

RECEIVED

Form 42-248/42-1409(6) 11/2006

DEPARTMENT OF
WATER RESOURCES

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

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	A71-00039A				
	A71-00042A				

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

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

3. Name and Address of Former Owner/Claimant(s) DANIEL J MAHONEY JR Lifetime trust II
375 South County Rd Suite 201 Palm Beach FL 334

4. New Owner/Claimant(s) DAVID or LISA MUSCAVAGE
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address PO Box 95

City, State and ZIP Code STANLEY, ID 83278

New Telephone Number (208) 774-3417

5. Date you acquired the property

Feb 18, 1998

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

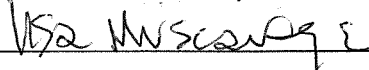
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number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

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)



(title if applicable)



(title if applicable)

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

For IDWR Office Use Only:

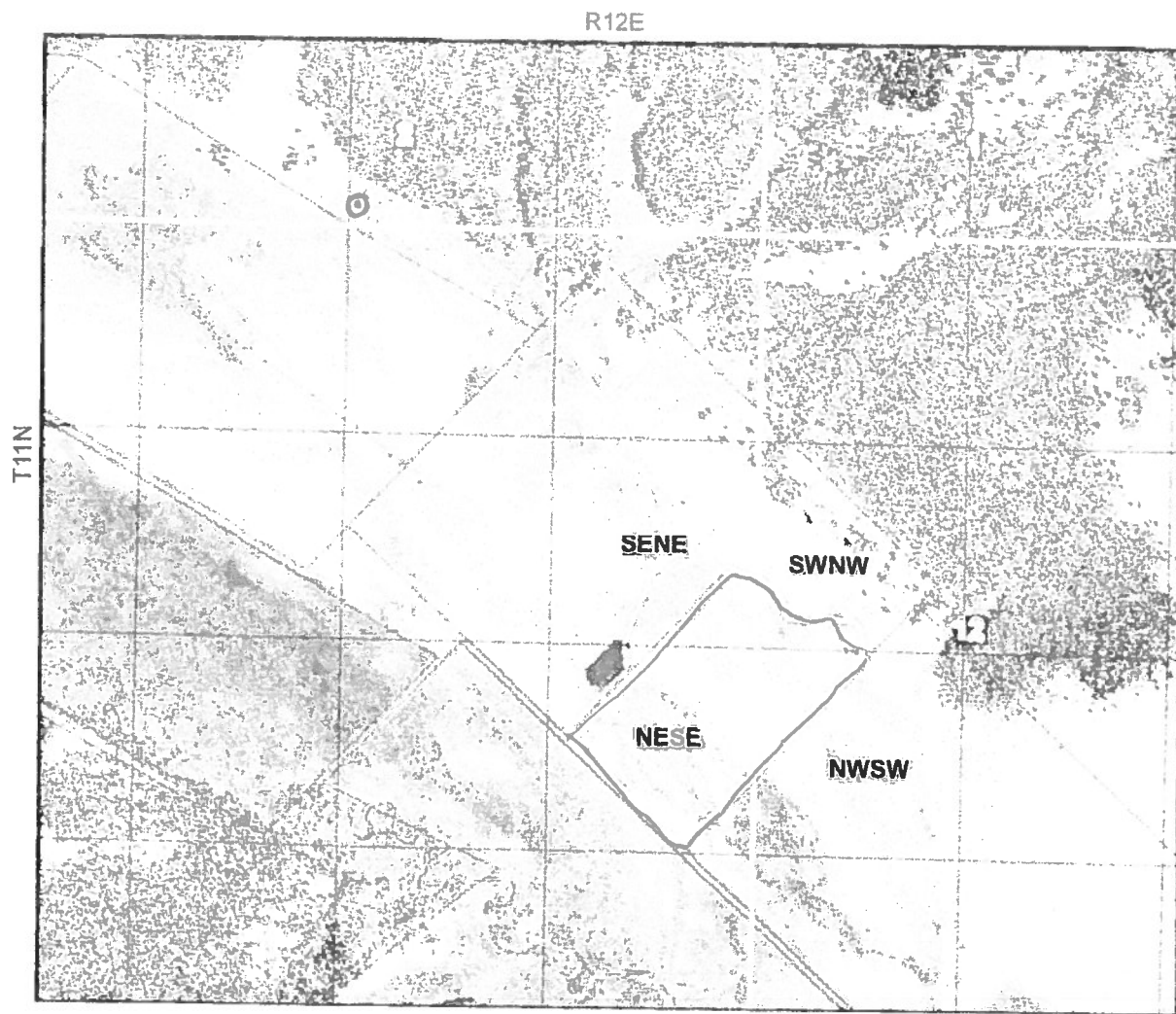
Received by SBT
 Received by SBT
 Processed by _____ AJ

Date 3-26-2012
 Date 3-26-2012
 Date _____

Receipt Amt. \$50 -
 Receipt No. 0094929
 WR _____ Date _____

State of Idaho
Department of Water Resources
Water Right License
71-39A

Water Service Area Boundary for The Daniel J Mahoney Jr Lifetime Trust II



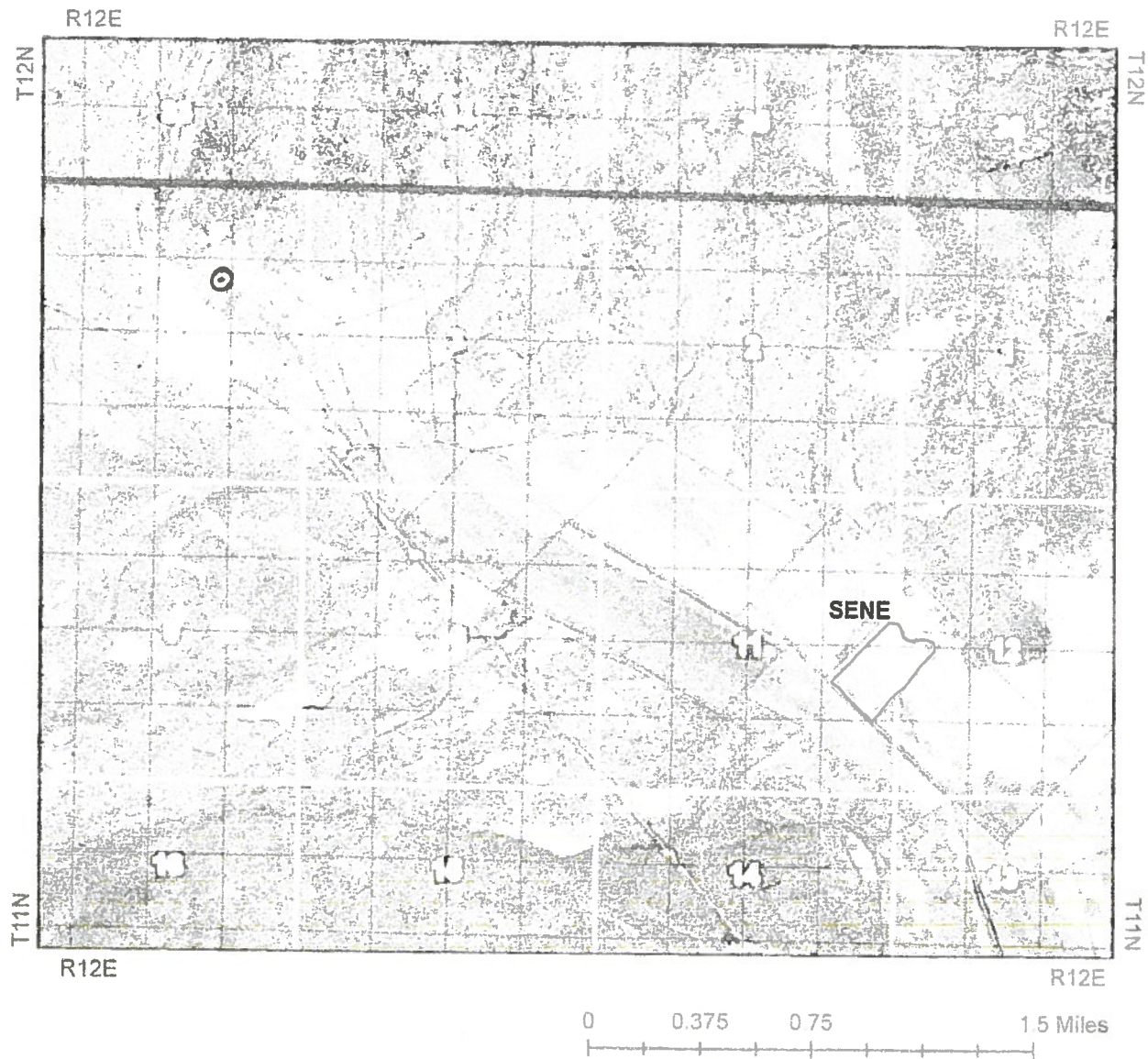
0 0.125 0.25 0.5 Miles

- Point of Diversion
- Place Of Use Boundary
-  Townships
- PLS Sections
-  Quarter Quarters



State of Idaho
Department of Water Resources
Water Right License
71-40A

Water Service Area Boundary for The Daniel J Mahoney Jr Lifetime Trust li



- Point of Diversion
- Place Of Use Boundary
-  Townships
- PLS Sections
-  Quarter Quarters



DEED
(BY TRUSTEES)

FOR VALUE RECEIVED MARTHA MAHONEY SADLER, (Successor Trustee) and RICHARD L. BRAUNSTEIN, Trustees of the DANIEL J. MAHONEY, JR. LIFETIME TRUST II, dated the 25th day of July 1996, Grantors, whose current address is c/o RICHARD L. BRAUNSTEIN, 1200 New Hampshire Avenue, Washington, D.C. 20036-6802, do hereby Sell and Convey unto DAVID MUSCAVAGE and LISA MUSCAVAGE, husband and wife, Grantees, whose current address is Highway 21, Stanley, Idaho 83278, the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

SUBJECT HOWEVER TO Right-of-way contained in Warranty Deed dated October 24, 1972, from Clyde B. Stark, Jr. and Norma C. Stark, husband and wife, to William R. Chivers, et.ux., et.al., recorded February 1, 1973, as Instrument No. 135032, records of Custer County, Idaho.

ALSO SUBJECT TO Public Law 92-400 creating Sawtooth National Recreation Area; regulation promulgated thereunder, published March 29, 1974, in Volume 39, Federal Register, Pages 11544 to 11547.

ALSO SUBJECT TO Underground Powerline Easement dated April 6, 1993, by and between Daniel J. Mahoney, "Grantor" and Salmon River Electric Cooperative, Inc., "Grantee", recorded April 20, 1993, as Instrument No. 203912, records of Custer County, Idaho.

ALSO SUBJECT TO Memorandum of Agreement dated April 6, 1993, by and between Salmon River Electric Cooperative, Inc., and Daniel Mahoney, recorded May 4, 1993, as Instrument No. 203982, records of Custer County, Idaho.

ALSO SUBJECT TO Agreement to Hold Harmless and Underground Powerline Easement dated July 31, 1993, by and between Salmon River Electric Cooperative, Inc., and Daniel J. Mahoney, Paul D. Hill and Ann P. Hill, recorded August 16, 1993, as Instrument No. 204554, records of Custer County, Idaho.

ALSO SUBJECT TO. The following Restrictions and Conditions:

1. That Grantees and their successors will not subdivide the lands in any fashion and will hold such lands subject to the condition that title to the described lands will be held in single

ownership. This provision also includes a restriction against allowing multiple dwellings or residences upon the property or premises and a restriction against the occupancy or use of the lands and improvements by other than a single family utilizing a single family dwelling for residential purposes, along with related barns, corrals and other improvements normally associated with rural occupancy in the upper Salmon River drainage. The improvements may also include a guest cabin so long as not occupied as a permanent or long term residence, and so long as not occupied on a rental basis. Single family for these purposes shall be defined as a single person, a husband and wife, or either a single person, or husband and wife, together with his, her or their children. These conditions and restrictions shall run with the lands in perpetuity.

2. That prior to and until the 4th day of January, 2007, Grantees or successors shall hold the lands subject to the following right of first refusal:

MARTHA MAHONEY SADLER, whose current address is 874 South County Road, P. O. Box 3263, Palm Beach, Florida 33480, HELEN MAHONEY PARDOE, whose current address is 234 East 49th Street, New York, New York 10017, and DANIEL J. MAHONEY, III, whose current address is 234 El Brillo Way, Palm Beach Florida 33480, ("Mahoney children") shall hold, both collectively and individually, the absolute right to match any bona fide offer, or the dollar equivalent thereof, to purchase said parcel of land which may be made to Grantees during the ten (10) year period commencing upon January 4, 1997. Such right of first refusal shall be applicable to each and every separate bona fide offer to purchase such parcel of land which may be received by Grantees during this period and shall be exercised by the Mahoney children, or any one or more of them, if at all, during the sixty (60) day period commencing upon the date upon which all said Mahoney children who are then living actually receive from Grantees a written notice at the aforementioned addresses or at such other mailing addresses the recipient Mahoney children shall have last designated by written notice given to the Grantees, setting forth the existence of the bona fide offer to purchase such parcel of land, the identity of the offeror and the terms and

215275

conditions of the offer, together with a true and complete copy of such offer, any related letters of intent, contracts for sale and exhibits thereto. If, at any time during the ten (10) year period defined above, one or more of the Mahoney children should elect to exercise the right of first refusal which is granted to them hereunder by matching a bona fide offer, or the dollar equivalent thereof, to purchase said parcel of land, the Grantees shall sell said parcel of land to her, him or them under the terms and conditions, including price, or the dollar equivalent thereof, which are set forth in such offer to purchase.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their successors and assigns forever.

Dated: Feb. 18, 1998

THE DANIEL J. MAHONEY, JR.
LIFETIME TRUST II

Martha Mahoney Sadler
Martha Mahoney Sadler,
Successor Trustee

Richard L. Braunstein
Richard L. Braunstein, Trustee

0215275

Custer County Reg. of
Custer County, Title

Time 2:30 P .M.

3-4 1998

Ethel M Peck, Clerk

Wanda J. Murphy
Deputy

\$15⁰⁰

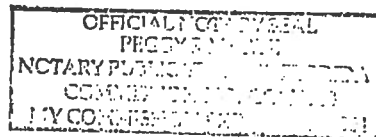
STATE OF Florida)
) SS.
 County of Palm Beach)

On this 18th day of February, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared MARTHA MAHONEY SADLER, Successor Trustee of the DANIEL J. MAHONEY, JR. LIFETIME TRUST II, dated the 25th day of July 1996, known to me to be the said Successor Trustee and known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same as such Successor Trustee.

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



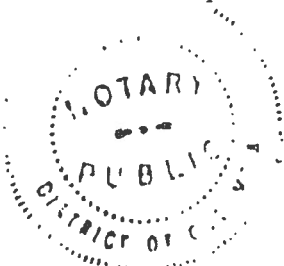
Gessy R. Mart
 Notary Public for Florida
 Residing at 4118 Cornice Dr., West Palm Beach
 My Commission Expires: 4-19-2001 SL



STATE OF)
) SS.
 County of)

On this 20th day of February, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD L. BRAUNSTEIN, Trustee of the DANIEL J. MAHONEY, JR. LIFETIME TRUST II, dated the 25th day of July 1996, known to me to be the said Trustee and known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as such Trustee.

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



Shirley A. King
 Notary Public for
 Residing at
 My Commission Expires:
Notary Public District of Columbia
My Commission Expires 3-30-2001

EXHIBIT "A"

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

A fraction of Homestead Entry Survey No. 109, Custer County, Idaho, described as:

Beginning at Corner No. 1 from which the corner of Sections 1, 2, 11 and 12, in Township 11 North, Range 12 East, Boise Meridian, bears North 3° West, 1,130.58 feet distant; thence South 47° 19' East, 601.22 feet to the Southeast side of the Thompson Creek right-of-way, this being the TRUE POINT OF BEGINNING; thence South 47° 19' East, 978.82 feet to Corner No. 2 of Homestead Entry Survey No. 109; thence South 42° 36' West, 2,346.96 feet to Corner No. 4; thence North 47° 26' West, 979.28 feet to the Southeast side of the Thompson Creek right-of-way; thence North 42° 36' East, 2,346.96 feet along the Thompson Creek right-of-way to the northeasterly side of said Homestead Entry Survey No. 109 and the TRUE POINT OF BEGINNING