

Rushing, Emalee

From: HDLAW Reception [Reception@hdlaw.biz]
Sent: Friday, November 04, 2011 12:29 PM
To: Rushing, Emalee; Luke, Tim
Cc: Brown, Jefrie
Subject: Re: Fayed, Ali/General Legal Services
Attachments: TGH to Rushing and Luke w-attachments 11-4-11 (00024045).PDF

Hello, Ms. Rushing and Mr. Luke:

Attached is a PDF image of Terry's letter to you of today's date along with the attachments referenced therein.

Barbara Julian, Receptionist

Business Hours: Monday - Thursday: 9:00 a.m. - 5:00 p.m. / Friday - 9:00 a.m. - Noon

HOGUE & DUNLAP, LLP
P.O. Box 460 / 419 S. Main Street / Hailey, ID 83333
Telephone: 208-788-3567 / Fax: 208-7884230

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HOGUE & DUNLAP, LLP

ATTORNEYS AT LAW

TERRY G. HOGUE

P.O. BOX 460
419 S. MAIN STREET
HAILEY, IDAHO 83333
(208) 788-3567
FAX: (208) 788-4230

TRACY DUNLAP

November 4, 2011

emialeerushing@iwr.idaho.gov
Ms. Emalee Rushing

tim.luke@iwr.idaho.gov
Mr. Tim Luke

Re: Water Right Ownership of Ali Fayed

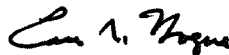
Dear Ms. Rushing and Mr. Luke:

The law firm of Hogue and Dunlap, LLP represents Mr. Ali Fayed. It was recently discovered that the water right purchased by Mr. Fayed from Mr. and Mrs. Theodore Nicolai in October of 1998, is still listed in the name of Mr. Nicolai. As requested by Mr. Luke, I am attaching copies of the October 14, 1998, Notice of Change of Water Right Ownership and the Warranty Deed passing title of real property and all water rights appurtenant thereto to Mr. Fayed from Mr. and Mrs. Nicolai which was recorded on October 14, 1998. It is my understanding this documentation will allow you to change the records to place water right number 37-08499 into the name of Mr. Fayed.

Mr. Fayed would like any future correspondence concerning his water right sent to him at 240 Greenwich Ave., 3rd Floor, Greenwich, Connecticut 06830. If you have questions or require additional information, please telephone me.

Respectfully,

HOGUE & DUNLAP, LLP



Terry G. Hogue

TGH:blj

Attachments

cc: Mr. Ali Fayed - w/attachments
Ms. Barbara Brakman - w/attachments
Mr. Jefrie Brown - w/attachments

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 10/14/98

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 17E
Section 1, NW 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

Water Right Number(s) Assigned by IDWR: 37-08499

Name and Address of Former Owner/Claimant(s)(Seller): Theodore Nicolai, III
P. O. Box 5918

New Owner/Claimant (Purchaser): Ketchum, ID 83340
Ali Fayed

New Mailing Address: One Deer Park Court
Greenwich, CT 06830

New Telephone Number: **Contact Fred Haemisegger
(208) 622-8632

Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

Attach proof of ownership, describe proof attached: Copy of Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

Signature of New Owner/Claimant(s): Ali Fayed Date 10-9-98
By H. F. Hagerman, Attorney in fact

Signature of Former Owner/Claimant(s): Theodore Nicolai III Date 10/14/98

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry Date: _____ By: _____
Further Action Needed: _____
Further Action Taken Date: _____ By: _____
Final Review and Data-Entry Date: _____ By: _____
Claim Numbers of Split, if any: _____

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

FOR VALUE RECEIVED

THEODORE NICOLAI, III and CICELY B. NICOLAI, husband and wife,

the grantor(s), do hereby grant, bargain, sell and convey unto

ALI FAYED, a married man

the grantee, whose current address is **One Deer Park Court
Greenwich, CT 06830**

Daed
BLAINE CO. REQUEST
OF SUN VALLEY TITLE

'98 OCT 14 AM 10 01

MAK GREEN LERK
FEES \$ 3.00 mpp

the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:

Large Block 9 Amended, BIGWOOD SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, recorded March 30, 1990, as Instrument No. 317963, records of Blaine County, Idaho.

Together with any and all water rights appurtenant thereto.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that they are the owners in fee simple of said premises; that said premises are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 6, 1998

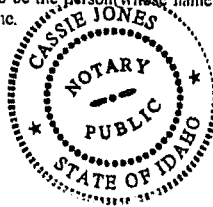
Theodore Nicolai, III
Theodore Nicolai, III

Cicely B. Nicolai
Cicely B. Nicolai

State of Idaho
County of Blaine

On this 8th day of October, 1998, Before me a Notary Public in and for said State, personally appeared Theodore Nicolai, III known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Cassie Jones
Notary Public
Residing at *Hayley*
Comm. Expires *9-7-2000*



State of Idaho
County of Blaine

On this 8th day of October, 1998, Before me a Notary Public in and for said State, personally appeared Cicely B. Nicolai known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Cassie Jones
Notary Public
Residing at *Hayley*
Comm. Expires *9-7-2000*

