

RECEIVED

AUG 14 2007

WATER RESOURCES
WESTERN 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 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)
⑦ A77-04176	A77-04176	YES	split	77-14286 (DEMOREST) 77-14285 (LOON CREEK)	

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) DIAMOND D RANCH *
303 BALMORAL, BOISE, IDAHO 83702
4. New Owner/Claimant(s) JOHN P. DEMOREST
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. BOX 1652 ID (SR)
- City, State and ZIP Code KETCHUM, CALIF. 83340 **SUPPORT DATA**
- New Telephone Number (208) 622-4724 **IN FILE # 77-4176**

5. Date you acquired the property

OCTOBER 1, 1997

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 <u>A77-04176</u>		
Irrigation	<u>.28</u>	<u>14 ACRES</u>
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)

John P. Lemorest OWNER
(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 SRDate 8-14-07Received by SRDate hProcessed by AJ

Date

Receipt Amt. \$100Receipt No. W035736WR JADate 2-21-08

BARGAIN AND SALE DEED

0214462

THIS DEED is made this 1st day of October, 1997, by and between DIAMOND D RANCH, by and through its general partners, THOMAS A. DEMOREST and JOHN P. DEMOREST (hereinafter the "Grantor"), and JOHN P. DEMOREST, a single person, whose mailing address is P.O. Box 1652, Ketchum, Idaho 83340 (hereinafter the "Grantee").

W I T N E S S E T H:

That Grantor, for valuable consideration, the receipt and adequacy of which is hereby acknowledged, hereby grants, bargains, sells and conveys unto the said Grantee, and to his heirs, assigns and legal representatives, forever, all of that certain piece or parcel of land and structures located thereon situate, lying and being located in the County of Custer, State of Idaho, more particularly described as follows, to-wit:

See Exhibit A attached hereto and incorporated herein by this reference and described as Parcel A

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest in the property, possession, claim and demand whatsoever, as well in law as in equity, of the Grantor, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said Grantee and to his heirs, assigns and legal representatives forever.

IN WITNESS WHEREOF, the said Grantor has hereunto executed this Deed the day and year first above written.

DIAMOND D RANCH

By:

John P. Demorest
JOHN P. DEMOREST
Its General Partner

By:

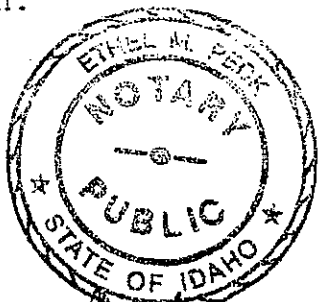
Thomas A. Demorest
THOMAS A. DEMOREST
Its General Partner

214462
Custer County Reg. of
Jack Demorest
12:10 P.M.
10-17-97
Eugene M. Pack, Clerk
Wanda J. Murphy
Deputy

STATE OF IDAHO)
) : ss.
 County of CUSTER)

On this 1st day of Oct., 1997, before me,
Ethel M. Peck, a notary public for said State,
 personally appeared THOMAS A. DEMOREST, known or identified to me
 to be the person who executed the within instrument as a general
 partner on behalf of DIAMOND D RANCH, and acknowledged to me that
 he 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.



Ethel M. Peck
 Notary Public
 Residing at: Challis, Id
 My Commission Expires: 3-19-98

STATE OF Idaho)
) : ss.
 County of Blaine)

On this 6th day of October, 1997, before me,
Judith A. Spraul, a notary public for said State,
 personally appeared JOHN P. DEMOREST, known or identified to me
 to be the person who executed the within instrument as a general
 partner on behalf of DIAMOND D RANCH, and acknowledged to me that
 he 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.



Judith A. Spraul
 Notary Public
 Residing at: Hailey, Idaho
 My Commission Expires: 2/13/2003

52956.01

PROPERTY DESCRIPTION
FOR
JACK DEMOREST
PARCEL A

A parcel of land located within H.E.S. 74, Unsurveyed Township 14 North, Range 13 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at a U.S.F.S. aluminum cap marking the Corner No. 6 of said H.E.S. 74, which point is the TRUE POINT OF BEGINNING;

thence South 51°39'40" East 305.65 feet along the northeasterly boundary of said H.E.S. 74 to a 5/8 inch rebar by L.S. 7048:

thence the following seven (7) courses and distances to a 5/8 inch rebar by L.S. 7048:

South 40°12'43" West 806.34 feet;

South 32°50'06" West 252.22 feet;

South 19°24'45" West 195.04 feet;

South 56°06'47" West 115.55 feet;

South 89°08'45" West 74.81 feet;

North 63°17'00" West 479.34 feet;

North 62°06'04" West 113.25 feet to the northwesterly boundary of said H.E.S. 74;

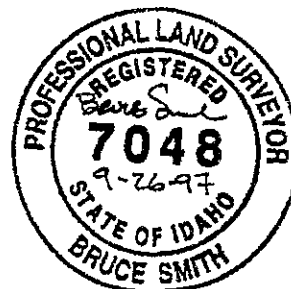
thence North 51°27'44" East 445.42 feet along said northwesterly boundary H.E.S. 74 to a U.S.F.S. aluminum cap marking Corner No. 4 of said H.E.S. 74;

thence North 46°40'56" East 884.21 feet along said northwesterly boundary to a U.S.F.S. aluminum cap marking Corner No. 5 of said H.E.S. 74;

thence North 58°57'23" East 221.39 feet along the northwesterly boundary of said HES 74 to the TRUE POINT OF BEGINNING, containing 15.28 acres, more or less;

And as shown on Record of Survey "Parcel A and Parcel B of the Diamond D Ranch" Instrument No. 214329; Records of Custer County, Idaho. Please also refer to "A Small Tracts Act Interchange of H.E.S. 74" Instrument No. 205095, Records of Custer County, Idaho.

BS:kka
09/23/97



2927(1)

EXHIBIT C

RECORDATION REQUESTED BY:
 Thomas G. Walker, Esq.
 Cosho, Humphrey Greener & Welsh, P.A.
 815 West Washington Street
 Boise, ID 83702
 Ph: 208-344-7811
 Fax: 208-338-3290
 WHEN RECORDED MAIL TO:
 Thomas G. Walker, Esq.
 Cosho, Humphrey Greener & Welsh, P.A.
 815 West Washington Street
 Boise, ID 83702
 Ph: 208-344-7811
 Fax: 208-338-3290
 SEND TAX NOTICES TO:
 Loon Creek Land Company, LLC
 303 Balmoral
 Boise, Idaho 83702

0221873

Custer County Reg. of.
Thomas G. Walker
 Time 11:00 A.M. Date 11/1/2002
 Edna M. Pock, Clerk
Edna M. Pock 12th
 Deputy

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

QUITCLAIM DEED

1. DATE, NAMES OF PARTIES AND ADDRESSES.

1.1. Date. This quitclaim deed is executed and delivered by Grantor to Grantee effective October 26, 2000.

1.2. Name of Grantor and Address. Diamond D Ranch Partnership, a Michigan partnership, whose address is 303 Balmoral, Boise, Idaho 83702, is the Grantor.

1.3. Name of Grantee and Address. Loon Creek Land Company, LLC, an Idaho limited liability company, whose address is 303 Balmoral, Boise, Idaho 83702, is the Grantee.

2. CONVEYANCE. For value received, Grantor releases, remises and forever quitclaims to Grantee, all of its right, title and interest in and to certain real property located in Custer County, Idaho, and more particularly described on the attached Exhibit A.

3. SIGNATURES.

DIAMOND D RANCH PARTNERSHIP

By: Thomas A. Demorest
 Thomas A. Demorest, Partner

By: Linda L. Demorest
 Linda L. Demorest, Partner

QUITCLAIM DEED

H:\D\Demorest 09239\Loon Creek Land Company, LLC - 003\Quitclaim Deed 10-24-00.doc

Page 1

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A77-04176

Date Received: 12/07/1989

Receipt No: W001577

Received By: JFW

RECEIVED
JAN 11 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DIAMOND D RANCH PARTNERSHIP

Address: P.O. BOX 1
CLAYTON, ID

83227

2. Date of Priority: JAN 01, 1900

3. Source: DEER CREEK ✓
TRAIL CREEK

Trib. to: LOON CREEK
LOON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	13E	15 ✓	SW	NE	NE		CUSTER
		22	NE	NW	NW		CUSTER

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.820		

7. Total Quantity Appropriated is:
0.820 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acres Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	13E	15	SE	NE		IRR	5.0 ✓
			SE	SW		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	13E	15	NE	SE		IRR	9.0 ✓
			NW	SE		IRR	15.0
			SW	SE		IRR	10.0
						Section Acres	41.0
						Total Acres	41.0

11. Place of use in counties: CUSTER

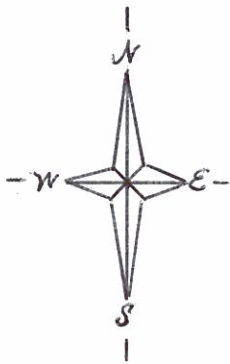
12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

SOURCES ARE DEER CK. & TRAIL CK., TRIB. LOON CK.
2 P/D IN NENW, S22, T14N, R13E. & SWNE, S15, T14N, R13E.

15. Basis of Claim: STATUTORY CLAIM



U.S.F.S.

MAYFIELD CR.

L.C.L.E.
( RANCH)

UPPER
PT. OF DIV.

LOWER
PT. OF DIV.

JACK
DEMAREST

U.S.F.S.

L.C.L.C.
( RANCH)

DEER CR.

LOON CR.

L.C.L.C.
( RANCH)

POND

--- AREA SERVED BY W.R. # A77-04176



AREA REQUESTING CHANGE
IN WATER RIGHT OWNERSHIP