

Attention: Sandy EgbertDate: 10/7/09Company: WOWRPages: 7

Fax No:

From: Jamie L. Springer

287.6700Jamies@ameri-title.com

Re: _____

Escrow No: _____

☒ Urgent	☐ As Requested	☐ For Review	☒ Please Reply
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● Comments:

Please let me know if you need anything else.

Thank-you!
Jam

This correspondence is for the named person's use only. It may contain confidential or legally privileged information and is intended solely for the named addressee. If you receive this correspondence in error, please notify the sender and delete it from your system. You must not disclose, copy or rely on any part of this correspondence if you are not the intended recipient.

KANSAS

**State of Idaho****DEPARTMENT OF WATER RESOURCES**

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.govC.L. "BUTCH" OTTER
GovernorGARY SPACKMAN
Interim Director

10/1/2009

BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333RE: Water Right No. 73-10079
Change in Ownership

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Although your ownership change involved other water rights, the above water right number was the only decreed right. The other water rights are involved in the adjudication and will be handled separately.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

— **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question.

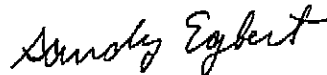
During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. I have enclosed a copy of the water right(s) for your reference. The Warranty Deed submitted lists property in Township 13 North, Range 22 East which might be an error. Water right 73-10079 is in Township 13 North, Range 23 East which is not listed on the Warranty Deed submitted. We either need an additional deed for property in 23 East or a corrected deed if 22 East is an error.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,



Sandy Egbert
GIS Specialist

Enclosure(s)>

10/01/2009

Water Right Report 73-10079

WATER RIGHT NUMBER: 73-10079

<u>Owner Type</u>	<u>Name and Address</u>
Security Interest	WESTERN AG CREDIT FLCA 10980 SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850 (800) 824-9198
Current Owner	WHITWORTH RANCHES INC PO BOX 167 MAY, ID 83253 (208)876-4278
Lienholder	UTAH PRODUCTION CREDIT ASSN 406 W SOUTH JORDAN PKWY STE 500 SOUTH JORDAN, UT 84095

Priority Date: 11/20/1885

Basis: Decreed

Status: Active

Source	Tributary
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01	to 12/31	0.130 CFS	
DOMESTIC	1/01	to 12/31	0.020 CFS	
	Total Diversion:		0.150 CFS	

Location of Point(s) of Diversion

SPRING	SE1/4SW1/4SW1/4	Sec. 1,	Twp 13N,	Rge 23E, B.M.
LEMHI County				
SPRING	SW1/4NW1/4SE1/4	Sec. 1,	Twp 13N,	Rge 23E, B.M.
LEMHI County				

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	23E	2															X	X	

DOMESTIC

[illegible]

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 73-10079

		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N 23E	2															X		

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. — STOCKWATER, 600 CATTLE PARCEL NO. RP13N23E023600 — — — — —

Remarks:Dates and Other Information:

Licensed Date:
 Decreed Date: 7/7/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 73
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
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Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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Water Supply Bank:



IDWD

Order No. 3070905109

280924

State of Idaho) SS No. _____
 County of Lemhi)
 This instrument was filed for record at the request
 of American Title
 at 11:13 o'clock a.m. 9/23 2009
 and duly filmed and indexed in the records of Lemhi
 County Terri J. Morton
 Ex-Officio Recorder
 By Brenda Chabong Deputy
 Fee 16.00
 Return to AT

WARRANTY DEED

For Value Received,

Whitworth Ranches, Inc., an Idaho Corporation

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

BIG CREEK RANCH, LLC, an Idaho Limited Liability Company

GRANTEE(s), whose address is: 280 Cranbrook Drive, Hailey, ID 83333

the following described real property, to-wit:

ALL OF THE FOLLOWING DESCRIBED REAL PROPERTY SITUATED IN LEMHI COUNTY, STATE OF IDAHO, TO-WIT: TOWNSHIP 14 NORTH, RANGE 23 EAST, B.M., LEMHI COUNTY, IDAHO. SECTION 34: SOUTHEAST QUARTER SOUTHEAST QUARTER SECTION 35: SOUTHWEST QUARTER SOUTHWEST QUARTER, SOUTHEAST QUARTER SOUTHWEST QUARTER, SOUTHWEST QUARTER SOUTHEAST QUARTER TOWNSHIP 13 NORTH, RANGE 23 EAST, B.M., LEMHI COUNTY, IDAHO SECTION 2: LOTS 1, 2, 4 AND 5, SOUTH HALF NORTHWEST QUARTER, WEST HALF SOUTHEAST QUARTER, SOUTHEAST QUARTER SOUTHEAST QUARTER SECTION 11: NORTHEAST QUARTER NORTHEAST QUARTER, SOUTHEAST QUARTER NORTHEAST QUARTER SECTION 12: LOT 2, NORTHWEST QUARTER SOUTHWEST QUARTER, SOUTHEAST QUARTER SOUTHWEST QUARTER, SOUTHWEST QUARTER SOUTHWEST QUARTER, LESS ALL THAT PART OF THE SOUTH HALF SOUTHWEST QUARTER WHICH LIES SOUTH OF BIG CREEK.

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 30 day of June, 2009.

Whitworth Ranches, Inc.

BY: Jack Whitworth
Jack Whitworth, SecretaryBY: Judy Madsen
Judy Madsen, Member

280924

State of Idaho

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} ss.

County of Lemhi

On this 29th day of June, 2009, before me, a Notary Public in and for said state, personally appeared Jack Whitworth and Judy Madsen known to me to be the Secretary and Member of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, they executed the foregoing in said Corporation name.

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

Heidi Semler
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 5/19/2015

