

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

DEPARTMENT OF
WATER RESOURCES

RECEIVED

SEP 07 2006

RECEIVED

SEP 05 2006

WATER RESOURCES
WESTERN 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 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
<u>71-2091 E</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) 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)

Smiley Creek Ranch LLC
P.O. Box 7133 Ketchum, ID 84340

4. New Owner/Claimant(s)

Jones Investment Co. LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

344 W. Pleasant View Dr.

City, State and ZIP Code

Ogden, UT 84414

New Telephone Number

(801) 782-5015

5. Date you acquired the property

08/11/06

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) Leon L. Jones President
(include title if applicable) Jones Investment Co, LLC
09/01/06

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 9/5/2006 Fee \$ 25.00
 Receipted by JY Date _____ Receipt No. W034643
 Processed by _____ AJ Date _____ WR _____ Date _____



Instrument # 538477

HAILEY, BLAINE, IDAHO

2006-08-11

02:59:00 No. of Pages: 2

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTYQCK.CORP DEED

Order No. 0622684

Date: August 4, 2006

WARRANTY DEED

FOR VALUE RECEIVED, and as consideration as part of an IRC § 1031 tax-deferred exchange,

SMILEY CREEK RANCH, LLC, an Idaho limited liability company

the Grantor does hereby grant, bargain, sell, convey and warrant unto

JONES INVESTMENT COMPANY, L.L.C., A UTAH LIMITED LIABILITY COMPANY

the Grantees whose current address is:

**344 West Pleasant View Drive
Ogden, UT 84414**

the following described premises, in **BLAINE COUNTY, IDAHO**, to-wit:

Lot 1 in Block 1 of ABE'S CHAIR FIRST ADDITION, BLAINE COUNTY, IDAHO as shown on the official plat thereof, recorded October 2, 2001, as Instrument No. 456145, records of Blaine County, Idaho.

This transaction is a 1031 Exchange for the benefit of Seller, as Relinquished property.

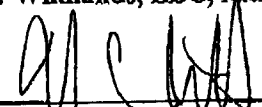
SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs 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 said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Smiley Creek Ranch, LLC

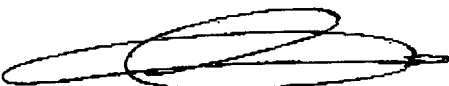

By: Wesley A. Wills, Member

By: Wildlands, LLC, Member

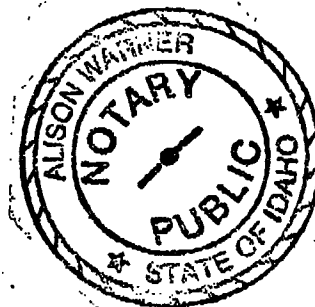

By: Wesley A. Wills, Member

State of: IDAHO
County of: BLAINE

On this 11th day of August, 2006, Before me a Notary Public in and for said State, personally appeared Wesley A. Wills, KNOWN OR IDENTIFIED TO ME TO BE THE MEMBERS OF THE LIMITED LIABILITY COMPANY OF SMILEY CREEK RANCH, LLC, and the member who subscribed said limited liability company name to the within instrument, and acknowledged to me that he executed the same in said limited liability name.

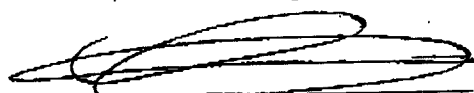


Notary Public
Residing at KETCHUM ID
Comm. Expires 9/18/06



State of: IDAHO
County of: BLAINE

On this 11th day of August, 2006, Before me a Notary Public in and for said State, personally appeared Wesley A. Wills, Member of Wildlands, LLC, KNOWN OR IDENTIFIED TO ME TO BE THE MEMBER OF THE LIMITED LIABILITY COMPANY OF SMILEY CREEK RANCH, LLC, and the member who subscribed said limited liability company name to the within instrument, and acknowledged to me that he executed the same in said limited liability name.



Notary Public
Residing at KETCHUM ID
Comm. Expires 9/18/06



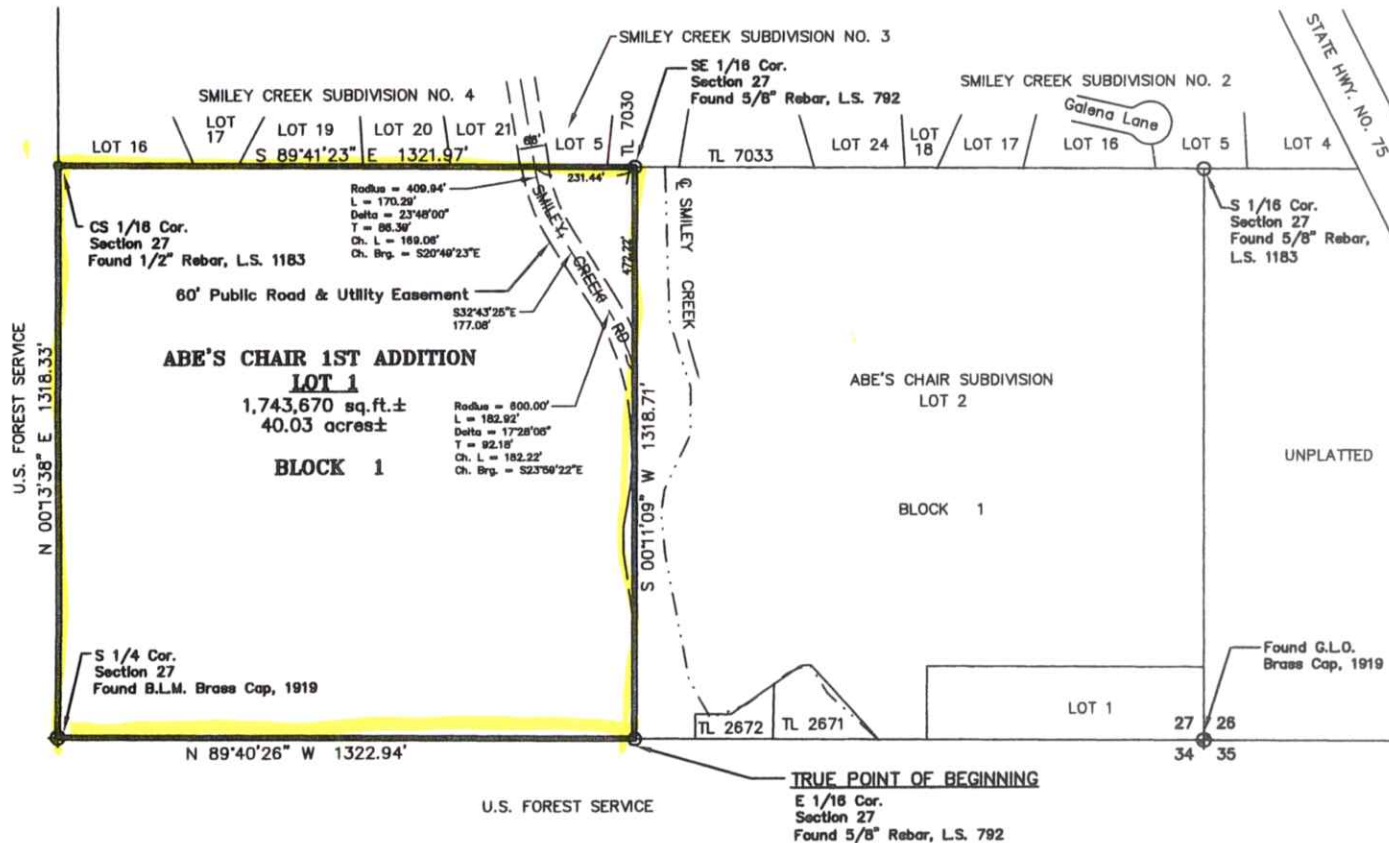
A PLAT SHOWING **ABE'S CHAIR FIRST ADDITION**

LOCATED WITHIN
 SW1/4 SE1/4 SECTION 27, T.7 N., R.14 E., B.M., BLAINE COUNTY, IDAHO
 SEPTEMBER 2001



SCALE: 1" = 200'

BASIS OF BEARINGS IS PLAT OF ABE'S
 CHAIR SUBDIVISION, INST. NO. 327798



LEGEND

- Found Brass Cap
- Found 5/8" Rebar
- Found 1/2" Rebar
- Adjoining Lot Lines
- Property Boundary
- Easement, Width as Shown
- Centerline

NOTES

- The lot owner shall comply with all Health Department regulations, including sewage disposal system setbacks.
- The lot owner is responsible for control of noxious weeds per State regulations. Mowing and manual removal are recommended.
- Meters shall be installed on all new domestic wells by the lot owner. State law (Sec. 42-111) limits domestic irrigation to one-half an acre of land if the total domestic use is not in excess of 13,000 gallons per day.
- The location of this property is outside of any fire district and no fire response or service is available. All fire protection requirements of the non-district fire marshal, the Uniform Fire Code and Blaine County's Fire Protection Regulations shall be complied with prior to the issuance of any building permit. These include, but are not limited to, a 1,200 s.f. habitable building limitation unless a professionally designed and approved sprinkler system is installed, and other water supply, access and clear zone issues that must be satisfactorily addressed. Special fire resistant roofing and exterior materials may also be required.
- Lot 1 includes areas that are within the Mountain Overlay District (MOD), Chapter 21 of Title 9, Blaine County Code. No development or construction shall be permitted unless it is located outside the MOD or falls within one of the categorical exclusions listed in Sec. 9-21-4(A). No structure on slopes of 15% or greater shall be sited. Any owner is advised to read, understand the full extent of these regulations as they apply to this lot and elevation analysis by a licensed engineer or surveyor shall be done prior to any development or construction on or above any sloped area.
- All new utility lines installed on this property shall be located underground.
- The Sawtooth National Recreation Area has regulations governing the development of this lot. Those regulations should be consulted prior to development.
- This subdivision is located away from the primary Blaine County service areas and, as such, there is limited access, infrastructure and public services in the area. Some services may not be provided. Emergency response time may be longer than in more accessible areas and access by emergency vehicles may be impossible at times due to snow and road conditions. Lot owner(s) in this subdivision understand and acknowledge that there may be infrastructure in these remote locations that does not meet county infrastructure standards as may be adopted and amended from time to time. It is not the intent of Blaine County to increase the variety, scale, or frequency of public services and infrastructure in these areas. By this note, the lot owner(s) assumes the risks of occupancy as outlined above and is hereby put on notice that there are no anticipated changes in the level of services or infrastructure in this area by either Blaine County or other taxing districts. School children will need to be transported to the nearest existing school bus stop.
- The surrounding public lands are open to livestock grazing. It is the responsibility of the private landowner to fence out livestock permitted to graze on open range.
- If this parcel is ever further subdivided or a home is proposed on the east side of Smiley Creek Road, an on-site study should be done to verify the extent, if any, of the flood hazard along Smiley Creek.
- Surface water irrigation rights are appurtenant to this lot.
- Wildlife and Fencing**
 - All new fencing, except that around residences, gardens, and livestock corrals, shall meet the wildlife-friendly standards of the United States Forest Service. The minimum bottom rail height shall be 18 inches and the maximum top rail height shall be determined in consultation with the United States Forest Service.
 - Hay or other livestock feed shall be stored and fed so that it is not available to big game. This will minimize the chances of attracting wildlife away from native winter range and reduce depredation potential.
 - Wildlife damage to ornamental trees and shrubs will occur from deer, elk, antelope, etc. The costs of resolving problems caused by wildlife damage to private property shall be the responsibility of the property owner(s). Actions taken to alleviate wildlife depredation shall be those prescribed or approved by Idaho Fish and Game.
 - Domestic pets, including cats, shall be kept indoors, in kennels, leashed, or otherwise under control of their owners to minimize pet-wildlife conflicts.

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1328, by issuance of a Certificate of Disapproval.

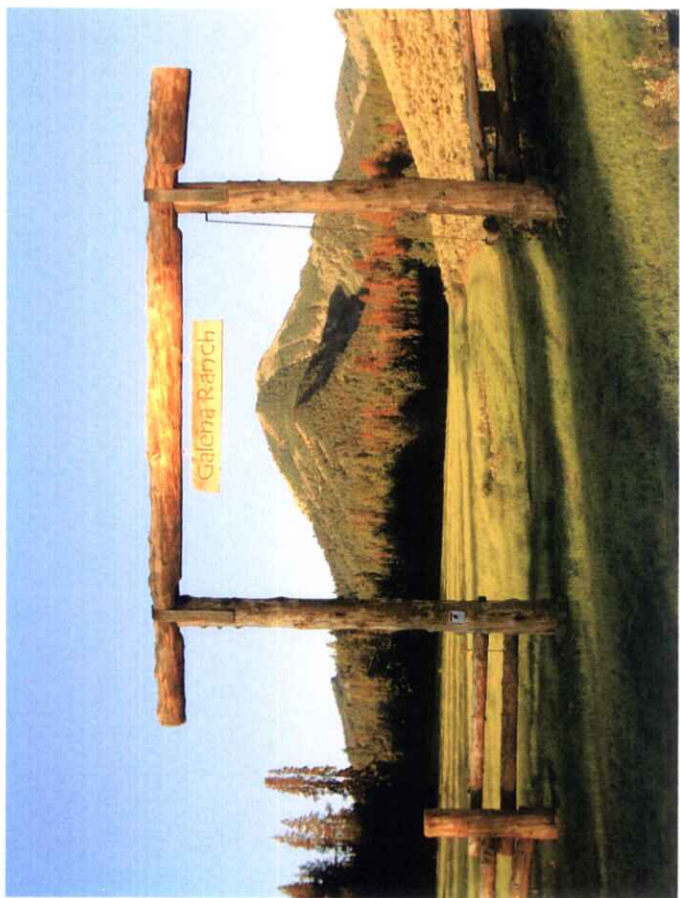
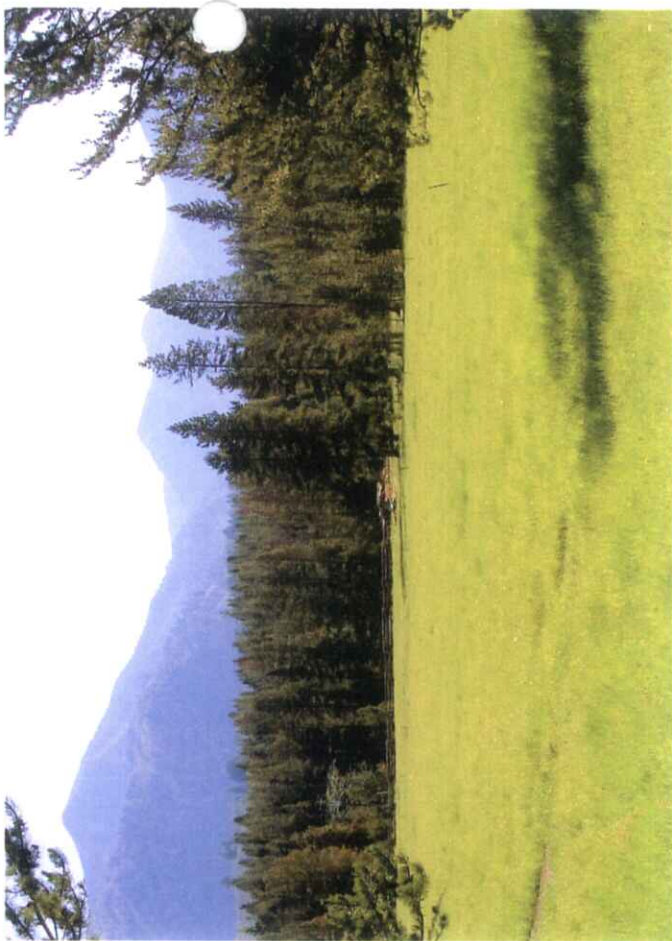
Date

South Central District Health Dept., EHS

RICHARD D. FOSBURY, L.S. 3621

ABE'S CHAIR FIRST ADDITION
 GALENA ENGINEERING, INC.
 KETCHUM, IDAHO
 SHEET 1 OF 2
 Job No. 2425/1815-02plat





8-31-93

USF-F

12 614100

1592-63

USFS

Designated
Community

USFS

105 A

105 B

92

87

106

100

92

Point of Diversion is on Smiley Creek at
The eastern boundary of marked area 105 A.