

RECEIVED

SEP 09 2009

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGIONPlease 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
PD 67-10364B		N	PD 67-10371		N
PD 67-496A		N			
PD 67-4580		N			
PD 67-10370		N			

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) Peggy Ann Sheldon
-
4. New Owner/Claimant(s) Wallach IX, LLC
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address PO Box 5667
- City, State and ZIP Code Incline Village, NV 89450
- New Telephone Number 775-831-3797
5. Date you acquired the property May 27, 2009

SUPPORT DATAIN FILE # 67-496A

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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume	Description (acres, number and type of stock, homes, etc)
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 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 of New Owner(s) or Claimant(s) Wallach & LLC
(include 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 Office Use Only

Received by SB Date 9-9-09 Fee \$125
 Received by AJ Date 9-9-09 Receipt No. W037870
 Processed by AJ Date 9-30-09 WR gjh



Instrument # 118399

COUNCIL, ADAMS, IDAHO

5-29-2009 08:49:30 No. of Pages: 2

Recorded for: AMERITITLE

SHERRY WARD Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED

Peggy Sheldon

IDWD

Order No. 0014344

5/16/09

WARRANTY DEED

Copy only

For Value Received,

Peggy Sheldon, an unmarried woman

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

Wallach IX, LLC, a Nevada Limited Liability Company

GRANTEE(s), whose address is: P.O. Box 5667, Incline Village, NV 89450

the following described real property, to-wit:

Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section: 9: E1/2SE1/4

Section 10: W1/2SW1/4 and a tract of land in the E1/2SW1/4 of said Section 10 described as follows:

Beginning at the Northwest corner of the E1/2SW1/4 of said Section;

Thence North 89° 32'55" East 165.00 feet along the North line of the E1/2SW1/4 of Section 10 (formerly East 10 rods);

Thence South 00° 04'05" West 264.00 feet (formerly South 16 rods);

Thence South 89° 32'55" West 165.00 feet to a point on the West line of the E1/2SW1/4 of Section 10 (formerly 10 rods);

Thence North 00° 04'05" East 264.00 feet along the West line of the E1/2SW1/4 of Section 10 to the POINT OF BEGINNING (formerly North 16 rods).

TOGETHER WITH and including all water rights, ditches and ditch rights appurtenant hereto.

PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE

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 27 day of May, 2009.

Peggy Sheldon
Peggy Sheldon

State of Idaho)

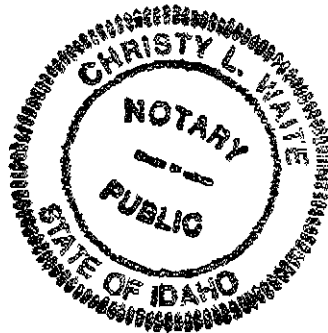
County of Washington ss

On this 27th day of May, 2009 before me Christy L. Waite, a notary public in and for said State, personally appeared Peggy Sheldon known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Christy L. Waite
Notary Public

Residing at: Waite, ID

Commission Expires: 11/4/09



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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 67-10364B

NAME AND ADDRESS: PEGGY ANN SHELTON
PO BOX 61
INDIAN VALLEY, ID 83632

SOURCE: LITTLE WEISER RIVER TRIBUTARY: WEISER RIVER

QUANTITY: 1.10 CFS

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION: T14N R01W S15 NWNWSE Within Adams County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	1.10 CFS

PLACE OF USE:	Irrigation	Within Adams County
	T14N R01W S09	NESE 37.0 SESE 26.0
	S10	NESW 1.0 NWSW 39.0
		SWSW 39.0
	142.0 Acres Total	

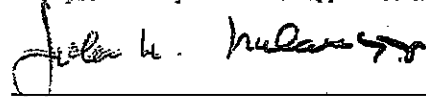
This right is limited to the irrigation of 80.0 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 142.0 acres in a single irrigation season. Combined Right Nos.: 67-496A, 67-4580, & 67-10364B.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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Sep-17-2008

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 67-04580

NAME AND ADDRESS: PEGGY ANN SHELDON
PO BOX 61
INDIAN VALLEY, ID 83632

SOURCE: LITTLE WEISER RIVER TRIBUTARY: WEISER RIVER

QUANTITY: 1.05 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 05/04/1940

POINT OF DIVERSION: T14N R01W S15 NWNWSE Within Adams County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	1.06 CFS
	Stockwater	03-15 TO 10-31	0.05 CFS

PLACE OF USE: Irrigation Within Adams County
T14N R01W S09 NESE 37.0 SESE 26.0
S10 NESW 1.0 NWSW 39.0
SWSW 39.0
142.0 Acres Total

Stockwater Within Adams County
Same as Irrigation

The rights listed below are limited to the irrigation of a
combined total of 142.0 acres in a single irrigation season.
Combined Right Nos.: 67-496A, 67-4580, & 67-13364

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report
8/9/2009

WATER RIGHT NO 67-10370

Owner Type	Name and Address
Current Owner	PEGGY ANN SHELDON PO BOX 61 INDIAN VALLEY, ID 83632
Original Owner	DONALD MORITZ
Original Owner	ESTHER M MORITZ HC 68 BOX 2410 CAMBRIDGE, ID 83610 (208)256-4413

Priority Date 06/01/1883
Basis Decreed
Status Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATERNENWSWSec. 10Township 14NRange 01WADAMS County

Place(s) of use:

Place of Use Legal Description: DOMESTIC ADAMS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
14N	01W	10		NWSW										

Conditions of Approval:

1.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE SECTION 42-1412(6), IDAHO CODE
2.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY
3.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE
4.		PARCEL NO RP 14N01W10S400 T

Dates:
Licensed Date:
Decreed Date 12/08/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector: OR
Water District Number: 67
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/9/2009

WATER RIGHT NO. 67-10371

Owner Type	Name and Address
Current Owner	PEGGY ANN SHELTON PO BOX 61 INDIAN VALLEY, ID 83632
Original Owner	DONALD MORITZ
Original Owner	ESTHER M MORITZ HC 68 BOX 2410 CAMBRIDGE, ID 83610 (208)256-4413

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.05 CFS	
Total Diversion			0.05 CFS	

Location of Point(s) of Diversion:

GROUND WATER\NENWSW\Sec. 10\Township 14N\Range 01W\ADAMS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER ADAMS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
14N	01W	10		NWSW										

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE SECTION 42-1412(6), IDAHO CODE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PARCEL NO. RP 14N01W10S400 T STOCKWATER, 200 RANGE CATTLE OR HORSES

Dates:

Licensed Date:

Decreed Date: 12/08/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 67

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close