

IMPORTANT MESSAGEFOR COREYDATE 2/28/08 TIME _____ A.M.
P.M.M ERICK POWELLOF BRACKLEY ENGINEERINGPHONE _____ 736-8543
AREA CODE NUMBER EXTENSION☐ FAX☐ MOBILE _____
AREA CODE NUMBER TIME TO CALL

TELEPHONED		PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE COREY - THIS IS FOR WEB
WINS' PROPERTY IN THE SALMON RIVER
Basin JOHN MILLER PURCHASED THE
PROPERTY. ENCLOSED ARE DOGS AND
OTHER DOGS. GIVE ME A CALL.

THANKS, ERICK

SIGNED

FORM 3002P
MADE IN U.S.A.

RECEIVED

FEB 28 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

February 20, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

BLAINE COUNTY TITLE
PO BOX 3176
KETCHUM ID 83340

RE: Water rights 71-62B

Dear Sirs,

The Department has received the *Notice of Change of Water Right Ownership* you recently submitted referenced above. We have changed the record of current ownership to you. Please find the enclosed copy of the water right noting the change in owner. Review this record and if there is an error, or you have any questions, please contact this office.

Water right 71-62A was not appurtenant to the land purchased by Ketchum Long Island LLC according to the deeds submitted. I am returning \$100 to Jim Miller. Should you have any questions please call me at (208) 736-3033.

Sincerely,

Carrie Hahn
Clerk

Enc.
Cc Jim Miller

Your check will come from our State office in

Boise

Thanks

Carrie

erick.powell@
brockwayeng.com

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 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
71.62A		☒			
71.62B					

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.

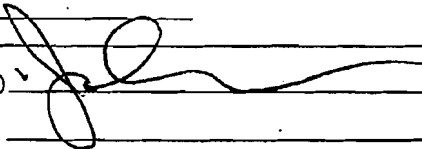
3. Name and Address of Former Owner/Claimant(s) SMILEY CREEK RANCH LLC
BOX 7133 KETCHUM, ID 83340
4. New Owner/Claimant(s) KETCHUM LONG ISLAND LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address BOX 2238
- City, State and ZIP Code KETCHUM, ID 83340
- New Telephone Number ()
5. Date you acquired the property FEB. 12, 2008

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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)



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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



WARRANTY DEED

FOR VALUE RECEIVED

Smiley Creek Ranch, LLC, an Idaho Limited Liability Company

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Ketchum-Long Island, LLC, an Idaho limited liability company

the Grantee, whose current address is: PO Box 7133, Ketchum, Idaho 83340

the following described premises, to wit:

See attached Exhibit "A"

And as part of an IRC 1031 Tax Deferred Exchange. (Relinquished Property)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 12 day of February, 2008

Smiley Creek Ranch, LLC

By: Wesley A. Wills, Member

STATE OF Idaho)

) ss.

COUNTY OF Blaine)

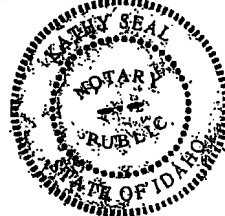
On this 12 day of February, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared Wesley A. Wills known to me, on the basis of satisfactory evidence, to be the Member of the Limited Liability Company that executed the instrument and the foregoing instrument was signed on behalf of said company by authority of consent of its members and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public

Resides at: Ketchum

My commission expires: 7.26.2011



Order No.: 3070704364C-D

**LEGAL DESCRIPTION
EXHIBIT 'A'**

A PARCEL OF LAND LYING WITHIN THE NORTH HALF OF THE SOUTHEAST QUARTER, A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER, THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 10; THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11; THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 7 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE GLO BRASS CAP MARKING THE SOUTHWEST CORNER OF SECTION 10, BEING BLAINE COUNTY GIS CONTROL POINT "ALT", WHICH POINT IS THE TRUE POINT OF BEGINNING;

THENCE N. 00° 27' 34" E., 1318.70 FEET ALONG THE WEST BOUNDARY OF SECTION 10, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, MARKED BY A USFS ALUMINUM CAP;

THENCE S. 89° 18' 42" E., 1317.10 FEET ALONG THE NORTH BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, MARKED BY A USFS ALUMINUM CAP;

THENCE N. 00° 24' 25" E., 1319.89 FEET ALONG THE WEST BOUNDARY OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, MARKED BY A USFS ALUMINUM CAP;

THENCE N. 00° 23' 32" E. 1319.45 FEET ALONG THE WEST BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, MARKED BY A USFS ALUMINUM CAP;

THENCE N. 00° 23' 50" E., 1319.43 FEET ALONG THE WEST BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE

NORTHWEST QUARTER OF SECTION 10, MARKED BY THE USFS ALUMINUM CAP;

THENCE S. $89^{\circ} 23' 31''$ E., 1316.77 FEET ALONG THE NORTH BOUNDARY OF SECTION 10, TO THE NORTH QUARTER CORNER OF SECTION 10, MARKED BY A GLO BRASS CAP;

THENCE S. $89^{\circ} 20' 52''$ E. 2637.77 FEET ALONG THE NORTH BOUNDARY OF SECTION 10, TO THE NORTHEAST CORNER OF SECTION 10, MARKED BY A GLO BRASS CAP;

THENCE S. $00^{\circ} 29' 56''$ W., 2638.69 FEET ALONG THE EAST BOUNDARY OF SECTION 10, TO THE EAST QUARTER CORNER OF SECTION 10, MARKED BY A GLO BRASS CAP;

THENCE S. $00^{\circ} 30' 41''$ W., 1319.70 FEET ALONG THE EAST BOUNDARY OF SECTION 10, TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, MARKED BY A USFS ALUMINUM CAP;

THENCE S. $89^{\circ} 31' 25''$ E., 1319.71 FEET ALONG THE NORTH BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, MARKED BY A $5/8''$ REBAR BY PLS 7048;

THENCE S. $00^{\circ} 27' 58''$ W., 1322.46 FEET ALONG THE EAST BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, MARKED BY A $5/8''$ REBAR BY PLS 7048;

THENCE N. $89^{\circ} 23' 41''$ W., 1320.30 FEET ALONG THE SOUTH BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TO THE SOUTHWEST CORNER OF SECTION 11, MARKED BY THE GLO BRASS CAP;

THENCE N. $89^{\circ} 26' 03''$ W. 779.10 FEET ALONG THE SOUTH BOUNDARY OF SECTION 10, TO ITS INTERSECTION WITH AN ARC WITH A RADIUS 150 FEET LONGER THAN THAT SCRIBED BY THE OUTSIDE WHEEL TRACT OF AN EXISTING CENTER PIVOT MARKED BY A $5/8''$ REBAR BY PLS 7048;

THENCE 3854.40 FEET ALONG A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2197.63 FEET, A CENTRAL ANGLE OF $100^{\circ} 29' 26''$, A TANGENT OF 2641.92 FEET AND A CHORD OF 3379.03 FEET THAT BEARS S. $67^{\circ} 39' 39''$ W., BEING AN ARC WITH A RADIUS OF 150 FEET LONGER THAN THAT SCRIBED BY

THE OUTSIDE TRACT OF AN EXISTING CENTER PIVOT, TO A 5/8" REBAR BY
PLS 7048;

THENCE N. 89° 20' 23" W., 1374.75 FEET ALONG THE SOUTH BOUNDARY OF THE
NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 15 TO A 5/8" REBAR
BY PLS 7048;

THENCE N. 00° 41' 07" E., 1321.05 FEET ALONG THE WEST BOUNDARY OF
SECTION 15, TO THE TRUE POINT OF BEGINNING.

BASIS OF BEARINGS OF THIS DESCRIPTION IS IDAHO STATE PLANE
COORDINATE SYSTEM, NAD83 (1992), CENTRAL ZONE, AT GRID, US SURVEY
FEET.

THE DESCRIBED PARCEL IS SUBJECT TO A 132 FOOT WIDE RIGHT-OF-WAY
EASEMENT FOR STATE HIGHWAY NO. 75 TO BENEFIT ITD, THE SNRA AND THE
PUBLIC TRANSPORTATION AND UTILITY CORRIDOR AND A 66 FOOT WIDE
RIGHT-OF-WAY EASEMENT FOR ALTURAS LAKE ROAD TO BENEFIT THE
SNRA AND THE PUBLIC AS A TRANSPORTATION AND UTILITY COORIDOR.

QUITCLAIM DEED

235704
Custer County Reg. Office Title
Time 2:15 P M Date 1/5/07
Ethel M. Peck, Clerk
Deputy

For Value Received

SALMON FALLS LAND & LIVESTOCK COMPANY, an Idaho Corporation, also known as Salmon Falls Land & Livestock Company, Inc., an Idaho corporation, f/k/a Salmon Falls Sheep Company, an Idaho corporation

Do hereby convey, release, remise and forever quitclaim unto SMILEY CREEK RANCH, LLC, an Idaho limited liability company

Whose current address is
PO Box 7133, Ketchum, ID 83340,

The following described premises, to-wit
One Hundred Per Cent (100%) of Water Right 71-62B for Stock Water

Together with their appurtenances.

Dated this 4th day of January, 2007.

Salmon Falls Land & Livestock Company

By: James C. Henslee, President

By: Katherine A. Henslee, Secretary

THIS INSTRUMENT FILED FOR RECORD
BY SUN VALLEY TITLE COMPANY AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TITLE.

STATE OF Idaho

COUNTY OF Blaine

On this 4th day of January in the year 2007, before me, a Notary Public personally appeared JAMES C. HENSLEE and KATHERINE A. HENSLEE known or identified to me to be the President and Secretary, respectively, of the corporation that executed the within instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public
Residing at Ketchum ID
Comm expires 9/18/2010

ALISON WARNER
NOTARY PUBLIC
STATE OF IDAHO

QUITCLAIM DEED

235705
Carter County Recorder
Time 2:05 PM Date 12 29 07
Ethel M. Peck, Clerk
Deputy
Fees \$ 3.00

For Value Received

SALMON FALLS LAND & LIVESTOCK COMPANY, an Idaho corporation, also known as SALMON FALLS LAND & LIVESTOCK COMPANY, INC., an Idaho corporation, f/k/a Salmon Falls Sheep Company, an Idaho corporation

Do hereby convey, release, remise and forever quitclaim unto SMILEY CREEK RANCH, LLC, an Idaho limited liability company

Whose current address is
PO Box 7133, Ketchum, ID 83340

The following described premises, to-wit
Fifty Per Cent (50%) of Water Right 71-62A for Irrigation Water

Together with their appurtenances.

Dated this 4th day of January, 2007.

Salmon Falls Land & Livestock Company

James C. Henslee, Pres.
By: James C. Henslee, President

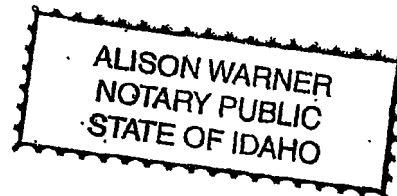
Katherine A. Henslee, Sec.
By: Katherine A. Henslee, Secretary

THIS INSTRUMENT FILED FOR RECORD BY SUN VALLEY TITLE COMPANY AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS EFFECT UPON THE TITLE.

STATE OF Idaho
COUNTY OF Blaine

On this 4th day of January, 2007, before me, a Notary Public personally appeared JAMES C. HENSLEE and Katherine A. Henslee known or identified to me to be the President and Secretary, respectively, of the corporation that executed the within instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

[Signature]
Notary Public
Residing at Ketchum, ID
Comm expires 9/18/2012





QUITCLAIM DEED

THIS INDENTURE, made this 12th day of February, 2008, between

Smiley Creek Ranch, LLC, an Idaho Limited Liability Company, as GRANTOR and

Ketchum-Long Island, LLC, an Idaho Limited Liability Company, as GRANTEE(S)

whose current address is: PO Box 2238, Ketchum, Idaho 83340

The following described premises, to-wit:

One Hundred Percent (100%) of Water Right 71-62B for Stock Water

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above,

Smiley Creek Ranch, LLC

By: Wesley A. Wills, Member

STATE OF Idaho

)

) ss.

COUNTY OF Blaine

)

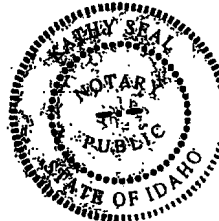
On this 12th day of February, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared Wesley A. Wills, known to me, and or identified to me on the basis of satisfactory evidence, to be the Member of the Limited Liability Company that executed the instrument and the foregoing instrument was signed on behalf of said company by authority of consent of its members and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public

Notary Resides: Ketchum

My commission expires: 7.26.2011



QUITCLAIM DEED

THIS INDENTURE, made this 12th day of February, 2008, between

Smiley Creek Ranch, LLC, an Idaho Limited Liability Company, as GRANTOR and

Ketchum-Long Island, LLC, an Idaho Limited Liability Company, as GRANTEE(S)

whose current address is: PO Box 2238, Ketchum, Idaho 83340

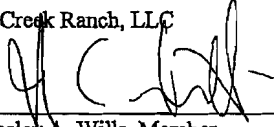
The following described premises, to-wit:

Fifty Percent (50%) of Water Right 71-62A for Irrigation Water

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

Smiley Creek Ranch, LLC


By: Wesley A. Wills, Member

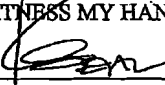
STATE OF Idaho)

) ss.

COUNTY OF Blaine)

On this 12th day of February, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared Wesley A. Wills, known to me, and or identified to me on the basis of satisfactory evidence, to be the Member of the Limited Liability Company that executed the instrument and the foregoing instrument was signed on behalf of said company by authority of consent of its members and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.


Notary Public

Notary Resides: Ketchum

My commission expires: 7.26.2011



February 15, 2008

IDAHO DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street – Suite 200
Twin Falls, Idaho 83301

Re: BCT #7015457

Former Owner: Smiley Creek Ranch LLC
New Owner: Ketchum-Long Island LLC

Dear Ladies/Sir:

In connection with the purchase and sale of the above referenced property, please find attached the following documents:

- Signed Original Notice of Change in Water Right Ownership
- Copy of Warranty Deed
- Check No. 1192 from John Miller in the amount of \$125.00 for filing fees.

Should you have any questions or concerns, please feel free to contact me anytime. All correspondence to both parties should be sent to the Post Office boxes as indicated.

Kind regards,

BLAINE COUNTY TITLE

Kathy Seal
Escrow Officer