



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

June 22, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
~~Interim~~ Director

DAN MAHONEY III
234 EL BRILLO WAY
PALM BEACH FL 33480

RE: Water rights 72-5, 72-49, 72-4027, 72-4138A,
72-4138B, 72-4139, 72-4140,
72-4165, 72-4166, 72-4167A,
72-4167B, 72-10353, and 72-10362

Dear Mr. Mahoney III,

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

Your Basin 71 rights were already in your name. I have enclosed copies of your partial decrees and I am herein returning your check #23093 for fifty dollars (\$50.00) Should you have any questions please call me at (208) 736-3033.

Sincerely,

Carrie Hahn
Clerk

Enc.

Cc. James R Bennetts
Attorney at Law
Po box 36
Challis ID 83226-0036

RECEIVED

JUN 24 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT. OF WATER RESOURCES
SOUTHERN 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 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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	W: Ri
	71-00047		
	71-00048		

HES
272
STANLEY

*Change made in
1997*

2. The following **REQUIRED** information must be submitted with this:

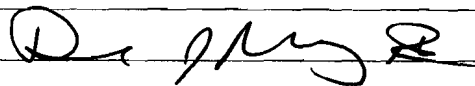
- A. The appropriate **FILING FEE**. See instructions for fee amount
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of 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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)	THE DANIEL J MAHONEY JR LIFETIME TRUST II
4. New Owner/Claimant(s)	C/O JOHN D WARD ESQ, 1200 NEW HAMPSHIRE AVE, NW SUITE 800, WASHINGTON, DC 20036-6802
	DANIEL J MAHONEY III
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	234 EL BRILLO WAY
City, State and ZIP Code	PALM BEACH FL 33480
New Telephone Number	(561) 832-5566

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 <u></u>	Date <u>6/5/07</u>	Fee <u>\$30</u>
Receipted by <u></u>	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED
(BY TRUSTEE)

FOR VALUE RECEIVED, RICHARD L. BRAUNSTEIN, Trustee of the that certain trust which was created by JAMES M. COX under a Deed of Trust dated February 22, 1941, for the benefit of DANIEL J. MAHONEY and the descendants ("The Atlanta Mahoney Trust"), Grantor, whose current address is c/o RICHARD L. BRAUNSTEIN, 1200 New Hampshire Avenue, Washington, D.C. 20036-6802, does hereby Sell and Convey unto MARTHA MAHONEY SADLER, HELEN MAHONEY PARDOE and DANIEL J. MAHONEY III, as Tenants in Common, with equal equities, interests and obligations, Grantees, whose current address is c/o MARTHA MAHONEY SADLER, 874 South County Road, Palm Beach, Florida 33480, an undivided one-half (1/2) interest in common in and to the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

SUBJECT HOWEVER TO All encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all encumbrances, covenants, conditions, restrictions and easements of sight and/or of record as recorded in the records of Custer County, Idaho, and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 25, 1997

THE ATLANTA MAHONEY TRUST

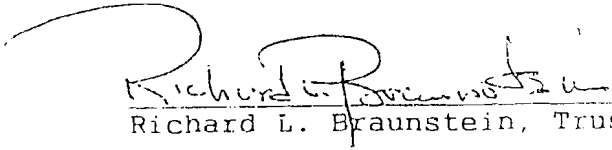

Richard L. Braunstein, Trustee

EXHIBIT "A"

The land referred to in this exhibit is situated in the State of Idaho, County of Custer and is described as follows:

H.E.S. Survey No.272, embracing a portion of Sections 10 and 11, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Beginning at Corner No. 1 from which the North corner of said Sections 10 and 11 bears North 3° West, 385.06 feet; thence South $60^{\circ}20'$ East, 3741.54 feet to Corner No. 2; thence South $43^{\circ}3'$ East, 1579.38 feet to Corner No. 3; thence North $59^{\circ}48'34''$ West, 2509.69 feet (record shows North $60^{\circ}03'00''$ West, 2509.32 feet) to Corner No. 4; thence North $66^{\circ}43'59''$ West, 1960.49 (record shows North $66^{\circ}44'00''$ West, 1956.24 feet) to Corner No. 5; thence North $42^{\circ}46'$ East, 1782.00 feet to Corner No. 6; thence South $60^{\circ}20'$ East, 671.88 feet to Corner No. 1, the Place of Beginning, as shown by the record of survey filed August 7, 1986, as instrument No. 177563, records of Custer County, Idaho.

0213298

WARRANTY DEED

FOR VALUE RECEIVED, HELEN MAHONEY PARDOE, a married woman dealing with her sole and separate property, Grantor, whose current address is 234 East 49th Street, New York, New York 10017, does hereby Sell and Convey unto DANIEL J. MAHONEY III, Grantee, whose current address is 234 El Brillo Way, Palm Beach, Florida 33480, an undivided one-third (1/3) interest (being all of Grantor's interest, equity and title) in and to the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

SUBJECT HOWEVER TO All encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, his successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all encumbrances, covenants, conditions, restrictions and easements of sight and/or of record as recorded in the records of Custer County, Idaho, and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: April 29, 1997

Helen M. Pardoe
Helen Mahoney Pardoe

STATE OF NY)
) ss.
County of NY)

On this 29 day of APRIL, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared HELEN MAHONEY PARDOE, a married woman dealing with her sole and separate property, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

CHANDRAMOGHAN ARCOT
Notary Public, State of New York
No. 01AP5047674
Qualified in Nassau County
Notary Public for August 7, 1997
Residing at
My Commission Expires:



EXHIBIT "A"

The land referred to in this exhibit is situated in the State of Idaho, County of Custer and is described as follows:

H.E.S. Survey No. 272, embracing a portion of Sections 10 and 11, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Beginning at Corner No. 1 from which the North corner of said Sections 10 and 11 bears North 3° West, 885.06 feet; thence South $60^{\circ}20'$ East, 3741.54 feet to Corner No. 2; thence South $43^{\circ}3'$ East, 1579.38 feet to Corner No. 3; thence North $59^{\circ}48'34''$ West, 2509.69 feet (record shows North $60^{\circ}03'00''$ West, 2509.32 feet) to Corner No. 4; thence North $66^{\circ}43'59''$ West, 1960.49 (record shows North $66^{\circ}44'00''$ West, 1956.24 feet) to Corner No. 5; thence North $42^{\circ}46'$ East, 1782.00 feet to Corner No. 6; thence South $60^{\circ}20'$ East, 671.88 feet to Corner No. 1, the Place of Beginning, as shown by the record of survey filed August 7, 1986, as instrument No. 177563, records of Custer County, Idaho.

213298
Custer County Reg. of
Custer County Title

Time 3:05 P.M.

5-1 1997
Ethel M. Pack, Clerk
Wendy Murphy
-600 Deputy

WARRANTY DEED

OFFICIAL NOTARY SEAL
PEGGY R. MARTIZ
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. 1226572
MY COMMISSION EXPIRES 12/31/2016

213299

EXHIBIT "A"

The land referred to in this exhibit is situated in the State of Idaho, County of Custer and is described as follows:

H.E.S. Survey No.272, embracing a portion of Sections 10 and 11, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Beginning at Corner No. 1 from which the North corner of said Sections 10 and 11 bears North 3° West, 885.06 feet; thence South 60°20' East, 3741.54 feet to Corner No. 2; thence South 43°3' East, 1579.38 feet to Corner No. 3; thence North 59°48'34" West, 2509.69 feet (record shows North 60°03'00" West, 2509.32 feet) to Corner No. 4; thence North 66°43'59" West, 1960.49 (record shows North 66°44'00" West, 1956.24 feet) to Corner No. 5; thence North 42°46' East, 1782.00 feet to Corner No. 6; thence South 60°20' East, 671.88 feet to Corner No. 1, the Place of Beginning, as shown by the record of survey filed August 7, 1986, as instrument No. 177563, records of Custer County, Idaho.

213299

Custer County Reg. of

Custer County Title

Time 3:05 P.M.

5-1 1997

Edel M. Pack, Clerk

Wanda J. Murphy

-600

Clerk

RECEIVED

JUN 04 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

JAMES R. BENNETTS

Attorney At Law

P.O. Box 36

Challis, Idaho 83226-0036

Telephone (208) 879-4488

Fax (208) 879-4248

May 8, 2007

DAN MAHONEY III
234 EL BRILLO WAY
PALM BEACH FL 33480

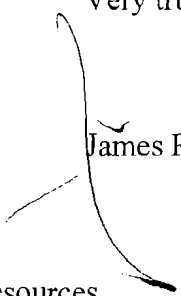
Re: Change of Ownership on Water Rights

Dear Dan:

I have enclosed two separate packets on the transfer of your water rights at Challis and Stanley. Both packets need your signature on the second page at Section 7. The fees on the transfer of the Stanley rights (Basin 71) will require a check for \$50.00 and the fees on the Challis Ranch (Basin 72) require payment in the amount of \$325.00.

We have attached a copy of the recorded Personal Representative Deed from Martha on the Challis property. Copies of Trustees' Deeds on the Stanley property to Martha, Helen and you with the deeds from Martha and Helen to you on the HES 272 property from when you divided the Stanley ranches are also included. This should be what is needed, but if you or Idaho Department of Water Resources has questions, call me. I have enclosed a copy of this letter for you to forward with the packets to Idaho Department of Water Resources.

Very truly yours,



James R. Bennetts

JRB:mlb

Enclosures

Cc: Idaho Department of Water Resources