



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

December 20, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

NANCY PERSCHON
PRINCE YEATES & GELDZAHLER
CITY CENTRE I STE 900
175 EAST 400 SOUTH
SALT LAKE CITY UT 84111

RE: Change of Ownership for Rose Creek Crossing, LLC

Dear Ms. Perschon:

Upon re-review of the Notice of Change in Water Right Ownership submitted to the department on July 10, 2007 we have made the following corrections:

- WR 32-7030 has been split into 32-13267 (Eden) and 32-13268 (Rose Creek Crossing).
- WR 32-7083 has been split into 32-13269 (Eden) and 32-13270 (Rose Creek Crossing).
- WR 32-11249 has been split into 32-13271 (Eden) and 32-13271 (Rose Creek Crossing).
- The ownership change requested and completed for WR 32-10004 has been removed and the previous owners (Terry and Tom Eden) have been restored to current owners.
- Upon review, I discovered that WR 32-42 should have been split as the place of use for the stockwater portion of the water right was not covered by the warranty deed. Therefore, WR 32-42 has been split into 32-13273 (Eden) and 32-13274 (Rose Creek Crossing).

Each portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

I believe this completes all changes requested the notice referenced above. Thank you for your patience and for your help in completing this process. Please feel free to contact this office if you have any further questions or concerns regarding this matter.

Sincerely,

Emalee Rushing, Office Services Supervisor
Water Right Permits Section

Enclosures

cc: Teresa and Tom Eden
Eden Ranch

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JUL 10 2006

WATER RESOURCES
WESTERN 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 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
☒ 32-7030		☒	☒ 32-42		
☒ 32-7083		☒	☒ 32-7009		
☒ 32-11249		☒	☒ 32-7010		
☒ 32-10004			☒ 32-10010		
☒ 32-10007			☒ 32-10011		

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) Teresa E. (aka Terry) Eden and Thomas L. Eden
2004 Gray Eagle Way Las Vegas NV 89117
4. New Owner/Claimant(s) Rose Creek Crossing, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 461196 825 Bonanza Road
- City, State and ZIP Code Leeds UT 84746
- New Telephone Number (435) 879-6986
5. Date you acquired the property May 2006

SUPPORT DATA

IN FILE # 32-42

SCANNED

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 <u>32-7030</u>		
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	<u>— CFS</u>	<u>21 acres out of 408</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>— CFS</u>	

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 <u>32-7083</u>		
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	<u>— CFS</u>	<u>21 acres out of 408</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>— CFS</u>	

7. Signature of New Owner(s) or Claimant(s) Rose Creek Crossing, LLC by Cletus R. Hamilton, mgr.
(include title if applicable)

Cletus R. Hamilton
Sharon Lee Hamilton

See next
page for
additional
split.

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 lg Date 7-10-06 Fee \$475
 Receipted by lg Date 7-10-06 Receipt No. W034437
 Processed by lg AJ Date _____ WR _____ Date _____

SCANNED

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 <u>32-11249</u>		
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	<u>— CFS</u>	<u>11 acres out of 408</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>— CFS</u>	

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) Rose Creek Crossing, LLC by Cletus R. Hamilton, mgr.
(include title if applicable)

Cletus R. Hamilton
Sharon Lee Hamilton

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 _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

SCANNED