|--|--------------------------------------|-----------------|
| 8. Signature: <u></u> | Director / Treasurer <u>12/27/17</u> | <u>12/27/17</u> |
| Signature of new owner/claimant | Title, if applicable | Date |
| Signature: _____ | _____ | _____ |
| Signature of new owner/claimant | Title, if applicable | Date |

For IDWR Office Use Only:

Received by TK Date 12/29/2017 Receipt No. 0104477 Receipt Amt. 75.00

Active in the Water Supply Bank? Yes ☒ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☒ No ☐

Name on W-9 Tamarack Homeowners Approved by _____ Processed by Amh Date 2-13-18

Acquisition Company LLC

COPY

Recording Requested By and
When Recorded Return to:

Stephen J. Lord
409 West Jefferson Street
Boise, Idaho 83702

Instrument # 402803

VALLEY COUNTY, CASCADE, IDAHO
12-5-2016 02:46:27 PM No. of Pages: 23
Recorded for : STEPHEN J. LORD
DOUGLAS A. MILLER Fee: 76.00
Ex-Officio Recorder Deputy 
Index to: DEEDS

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, TAMARACK MUNICIPAL ASSOCIATION, INC., an Idaho non-profit corporation ("Grantor"), does hereby grant, bargain, sell and convey unto TAMARACK HOMEOWNERS ACQUISITION COMPANY LLC, an Idaho limited liability company, ("Grantee"), whose address is PMB 3003, 311 Village Drive, Tamarack, Idaho 83615, all of Grantor's right, title and interest in and to the real property located in Valley County, Idaho, legally described as follows:

See **SCHEDULE 1** attached hereto and incorporated herein by this reference.

Together with all and singular the tenements, hereditaments, easements and appurtenances thereunto belonging to or in anywise appertaining, the rents, issues and profits thereof; and all estate, right, title and interest, as well in law as in equity, except as expressly provided otherwise herein (the "Property").

TO HAVE AND TO HOLD the Property, with its all and singular appurtenances unto Grantee, and Grantee's heirs, successors and assigns forever.

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this deed, Grantor has not conveyed, assigned, encumbered or otherwise transferred, in whole or in part, any interest in the same estate to any person other than Grantee and that such estate is at the time of the execution of this deed free from encumbrances made or suffered by the Grantor, or any person claiming under Grantor. Grantor makes this conveyance subject to but without retaining any rights in (i) reservations or restrictions in federal patents or state or railroad deeds or in laws providing for such patents or deeds; (ii) building or use restrictions, building and zoning regulations and ordinances of any governmental entity; (iii) location in a special flood hazard area; (iv) real and personal property and other taxes and North Lake Recreational Sewer and Water District LIDs; (v) assessments due and owing to Tamarack Municipal Association, Inc. and Lodge at Osprey Meadows Association, Inc.; (vi) Commercial Lease No. M-5042 dated June 11, 2002 (as amended, supplemented, extended, restated or otherwise modified from time to time) and all requisite documents identified therein, including Summary of License Granted Under Commercial Lease, Valley County Instrument # 273179 (as amended, supplemented, extended, restated or otherwise modified from time to time), and any assignments thereof, and any Subordination, Attornment and Non-Disturbance Agreements related thereto and all credits, deposits, options, privileges and rights of Seller as lessee thereunder, including rights of first refusal, if any, and the right, if any, to renew or extend such lease for a succeeding term or terms; and (vii) other liens, encumbrances and conditions set forth on **Schedule B** attached hereto and incorporated herein by this reference.

THE PROPERTY IS SOLD AND CONVEYED TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS AND DEFECTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PROPERTY. GRANTEE, BY ACCEPTING THIS DEED, RELEASES GRANTOR FROM ANY AND ALL LIABILITY RELATING TO ANY ASPECT OR CONDITION OF THE PROPERTY, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, ACTUAL OR CONTINGENT, ARISING BY STATUTE, COMMON LAW OR OTHERWISE, INCLUDING BUT NOT LIMITED TO ALL ISSUES SET FORTH IN THIS DEED.

DATED this 2 day of December, 2016.

TAMARACK MUNICIPAL ASSOCIATION, INC., an Idaho non-profit corporation

By: Louise Francesconi
Name: LOUISE FRANCESCONI
Title: PRESIDENT

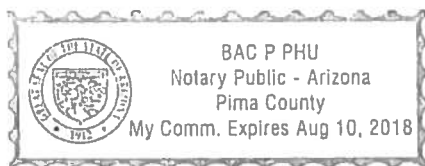
STATE OF ARIZONA)

County of PIMA)

) ss. [Signature]

On this 2 day of December, 2016, before me, a Notary Public in and for said State, personally appeared LOUISE FRANCESCONI, known or identified to me to be the President of Tamarack Municipal Association, Inc., the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.



[Signature]
Notary Public for ARIZONA

Residing at: Pima

My commission expires: 8/10/18

SCHEDULE 1

EXHIBIT A

PARCEL 1A:

Beginning at the NW Corner of Section 5, Township 15, North, Range 3 East, Boise Meridian (Basis of bearing being South 00°13'49" West between the West ¼ corner and the NW corner of said Section 5), said point also being on the Easterly boundary of State of Idaho Lands; and running thence along said Easterly boundary North 00°54'20" West 2637.72 feet to the West ¼ corner of Section 32, Township 16 North, Range 3 East; thence South 89°54'50" East 2641.68 feet to the center of said Section 32, thence South 00°05'35" East 2642.05 feet to the South ¼ corner of said Section 32, also being the North ¼ corner of Section 5, Township 15 North Range 3 East, thence along the North line of said Section 5, South 89°27'05" East 1995.78 feet to West Mountain

Road; thence following said West Mountain Road the following three courses:

1) South 00°05'08" East 1543.53 feet;

2) South 00°05'06" East 1331.39 feet to the SE corner of the W ½ of the SW ¼ of the NE ¼ of said Section 5;

3) South 00°05'04" East 2664.27 feet to the SE corner of the West ½ of the SE ¼ of the SE ¼ of said Section 5; thence along the South line of said Section 5, also being the Northerly boundary of State of Idaho Lands, South 89°56'25" West 1976.03 feet to the S ¼ corner of said Section 5; thence continuing along the boundary of State of Idaho lands the following two courses;

1) South 00°07'41" West 1325.76 feet to the SW corner of the NW ¼ of the NE ¼ of Section 8, Township 15 North Range 3 East;

2) South 89°53'46" East 1645.40 feet, also being on the Westerly boundary of United States of America property; thence following the Westerly boundary line of United States of America property the following seven courses;

1) South 00°10'21" West 216.07 feet;

2) South 00°11'32" West 1114.45 feet to the south line of the SE ¼ of the NE ¼ of Section 8;

3) Along said South line North 89°43'49" West 328.78 feet to the SW corner of said SE ¼ of the NE ¼ of Section 8;

4) South 00°10'59" West 830.90 feet;

5) North 89°39'03" West 657.17 feet;

6) South 00°09'20" West 497.90 feet;

7) South 00°08'47" West 634.98 feet to the North Lake Subdivision No. 2; thence along said North Lake Subdivision No. 2 boundary line the following six courses:

1) South 89°49'06" West 536.19 feet;

2) North 02°23'30" East 516.75 feet;

3) North 89°43'00" West 884.93 feet;

4) North 73°58'58" West 1000.77 feet;

5) South 00°05'30" East 108.17 feet;

6) South 89°47'07" West 264.77 feet; thence continuing along and beyond said North Lake Subdivision No. 2 to the Westerly boundary of North Lake Subdivision No. 1 South 00°06'06" West 1356.66 feet to the NE corner of the W ½ of the NW ¼ of the NW ¼ of Section 17; thence continuing along the Westerly boundary of North Lake Subdivision No. 1 South 00°03'52" West 1323.66 feet to the SE corner of said W ½ of the

NW ¼ of the NW ¼ of Section 17, to a point on West Mountain Road; thence along West Mountain Road North 89°32'32" West 655.07 feet to the SW corner of said W ½ of the NW ¼ of the NW ¼ of Section 17; thence North 88°15'41" West 2675.18 feet to the SW corner of the North ½ of the NE ¼ of Section 18, Township 15 North, Range 3 East
also being on the Easterly boundary line of United States of America property; thence along said United States of America property boundary the following eight courses:

- 1) North 00°07'00" West 1340.00 feet to the North ¼ corner of said Section 18;
- 2) North 00°05'54" East 2629.19 feet to the center of Section 7, Township 15 North Range 3 East;
- 3) North 00°06'27" East 1339.71 feet to the NW corner of the SW ¼ of the NE ¼ of said Section 7;
- 4) South 87°44'15" East 1337.70 feet to the NE corner of the SW ¼ of the NE ¼ of Section 7;
- 5) North 00°01'56" East 1329.86 feet to the NW corner of the NE ¼ of the NE ¼ of Section 7;
- 6) South 87°18'53" East 1338.21 feet to the NE corner of said Section 7, also being the SW corner of Section 5, Township 15 North, Range 3 East;
- 7) Along the West Section line of said Section 5 North 00°12'43" West 2651.06 feet to the W ¼ corner of said Section 5;
- 8) Continuing along said West Section line North 00°13'49" East 2920.18 feet to the NW corner of said Section 5 and the POINT OF BEGINNING.

SAVE AND EXCEPT

All the portion laying in Sections 18 and 17 Township 15 North Range 3 East , Boise Meridian, Valley County, Idaho and the Southeast Quarter of Section 7 Township 15 North Range 3 East, Boise Meridian, Valley County, Idaho.

FURTHER SAVE AND EXCEPT

Tamarack Resort Planned Unit Development Phase 1 Final Plat;

Tamarack Resort Planned Unit Development Phase1- Amended Block 18 ✓

Tamarack Resort Planned Unit Development Amended Phase 1;

Tamarack Resort Planned Unit Development Phase 1 Village;

Tamarack Resort Planned Unit Development Phase 2 Village;

Tamarack Resort Osprey Meadows Condominium;

Tamarack Resort Village Plaza Condominium;

Tamarack Resort Planned Unit Development Phase 2.1;

Tamarack Resort Planned Unit Development Phase 2.2;

Tamarack Resort Planned Unit Development Phase 2.3;

Tamarack Resort Planned Unit Development Phase 2.4;

Tamarack Resort Planned Unit Development Amended Phase 2.4;

Tamarack Resort Planned Unit Development Second Amended Phase 2.4;

Tamarack Resort Lake Wing Condominiums;

Tamarack Resort Third Amended Belvedere Ridge Hotel Condominiums

Tamarack Resort Planned Unit Development Phase 3 Village, all are filed for record in the office of the Recorder of Valley County, Idaho.

ALSO SAVE AND EXCEPT

A parcel of land located in Sections 5 and 8, Township 15 North, Range 3 East Boise Meridian, Valley County, Idaho more particularly described as follows:

Commencing at the N $\frac{1}{4}$ corner of said Section 5; thence along the north line of said Section 5,

A.) South 89°27'05" East 296.16 feet; thence departing said section line,

B.) South 0°32'55" West 1537.60 feet to the POINT OF BEGINNING

1.) North 86°22'47" East 230.17 feet; thence

2.) North 77°32'59" East 268.40 feet; thence

3.) North 70°08'24" East 202.53 feet; thence

4.) South 69°26'41" East 143.67 feet; thence

5.) South 89°50'07" East 143.20 feet; thence

6.) South 75°12'40" East 63.95 feet; thence

7.) South 61°52'53" East 159.81 feet; thence

8.) South 71°58'25" East 161.98 feet; thence

9.) South 35°04'12" East 136.31 feet; thence

10.) South 14°07'03" East 132.00 feet; thence

11.) South 59°40'35" East 272.48 feet; thence

12.) South 25°53'04" West 276.18 feet; thence

13.) South 21°23'20" West 502.77 feet; thence

14.) South 12°45'17" West 169.07 feet; thence

15.) South 20°06'59" West 663.00 feet; thence

16.) South 82°26'28" East 444.78 feet; thence

17.) South 22°35'30" East 392.70 feet thence

18.) South 0°05'04" East 163.10 feet; thence

19.) South 28°16'52" West 394.85 feet; thence

20.) South 42°47'08" West 829.09 feet; thence

21.) South 58°17'13" West 291.47 feet; thence

22.) South 26°21'09" East 316.06 feet; thence

23.) South 26°15'45" West 122.10 feet to a point on the south line of said Section 5; thence along said section line,

24.) South 89°56'25" West 585.80 feet to a point on the boundary of Tamarack Resort Planned Unit Development Phase 1; Thence, along said boundary through the following courses:

25.) North 4°01'06" East 138.16 feet; thence

26.) North 16°10'36" East 140.67 feet; thence

- 27.) North 2°48'29" East 46.17 feet; thence
- 28.) North 24°29'12" West 208.21 feet; thence
- 29.) North 2°32'19" East 47.12 feet; thence
- 30.) North 28°04'26" East 19.54 feet; thence
- 31.) North 39°02'59" East 116.48 feet; thence
- 32.) North 43°20'51" East 730.13 feet; thence
- 33.) North 40°01'59" West 200.93 feet; thence
- 34.) South 87°54'29" West 138.39 feet; thence
- 35.) South 70°18'13" West 313.36 feet; thence
- 36.) South 78°11'10" West 80.86 feet; thence
- 37.) North 73°02'13" West 86.12 feet; thence
- 38.) North 49°16'48" West 176.90 feet thence
- 39.) North 48°31'25" West 250.98 feet; thence
- 40.) South 43°58'05" West 125.46 feet to a point on a non-tangent curve; thence
- 41.) Northwesterly along said curve to the left having a radius of 205.00 feet, an arc length of 62.63 feet, through a central angle of 17°30'16" and a chord bearing and distance of North 42°44'47" West 62.39 feet; thence tangent from said curve
- 42.) North 51°29'55" West 245.10 feet to the beginning of a tangent curve; thence
- 43.) Northwesterly along said curve to the left having a radius of 825.00 feet, an arc length of 128.62 feet, through a central angle of 8°55'56" and a chord bearing and distance of North 55°57'53" West 128.49 feet; thence,
- 44.) North 62°52'29" East 170.63 feet; thence,
- 45.) North 06°08'21" West 363.79 feet; thence,
- 46.) North 69°30'18" West 420.12 feet; thence,
- 47.) North 43°19'35" West 422.80 feet; thence,
- 48.) North 13°49'07" West 432.13 feet; thence
- 49.) North 20°18'50" West 244.95 feet; thence
- 50.) North 32°12'25" East 180.50 feet; thence
- 51.) North 53°15'28" East 176.77 feet; thence
- 52.) North 69°09'56" East 378.53 feet; thence
- 53.) North 16°20'42" East 161.54 feet; thence
- 54.) North 59°21'40" East 60.00 feet; thence
- 55.) South 86°01'23" East 170.22 feet; thence
- 56.) North 56°08'22" East 98.34 feet; thence
- 57.) North 75°10'48" East 573.57 feet to the POINT OF BEGINNING.

AND

Commencing at the north ¼ corner of said Section 8; thence along the west line of the NW ¼ of the NE ¼ of said Section 8

A.) South 0°07'41" West 1325.76 feet to the C-N 1/16 corner of said Section 8; thence

B.) South 89°53'46" East 240.24 feet to the POINT OF BEGINNING; thence

1.) South 89°53'46" East 1162.17 feet; thence

2.) South 15°32'21" East 288.21 feet; thence

3.) South 45°59'25" East 187.80 feet; thence

4.) South 0°00'00" East 43.69 feet; thence

5.) South 51°07'48" West 302.18 feet; thence

6.) South 20°00'03" West 324.47 feet; thence

7.) South 36°46'50" West 255.08 feet; thence

8.) South 9°22'20" West 253.95 feet; thence

9.) South 20°15'09" West 213.84 feet; thence

10.) North 57°05'33" West 586.31 feet; thence

11.) North 83°17'17" West 328.92 feet; thence

12.) South 75°08'04" West 252.38 feet; thence

13.) South 78°09'30" West 191.69 feet; thence

14.) North 36°21'59" West 141.59 feet; thence

15.) North 26°23'49" East 152.89 feet; thence

16.) North 68°16'04" West 378.45 feet; thence

17.) North 11°43'53" West 84.70 feet; thence

18.) North 82°23'28" East 162.44 feet; thence

19.) South 87°47'57" East 172.45 feet; thence

20.) North 69°50'16" East 135.18 feet; thence

21.) North 82°23'28" East 217.18 feet; thence

22.) North 72°38'14" East 221.45 feet; thence

23.) North 12°20'03" East 279.94 feet; thence

24.) North 6°26'52" West 377.77 feet; thence

25.) North 22°03'29" West 77.55 feet to the POINT OF BEGINNING.

Together with an easement for ingress and egress a 30 foot wide strip of land, 15 feet either side of the following centerline. COMMENCING at the N ¼ corner of said Section 5; thence along the north line of said Section 5,

A.) South 89°27'05" East 842.30 feet; thence departing said section line,

B.) South 19°38'29" West 371.11 feet; thence

C.) South 71°02'32" East 54.96 feet to the POINT OF BEGINNING; Thence

1.) Southwesterly along a curve to the left with a radius of 80.00 feet, an arc length of 68.91 feet through a central angle of 48°50'21" and a chord bearing and distance of South 0°23'51" West 66.15 feet; thence tangent from said curve.

2.) South 24°01'19" East 54.34 feet to the beginning of a tangent curve; thence

3.) Southeasterly along said curve to the left with a radius of 84.00 feet an arc length of 31.84 feet, through a central angle of 21°43'14" and a chord bearing and distance of South 34°52'56" East 31.65 feet; thence

4.) Southwesterly along said curve to the right with a radius of 130.00 feet, an arc length of 211.53 feet, through a central angle of 93°13'42" and a chord bearing and distance of South 0°52'18" West 188.95 feet; thence, tangent from said curve,

5.) South 47°29'09" West 163.59 feet to the beginning of a tangent curve; thence

6.) Southwesterly along said curve to the left with a radius of 350.00 feet, an arc length of 183.81 feet, through a central angle of 30°05'23", and a chord bearing and distance of South 32°26'28" West 181.70 feet to the POINT OF TERMINATION.

Together with a non-exclusive easement of access, ingress and egress over all Roadways and Association Facilities as such term is defined in the Declaration defined below, along with all other easements which benefit the Property, as such term is defined in the Declaration defined below, and set forth in the Second Amended and Restated General Declaration for Tamarack Resort, recorded as Instrument No. 308530, recorded in the office of the Recorder of Valley County, Idaho (the "Declaration").

PARCEL 1B:

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Open Spaces A, B, C, D, F, G and H Tamarack Resort Planned Unit Development Phase 1 Final Plat, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Open Space I Tamarack Resort Planned Unit Development Phase 1- Amended Block 18, a plat which is recorded in the office of the Recorder of Valley County, Idaho, and as further amended by the Plat for Tamarack Resort Planned Unit Development Phase 1, Amended Block 18, book 11, page 33 of Plats, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Open Space E, Tamarack Resort Planned Unit Development Amended Phase 1, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Lot 61 Block 12, Lots 84 and 85 Block 9, Open Spaces A, B, C, D and E Tamarack Resort Planned Unit Development Phase 2.1, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Block 6, Tamarack Resort Planned Unit Development Phase 2.1, save and except Tamarack Resort Planned Unit Development Phase 2.2 and Tamarack Resort Planned Unit Development Phase 2.3 plats of which are recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Open Spaces A, B, C and D Tamarack Resort Planned Unit Development Phase 2.2, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Lot 12A Block 5, Open Spaces A, B and C Tamarack Resort Planned Unit Development Phase 2.3 a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Lots 1, 2, 5, 6, 7, 14, and 15 Block 19; Tamarack Resort Planned Unit Development Phase 1 Village, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Block 19 Tamarack Resort Planned Unit Development Phase 1 Village save and except all platted lots in Tamarack Resort Planned Unit Development Phase 1 Village, Tamarack Resort Planned Unit Development Phase 2 Village and Tamarack Resort Planned Unit Development Phase 3 Village, plats which are recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Lots 3, 4, 13, 17, 18, 19, 20, 21 and 22 Block 19 Tamarack Resort Planned Unit Development Phase 2 Village, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Open Spaces A, C and D and Lots 3, 4 and 7 Block 10, Tamarack Resort Planned Unit Development Phase 2.4, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Open Spaces E and F Block 10, Tamarack Resort Planned Unit Development Amended Phase 2.4, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land, situate in Valley County, Idaho and shown as Open Spaces G and H, Lot 2 Block 10, Tamarack Resort Planned Unit Development Second Amended Phase 2.4, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

Those certain condominium units P2-01A, P1-42, L1-09, P2-05, L1-02A, L1-03, L1-05, 204, 206, 208, 210, 212, 214, 216, 304, 306, 308, 310, 312, 314 and 316 Tamarack Resort Members Lodge Condominium, as the same was recorded and platted of record on January 10, 2005 with the Office of the Recorder of Valley County, Idaho as Instrument No. 291359, nka "Lodge at Osprey Meadows", and as described and defined in the Fourth Amended and Restated Condominium Declaration for the Tamarack Resort Lodge at Osprey Meadows Condominium, which was recorded on August 29, 2007 with the Office of the Recorder of Valley County, Idaho as Instrument No. 324694.

AND

Those certain condominium units P1-40, P1-41 and P2-04 Tamarack Resort Members Lodge Condominium, as the same was recorded and platted of record on January 10, 2005 with the Office of the Recorder of Valley County, Idaho as Instrument No. 291359, nka "Lodge at Osprey Meadows", and as described and defined in the Fourth Amended and Restated Condominium Declaration for the Tamarack Resort Lodge at Osprey Meadows Condominium, which was recorded on August 29, 2007 with the Office of the Recorder of Valley County, Idaho as Instrument No. 324694.

Together with a non-exclusive easement of access, ingress and egress over all Roadways and Association Facilities, as such terms are defined in the Declaration defined below, along with all other easements which benefit the property, as such terms are defined in the Declaration defined below, and set forth in the Second Amended and Restated General Declaration for Tamarack Resort, recorded as Instrument No. 308530, recorded in the office of the Recorder of Valley County, Idaho (the "Declaration").

PARCEL 1C:

All private roads, drives, courts, places, and driveways, shown on the following recorded plats:

Tamarack Resort Planned Unit Development Phase 1 Final Plat, recorded November 24, 2003, in the office of the Valley County, Idaho, as Instrument No. 278276.

AND

Tamarack Resort Planned Unit Development Amended Phase 1, recorded December 22, 2003, in the office of the Recorder Valley County, Idaho, as Instrument No. 278933.

AND

Tamarack Resort Planned Unit Development Phase 2.1, recorded January 10, 2005, in the office of the Recorder of Valley County, Idaho, as Instrument No. 291356.

AND

Tamarack Resort Planned Unit Development Phase 2.2, recorded March 21, 2005, in the office of the Recorder of Valley County, Idaho, as Instrument No. 293591.

AND

Tamarack Resort Planned Unit Development Phase 2.3, recorded April 26, 2005, in the office of the Recorder of Valley County, Idaho, as Instrument No. 294839.

AND

Tamarack Resort Planned Unit Development Phase 2.4, recorded March 24, 2006, in the office of the Recorder of Valley County, Idaho, as Instrument No. 307127.

AND

Tamarack Resort Planned Unit Development Amended Phase 2.4, recorded April 24, 2006, in the office of the Recorder of Valley County, Idaho, as Instrument No. 308093.

AND

Tamarack Resort Planned Unit Development Phase 1 Village, recorded January 10, 2005, in the office of the Recorder of Valley County, Idaho, as Instrument No. 291350.

AND

Tamarack Resort Planned Unit Development Phase 2 Village, recorded October 18, 2005, in the office of the Recorder of Valley County, Idaho, as Instrument No. 301733.

AND

Tamarack Resort Members Lodge Condominium (now known as Tamarack Resort Lodge at Osprey Meadows), recorded January 10, 2005, in the office of the Recorder of Valley County, Idaho, as Instrument No. 291359.

AND

Tamarack Resort Village Plaza Condominium, recorded October 18, 2005, in the office of the Recorder of Valley County, Idaho, as Instrument No. 301738.

Together with a non-exclusive easement of access, ingress and egress over all Roadways and Association Facilities, as such terms are defined in the Declaration defined below, along with all other easements which benefit the property, as such terms are defined in the Declaration defined below, and set forth in the Second Amended and Restated General Declaration for Tamarack Resort, recorded as Instrument No. 308530, recorded in the office of the Recorder of Valley County, Idaho (the "Declaration").

PARCEL 7:

A permanent non-exclusive easement, for the benefit of Parcel 1A and 1B above, for constructing, using and maintaining roads for vehicular and pedestrian ingress and egress, pedestrian pathways, and installation and maintenance of the power and other utility lines, laying the utility pipelines and underground cables and installation of the sewage, water, and drainage facilities, over, under, and across that certain real property more fully described on and created pursuant to a document entitled State of Idaho Easement No. 6377 (Golf Course Parcel), by and between the State of Idaho, Department of Lands, as Grantor and Tamarack Resort LLC, as Grantee, dated June 20, 2003, and recorded June 27, 2003, as Instrument No. 273190. The easement provides for constructing, using and maintaining roads for vehicular and pedestrian ingress and egress, pedestrian pathways, and installation and maintenance of the power and other utility lines, laying the utility pipelines and underground cables and installation of the sewer, water, and drainage facilities with ingress and egress to and from

a road known as West Mountain Road which access is provided over and across private roads as shown above as Parcel 1C.

PARCEL 8:

A permanent non-exclusive easement, for the benefit of Parcels 1A and 1B above, for constructing, using and maintaining a road to accommodate vehicular access to and construction, maintenance and repair of Grantee's water utility, and installation and maintenance of the power and other utility lines, laying the utility pipelines and underground cables and installation of sewage, water, and drainage facilities, and a water storage tank, over, under, and across that certain real property more fully described on and created pursuant to a document entitled State of Idaho Easement No. 6379(Ski Hill Parcel), by and between the State of Idaho, Department of Lands, as Grantor and Tamarack Resort LLC, as Grantee, dated June 20, 2003, and recorded June 27, 2003, as Instrument No. 273187, with ingress and egress to and from a public road known as West Mountain Road which access is provided over and across private roads as shown above as Parcel 1C.

EXHIBIT B

PARCEL 4: (VALLEY COUNTY STATE LEASED PROPERTY)

The following parcels of land lying within Valley County, Idaho:
NW ¼ NE ¼ and W ½ NE ¼ NE ¼ Section 8, Township 15 North, Range 3 East, Boise Meridian, Valley County, Idaho;

AND

All of Section 36 lying within the boundaries of Valley County, Idaho Township 16, North Range 2 East, Boise Meridian, Valley County, Idaho;

AND

Government Lots 9 and 11; E ½ SW ¼; NW ¼ SW ¼ SE ¼; S ½ SW ¼ SE ¼ Section 19, Township 16 North, Range 3 East, Boise Meridian, Valley County, Idaho;

AND

All of Section 30, excepting therefrom the NE ¼ NE ¼, Township 16 North, Range 3 East, Boise Meridian, Valley County, Idaho;

AND

All of Section 31, Township 16 North, Range 3 East, Boise Meridian, Valley County, Idaho.

PARCEL 9:

A permanent easement, for the benefit of Parcel 4 above, for reconstructing, using and maintaining a road, over, and across that certain real property more fully described on and created pursuant to a document entitled State of Idaho Easement No. 5706, by and between the State of Idaho, Department of Lands, as Grantor and Franklin B. Edwards,

a single man, as purchaser of certain parcels of land from the estate of Mryn Little, and Agnes Brailsford, personal representative of said estate; Henry J. and Karleen L. Grasmick; Glenn Dee and M. Lorene Morrow; Margaret P. Slifka; Executor of the Estate of Margaret P. Slifka; Charles E. Syversin; Jim E. and Mary L. Walters, as Grantees, dated March 1, 1995, and recorded March 22, 1995, as Instrument No. 210173. Said easement provides a permanent easement for the purpose of reconstructing, using and maintaining a road that provides ingress and egress to and from a public road known as West Mountain Road.

PARCEL 10: (ADAMS COUNTY STATE LEASED PROPERTY)

All that part of Section 36, T16N R2E BM lying within the boundaries of Adams County, Idaho.

EXHIBIT C

PARCEL 6:

(ADJUSTED LOT 26 BLOCK 3 TAMARACK RESORT PLANNED UNIT DEVELOPMENT PHASE 2.2)

A parcel of land located in Block 3 Tamarack Resort Planned Unit Development Phase 2.2, filed in Book 10, Page 2 of Plats, Records of Valley County, Idaho, in the SW ¼ of Section 32, T.16N., R.3E., B.M., Valley County, Idaho, as adjusted by Record of Survey, filed as Instrument Number 295636, at Book 8 Page 190 of Surveys, Records of Valley

County, Idaho more particularly described as; COMMENCING at the northwest corner of Lot 26 of said Block 3, as shown on the Plat of said Phase 2.2.

1. Southeasterly along a curve to the right having a radius of 130.00 feet, an arc length of 40.01 feet, through a central angle of 17°38'02", and a chord bearing and distance of S.87°13'55"E., 39.85 feet; thence,
2. Southeasterly along a curve to the left having a radius of 340.00 feet, an arc length of 105.53 feet, through a central angle of 17°47'01", and a chord bearing and distance of S.87°18'25"E., 105.11 feet; thence,
3. S.0°00'00"W., 20.44 feet; thence,
4. S.55°27'53"E., 158.86 feet to a point on the Right-of-Way for Whitewater Drive; thence, along said Right-of-Way,
5. Southwesterly along a curve to the right having a radius of 93.00 feet, an arc length of 30.26 feet, through a central angle of 18°38'39", and a chord bearing and distance of S.55°51'51"W., 30.13 feet; thence, tangent from said curve,
6. S.65°11'10"W., 52.42 feet to the beginning of a tangent curve;
7. Southwesterly along said curve to the left having a radius 137.00 feet, an arc length of 79.85 feet, through a central angle of 33°23'40", and a chord bearing and distance of S.48°29'20"W., 78.72 feet; thence, departing said Right-of-Way,
8. N. 79°46'07"W., 179.06 feet; thence,
9. N.10°16'34"E., 179.52 feet to the POINT OF BEGINNING.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Lot 119 Block 10 Tamarack Resort Planned Unit Development Phase 2.4, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Lots 101, 102, 103, 104, 105, 106, 107 and 108 Block 10, and Garage Lots G101, G102, G103, G104, G105, G106, G107 and G108 Block 10, Tamarack Resort Planned Unit Development Amended Phase 2.4, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

AND

All that certain lot, piece or parcel of land situate in Valley County, Idaho and shown as Lot 10 Block 4, Tamarack Resort Planned Unit Development Phase 2.1, a plat which is recorded in the office of the Recorder of Valley County, Idaho.

Together with a non-exclusive easement of access, ingress and egress over all Roadways and Association Facilities, as such term is defined in the Declaration defined below, along with all other easements which benefit the Property, as such term is defined in the Declaration defined below, and set forth in the Second Amended and Restated General Declaration for Tamarack Resort, recorded as Instrument No. 308530, recorded in the office of the Recorder of Valley County, Idaho (the "Declaration").

PARCEL 7:

A permanent non-exclusive easement, for the benefit of Parcel 6 above, for constructing, using and maintaining roads for vehicular and pedestrian ingress and egress, pedestrian pathways, and installation and maintenance of the power and other utility lines, laying the utility pipelines and underground cables and installation of the sewage, water, and drainage facilities, over, under, and across that certain real property more fully described on and created pursuant to a document entitled State of Idaho Easement No. 6377 (Golf Course Parcel), by and between the State of Idaho, Department of Lands, as Grantor and Tamarack Resort LLC, as Grantee, dated June 20, 2003, and recorded June 27, 2003, as Instrument No. 273190, with ingress and egress to and from a road known as West Mountain Road which access is provided over and across private roads as shown thereon.

PARCEL 8:

A permanent non-exclusive easement, for the benefit of Parcel 6 above, for constructing, using and maintaining a road to accommodate vehicular access to and construction, maintenance and repair of Grantee's water utility, and installation and maintenance of the power and other utility lines, laying the utility pipelines and underground cables and installation of sewage, water, and drainage facilities, and a water storage tank, over, under, and across that certain real property more fully described on and created pursuant to a document entitled State of Idaho Easement No.

6379(Ski Hill Parcel), by and between the State of Idaho, Department of Lands, as Grantor and Tamarack Resort LLC, as Grantee, dated June 20, 2003, and recorded June 27, 2003, as Instrument No. 273187, with ingress and egress to and from a public road know as West Mountain Road which access is provided over and across private roads as shown thereon.

Schedule B Permitted Exceptions

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof..
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Delinquent real property taxes and assessments collected therewith, including any interest and penalties, for the years 2011 through 2014 and 2015.

Real property taxes, including any assessments collected therewith, for the year 2016 which are a lien due and payable. (Valley County and Adams County)

8. Liens, levies and assessments of the North Lake Recreational Sewer and Water District.
9. Liens, levies and assessments of the Tamarack Municipal Association.
10. Said Lands in Sections 5, 7, and 8 are: Subject to West Mountain Road and Forest Protection roads and highways, and subject to existing right of way easements for irrigation ditches, telephone liens and roads; set forth on that certain DEED as filed in the office of the Valley County Recorder on November 5, 1942, in Deed Book 22 at page 67.
11. RESERVATION set forth on that certain Warranty Deed from the State Board of Land Commissioners and the Idaho Fish and Game Department to Boise Cascade Corporation, filed for record in the office of the Recorder of Valley County Idaho on September 8, 1965 in Book 38 of Deeds at page 156 to wit: "Excepting and reserving unto the parties of the part, their successors, and assigns forever all mineral interest oils and natural gas found in and on the land, with the right of way of ingress and egress necessary to the full enjoyment and use of the reservation."
12. ROAD EASEMENT dated September 23, 1980 and filed for record in the office of the Recorder of Valley County, Idaho on April 23, 1981 as Instrument No. 111902.
13. POWER LINE EASEMENT to Idaho Power Company, dated September 7, 1993 and filed for record in the office of the Recorder of Valley County, Idaho on October 20, 1994 as Instrument No. 207582 and as depicted on RECORD OF SURVEY, as filed for record in the

office of the Recorder of Valley County, Idaho on December 12, 2001 as Instrument No. 259083

14. CONSERVATION EASEMENT, COVENANTS AND AGREEMENTS, between West Rock Associates, LLC as Grantor and Idaho Foundation for Parks and Lands as Grantee, as filed for record in the office of the Recorder of Valley County, Idaho on May 7, 2002 as Instrument No. 262130.

16. CONDITIONAL USE PERMIT NO. 02-04 AND NO. 02-05, for PUD 98-1, dated June 11, 2002 and filed for record in the office of the Recorder of Valley County, Idaho on June 11, 2002 as Instrument No. 262856.

17. SUMMARY OF LICENSE GRANTED UNDER COMMERCIAL LEASE, between the State Board of Land Commissioners and Tamarack Resort, LLC, as filed for record in the office of the Recorder of Valley County, Idaho on June 27, 2003 as Instrument No. 273179.

18. STATE OF IDAHO ACQUIRED EASEMENT NO. 651 between Tamarack Resort L.L.C., and the State of Idaho Department of Lands, dated June 13, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on June 27, 2003 as Instrument No. 273188.

19. STATE OF IDAHO ACQUIRED EASEMENT NO. 650 between Tamarack Resort L.L.C. and State of Idaho Department of Lands, dated June 13, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on June 27, 2003 as Instrument No. 273189.
AMENDMENT TO ACQUIRED EASEMENT NO. 650 dated February 6, 2004 and filed for record in the office of the Recorder of Valley County, Idaho on February 9, 2004 as Instrument No. 280041.

20. ORDINANCE NO. 2003-3, creating LID NO. 2003-1 for the purpose of constructing certain sewer service improvements and other related expenses, dated May 10, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on September 9, 2003 as Instrument No. 275617.

21. UNDERGROUND POWER LINE EASEMENT to Idaho Power Company dated August 1, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on August 11, 2003 as Instrument No. 274635.

22. SOUTHERN ACCESS ROAD EASEMENT AGREEMENT, between Tamarack Resort LLC as Grantor and Tamarack Resort Association, Inc., as Grantee, dated November 20, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on November 20, 2003 as Instrument No. 278183.

23. UNDERGROUND POWER LINE EASEMENT, TO Idaho Power Company, dated June 26, 2004 and filed for record in the office of the Recorder of Valley County, Idaho on August 20, 2004 as Instrument No. 286575.

24. UNDERGROUND POWER LINE EASEMENT, TO Idaho Power Company, dated October 5, 2004 and filed for record in the office of the Recorder of Valley County, Idaho on December 3, 2004 as Instrument No. 290143.

25. WATER SERVICE AGREEMENT, between Tamarack Resort LLC and West Mountain Golf LLC, dated December 30, 2004 and filed for record in the office of the Recorder of Valley County, Idaho on January 13, 2005 as Instrument No. 291526.

26.EASEMENT as shown on that certain Warranty Deed dated December 30, 2004 and filed for record in the office of the Recorder of Valley County, Idaho on December 30, 2004 as Instrument No. 291074 and was re-recorded on March 21, 2005 as Instrument No. 293576.

27.UNDERGROUND POWER LINE EASEMENT, TO Idaho Power Company, dated May 9, 2005 and filed for record in the office of the Recorder of Valley County, Idaho on May 25, 2005 as Instrument No. 295793.

28. These lands are in tax category 6, which is a deferred timber tax category and the Company will not be responsible for any deferred taxes, if any, which may become due.

29.IDAHO CODE, SECTION 58-604, which grants over all lands belonging to the State, a right of way for ditches constructed by authority of the United States; and IDAHO CODE, SECTION 47-701, reserving to the State all mineral rights in land sold subsequent to the 8th day of May, 1923.

30.Rights of the public in and to that portion of the premises lying within the right-of-way of West Mountain Road

31.Right of the Public, State of Idaho, and U.S.A. in and to the bed and banks of Poison Creek and Rock Creek.

32.TAMARACK RESORT FILINGS:

Second Amended and Restated General Declaration for Tamarack Resort; Instrument No.308530

Third Amendment to the General Declaration for Tamarack Resort; Instrument No.327953.

2006 Name Change Amendment to Tamarack Resort Declarations to Change the Name of the Tamarack Resort Association, In., to the Tamarack Municipal Association, Inc.; Instrument No. 313168

Amended and Restated Assignment of Declarant's Rights; Instrument No. 309207 Notice of Enforcement of Assignment of Declarant's Rights and of Successor Declarant; Instrument No. 384925

Fourth Amended and Restated to ByLaws of Tamarack Resort Association, Inc.; Instrument No. 313106

Fifth Amendment to ByLaws of Tamarack Association, Inc., to Change the Name to Tamarack Municipal Association, Inc.; Instrument No. 313167

Sixth Amendment to ByLaws of Tamarack Municipal Association, Inc.; Instrument No. 324700

Seventh Amendment to ByLaws of Tamarack Municipal Association, Inc.; Instrument No. 334393

Eighth Amendment to ByLaws of Tamarack Municipal Association, Inc.; Instrument No. 371770

Amended and Restated Articles of Incorporation of Tamarack Resort Association, Inc.; Instrument No. 279781

Articles of Amendment; Instrument No. 313166

Notice to Purchasers and Lessees of Real Property; Instrument No. 313260

Notice of Real Estate Transfer Fee; Instrument No. 313261 Said instrument provides for the lien of a fee which is due upon transfer of the Land. The transfer-conveyance fee is required to be paid upon any sale, exchange, assignment, option, assignment of lease, transfer, or conveyance of said Land, including, but not limited to, any conveyance resulting from a foreclosure of an

interest in the Land and any subsequent transfer, of the land, whether or not such transfer was derived through foreclosure.

33. BLUE MOUNTAIN SUBDIVISION FILINGS:

Plat; Book 7 of Plats at page 43

Certificate of Owners; Instrument No. 106226

Declaration of Private Roads; Instrument No. 106228

34. ORDINANCE NO 2007-1, confirming the Assessment Roll and the assessments of property within the boundaries of Local Improvement District No. 2003-1 and filed for record in the office of the Recorder of Valley County, Idaho on October 12, 2007 as Instrument No. 326064.

35. ORDINANCE NO. 2005-5, North Lake Recreational Sewer and Water District creating Local Improvement District No. 2005-1, as filed for record in the office of the Recorder of Valley County, Idaho on March 24, 2008 as Instrument No. 330165.

36. ORDINANCE NO. 2006-2, North Lake Recreational Sewer and Water District amending Ordinance No. 2005, as filed for record in the office of the Recorder of Valley County, Idaho on March 24, 2008 as Instrument No. 330166.

37. ORDINANCE NO. 2008-1, creating LID NO. 2005-1 for the purpose of constructing certain sewer service improvements and other related expenses, filed for record in the office of the Recorder of Valley County, Idaho on September 26, 2008 as Instrument No. 335392.

38. STATE OF IDAHO EASEMENT NO. 6377 between the State of Idaho Department of Lands and Tamarack Resort L.L.C., dated June 20, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on June 27, 2003 as Instrument No. 273190.

39. AFFIDAVIT OF COMPLIANCE, between Tax Collector for Valley County, State of Idaho and New TR Acquisition Co., LLC, filed for record in the office of the Recorder of Valley County, Idaho on August 12, 2015 as Instrument No. 393068.

40. AFFIDAVIT OF COMPLIANCE, between Tax Collector for Valley County, State of Idaho and New TR Acquisition Co., LLC, filed for record in the office of the Recorder of Valley County, Idaho on August 12, 2015 as Instrument No. 393071.

41. AFFIDAVIT OF COMPLIANCE, between Tax Collector for Valley County, State of Idaho and New TR Acquisition Co., LLC, filed for record in the office of the Recorder of Valley County, Idaho on August 12, 2015 as Instrument No. 393074.

42. ORDINANCE NO. 2004-3, North Lake Recreational Sewer and Water District creating LID No. 2004-2 for the purpose of acquiring constructing and installing certain public water service improvements, as filed for record in the office of the Recorder of Valley County, Idaho on September 29, 2005 as Instrument No. 300869.

43. ORDINANCE NO. 2005-4, North Lake Recreational Sewer and Water District approving and confirming assessment roll for LID No. 2004-2 as filed for record in the office of the Recorder of Valley County, Idaho on October 6, 2005 as Instrument No. 301220.

44. STATE OF IDAHO ACQUIRED EASEMENT NO. 650; as filed for record in the office of the Recorder of Valley County, Idaho on June 27, 2003 as Instrument No. 273189 and Amended by Instrument No. 280041.

45. WATER SERVICE AGREEMENT, between Tamarack Resort LLC and West Mountain Golf LLC, dated December 30, 2004 and filed for record in the office of the Recorder of Valley County, Idaho on January 13, 2005 as Instrument No. 291526.
46. STATE OF IDAHO ACQUIRED EASEMENT NO. 651; as filed for record in the office of the Recorder of Valley County, Idaho on June 27, 2003 as Instrument No. 273188.
47. EASEMENT AGREEMENT between Tamarack Resort LLC and North Lake Recreational Sewer and Water District dated November 17, 2006 and filed for record in the office of the Recorder of Valley County, Idaho on February 2, 2007 as Instrument No. 318100.
48. TAMARACK RESORT PLANNED UNIT DEVELOPMENT PHASE 1 Final Plat Filings
(Properties in Phase 1 and Amended Phase 1 and Phase 1 Amended Block 18)
Utility, open spaces, driveway, snow removal, access recreational emergency access easements, and overhead ski lift easement, if any as shown on Tamarack Resort Planned Unit Development Phase 1 Final Plat, recorded November 24, 2003 in Book 9 Page 40,
as Instrument No. 278276 and Tamarack Resort Planned Unit Development Amended Phase 1 Plat recorded December 22, 2003 in Book 9 Page 42 as Instrument No. 278933 and Tamarack Resort Planned Unit Development Phase 1- Amended Block 18 recorded June 27, 2011 in Book 11 Page 33 as Instrument No. 361107, affidavit of correction; Instrument No. 361185
Declaration of Installation of Utilities; Instrument No. 278277
Declaration of Private Roads; Instrument No. 278278
Correction of Street Name on Plat; Instrument No. 286451
Amended and Restated Supplemental Declaration for Tamarack Resort Phase 1; Instrument No. 279779
Second Amendment to Supplemental Declaration for Phase 1; Instrument No. 282850 First Amendment to Supplemental Declaration; Instrument No. 308529
Supplemental Declaration for Tamarack Resort to Create Cabin Owner Neighborhood Committee; Instrument No. 324701
Affidavit of Record of Action by Board of Directors of Tamarack; Instrument No. 361106
Supplemental Declaration; Instrument No. 361109 re recorded as Instrument No. 361650
Supplemental Declaration of Private Roads; Instrument No. 361110
49. TAMARACK RESORT PLANNED UNIT DEVELOPMENT PHASE 2.1 FILINGS
(Properties in 2.1)
Utility, open spaces, driveway, snow removal access, recreational emergency access easements, and overhead ski lift easements, if any, as shown on Tamarack Resort Planned Unit Development Phase 2.1, as recorded January 10, 2005 in Book 9 Page 67, as Instrument No. 291356.
Owners Declaration of Private Roads; Instrument No. 291355
Supplemental Declaration; Instrument No. 291357
First Amendment to supplemental Declaration; Instrument No. 308529
Declaration for Installation of Utilities; Instrument No. 291358
Supplemental Declaration for Tamarack Resort to Create Cabin Owner Neighborhood Committee; Instrument No. 324701
50. TAMARACK RESORT PLANNED UNIT DEVELOPMENT PHASE 2.2 FILINGS:
(Properties in Phase 2.2)
Utility, open spaces, driveway, snow removal, access recreational emergency access easements, and overhead ski lift easements, if any as shown on Tamarack Resort Planned

Unit Development Phase 2.2, recorded March 21, 2005 in Book 10 Page 2 as Instrument No. 293591

Declaration for Installation of Utilities; Instrument No. 293592.

Declaration of Private Roads; Instrument No. 293593.

Supplemental Declaration; Instrument No. 293594

First Amendment to Supplemental Declaration; Instrument No. 308529

Supplemental Declaration for Tamarack Resort to Create Cabin Owner Neighborhood Committee; Instrument No. 324701

Second Amendment to Supplemental Declarations for Tamarack Resort Whitewater Phase 2.2 and Whitewater Phase 2.3; Instrument No. 389869 re recorded as Instrument No. 392317

51. TAMARACK RESORT PLANNED UNIT DEVELOPMENT PHASE 2.3 FILINGS:

(Properties in Phase 2.3)

Utility, open spaces, driveway, snow removal access, recreational emergency access easements, and overhead ski lift easements, if any as shown on Tamarack Resort Planned Unit Development Phase 2.3, recorded April 26, 2005 in Book 10 Page 5 as Instrument No. 294839

Declaration of Utilities; Instrument No. 294841

Declaration of Private Roads; Instrument No. 294842

Supplemental Declaration; Instrument No. 294843

First Amendment to Supplemental Declaration; Instrument No. 308529

Supplemental Declaration for Tamarack Resort to Create Cabin Owner Neighborhood Committee; Instrument No. 324701

Second Amendment to Supplemental Declarations for Tamarack Resort Whitewater Phase 2.2 and Whitewater Phase 2.3; Instrument No. 389869 re recorded as Instrument No. 392317

52. TAMARACK RESORT PLANNED UNIT DEVELOPMENT PHASE 2.4 FILINGS:

(Properties in Phase 2.4)

Utility, Open spaces, driveway, snow removal, access, recreational emergency access easements, and overhead ski lift easements, if any as shown on Tamarack Resort Planned Unit Development Phase 2.4, recorded March 24, 2006 in Book 10 Page 39, as Instrument No. 307127.

Supplemental Declaration; Instrument No. 307129

Second Supplemental Declaration; Instrument No. 308095

Declaration for Installation of Utilities; Instrument No. 307130

Owners Declaration of Private Roads; Instrument No. 307131

Utility, open spaces, driveway, snow removal access recreational emergency access easements and overhead ski lift easements, if any as shown on Tamarack Resort Planned Unit Development Amended Phase 2.4, recorded April 25, 2006 in Book 10 Page 42 as Instrument No. 308093

Declaration of Installation of Utilities; Instrument No. 308096

Dedication; Instrument No. 309691

Third Supplemental Declaration; Instrument No. 309693

Second Amended Declaration of Installation of Utilities; Instrument No. 309694

Supplemental Declaration for Tamarack Resort to Create Cabin Owner Neighborhood Committee; Instrument No. 324701

53. TAMARACK RESORT PLANNED UNIT DEVELOPMENT PHASE 1 VILLAGE

FILINGS:

(Properties in Phase 1 Village)

Utility, open spaces, driveway, snow removal access recreational emergency access easements, and overhead ski lift easements, if any as shown on Tamarack Resort Planned Unit Development Phase 1 Village recorded January 10, 2005 in Book 9 Page 66 as Instrument No. 291350.

Supplemental Declaration; Instrument No. 291354

First Amendment to Supplemental Declaration; Instrument No. 304740

Owners Declaration of Private Roads; Instrument No. 291355

54. TAMARACK RESORT PLANNED UNIT DEVELOPMENT PHASE 2 VILLAGE

FILINGS:

(Properties in Phase 2 Village)

Utility, open spaces, driveway, snow removal access recreational emergency access easements, and overhead ski lift easements, if any as shown on Tamarack Resort Planned Unit Development Phase 2 Village recorded October 18, 2005 in Book 10 Page 25 as Instrument No. 301733.

Supplemental Declaration; Instrument No. 301735.

Declaration of Private Roads; Instrument No. 301736.

Declaration of Installation of Utilities; Instrument No. 301737.

55. TAMARACK RESORT LODGE AT OSPREY MEADOWS:

(Properties in Members Lodge)

Utility, open spaces, driveway, snow removal access recreational emergency access easements, and overhead ski lift easements, if any as shown on Tamarack Resort Members Lodge Condominium recorded January 10, 2005 in Book 9 Page 68 as Instrument No. 291359.

Affidavit of Correction to Plat; Instrument No. 337320

Amended and Restated Articles of Incorporation; Instrument No. 306636

Articles of Amendment (Non-Profit) Instrument No. 313169

Affidavit of Survey; Instrument No. 324691

Meadows; Instrument No. 324694

Fourth Amended and Restated Bylaws of Lodge at Osprey Meadows Association, Inc.; Instrument No. 324695.

56. Utility, open spaces, driveway, snow removal access recreational emergency access easements, and overhead ski lift easements, if any as shown on Tamarack Resort Village Plaza Condominium recorded October 18, 2005 in Book 10 Page 26 as Instrument No. 301738

57. Utility, open spaces, driveway, snow removal access recreational emergency access easements, and overhead ski lift easements, if any as shown on Tamarack Resort Planned Unit Development Phase 3 Village recorded September 28, 2006 in Book 11 Page 3 as Instrument No. 313807

58. Subject to Forest Protection roads and highways, and subject to existing right of way easements for irrigation ditches, telephone liens and roads; set forth on that certain DEED as filed in the office of the Valley County Recorder on November 5, 1942, in Deed Book 22 at page 67.

59. SUMMARY OF LICENSE GRANTED UNDER COMMERCIAL LEASE, Between the State of Idaho and Tamarack Resort, L.L.C., as filed for record in the office of the Recorder of Valley County, Idaho on June 27, 2003 as Instrument No. 273179.

60. STATE OF IDAHO EASEMENT No. 6379 between the State of Idaho, Department of Lands and Tamarack Resort LLC, dated June 20, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on June 27, 2003 as Instrument No. 273187.
61. STATE OF IDAHO EASEMENT NO. 6377 between the State of Idaho Department of Lands and Tamarack Resort L.L.C., dated June 20, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on June 27, 2003 as Instrument No. 273190.
62. UNDERGROUND POWER LINE EASEMENT to Idaho Power Company dated August 1, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on August 11, 2003 as Instrument No. 274635.
63. UNDERGROUND POWER LINE EASEMENT to Idaho Power Company dated June 23, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on August 11, 2003 as Instrument No. 274636.
64. ORDINANCE NO. 2003-3, creating LID No. 2003-1 for the purpose of constructing certain sewer service improvements and other related expenses, dated May 10, 2003 and filed for record in the office of the Recorder of Valley County, Idaho on September 9, 2003 as Instrument No. 275617.
65. ORDINANCE NO 2007-1, confirming the Assessment Roll and the assessments of property within the boundaries of Local Improvement District No. 2003-1 and filed for record in the office of the Recorder of Valley County, Idaho on October 12, 2007 as Instrument No. 326064.
66. ORDINANCE NO 2007-2, confirming the Assessment Roll and the assessments of property within the boundaries of Local Improvement District No. 2004-1 and filed for record in the office of the Recorder of Valley County, Idaho on October 12, 2007 as Instrument No. 326065.
67. UNDERGROUND POWER LINE EASEMENT to Idaho Power Company dated October 7, 2004 and filed for record in the office of the Recorder of Valley County, Idaho on December 3, 2004 as Instrument No. 290143.
68. RECORD OF SURVEY, as filed for record in the office of the Recorder of Valley County, Idaho on May 19, 2005 as Instrument No. 295636. AFFIDAVIT OF SURVEY, as filed for record in the office of the Recorder of Valley County, Idaho on May 19, 2005 as Instrument No. 295637.
69. EASEMENT as shown on that certain Warranty Deed dated December 30, 2004 and filed for record in the office of the Recorder of Valley County, Idaho on December 30, 2004 as Instrument No. 291074 and was re-recorded on March 21, 2005 as Instrument No. 293576.
70. DECLARATION OF TEMPORARY USES AND STRUCTURES AND SUBORDINATION AGREEMENT dated April 8, 2006 and filed for record in the office of the Recorder of Valley County, Idaho on April 25, 2006 as Instrument No. 308158.
71. ENCROACHMENT EASEMENT AND SUBORDINATION dated April 8, 2006 and filed for record in the office of the Recorder of Valley County, Idaho on April 25, 2006 as Instrument No. 308159.
72. RECORD OF SURVEY, as filed for record in the office of the Recorder of Valley County, Idaho on June 5, 2007 as Instrument No. 322063.

73. VACATION AND RELOCATION OF RECREATIONAL EASEMENT LOTS 44-47 WHITEWATER PHASE 2.2, dated June 5, 2007 and filed for record in the office of the Recorder of Valley County, Idaho on June 8, 2007 as Instrument No. 322139.

74. 2007 SUPPLEMENTAL DECLARATION FOR TAMARACK RESORT WITH REGARD TO MANDATORY CLUB MEMBERSHIP FOR SPECIFIED UNITS dated September 4, 2007 and filed for record in the office of the Recorder of Valley County, Idaho on September 10, 2007 as Instrument No. 325020.

75. NOTICE WITH REGARD TO MANDATORY CLUB MEMBERSHIP FOR OWNERS OF SPECIFIED REAL PROPERTY WITH TAMARACK RESORT PLANNED UNIT DEVELOPMENT as filed for record in the office of the Recorder of Valley County, Idaho on September 17, 2007, as Instrument No. 325231.

[exceptions 76 to 80 deleted]

81. MINERAL LEASE for portions of Section 19 and 30, per Lease No. 14 as described in Quitclaim Deed dated June 16, 1917 and filed for record in the office of the Recorder of Valley County Idaho on October 3, 1917 in Book 1 of Deeds at page 92 as Instrument No. 381.

82. State of Idaho Easement, for Power Lines to Idaho Power Company dated September 8, 1965 and filed for record in the office of the Recorder of Valley County, Idaho on October 22, 1965 in Book 11 of Miscellaneous at page 603 as Instrument No. 64169.

83. ROAD EASEMENT, as filed for record in the office of the Recorder of Valley County, Idaho as Instrument No. 210173.

84. A lease with certain terms, covenants, conditions and provisions set forth therein, SUMMARY OF COMMERCIAL LEASE, Between the State of Idaho and Tamarack Resort, LLC, as filed for record in the office of the Recorder of Valley County, Idaho on June 13, 2003 as Instrument No. 272772 and the unrecorded ASSIGNMENT AND ASSUMPTION AGREEMENT OF COMMERCIAL LEASE NO. M-5042, dated October 8, 2014.

85. Rights of the Public, State of Idaho, and U.S.A. in and to the bed and banks of Rock Creek.

86. Rights of the Public, State of Idaho, and U.S.A. in and to the bed and banks of "unnamed" creek. (Section 30)

87. Rights, (if any) of the public in and to a roadway, affecting Section 36 as it may transect this property.

88. Terms and Conditions of Road Easement as filed for record in the office of the Recorder of Valley County, Idaho on March 22, 1995 as Instrument No. 210173.

89. LACK OF A RIGHT OF ACCESS to and from said land. Access is provided over and across a Forest Service Highway and is subject to the rules and conditions appertaining thereto. (Parcel 4 and 10)

90. TERMS AND CONDITIONS of State of Idaho Commercial Lease between the State of Idaho and Tamarack Resort, LLC, recorded June 25, 2003 in the office of the Recorder of Adams County, Idaho as Instrument No. 103989 and the unrecorded ASSIGNMENT AND ASSUMPTION AGREEMENT OF COMMERCIAL LEASE NO. M-5042, dated October 8, 2014.

97. The following matters disclosed by survey prepared by Chronic & Associates,

Dated: October 20, 1970
Recorded: January 29, 1970
Instrument No.: 73457
A. Jeep Road Parcel 4
B. Old Road Parcel 1A and 1B

Re-recorded: January 24, 1980
Instrument No.: 104707

98. MEMORANDUM OF UNDERSTANDING between Tamarack Resort, LLC and Idaho State Snowmobile Association, as filed for record in the office of the Recorder of Valley County, Idaho on April 21, 2009 as Instrument No. 340705. NOTE: Said Instrument lacks a Notary acknowledgement.

99. TEMPORARY ROAD USE PERMIT, as filed for record in the office of the Recorder of Valley County, Idaho on December 15, 2010 as Instrument No. 357114.

100. [DELETED]

101. SUBORDINATION, ATTORNMENT, AND NON-DISTURBANCE AGREEMENT is executed on April 5, 2016 and effective as of March 31, 2016 and filed for record in the office of the Recorder of Valley County, Idaho on April 29, 2016 as Instrument No. 397897 and as filed for record in the office of the Recorder of Adams County, Idaho on April 29, 2016 as Instrument No. 129444.

Re-recorded: May 2, 2016
Valley County Instrument No.: 397929 and Adams County Instrument No.:

102. [DELETED]

103. [DELETED]

104. [DELETED]

105. All pending notices of tax deed filed in the Office of the Valley County Recorder in Valley County Idaho by the Valley County Treasurer.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

February 13, 2018

TAMARACK HOMEOWNERS ACQUISITION CO LLC
311 VILLAGE DR
TAMARACK ID 83615-5014

Re: Change in Ownership for Water Right No(s): 65-8702, 65-7803 & 65-22475

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code, §42-222 and §42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: CREDIT SUISSE AG
GIVENS PURSLEY LLP

GIVENS PURSLEY LLP

Attorneys and Counselors at Law

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Kelly Greene McConnell
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Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Emily G. Mueller
Deborah E. Nelson

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DEC 29 2017

DEPARTMENT OF
WATER RESOURCES

W. Hugh O'Riordan, LL.M.
Randall A. Peterman
Jack W. Relf
Michael O. Roe
Jamie Caplan Smith
P. Mark Thompson
Jeffrey A. Warr
Robert B. White

Kenneth L. Pursley (1940-2015)
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

December 29, 2017

Shelley Keen
Idaho Dept. of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Tamarack Homeowners Acquisition Company LLC – multiple filings

Dear Shelley,

This firm represents Tamarack Homeowners Acquisition Company LLC (“THAC”), which is a member-managed company comprised of homeowners at Tamarack Resort. In late 2016, THAC acquired Water Permit No. 65-22357, which is the municipal water right permit associated with Tamarack Resort, as well as decreed water right nos. 65-8702, 65-8703, and 65-22475.

On behalf of THAC, with this letter, I am submitting to you four categories of filings, together with checks for the associated filing fees, as follows:

1. A Statement of Completion for Submitting Proof of Beneficial Use for Water Permit No. 65-22357 with attachment, together with a check for \$300 in filing fees;
2. An Application for Permit with attachments, intended to request the same water uses and quantities authorized under Water Permit No. 65-22357 and to make up for any shortfall that might result when Permit No. 65-22357 is licensed, together with a check for \$570 in filing fees;
3. A Notice of Change in Water Right Ownership with attachments, for decreed water right nos. 65-8702, 65-8703, and 65-22475, together with a check for \$75 in filing fees; and

Shelley Keen
December 29, 2017
Page 2

4. Three Water Supply Bank Lease Applications—one each for decreed water right nos. 65-8702, 65-8703, and 65-22475, with one W-9 form executed by THAC, together with a check for \$750 in filing fees.

I also am submitting, under a separate cover letter from THAC attorney Stephen J. Lord, two Assignments of Permit No. 65-22357—one from New TR Acquisition Co., LLC, to Tamarack Municipal Association, Inc. (“TMA”), and the other from TMA to THAC—and copies of related Bills of Sale, together with my firm’s check for \$50 in filing fees. Although Mr. Lord’s letter is addressed to Nick Miller, IDWR’s Western Region Manager, I am submitting it to you with the other filings as a matter of convenience and upon the advice of IDWR’s attorney.

Please have the original documents filed and return conformed copies of this letter and the filings to me with our runner.

As always, please do not hesitate to contact me if you have any questions about these documents.

Sincerely,



Michael P. Lawrence

cc: Garrick Baxter, Deputy Attorney General
Jeff Peppersack, IDWR
Stephen J. Lord, Esq.
Peter Lewis, THAC (via email)

Enclosures