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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, 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
67-10334		NO			
67-10330		NO			
<u>67-10331</u>					

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) are 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) DON DANIELS
1855 CHERRY GULCH ROAD, WEISER, ID 83672
4. New Owner/Claimant(s) SMOKE RANCH, L.P., a Limited Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3990 HWY 52
- City, State and ZIP Code PAYETTE, ID 83661
- New Telephone Number (208) 278-3448
5. Date you acquired the property 4/09/2007

RECEIVED

MAY 17 2007

WATER RESOURCES
WESTERN REGION

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) SMOKE RANCH, L.P.
(include title if applicable)
BY: George E. Colwell Cheryl F. Colwell
GEORGE E. COLWELL, GP & CHERYL F. COLWELL, GP

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 <u>5-17-07</u>	Fee <u>\$25/each</u>
Received by <u>SR</u>	Date <u>6-4-07</u>	Receipt No. <u>W035461</u>
Processed by _____ AJ	Date _____	WR <u>SR</u> Date <u>6-11-07</u>

PAGE 1
Dec-04-2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 67-10330

NAME AND ADDRESS: DON DANIELS
1855 CHERRY GULCH RD
WEISER, ID 83672

SOURCE: GROUNDWATER

QUANTITY: 0.03 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1961

POINT OF DIVERSION: T10N R04W S32 SWNWNE Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE: Stockwater Within Washington County
T10N R04W S32 SWNE

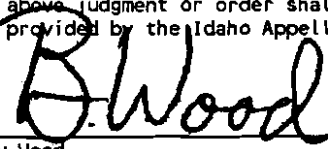
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 67-10331

NAME AND ADDRESS: DON DANIELS
1855 CHERRY GULCH RD
WEISER, ID 83672

SOURCE: GROUNDWATER

QUANTITY: 0.03 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1927

POINT OF DIVERSION: T10N R04W S32 SWSW Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.03 CFS

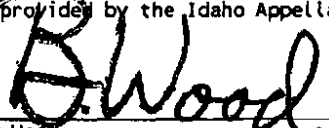
PLACE OF USE: Stockwater Within Washington County
T10N R04W S32 SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
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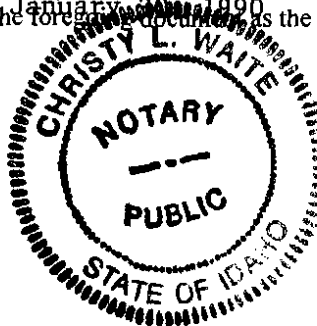


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

AmeriTitle
Part Of The JELD-WEN Family

Instrument # 343682
PAYETTE COUNTY
2007-04-09 01:58:00 No. of Pages: 1
Recorded for : AMERITITLE
BETTY J DRESSEN
Ex-Officio Recorder Deputy
Index to: WARRANTY DEED

Notary Public
Residing at: Weiser, ID
Commission Expires 11/4/09



600



IDWD/Order No. 0012477

Instrument # 205020
STATE OF IDAHO, COUNTY OF WASHINGTON
2007-04-09 01:52:00 No. of Pages: 3
Recorded for: AMERITITLE
SHARON WIDNER Fee: 9.00
Ex-Officio Recorder Deputy LMckKnight
Index To: DEED
Electronically Recorded by Simplifile

WARRANTY DEED

For Value Received,

The Donald L. & Rae M. Daniels Family Trust, u/t/a dated January 30, 1990

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Smoke Ranch, L.P., a Limited Partnership

GRANTEE(s), whose address is: **3990 Hwy 52, Payette, ID 83661**

the following described real property in **WASHINGTON COUNTY, IDAHO**, to-wit:

See attached Exhibit A.

GRANTOR AND GRANTEE HEREIN AGREE THAT THIS PARCEL HAS 2 BUILDING PERMITS REMAINING AND CAN ONLY BE SPLIT OR DIVIDED THROUGH A LEGAL VARIANCE OR SUBDIVISION AS APPROVED BY THE WASHINGTON COUNTY PLANNING AND ZONING.

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 7th day of April, 2007.

The Donald L. & Rae M. Daniels Family Trust, u/t/a dated January 30, 1990

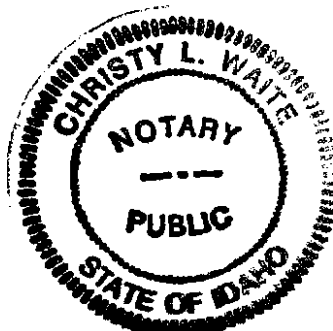
BY: Donald L. Daniels TRUSTEE
Donald L. Daniels, Trustee

BY: Rae M. Daniels TRUSTEE
Rae M. Daniels, Trustee

State of Idaho)
ss
County of Washington)

On this 7th day of April, 2007, before me, a notary public in and for said State, personally appeared Donald L. Daniels and Rae M. Daniels being by me first duly sworn, declared that they are Trustees of the The Donald L. & Rae M. Daniels Family Trust, u/t/a dated January 30, 1990 that they signed the foregoing document as the Trustees and that statements therein contained are true.

Christy L. Waite
Notary Public
Residing at: Weiser, ID
Commission Expires 11/4/09



Woe

EXHIBIT A

PARCEL 1:

The South 980 feet of SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 2:

The South 980 feet of S $\frac{1}{2}$ NE $\frac{1}{4}$, the South 980 feet of SE $\frac{1}{4}$ NW $\frac{1}{4}$, the South 980 feet of E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 28, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 3:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 28, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 4:

W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 28, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 5:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 6:

E $\frac{1}{2}$ SE $\frac{1}{4}$ in Section 29, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 7:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Lots 3 and 4 in Section 32, Township 10 North, Range 4 West, Washington County, Idaho. SAVE AND EXCEPT the West 110 feet of the North 100 feet of said SW $\frac{1}{4}$ NW $\frac{1}{4}$.

PARCEL 8:

W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 32, Township 10 North, Range 4 West, Washington County, Idaho. SAVE AND EXCEPT the West 110 feet of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

PARCEL 9:

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Lot 1 in Section 32, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 10:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 32, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 11:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot 2 in Section 32, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 12:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 32, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 13:

N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 33, Township 10 North, Range 4 West, Washington County, Idaho.

File No. 0012477

PARCEL 14:

E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 33, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 15:

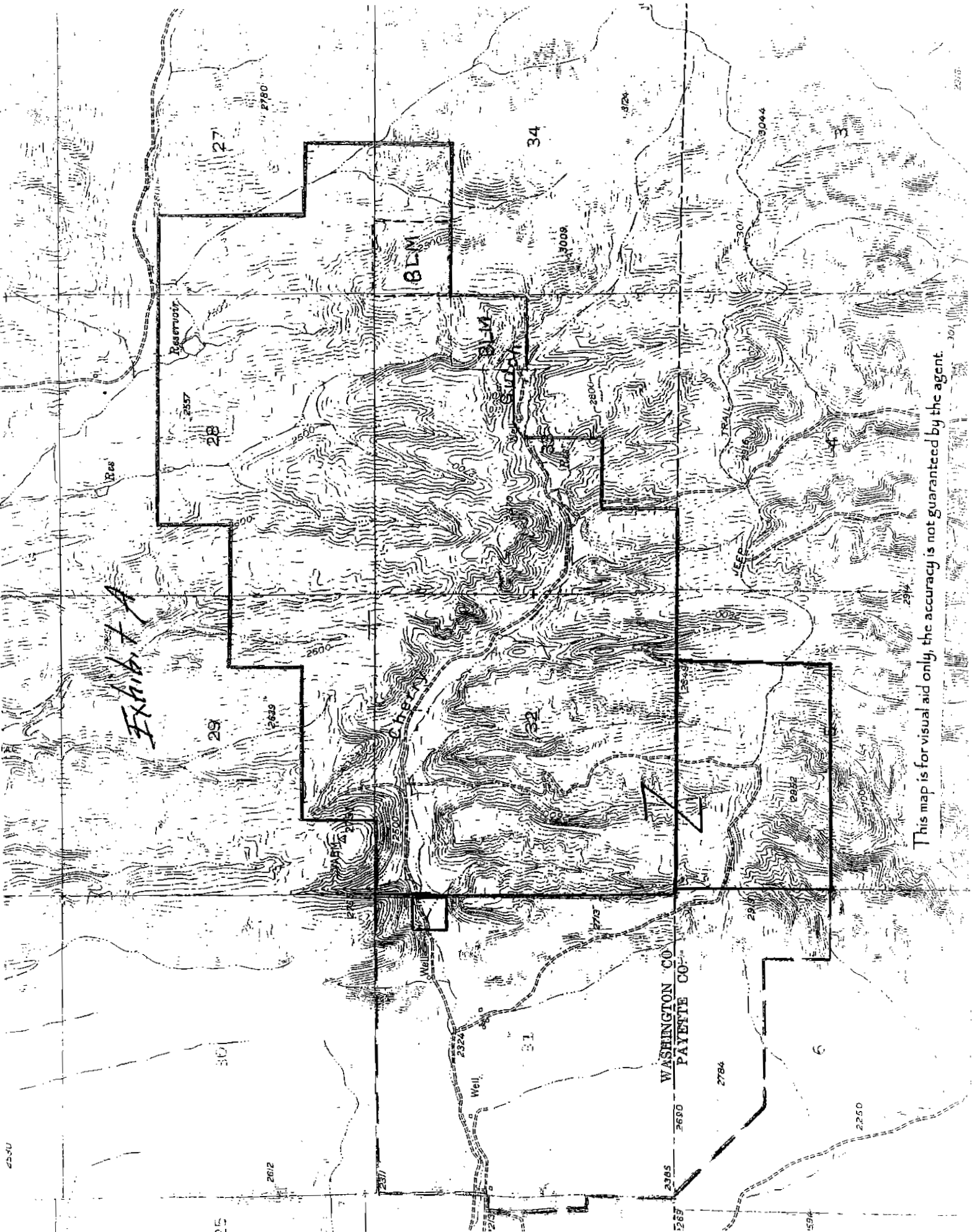
N $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 4 in Section 33, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 16:

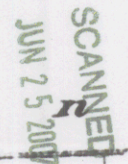
NW $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 33, Township 10 North, Range 4 West, Washington County, Idaho.

PARCEL 17:

E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 34, Township 10 North, Range 4 West, Washington County, Idaho.



This map is for visual aid only, the accuracy is not guaranteed by the agent.



When Surveyed.