

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

RECEIVED

OCT 20 2005

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

WATER RESOURCES
 WESTERN REGION

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
65-12965					

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) BALLARD SMITH
PO BOX 9572, RANCHO SANTA FE, CA 92067
4. New Owner/Claimant(s) IDAZONA LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 5202 SOUTH 40TH STREET
 City, State and ZIP Code PHOENIX, ARIZONA 85040
 New Telephone Number 602 438-8000
5. Date you acquired the property SEPT. 26, 2005

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) IDA ZONA LLC
(include title if applicable) BY: Peter J. Peterson, CONTROLLER.

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 _____ Fee 25.00
 Receipted by LG Date 10-20-05 Receipt No. W033521
 Processed by _____ AJ Date _____ WR _____ Date _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
415 Railroad
McCall, ID 83638

Instrument # 300857
VALLEY COUNTY, CASCADE, IDAHO
2005-09-28 04:11:50 No. of Pages: 4
Recorded for : FIRST AMERICAN TITLE
LELAND G. HEINRICH
Ex-Officio Recorder Deputy *[Signature]* Fee: 12.00
Index to: DEEDS

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **mc7006 (ap)**

Date: **September 26, 2005**

For Value Received, **Ballard F. Smith, a married man as his sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Idazona, LLC, an Arizona Corporation**, hereinafter called the Grantee, whose current address is **5202 S. 40th Street, Phoenix, AZ 85040**, the following described premises, situated in **Valley County, Idaho**, to-wit:

PARCEL 1: A PARCEL OF LAND SITUATE IN GOVERNMENT LOT 3 OF SECTION 2, TOWNSHIP 18 NORTH, RANGE 3 EAST, BOISE MERIDIAN, VALLEY COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MARKING THE NORTHEAST CORNER OF GOVERNMENT LOT 3 OF SECTION 2, TOWNSHIP 18 NORTH, RANGE 3 EAST, BOISE MERIDIAN, VALLEY COUNTY, IDAHO;

THENCE, S. 46° 12' 38" W., 977.70 FEET TO A CHISELED "X" ON A LARGE ROCK ON THE WESTERLY RIGHT OF WAY OF LICK CREEK ROAD;

THENCE, N. 37° 41' 00" E., 142.20 FEET ALONG SAID WESTERLY RIGHT OF WAY TO A 1/2" REBAR, THE REAL POINT OF BEGINNING:

THENCE, N. 36° 13' 01" W., 17.06 FEET TO A MANHOLE ON THE CENTERLINE OF A 20 FOOT WIDE SANITARY SEWER EASEMENT AS DESCRIBED IN INSTRUMENT NO. 214518;

THENCE, N. 36° 13' 01" W, 61.94 FEET ALONG SAID EASEMENT CENTERLINE TO A MANHOLE;
THENCE, N. 71° 14' 29" W., 39.28 FEET ALONG SAID EASEMENT CENTERLINE TO A 1/2" REBAR;

THENCE, N. 09° 36' 28" E., 35.55 FEET TO A 1/2" REBAR;

THENCE, N. 00° 05' 44" E., 51.25 FEET TO A 1/2" REBAR;

THENCE, S. 69° 59' 52" W., 21.32 FEET TO A 1/2" REBAR;

THENCE, S. 87° 26' 03" W., 19.85 FEET TO A 1/2" REBAR;

THENCE, N. 21° 00' 48" W., 6.72 FEET TO A 1/2" REBAR;

THENCE, S. 75° 35' 47" W., 40.24 FEET TO A 1/2" REBAR;

THENCE, N. 68° 55' 48" W., 27.70 FEET TO A 1/2" REBAR;

THENCE, N. 81° 21' 53" W., 27.70 FEET TO A 1/2" REBAR;

THENCE, N. 76° 22' 37" W., 45.44 FEET TO A 1/2" REBAR ON THE HIGH WATER LINE OF PAYETTE LAKE;

THENCE, N. 39° 27' 00" E., 3.17 FEET ALONG SAID HIGH WATER LINE;

THENCE, N. 23° 02' 00" E., 36.40 FEET ALONG SAID HIGH WATER LINE;

THENCE, N. 05° 08' 00" E., 55.70 FEET ALONG SAID HIGH WATER LINE;

THENCE, N. 14° 53' 00" E., 38.60 FEET ALONG SAID HIGH WATER LINE;

THENCE, N. 24° 40' 00" E., 66.90 FEET ALONG SAID HIGH WATER LINE;

THENCE, S. 81° 39' 24" E., 38.00 FEET TO A 5/8" REBAR;

THENCE, CONTINUING S. 81° 39' 24" E., 405.25 FEET TO A 5/8" REBAR;

THENCE, S 37° 13' 50" E., 6.81 FEET TO A CHISELED "X" ON A ROCK ON THE WESTERLY RIGHT OF WAY OF LICK CREEK ROAD;
THENCE 103.50 FEET ALONG SAID WESTERLY RIGHT OF WAY ON A NON-TANGENT CURVE TO THE LEFT, WHOSE RADIUS IS 393.10 FEET, DELTA ANGLE IS 15° 05' 10", AND WHOSE LONG CHORD BEARS S. 45° 13' 35" W., 103.21 FEET TO A 5/8" REBAR;
THENCE, S. 37° 41' 00" W., 281.35 FEET ALONG SAID WESTERLY RIGHT OF WAY TO THE POINT OF BEGINNING.

PARCEL 2: A PARCEL OF LAND SITUATE IN GOVERNMENT LOT 3 OF SECTION 2, TOWNSHIP 18 NORTH, RANGE 3 EAST, BOISE MERIDIAN, VALLEY COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MARKING THE NORTHEAST CORNER OF GOVERNMENT LOT 3 OF SECTION 2, TOWNSHIP 18 NORTH, RANGE 3 EAST, BOISE MERIDIAN, VALLEY COUNTY, IDAHO;
THENCE, S. 46° 12' 38" W., 977.70 FEET TO A CHISELED "X" ON A LARGE ROCK ON THE WESTERLY RIGHT OF WAY OF LICK CREEK ROAD, THE REAL POINT OF BEGINNING;
THENCE, N. 22° 42' 00" E., 114.80 FEET TO A 1/2" REBAR;
THENCE, N. 68° 06' 01" W., 119.85 FEET TO A 1/2" REBAR;
THENCE, CONTINUING N. 68° 06' 01" W., 155.69 FEET TO A 1/2" REBAR ON THE APPARENT HIGH WATER MARK OF PAYETTE LAKE;
THENCE, N. 19° 54' E., 54.39 FEET ALONG SAID HIGH WATER MARK;
THENCE, N. 39° 27' E., 36.63 FEET ALONG SAID HIGH WATER MARK TO A 1/2" REBAR;
THENCE, S. 76° 22' 37" E., 45.44 FEET TO A 1/2" REBAR;
THENCE, S. 81° 21' 53" E., 27.70 FEET TO A 1/2" REBAR;
THENCE, S. 68° 55' 48" E., 27.70 FEET TO A 1/2" REBAR;
THENCE, N. 75° 35' 47" E., 40.24 FEET TO A 1/2" REBAR;
THENCE, S. 21° 00' 48" E., 6.72 FEET TO A 1/2" REBAR;
THENCE, N. 87° 26' 03" E., 19.85 FEET TO A 1/2" REBAR;
THENCE, N. 69° 59' 52" E., 21.32 FEET TO A 1/2" REBAR;
THENCE, S. 00° 05' 44" W., 51.25 FEET TO A 1/2" REBAR;
THENCE, S. 09° 36' 28" W., 35.55 FEET TO A 1/2" REBAR ON THE CENTERLINE OF AN EXISTING 20 FOOT WIDE SANITARY SEWER EASEMENT AS DESCRIBED IN INSTRUMENT NO. 214518;
THENCE, S. 71° 14' 29" E., 39.28 FEET ALONG SAID CENTERLINE TO A MANHOLE, THENCE, S. 36° 13' 01" E., 61.94 FEET ALONG SAID CENTERLINE TO A MANHOLE;
THENCE, CONTINUING S. 36° 13' 01" E., 17.06 FEET TO A 1/2" REBAR ON THE WESTERLY RIGHT OF WAY OF LICK CREEK ROAD;
THENCE, S. 37° 41' 00" W., 142.20 FEET TO THE POINT OF BEGINNING.

PARCEL 3: A 20.00 FOOT WIDE INGRESS AND EGRESS EASEMENT SITUATE IN GOVERNMENT LOT 3, SECTION 2, TOWNSHIP 18 NORTH, RANGE 3 EAST, BOISE MERIDIAN, VALLEY COUNTY, IDAHO, LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:
COMMENCING AT A BRASS CAP MARKING THE NORTHWEST CORNER OF GOVERNMENT LOT 3, SECTION 2, TOWNSHIP 18 NORTH, RANGE 3 EAST, BOISE MERIDIAN, VALLEY COUNTY, IDAHO;

**THENCE, S. 30° 06' 22" W., 725.13 FEET ALONG THE WESTERLY BOUNDARY OF GOVERNMENT LOT 3;
THENCE, S. 52° 43' 00" E. 287.07 FEET TO A 1/2" REBAR ON THE NORTHERLY RIGHT OF WAY LINE OF LICK CREEK ROAD;
THENCE, N. 32° 14' 57" E., 24.98 FEET TO A POINT ON SAID RIGHT OF WAY AT THE CENTER LINE OF AN EXISTING ROAD, THE REAL POINT OF BEGINNING:
THENCE, NORTHERLY ALONG THE CENTERLINE OF SAID EXISTING ROAD: N. 10° 00' W., 12.55 FEET;
THENCE, N. 1° 00' W., 34.0 FEET;
THENCE, N. 2° 00' E., 54.0 FEET;
THENCE, N. 4° 00' E., 68.0 FEET;
THENCE, N. 11° 00' E., 70.0 FEET;
THENCE, N. 14° 00' E., 75.28 FEET;
THENCE, 9.59 FEET ALONG A CURVE TO THE LEFT WHOSE RADIUS IS 3.50 FEET AND DELTA ANGLE IS 157° 00' 00";
THENCE, SOUTHERLY ALONG SAID CENTERLINE: S. 37° 00' W., 55.63 FEET;
THENCE, S. 35° 00' W., 48.0 FEET;
THENCE, S. 27° 00' W., 57.33 FEET TO THE POINT OF ENDING.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 09/26/2005

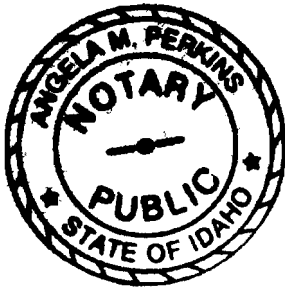
Warranty Deed
- continued

File No.: mc7006 (ap)

Ballard F. Smith
Ballard F. Smith

STATE OF Idaho)
COUNTY OF Valley)
28th

On this ~~First~~ ^{28th} day of September, 2005, before me, a Notary Public in and for said State, personally appeared **Ballard F. Smith**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Angela M. Perkins
Notary Public for the State of Idaho
Residing at: New Meadows, ID
My Commission Expires: 7/6/10