

Memo

Feb. 16, 2007

To: WR Files 29-4075 and 29-13285

From: Jeff Peppersack

Re: Review of Evidence Submitted for Notice of Owner Change in the Name of Recreational Properties A & B, A Partnership

Timeline for documents submitted related to ownership:

SRBA Claim filed for 29-4075 on April 5, 1990 in the name of MK or D Merritt Thornhill

Notice of Change in Ownership for 29-4075 filed September 4, 1998 from Thornhill to Terry Anderson/AICO Recreational Properties. Evidence included Warranty Deed from John and Julie Baker to AICO Recreational Properties LLC dated September 18, 1997 (see attached).

SRBA Claim filed for 29-13285 on February 4, 2002 in the name of AICO Recreational Properties

Partial Decrees issued March 22, 2004 to AICO Recreational Properties for both rights

Notice of Change in Ownership filed July 11, 2006 from Thornhill to Recreational Properties A & B, A Partnership. Evidence included a Warranty Deed from Thornhill to Terry Anderson, Trustee of Anderson Living Trust and to John and Julie Baker dated July 2, 1996. Evidence also included a Corporate Warranty Deed from Indian Springs Natatorium, Inc. to Terry Anderson, Trustee and to Bakers dated July 2, 1996. Evidence also included an Affidavit dated July 7, 2006 from Terry Anderson (managing partner of Recreational Properties A & B) with the following statement:

This affidavit pertains to Water Rights claimed, numbers 29-13285 and 29-04075. Documents submitted during the adjudication process were part of a Plan which the Court failed to approve, leaving the Title in Partnership Recreational Properties A & B, successors in interest from Thornhill.

The 1996 deeds to Terry Anderson as Trustee and to Bakers and then the 1997 deed to AICO Recreational Properties are the only conveyance documents indicating current ownership of the property. Although some of the attached documents (closing statements and escrow instructions) submitted with the 2006 Notice list Recreational Properties A & B, the resultant deeds do not list Recreational Properties A & B. There are no deeds indicating a conveyance to Recreational Properties A & B.

A Business Entity Search indicated that AICO Recreational Properties LLC is an existing business in Idaho and has been since 1996. Recreational Properties A & B LLC is an existing business in Idaho since October, 2006. Terry Anderson is the registered agent for both entities. They appear to be separate entities with no indication of a name change from one entity to the other.

IDWR sent a letter to Terry Anderson indicating that additional information is required and that no further action would be taken by the IDWR.

SUPPORT DATA

IN FILE # 29-4075