

DEV ✓

RECEIVED

APR 16 2012

WATER RESOURCES
WESTERN REGION

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
~~77-7102 (permit)~~	Yes ☐	77-4177 (decree)	Yes ☐		Yes ☐
/	Yes ☐		Yes ☐		Yes ☐
SEPARATE ASSIGNMENT	Yes ☐		Yes ☐		Yes ☐
- SL	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Diamond D Ranch Partnership

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Loon Creek Land Company, LLC

Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

4799 Balsam Drive

Mailing address

Park City

Utah

84098

City

State

ZIP

(801) 706-3154

js@short-consulting.com

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 26, 2000

6. 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.

7. Signature: [Signature] Member/Manager 1-17-12

Signature of new owner/claimant

Title, if applicable

Date

Signature: [Signature] Title, if applicable Date

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by RS Date 4.9.12 Receipt No. W090093 Receipt Amt. 50.00

Approved by RS Processed by RS Date 5.11.12

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APR 06 2012

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DEPARTMENT OF WATER RESOURCES

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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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
* ~~77-7192 (permit)~~	Yes ☐	77-4177 (decree)	Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Diamond D Ranch Partnership
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Loon Creek Land Company, LLC
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

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- ☐ 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 26, 2000
6. This form must be signed and submitted with the following **REQUIRED** items:
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 - 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.

7. Signature: [Signature] Member/Manager 1-17-12
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] Title, if applicable Date
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by RS Date 4-9-12 Receipt No. W050053 Receipt Amt. 50.00
Approved by _____ Processed by RS Date 5-11-12

25 own change
* 25 Assignment
-52

RECORDATION REQUESTED BY:
Thomas G. Walker, Esq.
Cosh, Humphrey Greener & Welsh, P.A.
815 West Washington Street
Boise, ID 83702
Ph: 208-344-7811
Fax: 208-338-3290

WHEN RECORDED MAIL TO:
Thomas G. Walker, Esq.
Cosh, Humphrey Greener & Welsh, P.A.
815 West Washington Street
Boise, ID 83702
Ph: 208-344-7811
Fax: 208-338-3290
SEND TAX NOTICES TO:
Loon Creek Land Company, LLC
303 Balmoral
Boise, Idaho 83702

0221873
Custer County Reg. of.
Thomas G. Walker
Time 11:00 A M Date 11/1 2000
Ethel M. Peck, Clerk
Janet D. Davis \$ 12.00
Deputy

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

QUITCLAIM DEED

1. DATE, NAMES OF PARTIES AND ADDRESSES.

1.1. Date. This quitclaim deed is executed and delivered by Grantor to Grantee effective October 26, 2000.

1.2. Name of Grantor and Address. Diamond D Ranch Partnership, a Michigan partnership, whose address is 303 Balmoral, Boise, Idaho 83702, is the Grantor.

1.3. Name of Grantee and Address. Loon Creek Land Company, LLC, an Idaho limited liability company, whose address is 303 Balmoral, Boise, Idaho 83702, is the Grantee.

2. CONVEYANCE. For value received, Grantor releases, remises and forever quitclaims to Grantee, all of its right, title and interest in and to certain real property located in Custer County, Idaho, and more particularly described on the attached Exhibit A.

3. SIGNATURES.

DIAMOND D RANCH PARTNERSHIP

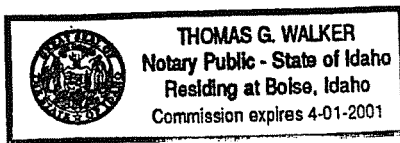
By: Thomas A. Demorest
Thomas A. Demorest, Partner

By: Linda L. Demorest
Linda L. Demorest, Partner

STATE OF IDAHO)
) ss.
County of ADA)

On October 26, 2000, before me, the undersigned, a notary public in and for said county and state, personally appeared Thomas A. Demorest, known to me to be one of the partners in the partnership of Diamond D Ranch Partnership, a Michigan partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.

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

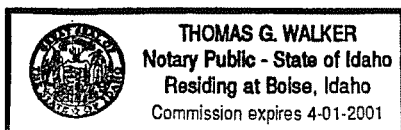


Thomas G. Walker
NOTARY PUBLIC FOR IDAHO
Residing at BOISE
Commission Expires 4/1/01

STATE OF IDAHO)
) ss.
County of Ada)

On October 26, 2000, before me, the undersigned, a notary public in and for said county and state, personally appeared Linda L. Demorest, known to me to be one of the partners in the partnership of Diamond D Ranch Partnership, a Michigan partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that she executed the same in said partnership name.

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



Thomas G. Walker
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
Commission Expires 4/1/01

LEGAL DESCRIPTION OF PROPERTY

The land referred to in this commitment is situated in the State of Idaho, County of Custer and is described as follows:

IN TOWNSHIP 14 NORTH, RANGE 13 AND 14 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

H.E.S. No. 605 also described as beginning at Corner No. 1 from whence U.S.L.M. #74 (accepted) bears South 85°25' West, 50.78 chains, thence following the mender lines of Mayfield and Loon Creek North 13°21' West, 8.97 chains; thence North 4°04' West, 20.0 chains, thence North 5°39' West, 16.66 chains; thence North 18°56' East, 11.81 chains; thence North 35°10' East, 9.99 chains; thence North 1°52' West, 15.35 chains to Corner No. 2; thence South 89°56' East, 6.11 chains to Corner No. 3; thence South 7°12' East, 12.0 chains to Corner No. 4; thence South 0°04' West, 20.15 chains to Corner No. 5; thence South 5°19' West, 48.0 chains to Corner No. 6; thence North 89°56' West, 7.22 chains to Corner No. 1, the Place of Beginning.

H.E.S. No. 135 also described as beginning at Corner No. 1, from which U.S.L.M. No. 135 bears North 20°17' East, 2.30 chains; extending thence North 21°15' East, 8.0 chains to Corner No. 2; thence South 58°58' East, 10.81 chains to Corner No. 3; thence North 89°57' East, 21.88 chains to Corner No. 4; thence North 35°04' East, 7.99 chains to Corner No. 5; thence South 62°08' East, 4.90 chains to Corner No. 6; thence South 4°58' West, 14.09 chains to Corner No. 7; thence South 81°39' West, 26.71 chains to Corner No. 8; thence North 52°55' West, 19.39 chains to Corner No. 1, the Place of Beginning.

H.E.S. No. 74 also described as beginning at Corner No. 1 from which corner U.S.L.M. No. 74 bears North 68°02' East 10.50 chains and running thence North 49°53' East, 17.62 chains to corner No. 2; thence North 24°37' East, 9.45 chains to Corner No. 3; thence North 51°53' East, 12.68 chains to Corner No. 4; thence North 47°25' East, 13.26 chains to Corner No. 5; thence North 59°43' East, 3.32 chains to Corner No. 6; thence South 50°56' East, 11.49 chains to Corner No. 7; thence South 11°03' East, 13.39 chains to Corner No. 8; thence South 69°05' West, 12.88 chains to Corner No. 9; thence South 77°14' West, 4.61 chains to Corner No. 10, thence South 15°45' West, 7.46 chains to Corner No. 11; thence South 44°52' West, 8.03 chains to Corner No. 12; thence South 39°32' West, 9.17 chains to Corner No. 13; thence South 34°28' West, 6.33 chains to Corner No. 14; thence South 71°48' West, 25.42 chains to Corner No. 15; thence North 54°24' West, 3.35 chains to Corner No. 16; thence North 25°41' East, 20.79 chains to Corner No. 1, the Place of Beginning

ALSO a parcel of land located within portions of unsurveyed Sections 15 and 22, Township 14 North, Range 13 East, Boise Meridian, Custer County, Idaho, being more particularly described as follows:

Commencing at an aluminum cap marking Corner No. 14 of Dependent Resurvey No. HES 74, according to the official plat thereof on file in the office of the Custer County Recorder; thence North 32°05'31" East 417.60 feet, to an aluminum cap by the USFS marking; Corner No. 13 of said Dependent Resurvey, which point is the TRUE POINT OF BEGINNING thence North 38°13'19" East, 638.86 feet, to an aluminum cap by the USFS marking, Corner No. 12 of said Dependent Resurvey; thence South 19°57'31" West, 304.10 feet to an aluminum cap by PLS 7048 marked as Corner No. 12A; thence South 53°27'00" West, 362.82 feet to the TRUE POINT OF BEGINNING.

QUITCLAIM DEED

H:\D\Demorest 09239\Loon Creek Land Company, LLC - 003\Quitclaim Deed 10-24-00.doc

EXCEPTING THEREFROM a parcel of land located in Township 14 North, Range 13 East, Boise Meridian, Custer County, Idaho, located within portions of unsurveyed Sections 15 and 22 more particularly described as follows:

Commencing at an aluminum cap marking Corner No. 12 of Dependent Resurvey of HES 74 according to the official plat thereof on file in the office of the Custer County Recorder; thence South 38°13'19" West, 638.86 feet to an aluminum cap by the USFS which marks Corner No. 13 of said Dependent Resurvey, which point is the TRUE POINT OF BEGINNING; thence South 32°05'31" West 417.60 feet to an aluminum cap by the USFS which marks Corner No. 14 of said Dependent Resurvey thence South 71°59'23" West, 87.80 feet, to an aluminum cap by PLS 7048 marked as Corner No. 14A thence North 16°44'06" East 365.67 feet to an aluminum cap by PLS 7048 marked as Corner No. 13A thence North 81°15'45" East, 202.41 feet, to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A parcel of land located within H.E.S. 74, Unsurveyed Township 14 North, Range 13 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at a U.S.F.S. aluminum cap marking the Corner No. 6 of said H.E.S. 74, which point is the TRUE POINT OF BEGINNING;
thence South 51°39'40" East, 305.65 feet along the northeasterly boundary of said H.E.S. 74 to a 5/8 inch rebar by L.S. 7048;
thence the following seven (7) courses and distances to 5/8 inch rebar by L.S. 7048:
South 40°12'43" West 806.34 feet;
South 32°50'06" West 252.22 feet;
South 19°24'45" West 195.04 feet;
South 56°06'47" West 115.55 feet;
South 89°08'45" West 74.81 feet;
North 63°17'00" West 479.34 feet;
North 62°06'04" West, 113.25 feet to the Northwesterly boundary of said H.E.S. 74; thence North 51°27'44" East 445.42 feet along said northwesterly boundary H.E.S. 74 to a U.S.F.S. aluminum cap marking Corner No. 4 of said H.E.S. 74; thence North 46°40'56" East 884.21 feet along said Northwesterly boundary to a U.S.F.S. aluminum cap marking Corner No. 5 of said H.E.S. 74; thence North 58°57'23" East 221.39 feet along the northwesterly boundary of said H.E.S. 74 to the TRUE POINT OF BEGINNING.

Recording requested by:

Angela M. Reed
Givens Pursley LLP
601 W. Bannock Street
Boise, Idaho 83702
1346865_3 [11440-1]

245407
Custer County Reg. of
Givens Pursley LLP
Time 11:38 A M Date 3-30, 2012
Barbara C. Tierney, Clerk -
Barbara C. Tierney \$ 25.00
Deputy

WATER RIGHT QUITCLAIM DEED

WHEREAS, on October 26, 2000, Thomas A. Demorest and Linda L. Demorest, as partners of Diamond D Ranch Partnership, a Michigan partnership ("Grantor"), executed that certain Quitclaim Deed recorded in the real property records of Custer County, Idaho, on November 1, 2000, as Instrument No. 0221873 ("Original Deed"), conveying all of Diamond D Ranch Partnership's right, title, and interest in and to the real property legally described on Exhibit A attached thereto (which is the same legal description contained in Exhibit A attached hereto) including appurtenant water rights (the "Real Property"), to Loon Creek Land Company, LLC, an Idaho limited liability company ("Grantee").

WHEREAS, it was Grantor's intention that the Original Deed convey and assign all water rights and permits appurtenant to or associated with the Real Property despite the absence of language in the Original Deed concerning "water rights" or "appurtenances."

WHEREAS, Grantor desires to execute this Quitclaim Deed to ensure that all water rights and permits appurtenant to and associated with the Real Property are conveyed, assigned, and transferred to Grantee and intends for the conveyance, assignment, and transfer of the water rights and permits hereunder to relate back to the date of the Original Deed to the extent such water rights and permits were not conveyed, assigned, or transferred to Grantee by the Original Deed.

THEREFORE, FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby convey, assign, release, remise and forever quitclaim unto Grantee, whose current address is 4799 Balsam Drive, Park City, Utah 84098, all of Grantor's right, title and interest in and to all water rights and permits appurtenant to, placed to beneficial use upon, or in any way associated with the Real Property, including without limitation decreed water right nos. 77-4173, 77-7080, 77-4176, 77-4177, and 77-14285, and water right permit no. 77-7192. ✓

245407

IN WITNESS WHEREOF, the undersigned has caused its name to be hereunto
subscribed this 5 day of March, 2012.

GRANTOR:

DIAMOND D RANCH PARTNERSHIP

Thomas A. Demorest

By: Thomas A. Demorest, Partner

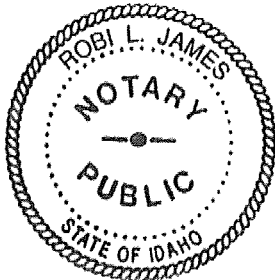
Linda L. Demorest

By: Linda L. Demorest, Partner

245407

STATE OF IDAHO)
) ss.
County of Ada)

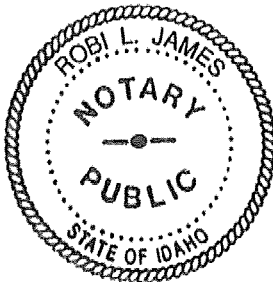
On this 5 day of March, 2012, before me, a Notary Public in and for said State, personally appeared Thomas A. Demorest, known or identified to me to be one of the partners in the partnership of Diamond D Ranch Partnership, a general partnership, the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.



Robi L. James
Notary Public for the State of Idaho
Residing at Boise
My Commission expires: Oct. 2, 2012

STATE OF IDAHO)
) ss.
County of Ada)

On this 5 day of March, 2012, before me, a Notary Public in and for said State, personally appeared Linda L. Demorest, known or identified to me to be one of the partners in the partnership of Diamond D Ranch Partnership, a general partnership, the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.



Robi L. James
Notary Public for the State of Idaho
Residing at Boise
My Commission expires: Oct. 2, 2012

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EXHIBIT A

Legal Description

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245407

EXHIBIT A (continued)

Legal Description

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