

Form 42-26602-1007(4) July, 2006

**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.
Duplicate forms will be returned.

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

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
1-34-7-B					
2-34-8-B					
3-34-9-B					
4-34-1003					

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Department of Water Resources
Eastern Region

2. The following **REQUIRED** information must be submitted with this form:
- The appropriate **FILING FEE**. See instructions for fee amounts.
 - 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**.
 - 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 use on 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) Charles Rogler
4. New Owner/Claimant(s) Pass Creek Ranch, LLC
Name Coordinator (Check one): ☐ and ☐ or ☐ and/or
New Mailing Address 101 Aylesbury Hill Street
City, State and ZIP Code San Antonio, TX 78209
New Telephone Number 210-862-5027
5. Date you acquired the property _____

SUPPORT DATA
IN FILE # 34-7B

Form IDWR-012 (08/04) July 2004

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, horses, 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, horses, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

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

Marshall Davidson Jan 18, 2007
Manager

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: jc Date: 1-29-07 Fee: \$200
 Processed by: AJ Date: _____ Receipt No. E032572
 WR _____ Date: _____

OK

RECEIVED

JAN 25 2007

Department of Water Resources
Eastern Region

①

235747

AFTER RECORDING MAIL TO:

Pass Creek Ranch, LLC
101 Aylesbury Hill Street
San Antonio, TX 78209

Custer County Reg. of
First American Title
Time 4:04 P.M. Date 12-20-07
Barbara C. Breedlove, clerk
Betsy Dougherty \$6.00

CORPORATE WARRANTY DEED

File No.: **185355-K (nw)**

Date: **December 22, 2006**

For Value Received, **Consolidated Exporters, Inc.**, a corporation duly organized and existing under the laws of the State of Ohio, Grantor, does hereby grant, bargain, sell and convey unto **Pass Creek Ranch, LLC, an Idaho Limited Liability Company**, Grantee, whose address is **c/o Dusty Maxwell - 4040 Broadway, Suite 501, San Antonio, TX 78209**, the following described real estate, to wit:

TRACT A:

That portion of Lot 4 of Section 24, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Township 7 North, Range 25 E.B.M., lying and being in Butte County, Idaho.

Township 7 North, Range 25 E.B.M., Butte County, Idaho

Section 23: S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 24: S $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$

TRACT B:

That portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 23, Township 7 North, Range 25 E.B.M., W. of Pass Creek in Custer County, Idaho.

THE APPURTENANT WATER RIGHTS, IF ANY, ARE NOT BEING CONVEYED THROUGH THIS CORPORATE WARRANTY DEED, THEY WILL BE CONVEYED BY A QUITCLAIM.

SUBJECT TO current years taxes, irrigation district assessments, public utility easements, subdivision and U.S. patent reservations.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto 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, and that Grantor will warrant and defend the same from all claims whatsoever.

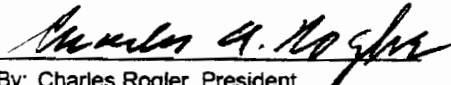
235747

APN:

Warranty Deed
- continued

File No.: 185355-K (mw)
Date: 12/22/2006

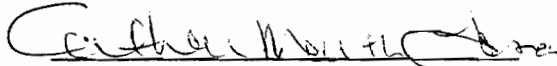
Consolidated Exporters, Inc., an Ohio
Corporation

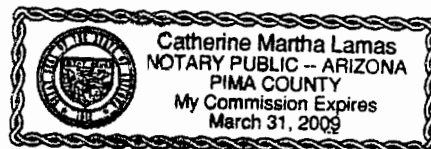

By: Charles Rogler, President

STATE OF Arizona)
SS.
COUNTY OF Pima)

On this 29, day of December, in the year of 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Charles Rogler**, known or identified to me to be the **President** of Consolidated Exporters, Inc., a Ohio Corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for the State of Arizona
Residing at: Green Valley, AZ
My Commission Expires: 03-31-2009



AFTER RECORDING MAIL TO:

Pass Creek Ranch, LLC
101 Aylesbury Hill Street
San Antonio, TX 78209

235748

Custer County Reg. of
First American Title
Time 4:04 P.M. Date 12-22-07
Barbara C. Breedlove, clerk
Betsy Dougherty \$6.00
Deputy

QUITCLAIM DEED

File No.: **185355-K (nw)**

Date: **December 22, 2006**

For Value Received, **Charles Rogler**, do hereby convey, release, remise, and forever quit claim unto **Pass Creek Ranch, LLC, an Idaho Limited Liability Company**, whose address is **c/o Dusty Maxwell - 4040 Broadway, Suite 501, San Antonio, TX 78209**, herein after called the Grantee, the following described premises situated in **Custer and Butte County, Idaho**, to-wit:

TRACT A:

That portion of Lot 4 of Section 24, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Township 7 North, Range 25 E.B.M., lying and being in Butte County, Idaho.

Township 7 North, Range 25 E.B.M., Butte County, Idaho

Section 23: S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 24: S $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$

TRACT B:

That portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 23, Township 7 North, Range 25 E.B.M., W. of Pass Creek in Custer County, Idaho.

TOGETHER WITH THE WATER RIGHTS APPURTENANT THERETO, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

1-34-7- B Priority Date 02-03-1903
2-34-8- B Priority Date 05-08-1907
3-34-9- B Priority Date 02-03-1908
4-34-4003 Priority Date 05-01-1936

together with its appurtenances.

Dated: 1-9-07

235748

APN:

Quitclaim Deed - continued

File No.: 185355-K (rw)

Date: 12/22/2006

Charles A. Rogler
Charles Rogler

STATE OF Arizona)

ss.

COUNTY OF Pima)

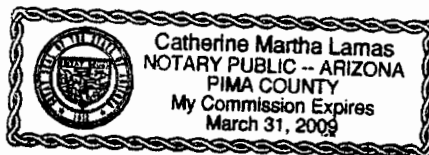
On this 29 day of December, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Charles Rogler**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

Catherine Martha Lamas

Notary Public of Arizona

Residing at: Green Valley, AZ

Commission Expires: 03.31.2009



AFTER RECORDING MAIL TO:

Pass Creek Ranch, LLC
101 Aylesbury Hill Street
San Antonio, TX 78209

0043962
RECEIVED
recorded
JAN 22 2007
A.M. 3:08 P.M.
BUTTE COUNTY CLERK
Jim Samett

CORPORATE WARRANTY DEED

File No.: **185355-K (nw)**

Date: **December 22, 2006**

For Value Received, **Consolidated Exporters, Inc.,** a corporation duly organized and existing under the laws of the State of Ohio, Grantor, does hereby grant, bargain, sell and convey unto **Pass Creek Ranch, LLC, an Idaho Limited Liability Company,** Grantee, whose address is **c/o Dusty Maxwell - 4040 Broadway, Suite 501, San Antonio, TX 78209,** the following described real estate, to wit:

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Township 7 North, Range 25 E.B.M., Butte County, Idaho

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

Section 24: S¹/₂N¹/₂S¹/₂NW¹/₄NW¹/₄, S¹/₂S¹/₂NW¹/₄NW¹/₄

TRACT B:

That portion of the W¹/₂NE¹/₄, Section 23, Township 7 North, Range 25 E.B.M., W. of Pass Creek in Custer County, Idaho.

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SUBJECT TO current years taxes, irrigation district assessments, public utility easements, subdivision and U.S. patent reservations.

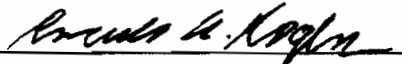
TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all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

APN:

Warranty Deed
- continued

File No.: 185355-K (mw)
Date: 12/22/2006

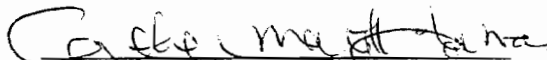
Consolidated Exporters, Inc., an Ohio
Corporation

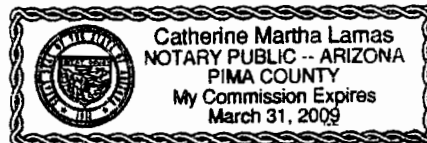

By: Charles Rogler, President

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COUNTY OF Pima)
SS.

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In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for the State of Arizona
Residing at: Green Valley
My Commission Expires: 03.31.2009



2

0.43963

AFTER RECORDING MAIL TO:

Pass Creek Ranch, LLC
101 Aylesbury Hill Street
San Antonio, TX 78209

RECEIVED

recorded

JAN 12 2007

A.M. 3:09 P.M.
BUTTE COUNTY CLERK
Jim Samelt

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Date: **December 22, 2006**

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Section 24: S $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$

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4-34-4003 Priority Date 05-01-1936

together with its appurtenances.

Dated: 1-9-07

Charles A. Rogler
Charles Rogler

STATE OF Arizona)

ss.

COUNTY OF Pima)

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Catherine Martha Lamas

Notary Public of Arizona

Residing at: Green Valley, AZ

Commission Expires: 03-31-2009

