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STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right No(s): 61-07632, 61-10659, 61-10576, 61-11807, 61-00328, 61-10578, 61-00309, 61-10579, 61-00316, 61-00312, 61-10577, 61--2153.
Adjudication Claim No(s): _____

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Stephens & Sons Inc.

22710 S. Lansing Rd., Middleton, Idaho 83644

4. New Owner/Claimant(s) ARK Properties, LLC.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/orNew Mailing Address Rt. 1 Box 451City, State and ZIP Code Glenns Ferry, Idaho 83623New Telephone Number (208) 366-7931

5. Date you acquired the property 12/2/98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner ARK Properties, LLC, By: Casa Del Norte LP, Manager,
or Claimant(s) By: ARD Trading Inc. General Partner

John B. McCallum, President

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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JAN 19 2000

**JOINT CONSENT TO ACTION
BY INITIAL MANAGER AND MEMBER OF
ARK PROPERTIES L.L.C.
IN LIEU OF ORGANIZATIONAL MEETING**

* * * * *

THE UNDERSIGNED, constituting the Initial Manager and Members of ARK PROPERTIES L.L.C., a Delaware Limited Liability Company (the "Company"), do hereby jointly consent to, adopt, ratify and approve in writing the following Company actions:

FORMATION OF COMPANY:

WHEREAS, on February 1, 1997, the undersigned Members agreed to form a Delaware limited liability company; and

WHEREAS, the Operating Agreement for the regulation of the affairs of the Company was executed by the Members effective February 15, 1997; and

WHEREAS, CASA DEL NORTE L.P., a Delaware limited partnership, was designated to act as the Initial Manager of the Company pursuant to Section 5.1 of said Operating Agreement; and

WHEREAS, the Articles of Organization for the Company were executed by the Organizer of the Company on February 14, 1997, and were filed with the Delaware Secretary of State on February 20, 1997;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Operating Agreement dated effective February 15, 1997, together with the Articles of Organization of this Company, as filed on February 20, 1997, by the Delaware Secretary of State, are approved and adopted and shall be inserted in the minute book of the Company; and

BE IT FURTHER RESOLVED, that CASA DEL NORTE L.P. is hereby appointed to act as the Initial Manager of this Company, pursuant to Section 5.1 of the Operating Agreement, to serve for the ensuing year or until its successor shall have been designated and qualified.

FUNDING OF COMPANY:

WHEREAS, to fund the Company, the following actions were taken:

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JUN 19 2000

- (1) CHARTERS MOUNTAIN RANCH, INC. executed a bargain and sale deed to transfer all of its right, title and interest in the "Pulley Property" located in Gem County, Idaho to the Company, a copy of which is attached hereto as Exhibit A; and
- (2) Charters Mountain Ranch, Inc., executed a bargain and sale deed to transfer all of its right, title and interest in the "Jungert Property" located in Gem County, Idaho to the Company, a copy of which is attached hereto as Exhibit B; and
- (3) CASA DEL NORTE L.P. contributed cash in and amount equal to ten percent (10%) of the fair market value of the real property transferred to the Company by CHARTERS MOUNTAIN RANCH, INC.; and

WHEREAS, in exchange for the capital contributions described above, CHARTERS MOUNTAIN RANCH, INC. received a ninety percent (90%) Member interest and CASA DEL NORTE L.P. received a ten percent (10%) Managerial interest.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Manager of this Company be, and hereby is authorized and empowered to take such steps and execute and deliver such documents in behalf of the Company as may be deemed necessary, appropriate or advisable in order to carry out the intent and purposes of the foregoing; such determinations to be conclusively evidenced by the taking of such steps and the execution and delivery of such documents.

GENERAL CONDUCT OF COMPANY BUSINESS

BE IT FURTHER RESOLVED, that the Manager of this Company shall procure all such record books, transfer books, books of account, stationery, and other office supplies as may be necessary, for the proper conduct of this Company's business.

BE IT FURTHER RESOLVED, that the Manager be, and hereby is authorized and directed to pay out of any funds belonging to this Company the expenses incurred in connection with its organization and for the supplies ordered or to be purchased in connection with the organization of the Company and the establishment of its business, and such other obligations, if any, as the Company has incurred incidental to its organization.

BE IT FURTHER RESOLVED, that this Company shall open a bank account for the general banking business of this Company with such banking institution in the State of Utah, or in any other state, as the Manager of this Company may deem appropriate, and the standard banking resolution used by said bank for a limited liability company account is hereby adopted as if said resolution had been set forth herein in full; and that the Manager of the Company is hereby authorized and

NOTED
JUN 19 2000

directed to execute all necessary forms of resolution of authority for bank accounts and borrowings with said banking institution.

BE IT FURTHER RESOLVED, that the Manager of this Company be, and it hereby is, authorized and empowered to enter into and execute contracts, leases, agreements and other legal documents of whatever kind or nature, specifically including agreements of limited partnership, as may be agreed to be necessary in the course of business, and that thereafter the Company shall be authorized to perform according to the same.

DATED this 25th day of February, 1997.

MANAGER:

CASA DEL NORTE L.P., a Delaware Limited Partnership, By Its General Partner:

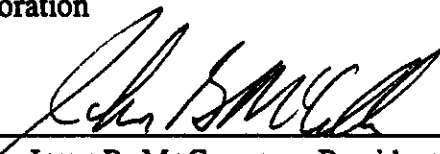
A.R.D. TRADING, INC., a Delaware corporation

By: 

JOHN B. MCCALLUM, President

MEMBER:

CHARTERS MOUNTAIN RANCH, INC., an Idaho Corporation

By: 

JOHN B. MCCALLUM, President

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JUN 19 2000

CORPORATE WARRANTY DEED

STEPHENS & SONS, INC., an Idaho corporation, Grantor, hereby conveys, grants and warrants to ARK PROPERTIES, L.L.C., Grantee, whose address is RT. 1 BOX 451 Glenns Ferry, Id 83423 for the sum of TEN DOLLARS and other good and valuable consideration, all of Grantor's interest in the following described real property located in the County of Elmore, State of Idaho, to-wit:

Township 5 South, Range 8 East, Boise Meridian, Elmore County, Idaho:

Section 1: U.S. Government Lots 1, 3, 4
SE1/4NE1/4
S1/2NW1/4
SW1/4
E1/2SE1/4
Section 12: NE1/4
N1/2SE1/4

Township 5 South, Range 9 East, Boise Meridian, Elmore County, Idaho:

Section 5: S1/2NE1/4
N1/2SE1/4

SUBJECT TO taxes and assessments for the year 1998 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantee that it owns its interest in said real property in fee simple; that the premises are free from all encumbrances,

JUN 19 2000

excepting those as may be herein set forth, and excepting those of record, and that it will warrant and defend its interest in the same from all lawful claims.

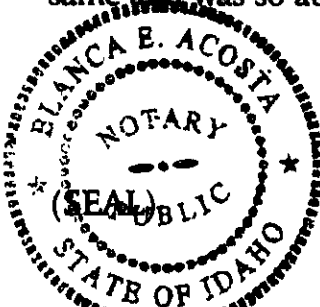
IN WITNESS WHEREOF, the Grantor has executed this instrument on this 2 day of December, 1998.

STEPHENS & SONS, INC.

By: Billy Roy Stephens
Authorized Signator Pres,

STATE OF IDAHO)
)
) :SS
County of Canyon)

On this 2nd day of December, in the year 1998, before me,
Blanca E. Acosta, a Notary Public, personally appeared
Billy Roy Stephens, an authorized signator of Stephens & Sons, Inc.,
an Idaho corporation, known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that he executed the
same and was so authorized to do so for and on behalf of said corporation.



j:\C:\W\stephens\stephenswdcorp.wpd

Blanca E Acosta
Notary Public for Idaho
Commission expires: 9-1-99

312066

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC

Time 4:51 P M
Date December 4, 1998
Book _____ Page _____

DOLORES ROBISON
Recorder

MICROFILMED By [Signature]
Deputy

JUN 19 2000 Fee \$6.00

WARRANTY DEED

BILLY ROY STEPHENS, a single man, Grantor, hereby conveys, grants and warrants to ARK PROPERTIES, L.L.C., Grantee, whose address is RT. 1 Box 451 Glenview, Idaho Tel 52422 for the sum of TEN DOLLARS and other good and valuable consideration, all of Grantor's interest in the following described real property located in the County of Elmore, State of Idaho, to-wit:

Township 4 South, Range 9 East, Boise Meridian, Elmore County, Idaho:

Section 32: S1/2SE1/4
SE1/4SW1/4
Section 33: SW1/4SW1/4

Township 5 South, Range 9 East, Boise Meridian, Elmore County, Idaho:

Section 4: Lot 4
Section 5: Lots 1, 2, 3
S1/2NW1/4
NE1/4SW1/4
NW1/4SW1/4 lying North East of established road right-of-way.

SUBJECT TO taxes and assessments for the year 1998 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantee that he owns his interest in said real property in fee simple; that the premises are free from all encumbrances,

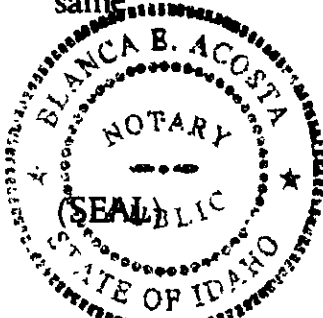
excepting those as may be herein set forth, and excepting those of record, and that he will warrant and defend her interest in the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 2 day of December, 1998.

Billy Roy Stephens
Billy Roy Stephens

STATE OF IDAHO)
)
) :SS
County of Canyon)

On this 2nd day of December, in the year 1998, before me, Blanca E. Acosta a Notary Public, personally appeared BILLY ROY STEPHENS, a single man, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same



ja/C:\w\1000\1000\stephenswdark2.wpd

Blanca E. Acosta
Notary Public for Idaho
Commission expires: 9-1-99

312065

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

Time 4:50 P M

Date December 4, 1998

Book _____ Page _____

DOLORES ROBISON

Recorder

By [Signature]

Deputy

Fee \$6.00

WARRANTY DEED - 2

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JUN 19 2000

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made and executed by Evelyn M. Stephens, as personal representative of THE ESTATE OF EDGAR G. STEPHENS, DECEASED, aka Edgar Barney Stephens, hereinafter referred to as the "Grantor," to ARK PROPERTIES, L.L.C., hereinafter referred to as the "Grantee," whose address is RT 1 Box 451 Glenview Ferry, ID 83643

WHEREAS, Evelyn M. Stephens is the qualified personal representative of said estate, filed as Probate Case Number SP 97-00972 in Canyon County, Idaho;

THEREFORE, in accordance with the provisions of Uniform Probate Code as set forth in Title 15 of the Idaho Code, Grantor estate hereby grants, transfers and conveys to Grantee all of the Grantor estate's interest in the following described real property in Elmore County, Idaho:

Township 5 South, Range 8 East, Boise Meridian, Elmore County, Idaho:

Section 13: S1/2N1/2
N1/2S1/2

AND

Township 4 South, Range 9 East, Boise Meridian, Elmore County, Idaho:

Section 32: S1/2SE1/4
SE1/4SW1/4
Section 33: SW1/4SW1/4

Township 5 South, Range 9 East, Boise Meridian, Elmore County, Idaho:

312064

Section 4: Lot 4
Section 5: Lots 1, 2, 3
S1/2NW1/4
NE1/4SW1/4
NW1/4SW1/4 lying North East of established road right-of-way.

ELMORE COUNTY, IDAHO ss
Request of
GUARANTY TITLE, INC.

Time 4:49 P M
Date December 4, 1998
Book _____ Page _____
DOLORES ROBISON
Recorder
By [Signature]
Deputy
Fee \$100.

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JUN 10 2000

WARRANTY DEED

EVELYN M. STEPHENS, Grantor, hereby conveys, grants and warrants to ARK PROPERTIES, L.L.C., Grantee, whose address is RT. 1 Box 457 Idaho 83623 for the sum of TEN DOLLARS and other good and valuable consideration, all of Grantor's interest in the following described real property located in the County of Elmore, State of Idaho, to-wit:

Township 5 South, Range 8 East, Boise Meridian, Elmore County, Idaho:

Section 13: S1/2N1/2
N1/2S1/2

AND

Township 4 South, Range 9 East, Boise Meridian, Elmore County, Idaho:

Section 32: S1/2SE1/4
SE1/4SW1/4
Section 33: SW1/4SW1/4

Township 5 South, Range 9 East, Boise Meridian, Elmore County, Idaho:

Section 4: Lot 4
Section 5: Lots 1, 2, 3
S1/2NW1/4
NE1/4SW1/4
NW1/4SW1/4 lying North East of established road right-of-way.

SUBJECT TO taxes and assessments for the year 1998 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all

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JUN 19 2000

zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

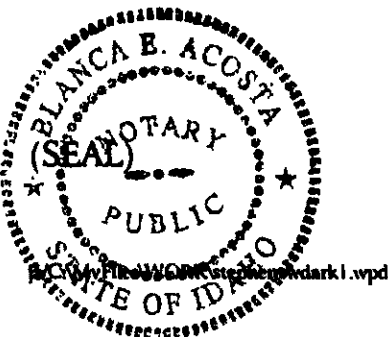
The Grantor covenants to the Grantee that she owns her interest in said real property in fee simple; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that she will warrant and defend her interest in the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 2 day of December, 1998.

Evelyn M. Stephens
Evelyn M. Stephens

STATE OF IDAHO)
)
) :ss
County of Canyon)

On this 2nd day of December in the year 1998, before me, Blanca E. Acosta, a Notary Public, personally appeared EVELYN M. STEPHENS, 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.



Blanca E. Acosta
Notary Public for Idaho
Commission expires: 2-1-99

WARRANTY DEED - 2

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ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.
Time 4:48 P M
Date December 4, 1998
Book _____ Page _____
DOLORES ROBISON
Recorder
By [Signature]
Deputy
Fee \$6.00

In Re SRBA)
)
Case No. 39576)
)

1998 JAN 30 PM 3: 55

FILED _____

QUANTITY: 0.09 CFS

PRIORITY DATE: 12/31/1942

POINT OF DIVERSION: T05S R09E S05 NWSE Within ELMORE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.05 CFS
	DOMESTIC 2 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within ELMORE County
T05S R09E S05 NWSE

DOMESTIC Within ELMORE County
T05S R09E S05 NWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 61-10576

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JAN-15-1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 30, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ARK PROPERTIES LLC
RT 1 BOX 451
GLENN'S FERRY ID 83623

RE: Decreed Water Right 61-10576

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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