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NOV 17 2009
Department of Water Resources
Eastern Region

DEL

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

- 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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
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WR
21-7362

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

- The appropriate **FILING FEE**. See instructions for fee amounts. **\$25.00**
- A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights(s) or claims(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- 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 your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)
OR
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 **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**.

- Name and Address of Former Owner/Claimant
Staley's Springs Lodge
Star Rt. Box 102, Macks Inn, ID 83433
- New Owner/Claimant(s)
DGM Properties; G&S Development, LLC; Funk-Drussel, LLC;
Wengreen Development, LLC
Name connector (check one): ☒] and [] or, [] and/or
New Mailing Address 5990 Gleaneagles Dr.
City, State and ZIP Code Idaho Falls, ID 83401
New Telephone Number 208-523-5959
- Date you acquired the property June 15, 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock,
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 attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

7. Signature of New Owner(s) Or Claimant(s) *Life R. Santoro*
(include title if applicable) *Mr. G & S Development LLC*
- For IDWR Office Use Only
 Received by *DM* Date *11/17/09* Fee *\$2500*
 Receipted by *DM* Date *11/17/09* Receipt No. *ED35459*
 Processed by _____ Date _____ WR _____ Date _____

WARRANTY DEED

29-14196-R
AMERICAN LAND TITLE CO.
P. O. BOX 722
REXBORO, IDAHO 83440

THIS INDENTURE, made this 29th day of April

1986

between Staley Lodge, Inc., an Idaho corporation

whose address is 6778 Old Knoll Road

City of Pocatello, County of Bannock

State of Idaho

herein designated as Grantor, and J. Stanley Horton and Alberta D. Horton

whose address is Star Route, Box 104

City of Mosby Inn, County of Fremont

State of Idaho

herein designated as Grantee:

Grantor, for valuable consideration, does by these presents Grant, Bargain, Sell and Convey and Confirm unto Grantee and its heirs or assigns forever, the following described premises in the County of Fremont, State of Idaho, bounded and more particularly described as follows, to-wit:

See Attached Description

Microfilm No. 395887
At 5 Day May 1986
At Card O'Clock P M
BETTY J. HILL
FREMONT CO. RECORDER
Fee \$1.50 Deputy
Recorded At Request of

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the Grantee and to its heirs or assigns forever, and the said Grantor and its heirs or assigns warrant the said premises in the quiet and peaceable possession of the Grantee against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

Attest
Sue Hart
Sue Hart, Secretary
STATE OF IDAHO
County of Bannock

Staley Springs Lodge Inc.
By Don C. Hart
Hart Mark

On this 29th day of April, 1986, before me, a Notary Public in and for said County and State, personally appeared Donald C. Hart and Sue Hart as President and Secretary, respectively, of Staley Lodge, Inc. known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that they executed the same.

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

TERESA GRIFFIN-SMITH, CLERK
Notary Public for Idaho
Residing at Pocatello, Idaho

Teresa Griffin-Smith
Notary Public for Idaho
Residing at Pocatello, Idaho

EXHIBIT: PROPERTY DESCRIPTION

Lots 1 and 2 in Section 6, Township 15 North, Range 43 East, Boise Meridian, Fremont County, Idaho; excepting therefrom the following described tract of land being a portion of said Lot 2 in Section 6, Township 15 North, Range 43 East, Boise Meridian and a portion of the Southwest Quarter of the Southwest Quarter of Section 31, Township 16 North, Range 43 East, Boise Meridian, particularly described as follows: Beginning at a point on the West line of Section 6, said point being 1901.90 feet North of the West Quarter Corner of said Section 6, Township 15 North, Range 43 East, Boise, Meridian, and also being 3333.02 feet South of the East Quarter Corner of Section 36, Township 16 North, Range 42 East, Boise Meridian; thence running North 32°03' East 869.6 feet; thence North 63°16.5' East 67.66 feet; thence South 85°30' East 350 feet; thence North 7°30' East 240.3 feet; thence North 24°12' East 250.57 feet; thence North 85°30' West 373.17 feet; thence North 35°51.5' West 76.20 feet; thence North 13°47' East 743.17 feet; thence West 251.48 feet; thence South 17°12' West 691 feet; thence South 4°03' West 354.2 feet; thence South 17°28' West 279 feet; thence South 32°03' West 373.7 feet; thence South 414.22 feet, more or less, to the point of beginning. All in Fremont County, Idaho...

335887

RECORDING REQUESTED BY
Notary Public
AND WHEN RECORDED, MAIL THIS DEED AND
UNLESS OTHERWISE SHOWN BELOW, MAIL TO
STATEMENTS TO:
MR. AND MRS. STANLEY HORTON
TRUSTEES
P.O. BOX 699
BOBODA HAY, CA 94923

Map/Plan No. 442-20
By 7/1/89 to 10/2/89
MICKIE KUNKE
FRESHET CO. RECORDER
Deputy
Mickie Kunke

RECORD NO. _____
TITLE ORDER NO. _____
FRESHET CO. WILL SUPPLY RECORD TOES 25 CTS

GRANT DEED

The undersigned grantor(s) declare(s)
Documentary transfer tax is \$ 0.00
() computed on full value of property conveyed
() computed on full value less value of liens and encumbrances remaining on full value
(XX) Unincorporated area

By this instrument dated 7/1/89 at Bohoda Hay, California
J. STANLEY HORTON and ALBERTA D. HORTON

hereby GRANTS to
JOSEPH STANLEY HORTON and ALBERTA D. HORTON, CO. Trustees of the HORTON
Trust, created by a declaration of trust, dated October 7, 1989

the following described real property in the State of Idaho
County of Fremont
Refer to Exhibit A attached hereto and by this
reference incorporated herein

This conveyance is to a revocable trust created by the grantors and
does not constitute a change of ownership and is not subject to
reassessment

STATE OF CALIFORNIA,
COUNTY OF Sonoma
On October 25, 1989 before me,
the undersigned, a Notary Public, in and for said County and State,
personally appeared
J. Stanley Horton and
Alberta D. Horton

known to me on the basis of satisfactory evidence to be the person(s)
above named, herein subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same.
WITNESS my hand and official seal.

Beth Lee Hill

J. Stanley Horton
STANLEY HORTON
Alberta D. Horton
ALBERTA D. HORTON



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE IF NO PARTY IS SHOWN, MAIL AS DIRECTED ABOVE.

First Street Address City & State

10

10-27
A.M.A
- Deputy

051

WCHBERVISE

476

Date of sale

a valuable consideration

ios of the Horton
or 30, 1989grantors and
subject to

TON

TON

EXHIBIT A PROPERTY DESCRIPTION

Lots 1 and 2 in Section 6, Township 15 North, Range 13 East, Boise Meridian, Blaine County, Idaho, excepting therefrom the following described tract of land being a portion of said Lot 2 in Section 6, Township 15 North, Range 13 East, Boise Meridian, and a portion of the Southwest Quarter of the Southwest Quarter of Section 36, Township 16 North, Range 13 East, Boise Meridian, particularly described as follows: Beginning at a point 100 feet north of the West Quarter Corner of said Section 6, Township 15 North, Range 13 East, Boise Meridian, and 1/4 Section 36, Township 16 North, Range 13 East, Boise Meridian, thence running North 32° 00' East 669.6 feet; thence North 63° 00' East 667.6 feet; thence South 40° 00' East 350 feet; thence North 70° 00' East 240.3 feet; thence West 173 feet; thence North 35° 51' 51" West 251.7 feet; thence North 17° 12' 12" East 174.17 feet; thence South 47° 03' West 357.2 feet; thence South 17° 28' West 279 feet; thence South 42° 03' West 324.7 feet; beginning at a point more or less to the point of

395887

EXHIBIT A

WARRANTY DEED

Order No.: 3040624794TD

FOR VALUE RECEIVED

The Horton Trust, Created by a Declaration of Trust, Dated 10-3-89

Microfilm No. 503327
At 11:03 Day June 20, 2006
ABBIE MACE
FREMONT CO RECORDER
Recorded at Request of Deputy
ALLIANCE TITLE & ESCROW

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

DGM Properties, LLC, an Idaho ~~Corporation~~ LLC, G & S Development, LLC, an Idaho ~~Corporation~~ LLC,
Funk-Drussel, LLC, an Idaho ~~Corporation~~ LLC, Wengreen Development, LLC, an Idaho ~~Corporation~~ LLC,
whose current address is LLC

5990 GlenEagles Dr. Idaho Falls, ID 83401

the grantee(s), the following described premises, in Fremont County, Idaho, TO WIT:

PARCEL 1:

Tract A (Staley Springs Lodge) of Moose Bay Subdivision, Fremont County, Idaho, as per the plat recorded as Instrument No. 441608.

LESS:

A parcel of land being a portion of Tract A, Moose Bay, a subdivision as filed for record in the office of the Fremont County Recorder, lying within Section 6, Township 15 North, Range 43 East, and Section 31, Township 16 North, Range 43 East, Boise Meridian, Fremont County, Idaho, and being more particularly described as follows: Commencing at the Northwest corner of Section 6, being a rebar & cap as filed for record at Instrument No. 382188 in said Fremont County records; thence South 00°05'06" East along the West line of said Section 6 a distance of 701.58 feet; thence North 31°55'15" East along the Northerly boundary of said subdivision of Moose Bay a distance of 681.37 feet to the point of beginning; thence continuing along said Northerly boundary of Moose Bay for the following four courses: 1.) North 31°55'15" East a distance of 186.77 feet; 2.) North 63°08'45" East a distance of 33.21 feet; 3.) South 86°44'28" East a distance of 346.66 feet to a 1/2" rebar; 4.) continuing South 86°44'28" East a distance of 25 feet, more or less, to the mean high water line of Henry's Lake as now and hereafter lawfully maintained by North Fork Reservoir Company; thence along said mean high water line of Henry's Lake as presently represented by the following six courses: 1.) South 32" West a distance of 50 feet; 2.) South 59" West a distance of 58 feet; 3.) South 82" West a distance of 71 feet; 4.) North 63° West a distance of 22 feet; 5.) North 18° West a distance of 32 feet; 6.) West a distance of 80 feet, more or less; thence North 11°00'00" West a distance of 17.00 feet; thence 125.32 feet along the arc of a curve to the left having a central angle of 79°00'00", a radius of 90.89 feet, and a chord which bears South 39°30'00" West a distance of 115.62 feet; thence South a distance of 76.61 feet; thence North 77°00'00" West a distance of 171.03 feet to the point of beginning.

PARCEL 2:

Common area (Well Lot) between Lots 9 and 10 of Moose Bay Subdivision, Fremont County, Idaho, as per the plat recorded as Instrument No. 441608.

SUBJECT TO a maintenance easement recorded January 27, 2003, as instrument no. 479133, records of Fremont County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 6/15/2006

The Horton Trust, Created by a Declaration of Trust,
Dated 10-3-89

Joseph Stanley Horton
By Joseph Stanley Horton, Trustee

503327

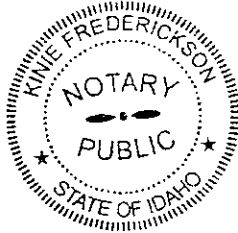
State of Idaho

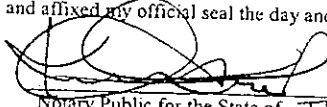
County of Bonneville

} ss.
}

On this 16 day of June 2006, before me, a Notary Public in and for said state, personally appeared Joseph Stanley Horton known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the The Horton Trust created by a Declaration of Trust dated 10-3-89, and acknowledged to me that he executed the same as Trustee.

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




Notary Public for the State of Idaho
Residing at:
Commission Expires:

Residing in Idaho Falls, Idaho
Commission Expires 9/5/09