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DEPT. OF WATER RESOURCES SOUTHERN 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.

Table with 6 columns: Water Right/Claim No., Split?, Water Right/Claim No., Split?, Water Right/Claim No., Split?. Rows include 36-2356A, 36-7210, 36-7427, 36-7720.

2. Previous Owner's Name: Blue Lakes Trout Company, LLC Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): American Falls-Aberdeen Ground Water District, Bingham Groundwater District, Magic Valley Groundwater District and North Snake Groundwater District. Includes mailing address, telephone, and 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: February 29, 2012

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. 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. 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: See attached signature page. Signature of new owner/claimant, Title, if applicable, Date

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

For IDWR Office Use Only:

Received by DB Date 3/5/2012 Receipt No. 5032392 Receipt Amt. \$375- Approved by Processed by Date SUPPORT DATA

Notice of Change in Water Right Ownership
Water Right Nos. 36-2356A, 36-7210, 36-7427, 36-7720
Dated February 29, 2012

**AMERICAN FALLS-ABERDEEN GROUND
WATER DISTRICT**

By: 
NIC BEHREND, Chairman

BINGHAM GROUND WATER DISTRICT

By: 
CRAIG EVANS, Chairman

**MAGIC VALLEY GROUND WATER
DISTRICT**

By: 
ORLO H. MAUGHAN, Chairman

**NORTH SNAKE GROUND WATER
DISTRICT**

By: 
LYNN CARLQUIST, Chairman



Prepared by, and
after recording return to:

Randall C. Budge, Esq.
Racine, Olson, Nye, Budge & Bailey
P.O. Box 1391
Pocatello, Idaho 83204-1391

373044-J

(Space above reserved for County Recorder's Use Only)

WARRANTY DEED

For value received, Blue Lakes Trout Company LLC, an Idaho limited liability company ("Grantor"), does hereby grant, sell and convey unto North Snake Ground Water District an undivided 40% interest as tenant-in-common, to Magic Valley Ground Water District, an undivided 30% interest as tenant-in-common, to American Falls-Aberdeen Ground Water District, an undivided 17.5% interest as tenant-in-common, and to Bingham Ground Water District, an undivided 12.5% interest as tenant-in-common (collectively "Grantees"), whose address is in care of P.O. Box 1391, Pocatello, Idaho 83204-1391, and their successors and assigns forever, the real property, improvements and water rights located in Jerome County, Idaho, as described in Exhibit "A" attached hereto and incorporated by this reference (the "Property").

TOGETHER WITH all and singular the tenements, hereditaments, easements, rights and appurtenances thereto belonging or in any way appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits therefrom; and all estate, right, and interest in and to the Property, as well in law as in equity.

SUBJECT only to those matters set forth on Exhibit "B", attached hereto and incorporated by this reference ("Permitted Exceptions").

Grantor, for itself and its successors and assigns, covenant and agree with Grantees that Grantor is lawfully seized in fee simple of the Property herein conveyed; that they have good right to sell and convey the same in the manner set forth herein and the Property is free and clear of all liens, claims and encumbrances by and through and under Grantor, except for the Permitted Exceptions; that Grantor, its successors and assigns shall warrant and defend the same unto Grantees forever against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, Grantors have caused these presents to be executed this 29th day of February, 2012.

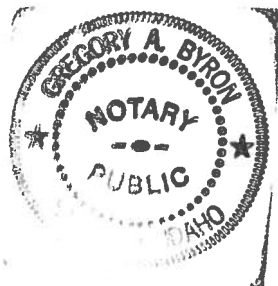
BLUE LAKES TROUT COMPANY LLC

By: *Anita Kay Hardy*
ANITA KAY HARDY, its Manager

STATE OF IDAHO)
 : SS
COUNTY OF ADA)

On February 28, 2012, before me, the undersigned Notary Public in and for said State, personally appeared **Anita Kay Hardy**, known or identified to me to be the Manager of Blue Lakes Trout Company LLC, the Idaho limited liability company that executed the foregoing instrument and the person whose name is subscribed to the within instrument, and acknowledged to me that she executed that said limited liability company executed the same.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Nampa, Idaho
My Commission Expires: November 13, 2013

EXHIBIT "A"

BLUE LAKES LEGAL DESCRIPTION

THIS IS A BOUNDARY LINE ADJUSTMENT

A PARCEL OF LAND LOCATED IN A PORTION OF LOTS 13 AND 14, SECTION 28, AND A PORTION OF LOTS 18 AND 19, SECTION 29, TOWNSHIP 9 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, JEROME COUNTY IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, MARKED BY A 3 INCH BUREAU OF LAND MANAGEMENT BRASS CAP MONUMENT AS DESCRIBED IN CORNER PERPETUATION INST. NO. 2012294; THENCE SOUTH 00°31'16" WEST, ALONG THE EAST LINE OF SAID SECTION 29, (BASIS OF BEARING PER CENTRAL MERIDIAN OF CENTRAL ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 1439.45 FEET TO A MEANDER CORNER RIGHT BANK (OLD) SNAKE RIVER OF SECTIONS 28 AND 29, MARKED BY A 1/2 INCH REBAR (NO CAP) AS DESCRIBED IN RECORD OF SURVEY INST. NO. 2012583; THENCE SOUTH 00°25'10" WEST, ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 1549.01 FEET TO A CLOSING CORNER LEFT BANK (OLD) SNAKE RIVER SECTIONS 28 AND 29, MARKED BY A CHISELED "X" ON CLIFF FACE AS DESCRIBED IN RECORD OF SURVEY INST. NO. 2012583; THENCE SOUTH 78°58'35" WEST A DISTANCE OF 667.71 FEET TO A LARGE LAVA BOULDER WITH CHISELED "X" AS DESCRIBED IN CORNER PERPETUATION INST. NO. 267144, BEING THE POINT OF BEGINNING.

THENCE SOUTH 44°58'30" EAST A DISTANCE OF 530.00 FEET TO A FOUND 1/2 INCH REBAR (NO CAP) BEING THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2120046; THENCE CONTINUING SOUTH 44°58'30" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 611.00 FEET; THENCE SOUTH 18°53'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 166.00 FEET; THENCE SOUTH 37°19'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 223.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 316342; THENCE SOUTH 48°37'32" EAST, ALONG THE SOUTH BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN DEED INST. NO. 316342, A DISTANCE OF 174.00 FEET TO AN ANGLE POINT ON THE SOUTH BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2072572 (PARCEL 2); THENCE SOUTH 56°14'32" EAST A DISTANCE OF 105.45 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2120049; THENCE SOUTH 56°14'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 127.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2072572, (PARCEL 8); THENCE CONTINUING SOUTH 56°14'32" EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 254.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2072572 (PARCEL 11); THENCE SOUTH 59°07'09" EAST A DISTANCE OF 420.55 FEET; THENCE SOUTH 77°55'15" EAST A DISTANCE OF 47.26 FEET; THENCE NORTH 61°33'32" EAST A DISTANCE OF 151.96 FEET; THENCE SOUTH 23°17'14" EAST A DISTANCE OF 102.43 FEET; THENCE SOUTH 71°11'49" WEST A DISTANCE OF 242.16 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2120047; THENCE NORTH 56°14'32" WEST, ALONG THE

SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 132.42 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2072572, (PARCEL 12); THENCE SOUTH 22°33'27" WEST, ALONG THE WESTERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 97.85 FEET TO THE APPROXIMATE HIGH WATER MARK OF THE NORTH BANK OF THE SNAKE RIVER; THENCE ALONG THE APPROXIMATE HIGH WATER MARK OF THE NORTH BANK OF THE SNAKE RIVER FOR THE NEXT TWENTY SIX (26) COURSES;

- (1) NORTH 40°38'24" WEST A DISTANCE OF 61.29 FEET;
- (2) NORTH 47°53'20" WEST A DISTANCE OF 94.30 FEET;
- (3) NORTH 48°19'24" WEST A DISTANCE OF 144.58 FEET;
- (4) NORTH 46°51'47" WEST A DISTANCE OF 130.20 FEET;
- (5) NORTH 56°08'30" WEST A DISTANCE OF 118.13 FEET;
- (6) NORTH 58°10'53" WEST A DISTANCE OF 147.09 FEET;
- (7) NORTH 61°47'44" WEST A DISTANCE OF 53.52 FEET;
- (8) NORTH 75°10'57" WEST A DISTANCE OF 34.57 FEET;
- (9) NORTH 85°53'55" WEST A DISTANCE OF 61.79 FEET;
- (10) NORTH 69°57'28" WEST A DISTANCE OF 159.12 FEET;
- (11) NORTH 63°02'50" WEST A DISTANCE OF 142.02 FEET;
- (12) NORTH 77°00'41" WEST A DISTANCE OF 77.61 FEET;
- (13) SOUTH 49°56'58" WEST A DISTANCE OF 111.92 FEET;
- (14) SOUTH 75°19'46" WEST A DISTANCE OF 70.20 FEET;
- (15) NORTH 35°52'47" WEST A DISTANCE OF 107.64 FEET;
- (16) NORTH 54°35'29" WEST A DISTANCE OF 88.81 FEET;
- (17) SOUTH 70°43'42" WEST A DISTANCE OF 81.75 FEET;
- (18) SOUTH 79°46'43" WEST A DISTANCE OF 105.71 FEET;
- (19) NORTH 85°01'57" WEST A DISTANCE OF 97.54 FEET;
- (20) NORTH 43°32'19" WEST A DISTANCE OF 41.09 FEET;
- (21) NORTH 24°57'26" WEST A DISTANCE OF 72.03 FEET;
- (22) NORTH 00°59'28" WEST A DISTANCE OF 96.37 FEET;
- (23) SOUTH 75°16'23" WEST A DISTANCE OF 132.14 FEET;
- (24) NORTH 79°51'22" WEST A DISTANCE OF 35.54 FEET;
- (25) NORTH 74°00'47" WEST A DISTANCE OF 68.09 FEET;
- (26) NORTH 70°41'14" WEST A DISTANCE OF 10.00 FEET;

THENCE ALONG THE EASTERLY AND NORTHERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 2081786 FOR THE NEXT FOUR (4) COURSES;

- (1) NORTH 16°56'58" EAST A DISTANCE OF 588.68 FEET;
- (2) NORTH 36°13'32" WEST A DISTANCE OF 20.01 FEET;
- (3) NORTH 48°58'32" WEST A DISTANCE OF 430.00 FEET;
- (4) NORTH 58°49'28" EAST A DISTANCE OF 380.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 23.22 ACRES MORE OR LESS.

WATER RIGHTS

BLUE LAKES TROUT CO., LLC:

Water Source:	Water Right No.	Priority Date
Flow diverted from Alpheus Creek which is fed by Blue Lakes Springs	36-2356A	5/29/1958
Flow diverted from Alpheus Creek which is fed by Blue Lakes Springs	36-7210	11/17/1971
Flow diverted from Alpheus Creek which is fed by Blue Lakes Springs	36-7427	12/28/1973
Re-Use	36-7720	6/8/1977

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. 2012 taxes that are not yet due and payable
3. Reservations in United States Patent.
4. Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.
5. Levies and assessments of Lower Snake River Aquifer Recharge District.
6. Easement granted to Idaho Power Company, recorded April 19, 1941, in Book 121 of , page 241 as Instrument No. 80254.
7. Easement granted to Idaho Power Company, recorded July 12, 1945, in Book 128 of , page 563 as Instrument No. 93043.
8. Agreement upon the terms, conditions and provisions contained therein: Parties: Ira B. Perrine and Hortense Perrine; Stella L. Haight, H. G. Haight, Ira B. Perrine Jr., Emerald Perrine, Eugene Perrine and Mary Louise Perrine Recorded: November 14, 1939, in Book 112 at Page 576 as Instrument No. 74828
9. Easements Reserved and Granted between Ira Burton Perrine, Jr., Emerald Perrine, Blue Lakes Country Club, Inc., recorded November 10, 1964 in Book 174 at Page 258 as Instrument No. 161199.
10. Agreement upon the terms, conditions and provisions contained therein: Parties: Ira Burton Perrine, Jr., Emerald Perrine and City of Twin Falls, Idaho Recorded: March 1, 1966, in Book 189 at Page 6 as Instrument No. 167127
11. Easement granted to Idaho Power Company, recorded December 7, 1967, in Book 184 of , page 153 as Instrument No. 174266.
12. Easement for use of existing pipelines or any other form of water conveyance granted to Royal Catfish Industries, recorded September 21, 1970, as Instrument No. 186287.
13. Right-of-way granted to Mountain States Telephone and Telegraph Company, recorded as Instrument No. 186850.
14. Easement granted to Idaho Power Company, recorded January 24, 1972, as Instrument No. 192479.
15. Provisions in deed to Richard Kirkman, recorded May 2, 1973, as Instrument No. 200039. Affects Parcel 1
16. Provisions in deed to Percy Greene, Nedra H. Greene, Harold S. Miller and Jessie F. Miller, recorded April 17, 1975, as Instrument No. 211303.
17. Easement for ingress and egress granted to Richard Kirkman, recorded July 22, 1986, as Instrument No. 299671.
18. Easement for all purposes granted to Blue Lakes Country Club, Inc. and Blue Lakes Trout Farm, Inc., recorded December 19, 1989, as Instrument No. 318867.

19. Provisions in deed to Blue Lakes Trout Farm, Inc., recorded July 14, 1991, as Instrument No. 912088.
20. A 50 foot wide ditch and access road easement as disclosed by Warranty Deed recorded July 14, 1991 as Instrument No. 912089.
21. Agreement upon the terms, conditions and provisions contained therein:
Parties: Pristine Springs, Inc., an Idaho Corporation, and Blue Lakes Trout Farm, Inc., an Idaho Corporation Recorded: January 20, 2000, Instrument No. 2000347 Affects Parcels 1, 2 and 3
22. Affidavit of the Custodian of the Official Records of the Idaho Department of Water Resources, recorded April 4, 2008 as Instrument No. 2081779.
23. Affidavit of the Custodian of the Official Records of the Idaho Department of Water Resources, recorded April 4, 2008 as Instrument No. 2081781.
24. Affidavit of the Custodian of the Official Records of the Idaho Department of Water Resources, recorded April 4, 2008 as Instrument No. 2081784.
25. Pipeline Easement Agreement by and between Dr. John R. Lythgoe, Grantor, and Blue Lakes Trout Company LLC, an Idaho limited liability company, recorded February 28, 2012 as instrument no. 2120784.
26. Pipeline Easement Agreement by and between Blue Lakes Trout Company LLC, an Idaho limited liability company, Grantor, and Blue Lakes Trout Company LLC, recorded February 28, 2012 as instrument no. 2120785.
27. Pipeline Easement Agreement by and between Blue Lakes Trout Company LLC, an Idaho limited liability company, Grantor, and Idaho Water Resource Board, a constitutionally established State Water Resource Agency, recorded February 28, 2012 as instrument no. 2120786.
28. Shared Well Agreement by and between Dr. John R. Lythgoe, Supplied Party, and Blue Lakes Trout Company LLC, an Idaho limited liability company, recorded February 28, 2012 as instrument no. 2120787.
29. Access Easement Agreement by and between Blue Lakes Trout Company LLC, an Idaho limited liability company, Grantor, and Blue Lakes Trout Company LLC, recorded February 28, 2012 as instrument no. 2120788.
30. Lower Warm Creek Road Maintenance and Easement Agreement by and between Blue Lakes Trout Company LLC, an Idaho limited liability company; ELW Holdings LLC, an Idaho limited liability company; Randy B. Perrine and Tammie A. Perrine, husband and wife; Dr. John R. Lythgoe; Richy B. Stroud, and the State of Idaho by and through the Idaho Water Resource Board, a constitutionally established State Water Resource Agency, recorded February 29, 2012 as instrument no. 2120825.

RECEIVED

MAR 05 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

BOISE OFFICE

101 SOUTH CAPITOL
BOULEVARD, SUITE 300
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ALL OFFICES TOLL FREE

(877) 232-6101

LOUIS F. RACINE (1917-2005)
WILLIAM D. OLSON, OF COUNSEL

LAW OFFICES OF

**RACINE OLSON NYE BUDGE & BAILEY
CHARTERED**

201 EAST CENTER STREET
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SENDER'S E-MAIL ADDRESS: rcb@racinelaw.net

W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
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BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
ERIC L. OLSEN
CONRAD J. AIKEN
RICHARD A. HEARN, M.D.
LANE V. ERICKSON
FREDERICK J. HAHN, III
PATRICK N. GEORGE
SCOTT J. SMITH
JOSHUA D. JOHNSON
DAVID E. ALEXANDER
STEPHEN J. MUHONEN
CANDICE M. MCHUGH
CAROL TIPPI VOLYN
JONATHAN S. BYINGTON
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DAVE BAGLEY
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FERRELL S. RYAN, III
AARON A. CRARY
JOHN J. BULGER
BRETT R CAHOON
JEFFREY A. WARR

February 29, 2012

Idaho Department of Water Resources
Southern Region
1341 Filmore Street, Ste 200
Twin Falls, Idaho 83301-3380

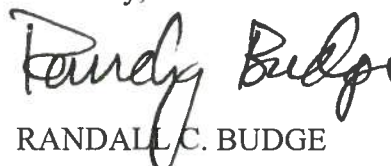
Re: *Notice of Change of Water Right Ownership - Clear Lakes Trout Company, LLC,
Rim View, LLC, Clear Lake Trout Company, Inc.*

To Whom It May Concern:

Enclosed please find the original and extra copy of IDWR Form 42-248/42-1409(6) Notice of Change in Water Right Ownership pertaining to the water rights of Blue Lakes Trout Company, LLC, Rim View, LLC, and Clear Lake Trout Company, Inc., acquired by American Falls-Aberdeen Ground Water District, Bingham Ground Water District, Magic Valley Ground Water District, and North Snake Ground Water District, together with attached copies of the recorded Warranty Deeds pertaining to the acquisition. Also enclosed please find a check in the amount of \$375 made payable to IDWR as filing fees for the 15 water rights at \$25 per undivided water right.

Please file and process the original Notices of Change and conform stamp and return the extra copies in the stamped and addressed envelope enclosed. If you have any questions please contact me. Thank you for your assistance.

Sincerely,


RANDALL C. BUDGE

February 29, 2012
Page 2

RCB:rr

Enclosures

cc: First American Title Company (w/encls.)
Greg Byron (w/encls.)