

\$175
RECEIVED
MAR 30 2006
DEPARTMENT OF
WATER RESOURCES

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
	45-3270	-	w/ 45-275 P.D.		-
45-523A P.D.		-	w/ 45-13589 P.D.		-
✓ 45-517D P.D.		-	w/ 45-13590 P.D.		-
45-285 P.D.		-			
✓ 45-284B P.D.		-			

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) Richard & Helen Anderson
Box 114, Albion, ID 83311
4. New Owner/Claimant(s) Albion Ranch 2006, L.L.C.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 7595 East McDonald Drive Suite 130
- City, State and ZIP Code Scottsdale, AZ 85250
- New Telephone Number (480) 947-3100
5. Date you acquired the property March 24 2006

SUPPORT DATA

IN FILE # 45-275

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DEPT. OF WATER RESOURCES
SOUTHERN 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) ☒ BY: Xanadu Investments, LLC member
(include title if applicable)

BY: Michael Merriman
Mike Merriman, Managing Member

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>[Signature]</u>	Date <u>3/29/06</u>	Fee <u>175.00</u>
Received by <u>[Signature]</u>	Date <u>3/22/06</u>	Receipt No. <u>50 28497</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

#41460

307480

For Value Received

Helen Anderson, a widow; Oliver George Anderson, also known as Dick Anderson and Janice A. Anderson, also known as Janice Anderson, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Albion Ranch 2006, L.L.C., an Idaho limited liability company
Address: 7595 East McDonald Drive #130
Scottsdale, Arizona 85250

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

307480
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 15.00
DEPUTY *[Signature]*
2006 MAR 24 PM 2 32
RECORDED AT THE REQUEST OF
LAND TITLE ESCROW

Section 16: Part of said Section 16, more particularly described as follows:

Beginning at the Southwest corner of said Section 16, said corner marked by a 5/8 inch rebar with a 3 inch cap on top which shall be the Point of Beginning;
Thence North 00°33'17" West along the West line of Section 16 for a distance of 2632.90 feet to a 5/8 rebar with a 3 inch cap on top at the West ¼ section corner of Section 16;
Thence North 00°36'10" West along the West line of Section 16 for a distance of 1820.19 feet;
Thence South 89°49'50" East for a distance of 15.54 feet to a ½ inch rebar;
Thence South 89°49'50" East for a distance of 770.99 feet to a ½ inch rebar on the Southwesterly right of way of State Highway 77;
Thence South 45°31'05" East along the Southwesterly right of way of State Highway 77 for a distance of 2205.05 feet;
Thence South 89°38'23" West (West, rec.) for a distance of 164.10 feet to a ½ inch rebar;
Thence South 00°02'48" East (South, rec.) for a distance of 258.00 feet to a ½ inch rebar on the South line of the NW¼;
Thence South 89°38'23" West along the South line of the NW¼ for a distance of 833.39 feet to a 5/8 inch rebar at the Northwest corner of the NE¼SW¼;
Thence South 00°18'05" East along the West line of the NE¼SW¼ for a distance of 1313.50 feet to a 5/8 inch rebar at the Southwest corner of the NE¼SW¼;
Thence North 89°30'50" East along the South line of the NE¼SW¼ for a distance of 1337.57 feet to a ½ inch rebar at the Southeast corner of the NE¼SW¼;
Thence North 00°02'48" West along the East line of the NE¼SW¼ for a distance of 223.87 feet to a ½ inch rebar;
Thence North 86°10'00" East (North 85°38'56" East, rec.) for a distance of 393.32 feet (402.79 feet, rec.) to a ½ inch rebar;
Thence North 00°18'30" West (North 0°51'30" West, rec.) for a distance of 593.10 feet to a ½ inch rebar;
Thence North 00°18'30" West (North 0°51'30" West, rec.) for a distance of 0.10 feet to the Southwesterly right of way of State Highway 77;

Thence South 45°31'05" East along the Southwesterly right of way of State Highway 77 for a distance of 2908.61 feet to a concrete highway right of way marker at Station PC 618+23.5;
Thence along said highway right of way on a tangent curve to the right for a distance of 157.39 feet to a ½ inch rebar on the South line of Section 16, said curve having a radius of 1106.00 feet and a central angle of 8°09'12" with a long cord bearing of South 41°25'43" East for a distance of 157.26 feet;
Thence North 89°57'20" West along the South line of Section 16 for a distance of 2567.27 feet to a 5/8 inch rebar with a 3 inch cap on top at the S¼ Section corner of Section 16;
Thence South 89°23'12" West along the South line of Section 16 for a distance of 2663.52 feet to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 21: NW¼ and NW¼NE¼

PARCEL NO. 3:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 23: NW¼NW¼

PARCEL NO. 4:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: All that portion of the SE¼ lying South and West of the Albion Connor Creek Highway
Section 34: All that portion of the NE¼NE¼ lying South and West of the Albion Connor Creek Highway
Section 35: W½SW¼, SE¼SW¼, W½SE¼, EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.
Section 35: All that portion of the NW¼ and the NE¼SW¼ lying South and West of the Albion Connor Creek Highway.

TOWNSHIP 13 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: W½NE¼, SE¼NW¼, NE¼SW¼ and NW¼SE¼, EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Adjudication Nos. 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589 and 45-13590.

AJ

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2006 and subsequent years.

Reservations contained in the following:

- ▶ **State of Idaho Deed dated November 19, 1940 and recorded February 11, 1941 as Instrument No. 137902, in Book 2 of Patents on page 7, records of Cassia County, Idaho.**
- ▶ **State of Idaho Deed dated January 20, 1948 and recorded December 7, 1948 as Instrument No. 164179 in Book 2 of Patents on page 190, records of Cassia County, Idaho.**
- ▶ **State of Idaho Deed dated November 24, 1931 and recorded January 31, 1949 as Instrument No. 164682 in Book 2 of Patents on page 199, records of Cassia County, Idaho.**
- ▶ **State of Idaho Deed dated January 29, 1951 and recorded February 15, 1951 as Instrument No. 171576 in Book 2 of Patents on page 267, records of Cassia County, Idaho.**
- ▶ **State of Idaho Deed dated July 26, 1955 and recorded August 17, 1962 as Instrument No. 8490 on Film No. 5, records of Cassia County, Idaho.**

Grant of Easement and Right-of-Way executed by Richard Anderson, grantor, to the United States of America, Department of the Interior, Bureau of Land Management, grantee, dated December 19, 1958 and recorded December 22, 1958 in Book 10 of Bills of Sales and Agreements as Instrument No. 199713, records of Cassia County, Idaho.

Access Road Easement executed by Richard S. Anderson and Helen Anderson, husband and wife, Grantors to the United States of America and its assigns, dated May 4, 1967 and recorded May 18, 1967 as Instrument No. 35082 on Film No. 49, records of Cassia County, Idaho.

Agreement For Purchase of Power between the Raft River Rural Electric Cooperative, Inc., Seller and Richard E. Anderson, aka Dick Anderson and Janice Anderson, Consumer, dated June 1, 1975 and recorded May 24, 1978 as Instrument No. 107835 on Film No. 117, records of Cassia County, Idaho.

Electric Line - Right-of-Way Easement executed by Dick Jr. and Janice Anderson, husband and wife, to Raft River Rural Electric Cooperative, Inc., a Cooperative corporation, dated February 8, 1989 and recorded March 31, 1989 as Instrument No. 201075 on Film No. 205, records of Cassia County, Idaho.

Electric Line - Right-of-Way Easement executed by Dick and Helen Anderson, husband and wife, to Raft River Rural Electric Cooperative, Inc., a Cooperative corporation, dated February 8, 1989 and recorded August 30, 1989 as Instrument No. 203681 on Film No. 209, records of Cassia County, Idaho.

Electric Line - Right-of-Way Easement executed by Dick and Helen Anderson, husband and wife, to Raft River Rural Electric Cooperative, Inc. A Cooperative corporation, dated August 30, 1989 and recorded August 30, 1989 as Instrument No. 203682 on Film No. 209, records of Cassia County, Idaho.

Electric Line - Right-of-Way Easement executed by Dick and Helen Anderson, husband and wife, to Raft River Rural Electric Cooperative, Inc., a Cooperative corporation, dated August 30, 1989 and recorded August 30, 1989 as Instrument No. 203683 on Film No. 209, records of Cassia County, Idaho.

Lease between Richard S. Anderson and Helen Anderson, and The United States of America, dated July 20, 1992 and recorded August 13, 1992 as Instrument No. 220412 on Film No. 237, records of Cassia County, Idaho.

Exclusive Road Easement executed by Helen Anderson, a widow to the United States of America, and its assigns, dated July 8, 1997 and recorded October 8, 1997 as Instrument No. 251580 on Film No. 292, records of Cassia County, Idaho.

HELEN ANDERSON RETAINS A LIFE ESTATE IN HER CURRENT RESIDENCE LOCATED ON THE HEREIN DESCRIBED REAL PROPERTY, TOGETHER WITH THE YARD AREA IMMEDIATELY SURROUNDING IT CONTAINING APPROXIMATELY ONE-HALF (1/2) ACRE ("LIFE ESTATE PROPERTY"). HELEN ANDERSON SHALL BE ENTITLED TO REMAIN IN POSSESSION OF THE LIFE ESTATE PROPERTY FOR THE DURATION OF HER NATURAL LIFETIME; PROVIDED, HOWEVER, THAT IF HELEN ANDERSON IS UNABLE OR CHOOSES NOT TO OCCUPY THE LIFE ESTATE PROPERTY FOR ANY PERIOD OF 60 CONSECUTIVE DAYS HER LIFE ESTATE SHALL AUTOMATICALLY TERMINATE, AND ALBION RANCH 2006, L.L.C. OR ITS SUCCESSORS SHALL THEREAFTER BE ENTITLED TO EXCLUSIVE POSSESSION OF THE LIFE ESTATE PROPERTY.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 23, 2006

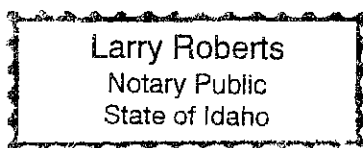
Helen Anderson
Helen Anderson

Oliver George Anderson
Oliver George Anderson, aka Dick Anderson

Janice A. Anderson
Janice A. Anderson, aka Janice Anderson

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

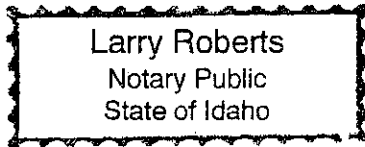
On this 23rd day of **March, 2006**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Helen Anderson**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 23 day of March, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Oliver George Anderson, aka Dick Anderson and Janice A. Anderson, aka Janice Anderson**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.





Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09