

Form 44-248/42-1409(6) July, 2000

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

RECEIVED**FEB 22 2005**Department of Water Resources
Southern 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>71-02052</u>	<u>See Attached</u>		<u>71-10664</u>	<u>See Attached</u>	
<u>71-04027</u>			<u>71-02016</u>		
<u>71-10149</u>			<u>71-02053B</u>		
<u>71-10774</u>			<u>71-04028</u>		
<u>71-10765</u>			<u>71-10148</u>		
			<u>71-10147</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) Rozalys B. Smith Trust/Idaho Rocky Mountain Ranch, Inc.
4. New Owner/Claimant(s) Fisher Creek Partners, LLC, An Idaho Limited Liability Co.
 Name Connector (Check one: ☐ and ☐ or ☐ and/or ☐
- New Mailing Address HC 64, Box 9934
- City, State and ZIP Code Stanley, ID 83278
- New Telephone Number (208) 774-3544
5. Date you acquired the property February 15, 2005

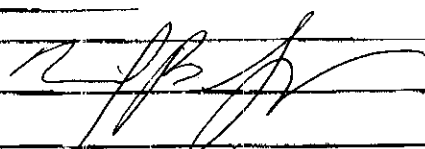
SUPPORT DATA**IN FILE #** 71-2016

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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 Myra West
 Received by Myra West
 Processed by AJ

Date 2/28/05
 Date 2/28/05
 Date _____

Fee 275.00
 Receipt No. 5027+00
 WR _____ Date _____

230825

Custer County Req. of

CCT

Time 11:04 AM Date 2/8/2005

Ethel M. Peck, Clerk

Lina Bakke s60
Deputy

WARRANTY DEED

FOR VALUE RECEIVED, RUDD & COMPANY, CHARTERED, AS SUCCESSOR TRUSTEE OF THE ROZALYS B. SMITH TRUST, as Grantor, does hereby grant, bargain, sell and convey unto FISHER CREEK PARTNERS, LLC, an Idaho Limited Liability Company, as Grantee, whose current address is HC 64 Box 9934, Stanley, Idaho, 83278, certain real property located in Custer County, Idaho, more particularly described as follows, to wit:

All of the land located in Township 9 North, Range 14 East, Boise Meridian, in Custer County, Idaho, described as:

Section 17: SW 1/4 (Southwest quarter)
Section 18: SE 1/4 (Southeast quarter)
Section 19: N 1/2 NE 1/4 (North half of the Northeast quarter)
Section 20: NE 1/4 (Northeast quarter),
N 1/2 SE 1/4 (Northeast half of the Southeast quarter),
NE 1/4 SW 1/4 (Northeast quarter of the Southwest quarter),
N 1/2 NW 1/4 (North half of the Northwest quarter),
SE 1/4 NW 1/4 (Southeast quarter of the Northwest quarter)
and all that portion of the
SW 1/4 NW 1/4 (Southwest quarter of the Northwest quarter)
and
W 1/2 SW 1/4 (West half of the Southwest quarter)
lying East of US Highway 93

This real property is hereinafter referred to as the "Premises."

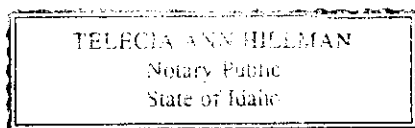
TO HAVE AND TO HOLD the Premises, with water rights, permits and licenses as identified by the following Idaho Department of Water Resources Water Right Numbers: 71-02052, 71-04027, 71-10149, 71-10774, 71-10765, 71-10664, 71-02016, 71-02053B, 71-04028, 71-10148, 71-10147; and appurtenances unto the Grantee and its assigns forever. And the Grantor does hereby covenant to and with the Grantee, that it is the owner in fee simple of the Premises; that the Premises are free from all encumbrances, EXCEPT real property taxes for the year 2005 and those to which this conveyance is expressly made subject to, and those made, suffered or done by the Grantee; and subject to reservations, restrictions, dedications, easements, rights of way and agreements, of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims other than those excepted.

230825

Dated this 16th day of February, 2005.RUDD & COMPANY, CHARTERED,
AS SUCCESSOR TRUSTEE OF THE
ROZALYS B. SMITH TRUSTBy: Rudd & Company
Its: J. Brian Hill
Vice PresidentSTATE OF IDAHO)
: ss.
County of Bonneville)

On this 16 day of February, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared J. Brian Hill, the vice president of Rudd & Company, Chartered, known or identified to me to be the person who executed the within and foregoing instrument for and on behalf of said corporation as the Successor Trustee of the Rozalys B. Smith Trust, and acknowledged to me that said corporation executed the same as such Successor Trustee.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Telecia Ann Hillman
Notary Public for Idaho
Residing at Idaho Falls
Commission Expires 12-4-2009

