

RECEIVED

Form 12-248-42-1409 (Rev. 08/14)

OCT 24 2014

WATER RESOURCES
WESTERN REGIONSTATE 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?
77-7245	Yes ☐	Yes ☐		Yes ☐	Yes ☐
77-10037	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kenneth D Esch Trustee
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): WHW Troutier LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 1107 McCall ID 83638
Mailing address City State ZIP
208 315 5423 rwilliamz@frontiernet.net
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: 9/25/14
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: [Signature] Member Oct 13, 2014
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by BFB Date 10/24/14 Receipt No. W042609 Receipt Amt. \$25.00
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 RS Processed by CS Date 12/11/14

496468

Instrument # 496468

IDAHO COUNTY, IDAHO,

9-25-2014 02:08:07 No. of Pages: 10

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Fee: 37.00

Ex-Officio Recorder Deputy

RECEIVED

OCT 27 2014

WATER RESOURCES
WESTERN REGIONWARRANTY DEED

GRANTOR, DOUGLAS W. ESCH and TERRY A. ESCH as Co-Successor Trustees of the ESCH REVOCABLE LIVING TRUST under Declaration of Trust dated December 6, 1991, of 49553 McKenzie Highway, Vida, Oregon, 97488, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to WHW TROUTER LLC, a Texas limited liability company, of PO Box 1107, McCall, Idaho, 83638, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

Township 24 North, Range 2 East, Boise Meridian, Idaho County, Idaho

Section 20:

A parcel of land located in Government Lots 2 and 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Commencing the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a brass cap, the True Point of Beginning;

thence S 89°58'37" W, 1835.43 feet along the southerly boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to its intersection with

Cat Creek, a brass cap;

thence N 07°59'22" E, 2997.69 feet to the U.S. Army Engineers Bench Mark D-150, on the South side of the county road, a brass cap;

thence continuing N 07°59'22" E, 71.92 feet to the meander line on the left bank of the Main Salmon River; thence southeasterly along said meander line:

S79°00'E, 250.65 feet; S64°01'E, 61.4 feet; S54°21'E, 147.2 feet;

S57°45'E, 135.9 feet; S30°40'E, 230.5 feet; S19°36'E, 278.4 feet;

S26°06'E, 193.4 feet; S19°41'E, 179.7 feet; S30°06'E, 314.4 feet;

S40°02'E, 161.2 feet; S51°47'E, 160.0 feet; S57°14'44"E, 144.91 feet;

to the easterly boundary of Government Lot 3 of said Section 20;

thence S 00°18'00" E, 133.57 feet along said easterly boundary to its intersection with the southerly right of way of a public road, a brass cap;

thence, continuing S 00°18'00" E, 1296.27 feet to the Point of Beginning.

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Township 24 North, Range 2 East, Boise Meridian, Idaho County,
Idaho

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1 EXCLUDING therefrom a 66.00 foot wide right of way for a
2 public road granted by those certain Deeds recorded in Book 62
3 pages 175 and 177, records of Idaho County, Idaho, the
centerline of which is described more particularly as follows:

4 Commencing at the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, a brass cap;
5 thence S 89°58'37" W, 1835.43 feet along the southerly
6 boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to its intersection with Cat Creek, a
7 brass cap;
8 thence N 07°59'22" E, 3025.25 feet to the True Point of
9 Beginning.
10 thence S 66°12'45" E, 293.91 feet;
11 thence 335.24 feet along a curve to the right whose long chord
12 bears S 45°59'38" E, 328.33 feet, whose radius is 475.00 feet,
13 delta angle 40°26'15";
14 thence S 25°46'30" E, 392.47 feet;
15 thence 497.72 feet along a curve to the left whose long chord
16 bears S 28°34'15" E, 497.53 feet, whose radius is 5100.00 feet
17 and whose delta angle is 05°35'30";
18 thence S 31°22'00" E, 250.33 feet;
19 thence 381.49 feet along a curve to the left whose long chord
20 bears S 46°58'45" E, 376.78 feet, whose radius is 700.00 feet,
21 and whose delta angle is 31°13'30";
22 thence 102.37 feet along a curve to the right whose long chord
23 bears S 59°51'30" E, 102.33 feet, whose radius is 1072.97
24 feet, and whose delta angle is 05°27'59" to its intersection
25 with the easterly boundary of Government Lot 3 of said Section
26 20, the Point of Ending, from which the Southeast corner of
27 said NE $\frac{1}{4}$ SW $\frac{1}{4}$ bears S00°18'00"E, 1335.97 feet. Bearings based on
28 Solar Observation at the bench mark.
Sometimes known as Assessor's Tax No. 1

18 AND INCLUDING

19 Township 24 North, Range 2 East, Boise Meridian, Idaho County,
20 Idaho

21 Section 20:

22 A parcel of land located in a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and
23 NW $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as
24 follows:

25 Commencing at the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, a brass cap;
26 thence S 89°58'37" W, 1835.43 feet along the southerly
27 boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ to its intersection with Cat Creek, a
28 brass cap, the True Point of Beginning;
thence continuing S 89°58'37" W, 816.52 feet to the Southwest
corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20;
thence N 00°09'18" W, 1319.38 feet to the Northwest corner of
the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20;
thence N 00°07'25" W, 1319.84 feet more or less to the
Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 20;
thence N 89°49'44" E, 1188.12 feet more or less along the
northerly boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 20;

1 thence S 07°59'22" W, 2668.31 feet more or less to the Point
2 of Beginning.

3 Sometimes known as Assessor's Tax No. 2.

4 RESERVING UNTO THE GRANTOR for a period of five (5) years from
5 the date hereof, subject to the approval of the Grantee as to
6 specific dates, which shall not be unreasonably withheld, the
7 right for the family of DOUGLAS W. ESCH and TERRY A. ESCH to
8 camp two weeks per year on the beach side of the property
9 described above. Said right shall terminate if any of the
10 following occurs: (a) a dwelling is built at the location of
11 the camp site, (b) the above described property is sold by the
12 Grantee to another party or (c) a period of five (5) years
13 elapses from the date hereof

14 TOGETHER with all improvements, water, water rights, ditches,
15 ditch rights, easements, hereditaments and appurtenances thereto.

16 Subject to:

17 1. General taxes for the year 2014, which are a lien, not yet
18 due.

19 2. Any claim arising from the difference in mean high water
20 line of the Salmon River and the meander line as shown by
21 Government Survey or the State of Idaho.

22 3. Any adverse claims based on the assertion that the location
23 of the Cat Creek has moved subsequent to its adoption as a title
24 boundary.

25 4. Rights and easements in favor of the public for
26 recreational uses of the Salmon River and Cat Creek.

27 5. Right of Way Deed, including the terms and provisions
28 thereof, by and between THOMAS J. CARREY and JEANIE CARREY,
29 Grantors, and the UNITED STATES OF AMERICA, Grantee, recorded
30 January 2, 1935, under Instrument No. 107228, Book 62 page 175,
31 records of Idaho County, Idaho.

32 a) Public Road Easement, recorded February 22, 1999, under
33 Instrument No. 404741;

34 b) Agreement to Correct Deed, recorded October 29, 2001, under
35 Instrument No. 419422; all records of Idaho County, Idaho.

36 6. Right of Way Deed, including the terms and provisions
37 thereof, by and between JOHN KIMBROUGH, Grantor, and the UNITED
38 STATES OF AMERICA, Grantee, recorded January 2, 1935, under
39 Instrument No. 107229, Book 62 page 177, records of Idaho County,
40 Idaho.

41 a) Public Road Easement, recorded February 22, 1999, under
42 Instrument No. 404741;

1 b) Agreement to Correct Deed, recorded October 29, 2001, under
2 Instrument No. 419422; all records of Idaho County, Idaho.

3 7. Reservations as set forth in Patent, including the terms
4 and provisions thereof, by and between, the UNITED STATES OF AMERICA
5 and JOHN CARREY, recorded June 21, 1940, under Instrument No.
6 131281, Book 69 page 479, records of Idaho County, Idaho.

7 8. Matters as shown by Survey No. S-442, recorded October 16,
8 1986, under Instrument No. 330339 and Survey No. S-456A, recorded
9 December 18, 1986, under Instrument No. 332579, records of Idaho
10 County, Idaho.

11 9. Underground Power Line Easement, including the terms and
12 provisions thereof, by and between JOHN DREW JR, an individual,
13 Grantor, and IDAHO POWER COMPANY, Grantee, recorded February 17,
14 1987, under Instrument No. 333459, records of Idaho County, Idaho.

15 10. Contract for Mutual Release and Restrictive Covenants,
16 including the terms and provisions thereof, by and between KENNETH
17 WALTERS and TAMMIE WALTERS, husband and wife, and JOHN FRANK DREW,
18 JR., a married person joined by BARBARA KENNEDY DREW, his wife,
19 recorded June 7, 1999, under Instrument No. 406349, records of
20 Idaho County, Idaho.

21 11. An existing road which crosses a portion of said land and
22 is used by the public for access to and from the river, as shown in
23 Warranty Deed, recorded June 3, 1999, under Instrument No. 406350,
24 records of Idaho County, Idaho.

25 12. Permanent Easement Agreement, including the terms and
26 provisions thereof, by and between ESCH REVOCABLE LIVING TRUST, and
27 IDAHO COUNTY, State of Idaho, recorded August 10, 2004, under
28 Instrument No. 436824, records of Idaho County, Idaho.

 TO HAVE AND TO HOLD the said premises, with their
appurtenances, unto the said Grantee, and assigns forever. And the
said Grantors do hereby covenant to and with the said Grantees that
it is the owner in fee simple of said premises; that it is free
from all encumbrances, and that it will warrant and defend the same
from all lawful claims whatsoever, except general taxes for the
year 2014, and easements, reservations, restrictions and rights-of-
way of record or in use.

 Except as otherwise expressly provided in this instrument,
GRANTOR, hereby declares pursuant to Title 5, Chapter 2 of the
Idaho Code, that in the event GRANTOR shall have permitted or

1 suffered at any time prior to the making of this instrument, any
2 person or entity to possess, use or occupy the above-described
3 premises, or any portion thereof, for any purpose, with or without
4 the knowledge of GRANTOR, it was not the intent of GRANTOR, by
5 permitting or suffering such possession, use or occupation, to
thereby define property boundaries or ownership thereof.

6 In construing this deed, and where the context so requires,
7 the singular includes the plural and the masculine, the feminine
8 and the neuter.

9 IN WITNESS WHEREOF, Grantor has hereunto subscribed his name
10 to this instrument this 19th day of September, 2014.

11 ESCH REVOCABLE LIVING TRUST UNDER DECLARATION
12 OF TRUST DATED DECEMBER 6, 1991

13 BY:

DOUGLAS W. ESCH Co-Successor Trustees

14 BY: *Terry A. Esch Co Successor Trustee*

15 TERRY A. ESCH Co-Successor Trustees

16 STATE OF Oregon)

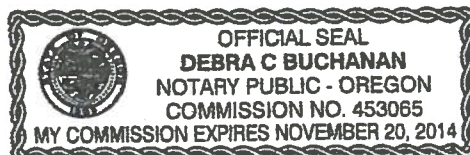
17 ss.

18 County of Josephine

19 On this 19th day of September, 2014, before me,
20 Debra C. Buchanan, a Notary for the said County and
21 State, personally appeared ~~DOUGLAS W. ESCH and~~ TERRY A. ESCH as Co-
22 Successor Trustees of the ESCH REVOCABLE LIVING TRUST under
23 Declaration of Trust dated December 6, 1991, known or identified to
me to be the persons whose names are subscribed to the within
instrument, and they acknowledged to me that they freely executed
the same and that the statements therein contained are true.

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

26 (NOTARY SEAL)



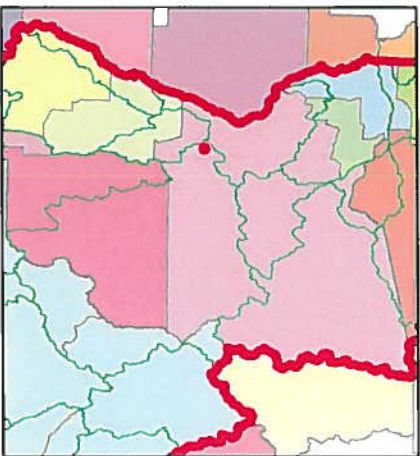
Debra C Buchanan
Notary Public for State of Oregon.
Residing at Cave Junction, therein.
My commission expires on
November 20, 2014



Idaho Department of Water Resources

Water Right
77-7245
(IRRIGATION)

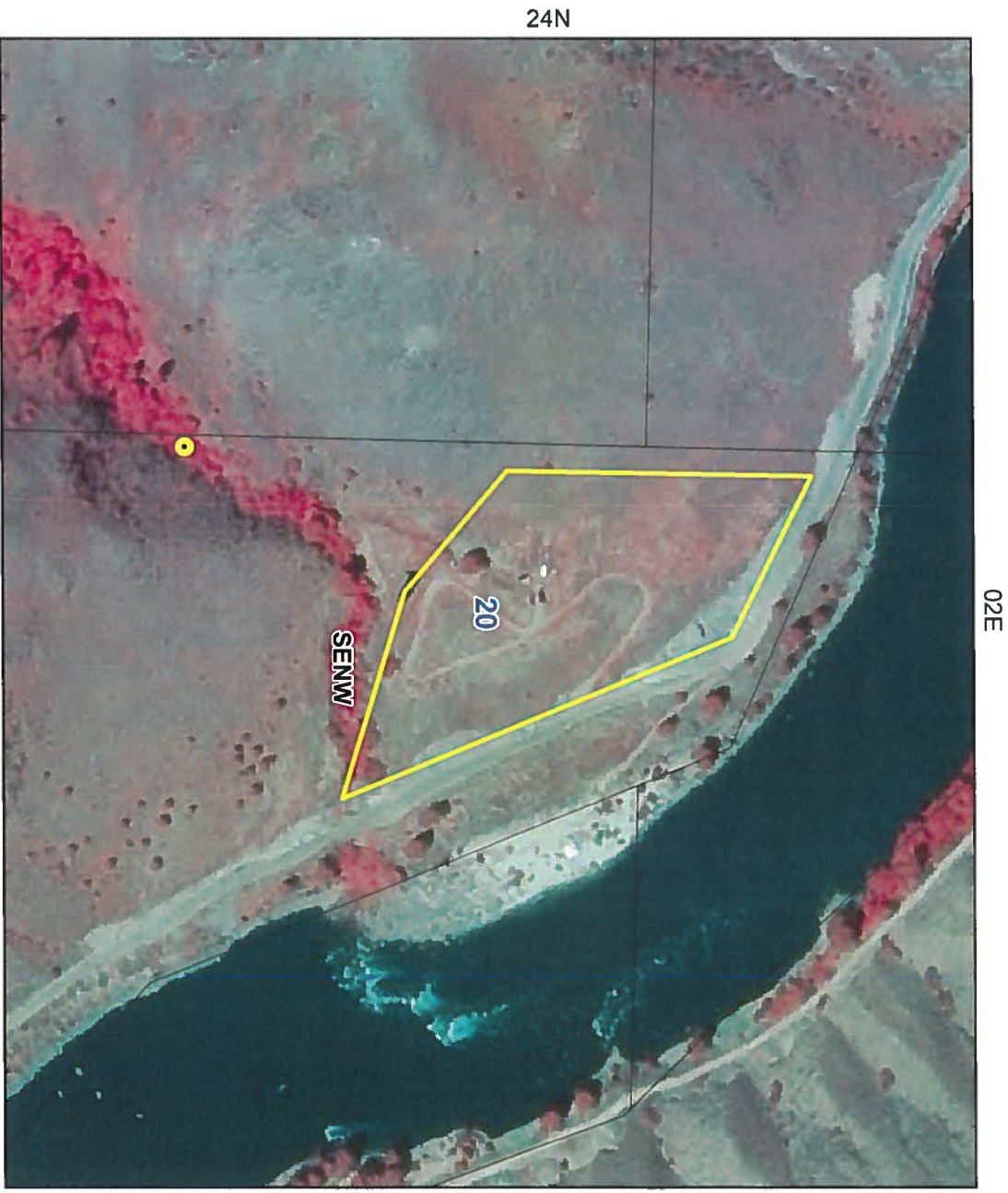
- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Idaho County
IDWR Basin 77

Prepared by Barton, Brooke

2009 Aerial Photography





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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 12, 2014

WHW TROUTER
PO BOX 1107
McCALL ID 83638

RE: Notice of Ownership Change in Water Right No's:

77-7245 & 77-10037.

Dear Applicant:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report 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.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rachel Sommer'.

Rachel Sommer
Administrative Assistant I
Western Regional Office

Enclosures