

RECEIVED ^{\$25 fee}
MAY 07 2010
Department of Water Resources
Eastern Region

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 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
29-7896					

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 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**.

3. Name and Address of Former Owner/Claimant(s) WILLIAM P WHITWORTH
RT 2 N BOX 86C POCATELLO ID 83202
4. New Owner/Claimant(s) FLYING ELK INVESTMENT LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
ROBERT + BETTI TSOHUS
New Mailing Address PO Box 490
City, State and ZIP Code INKOM ID 83245
New Telephone Number (208) 775 4475
5. Date you acquired the property 1/14/2008

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 Right and/or Adjudication Claim Number		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

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

7. Signature of New Owner(s) or Claimant(s) Robert W. Johnson MANAGER FLYING ELK LLC
(include title if applicable) Robert W. Johnson

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.

For Office Use Only

Received by JB Date 5-7-10 Fee \$25.-
 Receipted by JB Date 5-7-10 Receipt No. E035802
 Processed by AJ Date 5-7-10 WR 5-7-10 Date 5-7-10

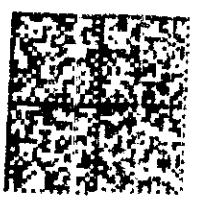
JO LYNN ANDERSON
BANNOCK COUNTY ASSESSOR
PO BOX 4969
POCATELLO ID 83205-4969

2009 BANNOCK COUNTY ASSESSMENT NOTICE

Appraisal of your property value must be filed in writing on a form provided by the County by: **JUNE 17, 2009**

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE Last Year	Current
04 INV MEADOW	22.000	7,220	7,220
05 INV DRY GRAZ	44.000	3,282	3,282
19 WASTE	2.910		
32 IMP ON CAT 1-9		2,500	2,500

PRESORTED
STANDARD



Hasler

0106426520307
\$00.414
06/04/2009
Mailed From 83201
US POSTAGE

SUBTOTAL
LESS HOMEOWNER EXEMPTION
NET TAXABLE PROPERTY VALUE

68,910 13,002 13,002

PARCEL DESCRIPTION
SW/4SE4 40 AC
TR SE/4SW4 TAX 18 28.91 AC
S34-T6S-R36E

Tax Code: 001200
Parcel Address: 6101 N RAPID CREEK
Parcel Number: Z3849010700
Appraiser Phone Number: 208-236-7098

Taxing Dist	Phone No.	Date of Public Budget Hearing
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COUNTY	208-236-7211	AUG 21, 2009
COUNTY RD/BRG	208-236-7211	AUG 21, 2009
SCHOOL NO. 21	208-254-3306	JUNE 9, 2009
BAN PNR LTR	208-897-5270	AUG 24, 2009
INCOM CEM	208-775-3712	AUG 17, 2009
AMBULANCE	208-236-7211	AUG 21, 2009

**THIS IS NOT A
BILL
DO NOT PAY**

Mail To:

FLYING ELL INVESTMENTS LLC
PO BOX 490
INCOM ID 83245



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WARRANTY DEED

20800889

FOR VALUE RECEIVED, RAMONA A. WHITWORTH, individually and as personal representative of the estate of WILLIAM P. WHITWORTH, RAMONA A. WHITWORTH having been appointed personal representative of the estate of WILLIAM P. WHITWORTH on November 6, 2006, in Bannock County, Idaho, Case No. CV-06-4761-IE, ("Grantor"), does hereby grant, bargain, sell and convey unto FLYING ELK INVESTMENTS, LLC, an Idaho Limited Liability Company, whose current address is 6240 N. Rapid Creek Road, Inkom, Idaho 83245 ("Grantee"), the following described premises in Bannock County, Idaho, to-wit:

See Exhibit "A"

MAIL TO
PO BOX 490
INKOM ID
83245

TO HAVE AND TO HOLD the said premises, with their appurtenances, easements and access rights and including all water, gas, oil and mineral rights.

Grantor does hereby covenant that she is conveying good and marketable title to the property in fee simple, free and clear from all liens or encumbrances, excepting easements, rights of way and other encumbrances approved by Buyer.

DATED this 14th day of January, 2008.

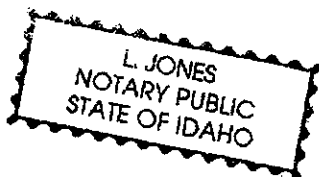

RAMONA A. WHITWORTH

STATE OF IDAHO)
 : ss
County of Bannock)

On this 14th day of January, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared RAMONA A. WHITWORTH, individually and as personal representative of the estate of WILLIAM P. WHITWORTH, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that she executed the same, individually and as personal representative.

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

(SEAL)




NOTARY PUBLIC FOR IDAHO
Residing at:
My Commission expires:

RESIDES IN POCATELLO
EXP 06-01-2013

Order No.: 3010814938KF

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**LEGAL DESCRIPTION
EXHIBIT 'A'**

Parcel 1:

The Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 34, Township 6 South, Range 36 East, Boise Meridian, Bannock County, Idaho.

Also:

A tract of land the basis of bearing for which is South $89^{\circ}44'52''$ East-South line of Section 34, Township 6 South, Range 36 East, Boise Meridian, Bannock County, Idaho, described as follows:

A parcel of land situated in the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$, Section 34, Township 6 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

COMMENCING at the West $\frac{1}{16}^{\text{th}}$ corner on the South line of said Section, said corner being marked by a $\frac{1}{2}$ inch iron pin stamped L.S. 968, and on the Westerly right of way of a well defined dirt road;

Thence South $89^{\circ}44'52''$ East, along the South line of said Section, 50 feet to the TRUE POINT OF BEGINNING, said point being marked by a $\frac{1}{2}$ inch iron pin tagged L.S. 968, and being on the Easterly right of way of said well defined road.

Thence North $0^{\circ}21'02''$ West, along said Easterly right of way line, 119.45 feet to a $\frac{1}{2}$ inch iron pin tagged L.S. 968;

Thence North $53^{\circ}44'28''$ East, along said Easterly right of way line, 507.13 feet to a $\frac{1}{2}$ inch iron pin tagged L.S. 968;

Thence North $21^{\circ}25'59''$ East, along said Easterly right of way line, 356.17 feet to a $\frac{1}{2}$ inch iron pin tagged L.S. 968;

Thence North $33^{\circ}43'49''$ East, along said Easterly right of way line, 125.54 feet to a $\frac{1}{2}$ inch iron pin tagged L.S. 968;

Thence North $16^{\circ}01'49''$ East, along said Easterly right of way line, 244.87 feet to a $\frac{1}{2}$ inch iron pin tagged L.S. 968;

Thence North $17^{\circ}14'25''$ East, along said Easterly right of way line, 279.81 feet to the Southerly right of way line of Rapid Creek Road; said point being marked by a $\frac{1}{2}$ inch iron pin tagged L.S. 968;

Thence South $86^{\circ}47'16''$ East, along said Southerly right of way line 523.36 feet to the meridional centerline of said Section;

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Thence South $0^{\circ}26'55''$ East 11.56 feet to the South $1/16^{\text{th}}$ corner, on the meridional centerline, said corner being marked by a $5/8$ inch iron pin tagged L.S. 968;

Thence continuing along said meridional line, South $0^{\circ}26'55''$ East, 1,322.76 feet to the South $1/4$ corner of said Section, said corner being marked by a $5/8$ inch iron pin tagged L.S. 968;

Thence North $89^{\circ}44'52''$ west, along the South line of said Section, 1,291.61 feet to the POINT OF BEGINNING.

Parcel 2:

An undivided $1/3$ interest in and to certain real property located in the East $1/2$ of the Southwest $1/4$ of Section 34, Township 6 South, Range 36 East, Boise Meridian, Bannock County, Idaho, which property is described more specifically as follows:

All that portion of land lying 25 feet on each side of the following described centerline in the Southeast $1/4$ of the Southwest $1/4$ and in the Northeast $1/4$ of the Southwest $1/4$ of Section 34, Township 6 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

COMMENCING AT THE West $1/16^{\text{th}}$ corner on the South line of said Section 34, said corner being marked by a $1/2$ inch iron pin stamped L.S. 968;
Thence South $89^{\circ}44'52''$ East, along said South line 25 feet to the TRUE POINT OF BEGINNING;
Thence North $0^{\circ}21'02''$ West, 131.96 feet;
Thence North $53^{\circ}44'28''$ East, 512.65 feet;
Thence North $21^{\circ}25'59''$ East 351.62 feet;
Thence North $33^{\circ}43'49''$ East, 124.34 feet;
Thence North $16^{\circ}01'49''$ East 241.25 feet;
Thence North $17^{\circ}14'25''$ East 273.82 feet, more or less to its intersection with the Southerly right-of-way line of Rapid Creek Road, the POINT OF TERMINUS.

OFFICIAL RECORD BOOK 903
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE 9 DEPUTY *mw*

ALLIANCE TITLE & ESCROW

20800889

2000 JAN 15 A 11:39