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FEB 19 2016

WATER RESOURCES  
WESTERN REGION

Form 42-248/42-1409(6) Rev. 1/15

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 61-295                | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 61-7039               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Three Island LLC  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): ARK Properties L.L.C.  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 11204 N. Bar 21 Drive Glenns Ferry ID 83623  
Mailing address City State ZIP  
208-366-7931  
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: 12/31/2012
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):  
    o \$25 per undivided water right.  
    o \$100 per split water right.  
    o 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.

SUPPORT DATA

IN FILE # 61-295

8. Signature: [Signature] Manager 1-22-2016  
Signature of new owner/claimant Title, if applicable Date

Signature: \_\_\_\_\_ Title, if applicable Date

## For IDWR Office Use Only:

Received by [Signature] Date 2/19/16 Receipt No. W043908 Receipt Amt. \$50.00  
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 X Approved by [Signature] Processed by [Signature] Date 3/10/16

Sheila R. Schwager, ISB No. 5059  
Beth Coonts, ISB No. 7700  
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bcoonts@hawleytroxell.com

Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ELMORE

ARK PROPERTIES L.L.C., an Idaho limited  
liability company, )

Plaintiff, )

vs. )

THREE ISLAND LLC, an Idaho limited  
liability company; R.J.T. FARMING, INC., an  
Idaho corporation; ROGER L. JONES; THE  
ESTATE OF NANCY JOY JONES, a/k/a  
NANCY J. JONES, a/k/a NANCY JONES;  
R.J. STRASSER DRILLING COMPANY,  
LLC, an Oregon corporation; TOM  
NICHOLSON, an individual; RICHARD K.  
VYCITAL, an individual; RICHARD K.  
VYCITAL as trustee of the Richard K. Vycital  
Family Trust; WELLS FARGO BANK, N.A.  
as trustee of the Frances S. Strasser Revocable  
Living Trust (U/A October 28, 1999);  
FRANCES S. STRASSER, an individual; and  
any and all unknown owners or unknown heirs  
or unknown devisees of any deceased person  
claiming any right, title or interest in and to  
any or all of the property which is the subject  
of this action, and any other person or other  
entity who has or may have an interest in and )

Case No. CV-2011-1060

CERTIFICATE OF SALE (REAL  
PROPERTY)

ORIGINAL

to the property which is the subject of this )  
action, referred to for convenience by the )  
fictitious designations of DOES I through XX )

Defendants. )  
)  
)

R.J. STRASSER DRILLING COMPANY, )  
LLC, an Oregon Corporation, )

Counterclaimant/Crossclaimant, )

Vs. )

ARK PROPERTIES, LLC, an Idaho Limited )  
Liability Company; THREE ISLAND LLC, an )  
Idaho limited liability company; ROGER L. )  
JONES, individually; THE ESTATE OF )  
NANCY JOY JONES, A/K/A NANCY J. )  
JONES, A/K/A NANCY JONES; BILLY E. )  
ANDREWS and JUDY L. ANDREWS, )  
husband and wife; AGRILIANCE, LLC, a )  
Delaware limited liability company; )  
AGRIBANK, FCB, a federally chartered )  
corporation; TOM NICHOLSON, an )  
individual; RICKARD K. VYCITAL, an )  
individual; RICHARD K. VYCITAL, in his )  
capacity as trustee of the Richard K. Vycital )  
Family Trust; DEBIS FINANCIAL )  
SERVICES, INC., an Idaho corporation; )  
DENNIS LAIB AND MARJORIE JILL )  
LAIB, husband and wife; ARK PROPERTIES )  
L.L.C., an Idaho Limited Liability Company; )  
any and all unknown owners or unknown heirs )  
or unknown devisees of any deceased person )  
claiming any right, title or interest in and to )  
any or all of the property which is the subject )  
of this action, and any other person or other )  
entity who has or may have an interest in and )  
to the property which is the subject of this )  
action referred to for convenience by the )  
fictitious designations of DOES I through XX, )

Counterdefendants/Cross defendants. )  
)  
)

UNDER AND BY VIRTUE of Stipulated Judgments in Favor of Plaintiff and

Counterclaimant/Crossclaimant R. J. Strasser Drilling Company, LLC (hereinafter "Judgment")

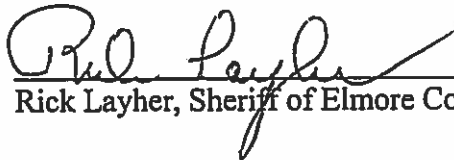
entered by the above-entitled Court and filed on October 9, 2012, and the Writ of Execution (Order of Sale) issued on November 6, 2012, which were directed and delivered to me as Sheriff of the County of Elmore, State of Idaho, whereby I was commanded to sell the real property situated in Elmore County, Idaho, which was described in said Judgment and which is more particularly described on Exhibit "A" attached hereto and made a part hereof, hereinafter referred to as "Subject Property," and to apply the proceeds of the sale towards payment of the judgment amount, including attorney's fees, costs and interest thereon, as specified in said Judgment and Decree. I, Rick Layher, Sheriff of Elmore County, State of Idaho, do hereby certify the following:

1. On December 20, 2012, at 10:30 a.m. of said day, at public auction, according to law, after due and legal notice given, on the front steps of the Elmore County Courthouse, 150 South 4th East, Mountain Home, Idaho, 83647, I duly sold said Subject Property as one parcel and as one unit to the Plaintiff, ARK Properties L.L.C., an Idaho limited liability company, whose address is c/o Gregory A. Byron, Thornton Byron, LLP, P. O. Box 7156, Boise, ID, 83707-1156, for the sum of \$1,789,478.72, said party being the highest bidder and said sum being the highest price bid at said sale; and

2. That the sum of \$1,789,478.72 in the form of a credit bid was the entire price paid for said Subject Property; and

3. That said Subject Property is subject to a right of redemption to and including December 20, 2013, pursuant to Idaho Code §11-402.

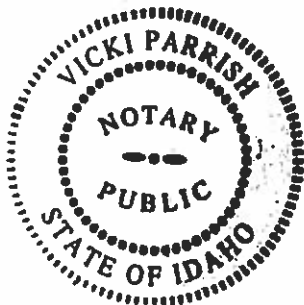
Dated this 24<sup>th</sup> day of December, 2012.

  
Rick Layher, Sheriff of Elmore County, Idaho

STATE OF IDAHO                     )  
                                                  ) ss.  
County of Elmore                    )

On this 24<sup>th</sup> day of December, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Rick Layher, known or identified to me to be the person whose name is subscribed to the foregoing instrument as the Sheriff of Elmore County, Idaho, and acknowledged to me that he executed the same.

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



  
Notary Public for Idaho  
Residing at Elmore County, Idaho  
My commission expires 8-13-15

## **EXHIBIT "A"**

### **Parcel 1**

Lots 1 and 2 in Block 2 and all of Block 3 of Hartman Addition, Glenns Ferry, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder of Elmore County, Idaho.

**AND**

Lots 3 and 4 in Block 2, Hartman Addition to Glenns Ferry, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder of Elmore County, Idaho.

TOGETHER with vacated Street adjoining subject property which upon vacation attached to said land by operation of law, as disclosed in Instrument recorded January 14, 1985, as Instrument No. 226422, of Official Records.

### **Parcel 2**

Lots 3 and 4, Block 2, and Lot 1 in Block 3 of Leonard Thompson Addition to the City of Glenns Ferry, Elmore County, Idaho, according to the official plat thereof, filed for record in Book 2 of Plats and Page 58, in the office of the County Recorder of Elmore County, Idaho.

TOGETHER with vacated streets and 12 feet of vacated alley, which upon vacation attached to said land by operation of law, as disclosed in an instrument recorded August 27, 1992, as Instrument No. 270217, records of Elmore County, Idaho.

### **Parcel 3**

A parcel of land located in the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Beginning at the Center East 1/16 corner of said Section 31; thence North 89°58'55" West 1333.86 feet along the south line of said NE1/4 to the Center 1/4 corner; thence North 0°33'08" East 153.20 feet; thence North 56°06'17" East 71.03 feet to a point on a north-south fence line; thence North 0°15'53" West 284.94 feet along said north-south fence line; the Real Point of Beginning thence North 1°07'40" West 554.23 feet along said north-south fence line to a point on the centerline of Little Canyon Creek; said point being witnessed by a steel pin that bears South 1°07'40" East 40.00 feet; thence South 85°19'01" East 136.41 feet along said centerline to a point being witnesses by a steel pin that bears South 6°10'25" East 10.00 feet; thence

North 68°45'02" East 123.57 feet along said centerline to a point being witnesses by a steel pin that bears South 3°31'25" West 16.00 feet; thence  
North 85°35'36" East 197.79 feet along said centerline to a point being witnesses by a steel pin that bears South 18°26'05" West 20.00 feet; thence  
North 76°11'15" East 194.78 feet along said centerline to a point being witnesses by a steel pin that bears South 0°01'05" West 14.00 feet; thence  
leaving said centerline, South 0°01'05" West 779.30 feet to a point;  
thence South 73°57'55" West 124.75 feet to a point; thence  
North 0°01'34" West 152.25 feet to a point; thence  
North 85°16'54" West 167.65 feet to a point; thence  
South 89°42' 16" West 339.28 feet to the REAL POINT OF BEGINNING.

#### Parcel 4

A parcel of land located in the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Beginning at the Center East 1/16 corner of said Section 31; thence North 89°58'55" West 1333.86 feet along the south line of said NE1/4 to the Center 1/4 corner; thence North 0°33'08" East 153.20 feet; thence North 56°06'17" East 71.03 feet to a point on a north-south fence line, thence North 0°15'53" West 284.94 feet along said north-south fence line; thence North 1°07'40" West 554.23 feet along said north-south fence line to a point on the centerline of Little Canyon Creek, thence continuing along said centerline the following courses and distances: South 85°19'01" East 136.41 feet; thence North 68°45'02" East 123.57 feet; thence North 85°35'36" East 197.79 feet; thence North 76°11'15" East 194.78 feet; thence leaving said centerline, South 0°01'05" West 805.31 feet to the Real Point of Beginning; thence continuing South 0°01'05" West 28.77 feet; thence North 89°58'55" West 100.00 feet; thence North 73°57'55" East 104.06 feet to the Real Point of Beginning.

#### Parcel 5

12 feet of vacated alley lying North of Lot 2 in Block 3 and the North 6 feet of vacated alley lying North of Lot 3 in Block 3 of Leonard Thompson Addition to the City of Glens Ferry, Elmore County, Idaho, according to the official plat thereof, filed for record in Book 2 of Plats and Page 58, in the office of the County Recorder of Elmore County, Idaho.

#### Parcel 6

6 feet of vacated alley lying South of the Following described parcel:

A parcel of land located in the Southwest Quarter of the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Commencing at a Brass Cap marking the Center Quarter Corner of said Section 31; thence North 0°33'08" East 153.20 feet to a point; thence North 56°06'17" East 71.03 feet to a point on the centerline of the Three Island Ditch, said point being the Real Point of Beginning; thence North 56°06'17" East 150.57 feet; thence South 0°01'05" West 94.83 feet; thence North 89°58'55" West 124.96 feet; thence North 0°01'05" East 10.82 feet to the Real Point of Beginning.

EXHIBIT "A" - 2

Parcel 7

A parcel of land commencing at the Southwest Corner of Lot 1 in Block 2 of Leonard Thompson Addition; thence South 89°58'55" East 100 feet to the Real Point of Beginning, running thence North 0°01'05" East 120.00 feet; thence North 89°58'55" West 12 feet; thence South 0°01'05" West 120 feet; thence South 89°58'55" East 12 feet to the Real Point of Beginning.

Together with 6 feet of vacated alley lying north of the above described parcel.

Parcel 8

The Southwest Quarter of the Northeast Quarter of Section Thirty-One, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho.

SAVE AND EXCEPT:

A parcel of land lying and being in the Southwest Quarter of the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Commencing at the Northeast Corner of Lot 2 in Block 2 of the LEONARD THOMPSON ADDITION to the City of Glenns Ferry, County of Elmore, State of Idaho, running thence North a distance of 106 feet to a point which is marked by a steel stake driven in the ground with one file mark on the upper six inches of the stake, running thence Westerly a distance of 100 feet to a point marked by a steel stake with two file marks within six inches of the top, running thence South a distance of 106 feet to a point which is the Northwest Corner of Lot 2 in Block 2 of the LEONARD THOMPSON ADDITION to the City of Glenns Ferry Idaho, running thence East a distance of 100 feet coincident with and parallel to the North sideline of Lot 2 of the LEONARD THOMPSON ADDITION to the City of Glenns Ferry, Idaho which is the point of beginning.

AND SAVE AND EXCEPT:

All of that portion of the SW1/4NE1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, lying North of the Three Island State Farm Irrigation Ditch which intersect the East sideline of the SW1/4NE1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, approximately 589 feet North of the SE corner of the SW1/4NE1/4 and runs in a southerly direction (meandering on contour) to its point of intersection with the West sideline of the SW1/4NE1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho.

AND SAVE AND EXCEPT:

LEONARD THOMPSON ADDITION to the City of Glenns Ferry, Elmore County, Idaho, according to the official plat thereof, filed for record in Book 2 of Plats and Page 58, in the office of the County Recorder of Elmore County, Idaho.

AND SAVE AND EXCEPT:

A portion of the SW1/4NE1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Beginning at an iron pin marking the Southeast corner of the said SW1/4NE1/4 of Section 31; thence North 89°58'55" West 148.43 feet along the Southerly boundary of said SW1/4NE1/4 of Section 31 to a point, said point being on the projection of the Easterly lot line of Lot 3 in Block 3 of the LEONARD THOMPSON ADDITION a subdivision, as filed for record in the office of the Elmore County, Idaho Recorder, thence leaving said Southerly boundary of the SW1/4NE1/4 of Section 31, North 00° 03'20" East 181.83 feet along said projection of the Easterly lot line of Lot 3 to an iron pin on the Northerly boundary of said Leonard Thompson Addition, said iron pin being the Real Point of Beginning; thence continuing North 00°03'20" East 78.00 feet to an iron pin; thence South 87°43'40" East 151.60 feet to an iron pin on the Easterly boundary of said SW1/4NE1/4 of Section 31; thence South 00°44'44" West 72.36 feet along the Easterly boundary of said SW1/4NE1/4 of Section 31 to an iron pin on said Northerly boundary of Leonard Thompson Addition, thence leaving said Easterly boundary of said SW1/4NE1/4 of Section 31, North 89°51'44" West 150.62 feet along said Northerly boundary of Leonard Thompson Addition to the Point of Beginning.

AND SAVE AND EXCEPT:

A parcel of land being a portion of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at the Brass Cap marking the 1/4 Corner common to Sections 31 and 32, T5S, R10E, B.M., Elmore County, Idaho; thence North 89°58'55" West 2667.60 feet along the South line of said NE1/4 of Section 31 to a Brass Cap marking the Center 1/4 Corner of said Section 31, thence North 0°33'08" East 153.20 feet; thence North 56°06'17" East 221.60 feet to an iron pin on the centerline of the Three Island Ditch, said point being the Real Point of Beginning, thence continuing along said centerline the following courses and distances to iron pins; North 56°06'17" East 115.28 feet; thence North 88°25'51" East 192.19 feet; thence South 70°24' 00" East 98.00 feet, thence leaving said centerline South 73°57'55" West 0.12 feet to an iron pin, thence South 0°01'05" West 131.58 feet to an iron pin, a point on the North boundary of LEONARD THOMPSON ADDITION to the City of Glenns Ferry, a subdivision, as filed for record in the office of the Elmore County Recorder, Mountain Home, Idaho, thence along said North boundary North 89°58'55" West 380.00 feet; thence leaving said North boundary North 0°01'05" East 94.83 feet to the Real Point of Beginning.

AND SAVE AND EXCEPT:

A parcel of land being a portion of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at the Brass Cap marking the East 1/4 Corner of the Northeast 1/4 of Section 31, T5S, R10E, B.M., Elmore County, Idaho; thence N 89°58'55" W, 2667.60 feet along the South line of said Northeast 1/4 of Section 31 to a Brass Cap marking the Center 1/4 Corner of said Section 31, said point being the REAL POINT OF BEGINNING; thence, N 0°33'08" E, 153.20 feet along the West line of said Northeast 1/4 of Section 31 to a point on the centerline of Three Island Ditch; thence, N 56°06'17" E, 70.98 feet along said centerline of ditch to a point; thence leaving said centerline of ditch and along the West right-of-way line of Cheyenne St., S 0°01'05" W, 192.79 feet to a point on the said South line of the Northeast 1/4 of Section 31; thence along said South line, N 89°58'55" W, 60.33 feet to the REAL POINT OF BEGINNING.

AND SAVE AND EXCEPT:

A parcel of land being 20 feet wide and being a portion of the Southwest Quarter of the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho more particularly described as follows:

Commencing at the Southeast Corner of Lot 1, Block 2 of the Leonard Thompson Addition to the City of Glens Ferry, Elmore County, Idaho, according to the official plat thereof, on file and of record in the office of the County Recorder, Elmore County, Idaho; thence North 00°01'05" East, 132.00 feet along the East line of said Lot 1, Block 2, and an extension thereof, to a point on the North boundary of said Leonard Thompson Addition, said point being the REAL POINT OF BEGINNING; thence, North 89°58'55" West 20.00 feet along said North line of the Leonard Thompson Addition; thence North 00°01'05" East 105.57 feet to a point on the South right-of-way of Three Island Ditch; thence along said South right-of-way of Three Island Ditch, North 73°57'55" East 20.81 feet; thence leaving said right-of-way, South 00°01'05" West 111.33 feet along the extension of said East line of Lot 1, Block 2 of the Leonard Thompson Addition, to the REAL POINT OF BEGINNING.

AND SAVE AND EXCEPT:

A parcel of land being a portion of the Southwest Quarter of the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at the Southeast Corner of Lot 1, Block 2 of the Leonard Thompson Addition to the City of Glens Ferry, Elmore County, Idaho, according to the official plat thereof, on file and of record in the office of the County Recorder, Elmore County, Idaho; thence North 00°01'05" East 226.00 feet along the East line of said Lot 1, Block 2, and an extension thereof, to a point, said point being the REAL POINT OF BEGINNING; thence continuing North 00°01'05" East 17.33 feet to a point on the South right-of-way of Three Island Ditch; thence along said right-of-way, North 73°57'55" East 104.06 feet; thence leaving said South right-of-way, South 00°01'05" West 46.10 feet; thence North 89°58'55" West 100.00 feet to the REAL POINT OF BEGINNING.

AND SAVE AND EXCEPT:

A parcel of land lying in the NE1/4, Section 31, T5S, R10E, B.M., Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the Center 1/4 Corner of Section 31, T5S, R10E, B.M., Elmore County, Idaho; thence

S 89°58'55" E, 1333.84 feet to an iron pin marking the East 1/16 corner of said Section 31; thence

N 00°44'44" E, 490.15 feet to the REAL POINT OF BEGINNING; thence

N 67°41'23" W, 102.04 feet to an iron pin; thence

S 89°03'55" W, 165.12 feet to an iron pin; thence

N 62°25'44" E, 295.29 feet, thence

S 00°44'44" W, 172.73 feet to the REAL POINT OF BEGINNING.

Parcel 9

Commencing at the Brass Cap marking the Quarter corner common to Sections 31 and 32, T5S, R10E, B.M., Elmore County, Idaho; thence North 89°58'55" West 2667.50 feet along the South line of the Northeast 1/4 of said Section 31, to a brass cap marking the Center Quarter Corner of Section 31, thence N 0°33'08" E, 153.20 feet; thence N 56°06'17" E, 71.03 feet to an iron pin, thence S 0°01'05" W 10.82 feet to an iron pin, thence S 89°58'55" E 124.96 feet to an iron pin, said point being the Real Point of Beginning;

thence N 0°01'05" E 94.83 feet; thence N 56°06'17" E 115.28 feet; thence N 88°25'51" E 192.19 feet, thence S 70°24'00" E 98.00 feet, thence S 73°57'55" W 0.12 feet; thence S 0°01'05" W 131.58 feet to an iron pin on the North boundary of Leonard Thompson Addition to the City of Glens Ferry, thence N 89°58'55" W 12 feet; thence N 0°01'05" E 102.82 feet; thence S 77°06'37" W 216.89 feet; thence S 70°51'58" W 165.77 feet to the Point of Beginning.

Parcel 10

A parcel of land being a portion of the South 1/2 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, being more particularly described as follows:

Beginning at the SW Corner of Sec. 31, T5S, R10E, B.M., which corner is marked with a basaltic stone firmly set and marked with 6 notches on each face and running thence North along the Section line 2622.5 feet to a point which is the recognized point for the 1/4 section corner in an E and W roadway, thence East along the center line of said Section 31 a distance 2271 feet to a point which is the TRUE POINT OF BEGINNING (marked by a hub and tack set at the exact point and witnessed by and iron pipe one inch in diameter firmly set in the ground which bears South 21.2 feet distant.) then running from the true point of beginning due South for a distance of 400 feet; thence South 83 degrees 25 minutes East of distance of 2247 feet; thence North 9 degrees 01 minutes West a distance of 666.5 feet, thence West 2128.2 feet to the POINT OF BEGINNING.

#### SAVE AND EXCEPT

A parcel of land being a portion of the South 1/2 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, being more particularly described as follows:

Commencing at a point marking the Southeast corner of said above described parcel of land, said point being the Real Point of Beginning;

thence N 8°30'03" W (formerly N 9°0' W) 409.52 feet;

thence S 80°57'57" W 187.63 feet;

thence S 0°00'00" E 346.26 feet;

thence S 83°12'13" E (formerly S 83°25'E) 247.58 feet to the Point of Beginning.

#### ALSO SAVE AND EXCEPT:

A parcel of land being all of Parcel B, as filed for record under Record of Survey, recorded: May 12, 1986, as Instrument No. 234509, records of Elmore County, Idaho, and a parcel of land being a portion of the S1/2 of Section 31, all in T5S, R10E, B.M., Elmore County, Idaho, being more particularly described as follows:

Commencing at a point marking the Southwest corner of said Sec. 31, T5S, R10E, B.M., Elmore County, Idaho thence North 00°00'00" East 2622.50 feet along the west line of said Section 31 to an iron pin marking the Northwest corner of the said South half of Section 31; thence North 90°00'00" East 4399.33 feet along the North line of the said South half of Section 31 to a point, said point being the Real Point of Beginning;

thence South 8°30'03" East 263.38 feet to a point; thence

South 80°57'57" West 418.49 feet to a point; thence North 00°00'00" West 326.20 feet to a point on said North line of the South half of Section 31; thence North 90°00'00" East 374.37 feet along said north line to the Real Point of Beginning.

#### ALSO SAVE AND EXCEPT:

A parcel of land being a portion of the SE1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the Center 1/4 Corner of Sec. 31, T5S, R10E, B.M., Elmore County, Idaho; thence, N 90°00'00" E 1291.23 feet along the North line of the SE1/4 of said Section 31; thence S 0°00'00" E 326.20 feet to an iron pin; thence N 80°57'57" E 95.86 feet to an iron pin marking the Real Point of Beginning;

EXHIBIT "A" - 7

thence continuing, N 80°57'57" E 135.00 feet to an iron pin;  
thence, S 0°00'00" E 336.26 feet to an iron pin;  
thence, N 74°56'02" W 138.07 feet to an iron pin;  
thence, N 0°00'00" W 279.17 feet to the REAL POINT OF BEGINNING.

**ALSO SAVE AND EXCEPT:**

A parcel of land being a portion of the SE1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the 1/4 corner common to Section 36, T5S, R9E, and Section 31, T5S, R10E, B.M., Elmore County, Idaho; thence N 90°00'00" E 2733.83 feet to the Brass Cap marking the Center 1/4 corner of said Section 31; thence continuing N 90°00'00" E 1291.14 feet along the north line of said SE1/4 of Section 31; thence S 0°00'00" E 326.20 feet to an iron pin, said point being the Real Point of Beginning; thence along the following courses and distances to iron pins;  
N 80°57'5" E 95.86 feet;  
thence S 0°00'00" E 279.17 feet;  
thence N 83°09'45" W 80.57 feet;  
thence N 0°00'00" E 164.53 feet;  
thence N 90°00'00" E 25.33 feet to a point of curve;  
thence along a curve left 141.37 feet, said curve having a delta of 180°00'00", a radius of 45.00 feet, and a chord of 90.00 feet which bears N 0°00'00" E to a point of tangent; thence, S 90°00'00" W 40.00 feet to the REAL POINT OF BEGINNING.

**ALSO SAVE AND EXCEPT:**

A parcel of land being a portion of the SE1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the 1/4 corner common to Section 36, T5S, R9E, and Section 31, T5S, R10E, B.M., Elmore County, Idaho; thence N 90°00'00" E 2733.83 feet to the Brass Cap marking the Center 1/4 corner of said Section 31; thence continuing N 90°00'00" E 1291.14 feet along the North line of said SE1/4 of Section 31; thence S 0°00'00" E 326.20 feet to an iron pin; thence N 80°57'57" E 95.86 feet to an iron pin; thence S 0°00'00" E 279.17 feet to an iron pin; thence N 83°09'45" W 80.57 feet to an iron pin, said point being the REAL POINT OF BEGINNING.  
Thence along the following courses and distances to iron pins: continuing N 83°09'45" W 107.24 feet;  
thence N 0°00'00" W 102.97 feet;  
thence S 90°00'00" E 51.92 feet;  
thence N 18°06'00" E 55.16 feet to a point of curve;  
thence along a curve left 18.24 feet, said curve having a delta of 23°13'15", a radius of 45.00 feet, tangents of 9.25 feet and a chord of 18.11 feet which bears S 78°23'22" E to a point of tangent;  
thence, N 90°00'00" E 19.67 feet;  
thence S 0°00'00" E 164.53 feet to the Real Point of Beginning.

ALSO SAVE AND EXCEPT:

A parcel of land being a portion of the SE1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the 1/4 corner common to Section 36, T5S, R9E, and Section 31 T5S, R10E, B.M., Elmore County, Idaho, thence, N 90°00'00" E 2733.83 feet to the Brass Cap marking the Center 1/4 corner of Section 31; thence continuing N 90°00'00" E 1099.23 feet along the North line of said SE1/4 of Section 31; thence, S 1°00'00" W 554.88 feet to an iron pin; thence, S 83°09'45" E 10.05 feet to an iron pin, said point being the Real Point of Beginning;

thence along the following courses and distances to iron pins;

N 1°00'00" E 106.02 feet;

thence S 90°00'00" E 139.00 feet;

thence N 18°06'00" E 48.32 feet to a point of curve;

thence along a curve left 15.61 feet, said curve having a delta of 19°52'39", a radius of 45.00 feet, tangents of 7.89 feet and a chord of 15.53 feet which bears S 56°50'26" E to a point of ending of curve; thence,

S 18°06'00" W 55.16 feet;

thence N 90°00'00" W 51.92 feet;

thence S 0°00'00" E 102.97 feet;

thence N 83°09'45" W 100.52 feet to the REAL POINT OF BEGINNING.

ALSO SAVE AND EXCEPT:

A parcel of land located in the Northeast 1/4 of the Southwest 1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, and more particularly described as follows:

Beginning at a 5/8" Iron Pin Marking the West 1/4 corner of Section 31, T5S, R10E, B.M., Elmore County, Idaho. thence

North 90°00'00" East a distance of 2,271.00 feet along the longitudinal center line of said Section 31 to a 5/8" iron pin, said point being the Real Point of Beginning;

thence continuing North 90°00'00" East a distance of 100.00 feet along the said longitudinal center line of Section 31 to a 5/8" iron pin; thence

South 00°00'00" West a distance of 150.00 feet to a 5/8" iron pin; thence

South 90°00'00" West a distance of 100.00 feet to a 5/8" iron pin; thence

North 00°00'00" East a distance of 150.00 feet to the POINT OF BEGINNING.

SUBJECT to any easements of record or in use.

Parcel 11

The Southwest Quarter of the Northeast Quarter lying North of the Three Island State Farm Irrigation Ditch, Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho.

SAVE AND EXCEPTING:

All that portion of the SW1/4NE1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, lying North of the centerline of Little Canyon Creek. Said creek intersects the East side line of the SW1/4NE1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian and runs in a Southwesterly direction meandering on contour to its point of intersection with the West side line of SW1/4NE1/4, Section 31, Township 5 South, Range 10 East, Boise Meridian.

AND SAVE AND EXCEPT:

A parcel of land lying in the NE1/4, Section 31, T5S, R10E, B.M., Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the Center 1/4 Corner of Section 31, T5S, R10E, B.M., Elmore County, Idaho; thence

S 89°58'55" E 1333.84 feet to an iron pin marking the East 1/16 Corner of said Section 31, thence

N 00°44'44" E 662.88 feet the Real Point of Beginning;

thence along the following courses and distances to iron pins;

S 62°25'44" W 295.29 feet; thence

N 10°51'30" W 164.03 feet; thence

N 52°03'14" E 51.82 feet; thence

N 72°07'54" E 266.44 feet to said East 1/16 Line; thence

S 00°44'44" W 138.05 feet to the Real Point of Beginning.

AND as amended by Affidavit of Correction recorded July 27, 1999, as Instrument No. 316889, of Official Records.

Together with an easement, described as follows:

A parcel of land being an ingress/egress easement running over and across a parcel of land lying in the NE1/4, Section 31, T5S, R10E, B.M., Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at a Brass Cap marking the Center 1/4 Corner of Section 31, T5S, R10E, B.M., Elmore County, Idaho; thence South 89°58'55" E 1333.84 feet to an iron pin marking the East 1/16 Corner of said Section 31; thence N 00°44'44" E 662.88 feet, thence S 62°25'44" W 295.29 feet to the Real Point of Beginning;

thence, N 10°51'30" W 30.46 feet;

thence, N 89°03'55" W 65.06 feet;

thence, S 62°25'44" W 66.92 feet to the Real Point of Beginning.

AND SAVE AND EXCEPT:

A parcel of land located in the NE1/4 of the SW1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, and more particularly described as follows:

Commencing at the Center Section corner of Section 31, T5S, R10E, B.M., Elmore County, Idaho; and running thence North 0°01' East a distance of 172 feet, more or less to a point, said point being the Real Point of Beginning; running thence in a Northeasterly direction of 62.9 feet, more or less, to a point on an existing fence line; running thence Northeasterly along said fence line 600 feet, more or less, to a point on the South boundary line of Little Canyon Creek; running thence in a Southwesterly direction along Little Canyon Creek 37 feet, more or less, to a point on the North-South Center Section line of said Section 31; running South 0°01' West along said Section line a distance of 600 feet, more or less, to the Point of Beginning.

AND SAVE AND EXCEPT:

A parcel of land located in the Northeast 1/4 Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, and more particularly described as follows:

Beginning at the Center East 1/16 corner of said Section 31; thence North 89°58'55" West 1333.86 feet along the South line of said NE1/4 to the center 1/4 corner; thence, North 0°33'08" East 153.20 feet; thence North 56°06'17" East 71.03 feet to a point on a north-south fence line, thence North 0°15'53" West 284.94 feet along said north-south fence line, the REAL POINT OF BEGINNING, thence North 1°07'40" West 554.23 feet along said north-south fence line to a point on the centerline of Little Canyon Creek, said point being witnessed by a steel pin that bears South 1°07'40" East 40.00 feet; thence South 85°19'01" East 136.41 feet along said centerline to a point being witnessed by a steel pin that bears South 6°10'25" East 10.00 feet; thence North 68°45'02" East 123.57 feet along said centerline to a point being witnessed by a steel pin that bears South 3°31'25" West 16.00 feet; thence North 85°35'36" East 197.79 feet along said centerline to a point being witnessed by steel pin that bears South 18°26'05" West 20.00 feet; thence North 76°11'15" East 194.78 feet along said centerline to a point being witnessed by a steel pin that bears South 0°01'05" West 14.00 feet: thence leaving said centerline South 0°01'05" West 779.30 feet to a point; thence South 73°57'55" West 124.75 feet to a point; thence North 0°01'34" West 152.25 feet to a point; thence North 85°16'54" West 167.65 feet to a point; thence South 89°42'16" West 339.28 feet to the REAL POINT OF BEGINNING.

AND SAVE AND EXCEPT:

A parcel of land lying in the NE1/4, Section 31, T5S, R10E, B.M., Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the Center 1/4 Corner of Section 31, T5S, R10E, B.M., Elmore County, Idaho; thence S 89°58'55" E, 1333.84 feet to an iron pin marking the East 1/16 Corner of said Section 31; thence N 00°44'44" E, 662.88 feet; thence S 62°25'44" W, 295.29 feet to an iron pin marking the REAL POINT OF BEGINNING; thence along the following courses and distances to iron pins; S 63°16'53" W, 253.77 feet; thence  
EXHIBIT "A" - 11

N 21°01'08" W, 176.30 feet; thence  
N 66°52'23" E, 281.64 feet; thence  
S 10°51'30" E, 164.03 feet to the REAL POINT OF BEGINNING

Parcel 12

A parcel of land being a portion of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the 1/4 corner common to Sections 31 and 32, T5S, R10E, B.M., Elmore County, Idaho; thence North 89°58'55" West 2667.60 feet along the South line of the NE1/4 of said Section 31 to a Brass Cap marking the Center 1/4 Corner of said Section 31; thence North 0°33'08" East 153.20 feet; thence North 56°06'17" East 221.60 feet to an iron pin on the centerline of the Three Island Ditch, said point being the REAL POINT OF BEGINNING; thence continuing along said centerline the following courses and distances to iron pins;  
North 56°06'17" East 115.28 feet; thence  
North 88°25'51" East 192.19 feet; thence  
South 70°24'00" East 98.00 feet; thence leaving said centerline,  
South 73°57'55" West 0.12 feet to an iron pin; thence  
South 0°01'05" West 131.58 feet to an iron pin on the North boundary of the Leonard Thompson Addition to the City of Glens Ferry, as filed for record in the office of the Elmore County Recorder, Mountain Home, Idaho; thence along said North boundary  
North 89°58'55" West 380.00 feet; thence leaving said North boundary  
North 0°01'05" East 94.83 feet to the REAL POINT OF BEGINNING.

SAVE AND EXCEPT:

Commencing at the Brass Cap marking the Quarter corner common to Sections 31 and 32, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, thence North 89°58'55" West 2667.50 feet along the South line of the Northeast 1/4 of said Section 31, to a brass cap marking the center Quarter Corner of Section 31, thence N 0°33'08" E 153.20 feet, thence N 56°06'17" E 71.03 feet to an iron pin, thence S 0°01'05" W 10.82 feet to an iron pin; thence S 89°58'55" E 124.96 feet to an iron pin, said point being the REAL POINT OF BEGINNING. thence  
N 0°01'05" E 94.83 feet; thence  
N 56°06'17" E 115.28 feet; thence  
N 88°25'51" E 192.19 feet; thence  
S 70°24'00" E 98.00 feet; thence  
S 73°57'55" W 0.12 feet; thence  
S 0°01'05" W 131.58 feet to an iron pin on the north boundary of Leonard Thompson Addition to the City of Glens Ferry thence  
N 89°58'55" W 12 feet; thence  
N 0°01'05" E 102.82 feet; thence  
S 77°06'37" W 216.89 feet; thence  
S 70°51'58" W 165.77 feet to the POINT OF BEGINNING.

Parcel 13: As to Leasehold Interest

Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho

Section 31: A parcel of land being a portion of the SE1/4 of said section, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the Center 1/4 Corner of Section 31, T5S, R10E, B.M., Elmore County, Idaho, thence S 89°56'40" W 462.70 feet along the Latitudinal Center Line of said Section 31 to an iron pin; thence S 0°02'22" W 400.06 feet along the east line of Three Island State Park to an iron pin; thence continuing along said line S 83°22'00" E 598.51 feet to an iron pin marking the Real Point of Beginning, thence leaving said line, S 83°05'53" E 1515.15 feet to an iron pin, thence S 04°26'25" E 40.65 feet to an iron pin, thence S 66°34'14" W 1053.08 feet to an iron pin on said east line of Three Island State Park; thence along said line N 08°58'05" W 965.21 feet to the Real Point of Beginning.

SUBJECT TO:

A 100 foot wide permanent sanitary sewer easement running over and across a portion of the above described parcel of land, said easement being more particularly described as follows:

Commencing at the Brass Cap marking the Center 1/4 Corner of Section 31, T5S, R10E, B.M., Elmore County, Idaho; thence S 89°56'40" W 462.70 feet along the Latitudinal Center Line of said Section 31 to an iron pin; thence S 0°02'22" W 400.06 feet along the east line of Three Island State Park to an iron pin, thence along said line the following courses and distances: S 83°22'00" E 598.51 feet to an iron pin, thence S 0°02'22" W 400.06 feet along the east line of Three Island State Park to an iron pin, thence along said line the following courses and distances: S 83°22'00" E 598.51 feet to an iron; thence S 8°59'05" E 479.37 feet to the centerline of a 100 foot wide permanent sanitary sewer easement, said point being the Real Point of Beginning; thence leaving said east line S 39°49'50" E 288.84 feet, thence N 76°31'45" E 270.32 feet; thence N 73°15'47" E 400.09 feet; thence N 75°41'31" E 169.46 feet; thence N 62°57'01" E 312.73 feet; thence N 65°57'05" E 282.29 feet to the end of said centerline.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

March 10, 2016

ARK PROPERTIES LLC  
C/O JOHN MC CALLUM  
11204 N BAR 21 DR  
GLENN'S FERRY ID 83623

### RE: Notice of Ownership Change in Water Right No's: 61-295 & 61-7039

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the Department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please note that as of July 1, 1996, 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. Change reporting forms are available from any office of the Department, or at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Thank you for your patience and cooperation. Please call me if you have any questions concerning the enclosed information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad Jones', is written over a horizontal line.

Chad Jones  
Office Specialist II  
Western Regional Office  
208-334-2190

Enclosures

cc: THORNTON BYRON LLP  
PO BOX 7156  
BOISE ID 83707

LAW OFFICE

**THORNTON & BYRON LLP**

TAX • ESTATE PLANNING • BUSINESS • WEALTH PRESERVATION

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JUSTIN C. JONES, LL.M., P.C.

JOSHUA G. HILLYARD, LL.M.

OF COUNSEL  
JENYA SHANAYEVA, LL.M., P.C.

PRACTICE LIMITED TO:  
IDAHO, CALIFORNIA, NEVADA,  
OREGON, UTAH, WASHINGTON

February 17, 2016

IDWR Western Region  
2735 Airport Way  
Boise, ID 83705-5082

**RECEIVED**

**FEB 19 2016**

**WATER RESOURCES  
WESTERN REGION**

Re: Three Island LLC  
Water Right Nos. 61-295 and 61-7039

To Whom it May Concern:

Enclosed for filing, please find the following:

1. Notice of Change in Water Rights Ownership regarding Water Rights Nos. 61-295 and 61-7039;
2. Certificate of Sale (Real Property) ; and
3. Check No. 1122 in the amount of \$50.00 for filing fees.

Please return a conformed copy to our office in the enclosed envelope.

*once completed - CJ ✓*

If you have any questions, please call. We look forward to hearing from you.

Very truly yours,

Sara C. Cousineau  
Paralegal

/scc

Enclosures