

HOFSTETTER LAW OFFICE, LLC

608 West Franklin Street

Boise, Idaho 83702

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FAX COVER SHEET

DATE: February 18, 2009

TO: Jeff Peppersack

FAX: (208) 287-6700

FROM: Dana Hofstetter

RE: Transfer No. 71619

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NUMBER OF PAGES BEING TRANSMITTED (INCLUDING THIS PAGE) 6

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ORIGINAL BY MAIL: YES X NO

HOFSTETTER LAW OFFICE

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Dana@IdahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

February 18, 2009

Via Facsimile and US Mail

Jeff Peppersack
Bureau Chief – Water Allocation Bureau
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Transfer No. 71619 and Water Right Nos. 63-3182, 63-3583, 63-7177, 63-7903
(split into 63-31839 and 63-31840), 63-7349 (split into 63-31841 and 63-31842), 63-3308
(split into 63-31854 and 63-31855) and 63-7533

Dear Mr. Peppersack:

As you recall, Basin and Range Resource Company, LLC and the former owner of the property, Jim Scarrow, previously have requested extensions of time for the implementation of Transfer No. 71619. The Idaho Department of Water Resources ("IDWR") last granted the requested extension to February 25, 2009. On behalf of Basin and Range Resource Company, LLC, the current owner of the property including the water rights, I request another one-year extension to implement Transfer No. 71619, pending on-going Snake River Basin Adjudication proceedings, processing of Transfer No. 74601 and evaluation of the appropriate options for use of the property in view of new market conditions. I enclose a copy of the Notice of Change in Water Right Ownership form previously submitted to IDWR for the pertinent water rights, reflecting Basin and Range's current ownership. Please let me know if you need anything additional to change the name on Transfer No. 71619 to Basin and Range Resource Company, LLC. If you have any questions about this request or need any additional information, please do not hesitate to contact me. Thank you.

Sincerely,

HOFSTETTER LAW OFFICE, LLC



Dana L. Hofstetter

Enclosure

RECEIVED

AUG 22 2007

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 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)
63-3182	63-3182		63-31841	63-21841 (63-7349)	
63-3583	63-3583		63-31842	63-31842 (63-7349)	
63-7177	63-7177		63-31854	63-31854 (63-3308)	
63-7533	63-7533		63-31855	63-31855 (63-3308)	
63-31839	63-31839 (63-7903)		63-21624		
63-31840	63-31840 (63-7903)		63-21614	63-21614	

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) Jim D. Scarrow
3184 South 1900 East, Wendell, Idaho 83355
4. New Owner/Claimant(s) Basin and Range Resource Company, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3480 G.S. Richards Blvd., #101
- City, State and ZIP Code Carson City, NV 89703
- New Telephone Number (775) 885-5000

Form 42-248/42-1409(6) 12/2006

5. Date you acquired the property

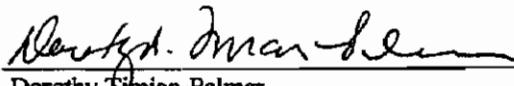
July 18, 2007

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		
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(s) of New Owner(s) or Claimant(s)



8/22/07

Dorothy Timian-Palmer
President, Vidler Water Company, Inc., Managing Member,
Basin and Range Resource Company, LLC

(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 _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

346561

Instrument # 346561

PAYETTE COUNTY

2007-07-18

0306500 No. of Pages: 2

Recorded for: AMERITITLE

BETTY J DRESSEN

Ex-Officio Recorder Deputy

How to: WAREHOUSE DEED



0021531

Order No.: C0718385

WARRANTY DEED

FOR VALUE RECEIVED,

JIM SCARROW, ALSO KNOWN AS JIM D. SCARROW, AN UNMARRIED MAN

the Grantor, does hereby grant, bargain sell and convey unto

BASIN AND RANGE RESOURCE COMPANY, LLC, A NEVADA LIMITED
LIABILITY COMPANY

whose current address is 3480 G.S. RICHARDS BLVD. #101, CARSON CITY, NV 89703

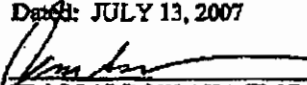
the Grantee, the following described premises, in Payette County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

TOGETHER WITH ALL WATER AND WATER RIGHTS, DITCHES AND DITCH
RIGHTS USED THEREON OR APPURTENANT THERETO, INCLUDING, BUT
NOT LIMITED TO: Water Right Nos. 63-3182, 63-3583, 63-7177, 63-7533, 63-7903
(split into Nos. 63-31839 and 63-31840), 63-7349 (split into Nos. 63-31841 and 63-
31842), 63-3308 (split into Nos. 63-31854 and 63-31855) and 63-21624.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

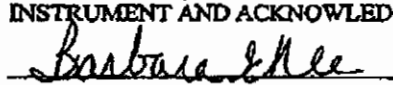
Date: JULY 13, 2007


JIM SCARROW AKA JIM D. SCARROW

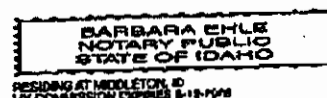
7/18/07

STATE OF IDAHO
COUNTY OF CANYON

ON THIS 18 OF JULY, 2007, BEFORE ME, THE UNDERSIGNED, A NOTARY
PUBLIC PERSONALLY APPEARED, JIM SCARROW AKA JIM D. SCARROW, KNOWN
TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE
THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN
INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.


NOTARY PUBLIC
RESIDING AT:
MY COMMISSION EXPIRES:

(SEAL)

RESIDING AT MIDDLETON, ID
MY COMMISSION EXPIRES 8-18-2008

AUG-17-2007 11:03

MERITITLE PAYETTE

208 642 4552

P.003

Order No. 0021831

346561

EXHIBIT "A"

Parcel 1

Township 6 North, Range 5 West, B.M., Payette County, Idaho:

Section 13: SW1/4SW1/4;

Section 14: S1/2S1/2;

Section 15: SE1/4SE1/4;

Section 23: N1/2NW1/4, N1/2NE1/4;

Section 24: NW1/4NW1/4

Parcel 2

Section 22: N1/2NE1/4, E1/2NW1/4, E1/2SW1/4, SE1/4NE1/4, SE1/4, SW1/4NE1/4;

Parcel 3Section 23: S1/2NE1/4, S1/2NW1/4, E1/2NW1/4SW1/4, N1/2NW1/4NW1/4SW1/4,
S1/2SW1/4NW1/4SW1/4, N1/2SE1/4SW1/4, NE1/4SW1/4, N1/2SE1/4, N1/2SW1/4SE1/4;
S1/2NW1/4NW1/4SW1/4, N1/2SW1/4NW1/4SW1/4

Section 24: SW1/4NW1/4, W1/2NW1/4SW1/4

All located in Township 6 North, Range 5 West, B.M., Payette County, Idaho