

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAY 25 2004

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

Department of Water Resources  
Eastern 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, 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 34-13567              |                              |       |                       |                              |       |
| 34-13568              |                              |       |                       |                              |       |
| 34-194A               |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

Department of Water Resources

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. ~~\$75~~ \$75
- 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)

~~ALLEN MADRARI PRATER~~

Scott Whitman

4. New Owner/Claimant(s)

3776 WEST 3700 NORTH, DARLINGTON ID 83255

COUNTRY LIMITED PARTNERSHIP, a Colorado limited partnership

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

New Mailing Address

3776 WEST 3700 NORTH

City, State and ZIP Code

DARLINGTON ID 83255

New Telephone Number

(208) 588-2957

5. Date you acquired the property

6/9/03

**SUPPORT DATA**

**IN FILE #** 34-194A

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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
|--------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Irrigation   | _____                                                                      | _____                                                        |
| Stock        | _____                                                                      | _____                                                        |
| Domestic     | _____                                                                      | _____                                                        |
| Other _____  | _____                                                                      | _____                                                        |
| <b>Total</b> | _____                                                                      | _____                                                        |

### 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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
|--------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Irrigation   | _____                                                                      | _____                                                        |
| Stock        | _____                                                                      | _____                                                        |
| Domestic     | _____                                                                      | _____                                                        |
| Other _____  | _____                                                                      | _____                                                        |
| <b>Total</b> | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s)  
(include title if applicable)

CONTRARY LIMITED PARTNERSHIP  
By: County Divide Ranch, LLC, its general Partner  
*[Signature]*  
By: Arison MADHAVI BRADFORD, manager

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>JC</u>  | Date <u>5/24/04</u> | Fee <u>\$75</u>            |
| Received by <u>JC</u>  | Date <u>5/24/04</u> | Receipt No. <u>E029881</u> |
| Processed by <u>AJ</u> | Date _____          | WR _____ Date _____        |

## WARRANTY DEED

As part of an IRC Tax-Deferred Exchange

For Value Received Scott L. Whitworth and Dixie L. Whitworth, husband and wife

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

Alison Madhavi Bradford, an unmarried woman

whose address is: ~~PO BOX 387, Custer, Idaho, 83223~~ 3776 W. 3700 North, Darlington, ID 83255

Hereinafter called the Grantee, the following described premises situated in Custer and Butte Counties, Idaho, to-wit

See Attached Legal Description

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT TO ATTACHED LEGAL.

Said property also identified as Replacement Property for the above-referenced 1031 tax deferred exchange

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 their 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.

Dated: May 22, 2001

Scott L. Whitworth  
Scott L. Whitworth

Dixie L. Whitworth  
Dixie L. Whitworth

0222778  
Custer County Reg. of.  
Title  
Time 9:25 A.M. Date 5/25/01  
Ethel M. Peck, Clerk  
Deputy

## ATTACHED LEGAL DESCRIPTION

### Tract A

Township 5 North, Range 25 E.B.M., Butte County, Idaho  
Section 2: All that portion of the  $W\frac{1}{2}NE\frac{1}{4}$  and  $E\frac{1}{2}NW\frac{1}{4}$  lying E. of Antelope Creek and in Butte County and sometimes designated as Tax No. 285

### Tract B

Township 6 North, Range 25 E.B.M., Butte County, Idaho  
Section 35:  $NE\frac{1}{4}$ ,  $N\frac{1}{2}SE\frac{1}{4}$ , EXCEPTING those portions lying within Custer County.

### Tract E

Township 5 North, Range 25 E.B.M., Custer County, Idaho  
Section 2: Lot 3 ( $NE\frac{1}{4}NW\frac{1}{4}$ ), of Lot 4 ( $NW\frac{1}{4}NW\frac{1}{4}$ ), and  $SW\frac{1}{4}NW\frac{1}{4}$ ; that portion of Lot 2 ( $NW\frac{1}{4}NE\frac{1}{4}$ ) lying W. of Antelope Creek in Custer County; and that portion of  $SE\frac{1}{4}NW\frac{1}{4}$  W. of Antelope Creek in Custer County

Section 16:  $NE\frac{1}{4}$ ,  $NE\frac{1}{4}NW\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ , and  $NW\frac{1}{4}NW\frac{1}{4}$

### Tract F

Township 6 North, Range 25 E.B.M., Custer County, Idaho  
Section 25: That part of the S. 775 feet of the  $SW\frac{1}{4}SW\frac{1}{4}$  lying W. of the Big Lost River Irrigation Canal right-of-way

Section 28:  $SW\frac{1}{4}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ , and the  $SE\frac{1}{4}SE\frac{1}{4}$ , EXCEPTING FROM said  $SE\frac{1}{4}SE\frac{1}{4}$  the following described tract: Commencing at the NE corner of Section 35 and running thence due N. 775 feet along the East-West common boundary line of Sections 25 and 26 to the real point of beginning; thence W. 178 feet; thence N. 120 feet; thence W. 320 feet; thence N. 425 feet; thence E. 498 feet along the N. boundary line of said  $SE\frac{1}{4}SE\frac{1}{4}$ ; thence S. 545 feet along the East-West boundary of Sections 25 and 26 to the real point of beginning.

Section 34: Lot 1 ( $NE\frac{1}{4}NE\frac{1}{4}$ ), Lot 2 ( $SE\frac{1}{4}NE\frac{1}{4}$ ),  $W\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ , Lot 3 ( $NE\frac{1}{4}SE\frac{1}{4}$ ), Lot 4 ( $SE\frac{1}{4}SE\frac{1}{4}$ ),  $NW\frac{1}{4}SE\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$

Section 35:  $W\frac{1}{2}$ ;  $NW\frac{1}{4}NE\frac{1}{4}$ ; and those portions of the  $E\frac{1}{2}NE\frac{1}{4}$ ,  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}$  lying in Custer County.

Section 36:  $N\frac{1}{4}NW\frac{1}{4}$  lying W. of the Big Lost River Canal, lying within Custer County.

**EXHIBIT C**  
**SCOTT WHITWORTH WATER RIGHTS**  
 Status From SRBA as of 5/1/01

PARCEL 1 (Bradford)

| SUBCASE#  | PRIORITY DATE | CURRENT OWNER OF RECORD   | STATUS       |
|-----------|---------------|---------------------------|--------------|
| 34-00116A | 5-1-1905      | WHITWORTH, SCOTT          | READY FOR PD |
| 34-00194A | 5-10-1897     | DIAMOND LAZY L RANCH, LTD | READY FOR PD |
| 34-00872A | 2-18-1885     | WHITWORTH, SCOTT          | READY FOR PD |
| 34-02321  | 2-8-1955      | WHITWORTH, SCOTT          | READY FOR PD |
| 34-07015  | 4-17-1970     | WHITWORTH, SCOTT          | READY FOR PD |
| 34-10729  | 5-10-1897     | WHITWORTH, SCOTT          | READY FOR PD |
| 34-10763  | 10-15-1893    | WHITWORTH, SCOTT          | READY FOR PD |
| 34-10765  | 11-15-1883    | WHITWORTH, SCOTT          | READY FOR PD |
| 34-10767  | 5-1-1880      | WHITWORTH, SCOTT          | READY FOR PD |
| 34-10769  | 5-1-1939      | DARLINGTON RANCH INC      | PD ISSUED    |
| 34-10770  | 6-15-1939     | DARLINGTON RANCH INC      | PD ISSUED    |
| 34-10771  | 9-30-1940     | DARLINGTON RANCH INC      | PD ISSUED    |
| 34-10772  | 1-17-1980     | DARLINGTON RANCH INC      | PD ISSUED    |
| 34-00481  | 11-15-1883    | DIAMOND LAZY L RANCH, LTD | PD ISSUED    |
| 34-00482  | 10-15-1893    | DIAMOND LAZY L RANCH, LTD | PD ISSUED    |
| 34-00849B | 6-1-1895      | DIAMOND LAZY L RANCH, LTD | PD ISSUED    |
| 34-02367  | 5-12-1960     | DIAMOND LAZY L RANCH, LTD | PD ISSUED    |
| 34-10773  | 1-25-1983     | DARLINGTON RANCH INC      | PD ISSUED    |
| 34-13567  | 5-15-1909     | WHITWORTH, SCOTT L.       | READY FOR PD |
| 34-13568  | 5-1-1980      | WHITWORTH, SCOTT L.       | READY FOR PD |

PARCEL 2 (Dotzenrod)

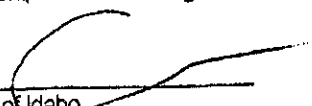
| SUBCASE#  | PRIORITY DATE | CLAIMANT                  | STATUS    |
|-----------|---------------|---------------------------|-----------|
| 34-00228A | 6/1/1884      | DIAMOND LAZY L RANCH, LTD | PD ISSUED |
| 34-00229  | 6/1/1894      | DIAMOND LAZY L RANCH, LTD | PD ISSUED |
| 34-00360C | 6-1-1887      | DIAMOND LAZY L RANCH, LTD | PD ISSUED |
| 34-00856G | 4-30-1884     | DIAMOND LAZY L RANCH, LTD | PD ISSUED |
| 34-07193  | 6-26-1978     | WHITWORTH, SCOTT          | PD ISSUED |
| 34-10533  | 7-1-1900      | DIAMOND LAZY L RANCH, LTD | PD ISSUED |

STATE OF Idaho

ss.

COUNTY OF Blaine

On this 22nd day of May, 2001, before me Alison Warner, personally appeared Scott L. Whitworth and Dixie L. Whitworth, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

  
Notary Public of Idaho  
Residing at: Ketchum, Idaho  
Commission Expires: 09/18/06

