

JUN 04 2007

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

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
	★ 72-00005			★ 72-04140	
	★ 72-00049			★ 72-04165	
	★ 72-04027			★ 72-04166	
	★ 72-04138A			★ 72-04167A	
	★ 72-04138B			★ 72-04167B	
	★ 72-04139			★ 72-10353	
				★ 72-10362	

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 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

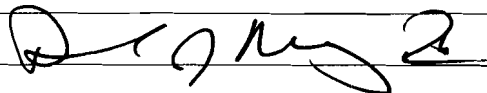
IN FILE # 72-5
SUPPORT DATA

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	_____	_____

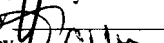
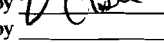
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, 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 <u>6/5/07</u>	Fee <u>325</u>
Received by 	Date <u>6/6/07</u>	Receipt No. <u>SU 29523</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

0214159

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by MARTHA MAHONEY SADLER, as Personal Representative of THE ESTATE OF DANIEL J. MAHONEY, JR., deceased, Grantor, to DANIEL J. MAHONEY, III, a married man, Grantee, whose address is 234 El Brillo Way, Palm Beach, Florida 33480.

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Probate Case No. SP 97-29, in Custer County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells, conveys and quitclaims to Grantee all of the interest of the above described estate in and to the following described real property in Custer County, Idaho:

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

Includes TRACT I, TRACT II, TRACT III and TRACT IV

SUBJECT HOWEVER TO Memorandum of Sale dated July 14, 1989, by and between Thomas W. Chivers and Aileen E. Chivers, husband and wife, "Sellers", and Dan Mahoney, an unmarried man dealing with his sole and separate property, "Buyer", recorded July 14, 1989, as Instrument No. 192255, records of Custer County, Idaho. TRACT II.

ALSO SUBJECT TO Notice of Real Estate Sale Contract dated October 15, 1985, from John B. Chivers and Amy C. Chivers, husband and wife, "Sellers", and Garth T. Chivers and Glenis Chivers, husband and wife, "Buyers", recorded November 27, 1985, as Instrument No. 175706. Memorandum of Sale and Consent to Assign dated December 3, 1991, by and between Amy C. Chivers, "Seller", and Dan J. Mahoney, Jr., "Buyer", recorded May 18, 1992, as Instrument No. 201587. Assignment Sale Agreement dated December 3, 1991, by and between Garth T. Chivers and Glenis Chivers, husband and wife, "Assignor", to Daniel J. Mahoney, Jr., "Assignee", recorded May 18, 1992, as Instrument No. 201588, all records of Custer County, Idaho. TRACT IV.

ALSO SUBJECT TO All encumbrances of record.

EXECUTED this 22nd day of August, 1997.

0 214159
Custer County Reg. of
Custer County Title

Time 3:46 A.M.

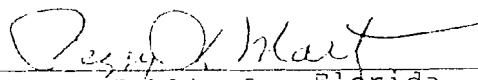
9-4 1997

Ethel M. Pock, Clerk
Grand Jury, Custer County
1997

Martha Mahoney Sadler
Martha Mahoney Sadler, Personal
Representative of THE ESTATE OF
DANIEL J. MAHONEY, JR., Deceased

STATE OF FLORIDA)
County of PALM BEACH)
SS.

On the 22nd day of August, 19 97, before me, a notary public in and for the said State, personally appeared MARTHA MAHONEY SADLER, known to me to be the person whose name is subscribed to the within instrument, as Personal Representative of THE ESTATE OF DANIEL J. MAHONEY, JR., and acknowledged to me that she executed the same as such Personal Representative.


Notary Public for Florida
Residing at: 4518 Corniche Circle, West Palm
My Comm. Expires: 4/19/2001 Beach, Fl.

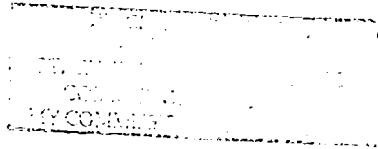


EXHIBIT "A"

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

TRACT I:

Commencing at the NE corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 14 North, Range 19 East, Boise Meridian.

Thence South along the East Boundary of the described NE $\frac{1}{4}$ NW $\frac{1}{4}$, 750 feet to the TRUE POINT OF BEGINNING: Thence continuing South 1320 feet; thence East 1320 feet; thence North 1320 feet; thence West, 1320 feet to the TRUE POINT OF BEGINNING.

TRACT II:

TOWNSHIP 14 NORTH, RANGE 19 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 14: Lot 5 and Lot 8, SW $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 23: Lot 2, Lot 3, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$.

Saving and Excepting therefrom the following described tract:

Lands situated and lying in Custer County, Idaho, described as follows, to-wit:

EXCEPTING THEREFROM

Commencing at the NE corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 14 North, Range 19 East, Boise Meridian:

Thence South along the East Boundary of the described NE $\frac{1}{4}$ NW $\frac{1}{4}$, 750 feet to the TRUE POINT OF BEGINNING: Thence continuing South 1320 feet; thence East 1320 feet; thence North 1320 feet; thence West, 1320 feet to the TRUE POINT OF BEGINNING.

TRACT III:

A:

TOWNSHIP 14 NORTH, RANGE 19 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 14- SE1/4SW1/4, EXCEPTING THEREFROM the following described parcel:

A parcel of land located in the SE1/4SW1/4 and the SW1/4SW1/4, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows.

Commencing at the South Quarter Corner of said Section 14, a distance of 1035.55 feet on a bearing of North 0°11'26" East along the East boundary of the SE1/4SW1/4 to the REAL POINT OF BEGINNING. thence North 0°11'26" East, 282.69 feet to the Northeast corner of the SE1/4SW1/4 thence North 89°56'20" West, 1320.08 feet to the Northwest corner of the SE1/4SW1/4. thence North 89°56'20" West, 57.19 feet to a point of an existing fenceline. thence South 81°58'13" East, 251.78 feet along said fenceline. thence South 77°32'28" East, 1154.10 feet along said fenceline to the REAL POINT OF BEGINNING.

B:

A parcel of land located in the NW1/4SW1/4 and the SW1/4SW1/4, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest Corner of said Section 14, a distance of 1058.85 feet on a bearing of South 89°58'16" East, along the South boundary of the SW1/4SW1/4 to the REAL POINT OF BEGINNING. thence North 0°08'49" East, 1347.73 feet along an existing fenceline to a fence corner. thence South 81°58'13" East, 265.58 feet along an existing fenceline to the East boundary of the SW1/4SW1/4. thence South 0°12'16" West, 1310.79 feet to the Southeast corner of the SW1/4SW1/4. thence North 89°58'16" West, 261.56 feet to the REAL POINT OF BEGINNING.

TRACT IV

A parcel of land located in S½NE¼, E½SE¼, Section 15 and U.S. Government Lot 3, SW¼NW¼, NE¼SW¼, SW¼SW¼, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southeast corner of said Section 15 and being the REAL POINT OF BEGINNING a distance of 1319.95 feet on a bearing of South 89°36'14" West along the section line; thence North 0°16'41" East, 595.32 feet to a point of the Easterly right-of-way of U.S. Highway No. 93; thence a distance of 705.93 feet along a curve concave to the Northwest having a radial of North 81°02'58" West, 2331.87 feet and a central angle of 17°20'43" along said right-of-way; thence North 0°16'41" East, 45.71 feet along the West boundary of the SE¼SE¼ to a point on said right-of-way; thence North 88°07'39" East, 2.49 feet along said right-of-way; thence a distance of 14.42 feet along a curve concave to the Southwest having a radial of South 80°30'23" West, 2341.67 feet and a central angle of 0°21'10" to a point on the West boundary of the SE¼SE¼; thence North 0°16'41" East, 1370.96 feet; thence South 89°37'24" West, 475.35 feet to a point on the Easterly right-of-way of U.S. Highway No. 93; thence a distance of 1331.37 feet along a curve concave to the Northeast having a radial of North 71°52'58" East, 3224.04 and a central angle of 23°39'37" along said right-of-way; thence North 89°29'21" East, 1942.39 feet; thence South 89°52'29" East, 2083.52 feet to a point on the West boundary of the original government meander line of 1893; thence the following courses and distances along said meander line: South 23°45' West, 225.61 feet; thence South 15°25' East, 495.00 feet thence South 57°30' East, 726.90 feet; thence South 77°45' East, 217.80 feet; thence South 28°00' East, 132.00 feet; thence South 11°00' East, 84.92 feet to a point on the South boundary of Lot 3; thence North 89°54'24" West, 393.09 feet; thence South 0°11'26" West, 1318.04 feet; thence North 89°56'20" West, 1320.08 feet; thence South 0°12'17" West, 1318.78 feet; thence North 89°58'16" West, 1320.41 feet to the REAL POINT OF BEGINNING.

ALSO

A parcel of land located in the SE¼SW¼ and the SW¼SW¼, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer county, Idaho, more particularly described as follows:

Commencing at the South quarter corner of said Section 14, a distance of 1035.35 feet on a bearing of North 0°11'26" East along the East boundary of the SE¼SW¼ to the REAL POINT OF BEGINNING; thence North 0°11'26" East, 282.69 feet to the Northeast corner of the SE¼SW¼; thence North 89°56'20" West, 1320.08 feet to the Northwest corner of the SE¼SW¼; thence North 89°56'20" West, 57.10 feet to a point on an existing fence line; thence South 81°58'13" East, 251.78 feet along said fence line; thence South 77°32'28" East, 1154.10 feet along said fence line to the REAL POINT OF BEGINNING.

EXHIBIT "A", continued

TRACT IV

LESS THE FOLLOWING DESCRIBED PARCEL:

A parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 14, a distance of 1058.85 feet on a bearing of South 89°58'16" East, along the South boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the REAL POINT OF BEGINNING, thence North 0°08'49" East, 1347.73 feet along an existing fence line to a fence corner, thence South 81°58'13" East, 265.33 feet along an existing fence line to the East boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South 0°12'16" West, 1310.79 feet to the Southeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, thence North 89°58'16" West, 261.56 feet to the REAL POINT OF BEGINNING.

JAMES R. BENNETTS

Attorney At Law
P.O. Box 36
Challis, Idaho 83226-0036
Telephone (208) 879-4488
Fax (208) 879-4248

RECEIVED

JUN 04 2007

**DEPT. OF WATER RESOURCES
SOUTHERN REGION**

May 8, 2007

DAN MAHONEY III
234 EL BRILLO WAY
PALM BEACH FL 33480

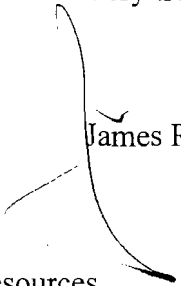
Re: Change of Ownership on Water Rights

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