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MAY 08 2007

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAY 03 2007

Department of Water Resources
Eastern Region

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 numbers (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
1924 Deed	11-926		
" "	11-929		
Statutory claim	11-4363		
Water Application	11-7448		

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**. Copy of Warranty Deed attached.
- 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**.
- (Plats and aerial maps attached.)

3. Name and Address of Former Owner/Claimant(s)
- Four Pines Livestock, LLC
c/o Jim Smith, Manager
8086 Highway 30
Montpelier, Idaho 83354
4. New Owner/Claimant(s)
- The Retreat at Bear Lake, L.L.C.
Db a Bear Mountain Resort
Name Connector (check one) ☐ and, ☐ or, ☐ and/or
- New Mailing Address
- City, State, Zip code
- New Telephone Number
5. Date you acquired the property

Four Pines Livestock, LLC
c/o Jim Smith, Manager
8086 Highway 30
Montpelier, Idaho 83354

The Retreat at Bear Lake, L.L.C.
Db a Bear Mountain Resort

Name Connector (check one) ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State, Zip code

New Telephone Number

5. Date you acquired the property

3/2/07

SUPPORT DATA
IN FILE # 11-924

Superseded
by 5/1/08
ownership
change

6. If the change in ownership affects the entire water right for each water right or adjudication claim number list 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 (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 of New Owner(s) or Claimant(s)
(include title if applicable)

Randall C. Budge 5/2/07
Randall C. Budge, Attorney for New Owner
The Retreat at Bear Lake

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.

For Office Use Only

Received by _____
Receipted by JC _____
Processed by _____ AJ

Date _____
Date 5-4-07 _____
Date _____

Fee \$100 -
Receipt No. E032850
Date _____

WR _____

Instrument # 197591

BEAR LAKE COUNTY

2007-03-12

01:34:04 No. of Pages: 3

Recorded for : NORTHERN TITLE CO.

KERRY HADDOCK

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Fee: 9.00
Cindy Lyon

RECORDATION REQUESTED BY:

Randall C. Budge
Racine, Olson, Nye, Budge & Bailey
P.O. Box 1391
Pocatello, Idaho 83204-1391

WHEN RECORDED MAIL TO:

The Retreat at Bear Lake, L.L.C.
C/o Brad Auger, Manager
507 Cynthia Way
North Salt Lake, Utah 84054

CERTIFIED TO BE A TRUE
AND EXACT COPY OF THE ORIGINAL
[Signature]
NORTHERN TITLE CO. OF IDAHO INC.

WARRANTY DEED

<u>Grantor</u>	<u>Grantee</u>
Four Pines Livestock, L.L.C. C/o Jim Smith, Manager 8086 Highway 30 Montpelier, Idaho 83354	The Retreat at Bear Lake, L.L.C. C/o Brad Auger, Manager 507 Cynthia Way North Salt Lake, UT 84054

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the Grantor hereby sells and forever transfers the following parcels of real property located in Bear Lake County, Idaho, to the Grantee, including the Grantor's right, title and interest therein:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE

TOGETHER WITH AND INCLUDING any and all fixtures and improvements, any and all appurtenances, tenements, and hereditaments, and any and all rents, issues, and profits that relate or otherwise pertain to the foregoing parcels of real property.

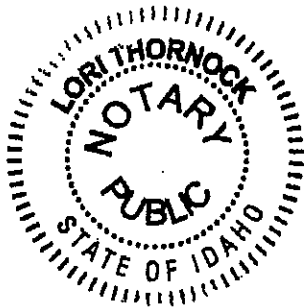
TO HAVE AND TO HOLD the foregoing parcels of real property unto the Grantee and its successors and assigns forever.

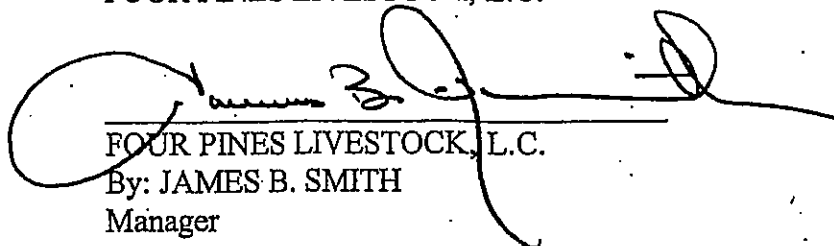
The Grantor hereby covenants that the Grantor is the owner in fee simple of the foregoing parcel of real property; that the foregoing parcel of real property are free and clear of any and all mortgages, liens, or other encumbrances, except those of record in the records of Bear Lake County, Idaho, current taxes, ordinances and federal and state rights and reservations, including, without limitation, patents, oil, gas and minerals; and that the Grantor will warrant and defend the same from any and all lawful claims whatsoever.

197591

IN WITNESS WHEREOF, the hand of said Grantor, this March 2, 2007.

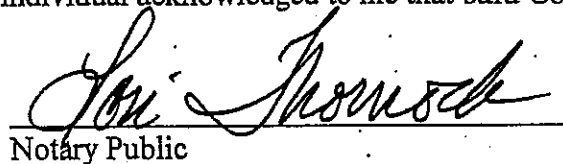
FOUR PINES LIVESTOCK, L.C.




FOUR PINES LIVESTOCK, L.C.
By: JAMES B. SMITH
Manager

State of IDAHO)
County of BEAR LAKE)

On March 2, 2007, personally appeared before me JAMES B. SMITH, who, being by me duly sworn, did say that he is the Manager/Member of FOUR PINES LIVESTOCK, L.C., and that the said instrument was signed in behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individual acknowledged to me that said Company executed the same.


Notary Public

Residing: Bloomington, ID
Expires: 10/24/2011

EXHIBIT "A"

TOWNSHIP 14 SOUTH, RANGE 45 EAST, BOISE MERIDIAN, BEAR LAKE COUNTY, IDAHO:
SECTION 35: THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THE EAST HALF OF THE SOUTHWEST QUARTER.

ALSO

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE WEST HALF OF THE SOUTHEAST QUARTER LYING WEST OF THE UNION PACIFIC RAILROAD RIGHT OF WAY.

TOWNSHIP 15 SOUTH, RANGE 45 EAST, BOISE MERIDIAN, BEAR LAKE COUNTY, IDAHO.
SECTION 1: LOTS 3 AND 4; THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER.

SECTION 2: THE EAST HALF, THE EAST HALF OF THE SOUTHWEST QUARTER.

SECTION 11: THE NORTHEAST QUARTER, THE EAST HALF OF THE NORTHWEST QUARTER, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER.

SECTION 12: THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER.

SECTION 14: THE NORTH HALF OF THE NORTH HALF, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER.

EXCEPT THEREFROM A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SECTION 14, AFORESAID, (SAID CORNER BEING MARKED WITH A G.L.O. BRASS CAP MONUMENT STAMPED 1950); THENCE NORTH 0° 04' WEST A DISTANCE OF 2637.38 FEET, MORE OR LESS, TO THE EAST QUARTER CORNER OF SAID SECTION 14 (SAID QUARTER CORNER IS MARKED WITH A G.L.O. BRASS CAP MONUMENT STAMPED 1950); THENCE NORTH 00° 20' EAST A DISTANCE OF 2647.92 FEET; THENCE NORTH 89° 58' WEST A DISTANCE OF 2661.17 FEET TO THE TRUE POINT OF BEGINNING NEAR THE NORTH QUARTER CORNER OF SAID SECTION 14 (SAID POINT IS MARKED WITH A G.L.O. BRASS CAP MONUMENT STAMPED AS A WITNESS CORNER - 1950); THENCE NORTH 89° 58' WEST A DISTANCE OF 210.62 FEET TO A POINT (MARKED WITH A ½" BY 24" IRON PIN); THENCE SOUTH 00° 02' WEST A DISTANCE OF 660 FEET TO A POINT (MARKED WITH A ½" BY 24" IRON PIN); THENCE SOUTH 89° 58' EAST A DISTANCE OF 660 FEET TO A POINT (MARKED WITH A ½" BY 24" IRON PIN); THENCE NORTH 00° 02' EAST A DISTANCE OF 660 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 14 (MARKED WITH A ½" BY 24" IRON PIN); THENCE NORTH 89° 58' WEST A DISTANCE OF 449.38 FEET TO THE POINT OF BEGINNING.

SECTION 15: THE EAST HALF OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER.

EXCEPT THEREFROM ANY PORTION OF ALL THE ABOVE DESCRIBED PREMISES LYING WITHIN THE RIGHT OF WAY OF STATE HIGHWAY, COUNTY ROAD OR RIGHT OF WAY FOR RAILROAD, AS THE SAME PRESENTLY EXISTS.

TOGETHER WITH any and all appurtenant water rights including all or a portion of the following water rights identified in the records of the Idaho department of Water Resources: 11-00924, 11-00925, 11-00926, 11-00929, 11-4363, 11-7448.

3/2/67