

RECEIVED

DEC 05 2008

DEPARTMENT OF
WATER RESOURCES

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)
34-14040		✓			
34-14042		✓			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *Already Paid 11/17/04 cl# 2132*
- 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) Kim Sayer, Brent Sayer + Linda Vining
3127 E. 3100 N.
Twin Falls, ID 83301
4. New Owner/Claimant(s) Mackay Land Company, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 4550 E. Thousand Oaks Blvd. #202
- City, State and ZIP Code Westlake Village, CA 91362
- New Telephone Number (805) 379-0188 Email: _____

5. Date you acquired the property 12/4/01

SUPPORT DATA

IN FILE # 34-14040

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	See Attachment	
Other	Water Right # 34-14040	
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic	See Attachment	
Other	Water Right # 34-14042	
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) Mark Sel Managing Member
(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.

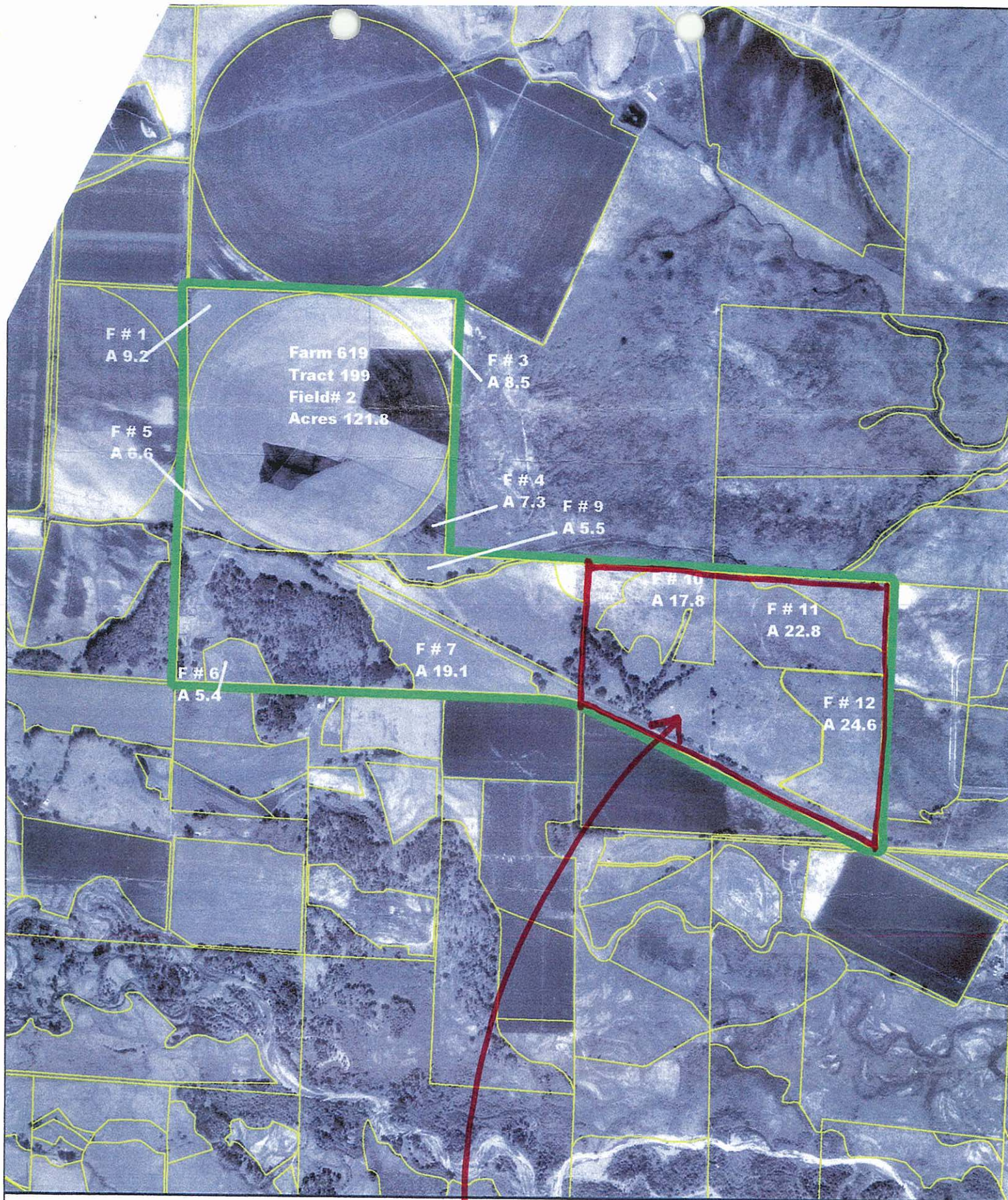
For IDWR Office Use Only:

Received by _____
 Received by LR
 Processed by _____ AJ

Date 11-23-04
 Date 11-23-04
 Date _____

Receipt Amt. \$50
 Receipt No. E030433
 WR _____ Date _____

SUPPORT DATA
 IN FILE # 34-14040



Farm # 619

Tract # 199

Mackay Land Co. Clu_a_id037.shp



Water Right 34-94C



Legend

-  Sections
-  Taxlots
-  QQ
-  Right POU

WARRANTY DEED

Dnd

For Value Received Linda Vining and James D. Vining, wife and husband

K24353

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Mackay Land Company, LLC

whose address is: PO Box 44, Mackay, ID 83251

Hereinafter called the Grantee, the following described premises situated in Custer County, Idaho, to-wit

A tract of land generally described as being that portion of the SE $\frac{1}{4}$ Section 36, Township 7 North, Range 24 E. B.M., lying Northerly of U.S. Highway No. 93A; also, all of Government Lot 3 and that portion of Government Lot 4 lying Northerly of U.S. Highway No. 93A in Section 31, Township 7 North, Range 25 E. B.M., Custer County, State of Idaho, being more particularly described as follows: Beginning at a found G.L.O. brass cap Monument marking the E $\frac{1}{4}$ corner of Section 36, from which a 5/8" rebar marking the SE corner of Section 36 bears S. 0°40'36" E. 2664.43 feet; thence S. 88°51'50" E. 1623.82 feet on or along the N. line of Government Lot 3 of Section 31 to a found rebar with plastic cap (P.L.S. #907) marking the NW corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, said point also being the NW corner of Crows Nest Estates Subdivision; thence S. 0°21'12" E. 2640.86 feet on or along the W. line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the W. line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 31 to a set rebar with plastic cap (P.L.S. #3577) lying on or along the Northerly right-of-way line of U.S. Highway No. 93A; said W. line is also the W. boundary line of Crows Nest Estates Subdivision; thence N. 65°15'31" W. 2842.58 feet on or along said Northerly right-of-way line to a set rebar with plastic cap (P.L.S. #3577) marking the point of curvature of a tangent curve, concave to the South, having a radius of 1937.52 feet, a central angle of 25°09'13", and a chord of 843.78 feet which bears N. 77°50'08" W.; thence NW along said curve 850.59 feet to a set rebar with plastic cap (P.L.S. #3577) marking the point of tangency of said curve, thence S. 89°35'16" W. 881.27 feet to a set 5/8" X 30" rebar with plastic cap (P.L.S. #3577) lying on or along the W. line of the SE $\frac{1}{4}$ of Section 36; thence leaving said right-of-way line N. 0°38'37" W. 1277.81 feet on or along said W. line of said SE $\frac{1}{4}$ to a set 5/8" X 30" rebar with aluminum cap marking the center quarter corner of Section 36; thence N. 89°15'55" E. 2662.52 feet on or along the N. line of the SE $\frac{1}{4}$ of said Section 36 to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: November 28, 2001

Linda Vining
Linda Vining

James D. Vining
James D. Vining

0223952
Custer County Rec. #
Time 9:01 A.M. Date 12/4/2001
Ethel M. Peck, Clerk
Deputy *James D. Vining* \$ 6.00

WARRANTY DEED

K24353

3rd

For Value Received Kim Lewis Sayer and LaRae T. Sayer, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Mackay Land Company, LLC

whose address is: PO Box 44, Mackay, ID 83251

Hereinafter called the Grantee, the following described premises situated in Custer County, Idaho, to-wit:

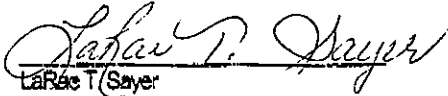
A tract of land generally described as being that portion of the SE $\frac{1}{4}$ Section 36, Township 7 North, Range 24 E. B.M., lying Northerly of U.S. Highway No. 93A; also, all of Government Lot 3 and that portion of Government Lot 4 lying Northerly of U.S. Highway No. 93A in Section 31, Township 7 North, Range 25 E. B.M., Custer County, State of Idaho, being more particularly described as follows: Beginning at a found G.L.O. brass cap Monument marking the E $\frac{1}{4}$ corner of Section 36, from which a 5/8" rebar marking the SE corner of Section 36 bears S. 0°40'36" E. 2664.43 feet; thence S. 88°51'50" E. 1623.82 feet on or along the N. line of Government Lot 3 of Section 31 to a found rebar with plastic cap (P.L.S. #907) marking the NW corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, said point also being the NW corner of Crows Nest Estates Subdivision; thence S. 0°21'12" E. 2640.88 feet on or along the W. line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the W. line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 31 to a set rebar with plastic cap (P.L.S. #3577) lying on or along the Northerly right-of-way line of U.S. Highway No. 93A; said W. line is also the W. boundary line of Crows Nest Estates Subdivision; thence N. 65°15'31" W. 2842.58 feet on or along said Northerly right-of-way line to a set rebar with plastic cap (P.L.S. #3577) marking the point of curvature of a tangent curve, concave to the South, having a radius of 1937.52 feet, a central angle of 25°09'13", and a chord of 843.78 feet which bears N. 77°50'08" W.; thence NW along said curve 850.59 feet to a set rebar with plastic cap (P.L.S. #3577) marking the point of tangency of said curve, thence S. 89°35'16" W. 881.27 feet to a set 5/8" X 30" rebar with plastic cap (P.L.S. #3577) lying on or along the W. line of the SE $\frac{1}{4}$ of Section 36; thence leaving said right-of-way line N. 0°38'37" W. 1277.81 feet on or along said W. line of said SE $\frac{1}{4}$ to a set 5/8" X 30" rebar with aluminum cap marking the center quarter corner of Section 36; thence N. 89°15'55" E. 2662.52 feet on or along the N. line of the SE $\frac{1}{4}$ of said Section 36 to the point of beginning.

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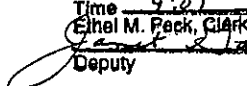
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: November 28, 2001


Kim Lewis Sayer


LaRae T. Sayer

0223953

Custer County, Recd. of: _____
Time 9:01 AM Date 12/4/2001
Ethel M. Peck, Clerk
Deputy  \$ 6.00

WARRANTY DEED

K24353

(4th)

For Value Received **Brent Eli Sayer and Theresa F. McCarthy-Sayer, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Mackay Land Company, LLC

whose address is: **PO Box 44, Mackay, ID 83251**

Hereinafter called the Grantee, the following described premises situated in Custer County, Idaho, to-wit:

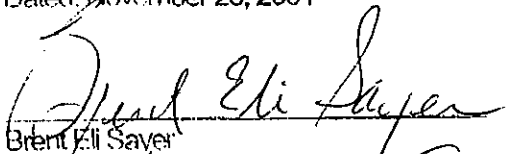
A tract of land generally described as being that portion of the SE $\frac{1}{4}$ Section 36, Township 7 North, Range 24 E. B.M., lying Northerly of U.S. Highway No. 93A; also, all of Government Lot 3 and that portion of Government Lot 4 lying Northerly of U.S. Highway No. 93A in Section 31, Township 7 North, Range 25 E. B.M., Custer County, State of Idaho, being more particularly described as follows: Beginning at a found G.L.O. brass cap Monument marking the E $\frac{1}{4}$ corner of Section 36, from which a 5/8" rebar marking the SE corner of Section 36 bears S. 0°40'36" E. 2664.43 feet; thence S. 88°51'50" E. 1623.82 feet on or along the N. line of Government Lot 3 of Section 31 to a found rebar with plastic cap (P.L.S. #907) marking the NW corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, said point also being the NW corner of Crows Nest Estates Subdivision; thence S. 0°21'12" E. 2640.86 feet on or along the W. line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the W. line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 31 to a set rebar with plastic cap (P.L.S. #3577) lying on or along the Northerly right-of-way line of U.S. Highway No. 93A; said W. line is also the W. boundary line of Crows Nest Estates Subdivision; thence N. 65°15'31" W. 2842.58 feet on or along said Northerly right-of-way line to a set rebar with plastic cap (P.L.S. #3577) marking the point of curvature of a tangent curve, concave to the South, having a radius of 1937.52 feet, a central angle of 25°09'13", and a chord of 843.78 feet which bears N. 77°50'08" W.; thence NW along said curve 850.59 feet to a set rebar with plastic cap (P.L.S. #3577) marking the point of tangency of said curve, thence S. 89°35'16" W. 881.27 feet to a set 5/8" X 30" rebar with plastic cap (P.L.S. #3577) lying on or along the W. line of the SE $\frac{1}{4}$ of Section 36; thence leaving said right-of-way line N. 0°38'37" W. 1277.81 feet on or along said W. line of said SE $\frac{1}{4}$ to a set 5/8" X 30" rebar with aluminum cap marking the center quarter corner of Section 36; thence N. 89°15'55" E. 2662.52 feet on or along the N. line of the SE $\frac{1}{4}$ of said Section 36 to the point of beginning.

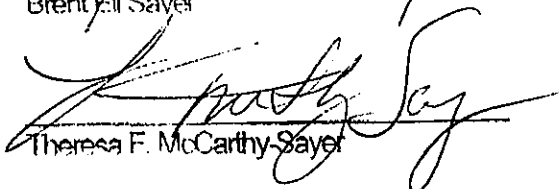
Identified as Relinquished Property for 1031 tax-deferred exchange

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: November 28, 2001


Brent Eli Sayer


Theresa F. McCarthy-Sayer

0223954

Custer County Rec. of
Time 9:01 A.M. Date 12/1/2001
Ethel M. Peck, Clerk
Deputy