

RECEIVED

OCT 28 2003

RECEIVED

OCT 27 2003

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

Department of Water Resources

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
71-2091E					

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)

WILDLANDS L.L.C.

Box 7133 Ketchum Idaho

4. New Owner/Claimant(s)

SMILEY CREEK RANCH LLC

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

Box 7133

City, State and ZIP Code

Ketchum Idaho 83340

New Telephone Number

208 724-7861

5. Date you acquired the property

JUNE 03

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) SMITH CREEK Ranch LLC
(include title if applicable) by [Signature] member
WES WILLS

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>MB</u>	Date <u>10/27/03</u>	Fee <u>25⁰⁰</u>	
Received by <u>MB</u>	Date <u>10/27/03</u>	Receipt No. <u>5026203</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

SVTC Accom.

QUITCLAIM DEED

THIS INSTRUMENT FILED FOR RECORD
BY SUN VALLEY TITLE COMPANY AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TITLE

For Value Received

WESLEY A. WILLS, AN UNMARRIED MAN, AND WILDLANDS, LLC, A MONTANA LIMITED LIABILITY COMPANY

Does hereby convey, release, remise and forever quitclaim unto

SMILEY CREEK RANCH, LLC, AN IDAHO LIMITED LIABILITY COMPANY

Whose current address is: PO Box 7133, Ketchum, ID 83340

The following described premises, to-wit:

Lot 1 in Block 1 of ABE'S CHAIR, FIRST ADDITION, BLAINE COUNTY, IDAHO, as shown on the official plat thereof, recorded October 2, 2001, as instrument No. 456145, records, records of Blaine County, Idaho.

Instrument # 485111

HAILEY, BLAINE, IDAHO

2003-06-05 11:35:00 No. of Pages: 1

Recorded for : SUN VALLEY TITLE

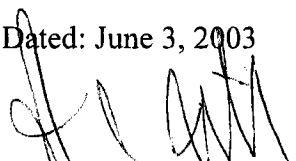
MARSHA RIEMANN Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

Together with their appurtenances.

Dated: June 3, 2003


WESLEY A. WILLS

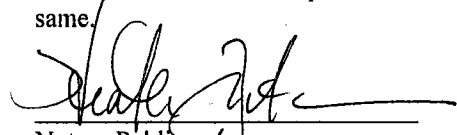

WILDLANDS, LLC

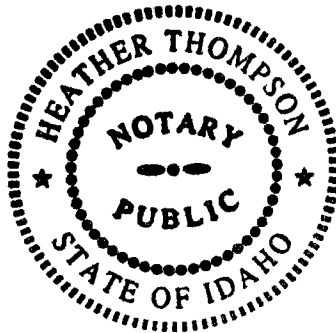
WESLEY A. WILLS, MEMBER

State of: Idaho

County of: Blaine

On this 4th day of June in the year 2003, before me, a Notary Public, personally appeared WESLEY A. WILLS, 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.

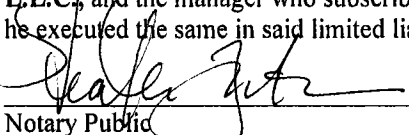

Notary Public
Residing at: HAILEY, ID
Comm. Expires: 3-10-09

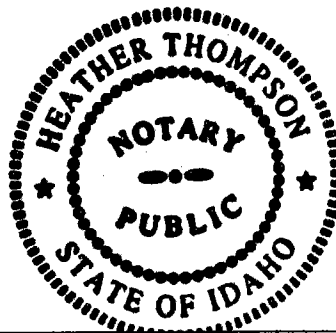


State of: Idaho

County of: Blaine

On this 4th day of June, 2003, Before me a Notary Public in and for said State, personally appeared WESLEY A. WILLS KNOWN OR IDENTIFIED TO ME TO BE THE MEMBER OF THE LIMITED LIABILITY COMPANY OF WILDLANDS, L.L.C., and the manager who subscribed said limited liability company name to the within instrument, and acknowledged to me that he executed the same in said limited liability name.


Notary Public
Residing at: HAILEY, ID
Comm. Expires: 3-10-09



LOCATED WITHIN

SEPTEMBER 2001

BASIS OF BEARINGS IS PLAT OF ABE'S
CHAIR SUBDIVISION, INST. NO. 327796

SCALE IN FEET

1. The lot owner shall comply with all Health Department regulations, including sewage disposal system setbacks.

regulations. Mowing and manual removal are recommended.

State law (Sec. 47-111) limits domestic irrigation to one-half an acre of land if the total domestic use is not in excess of 13,000 gallons per day.

the prohibition of this property is outside of any fire district and no fire engine-district fire truck is available. All the protection requirements of the Protection Regulations shall be fulfilled. Fire Code of the Canton of Bern, Building Permit. These include, but are not limited to, the issuance of a building prohibition unless a professionally designed and approved fire alarm system is installed, and after water supply, access and clear zone have been established satisfactorily addressed. Special fire resistant roofing and exterior materials may also be required.

[illegible]

of the new utility lines installed on this property shall be located underground.

development of this lot. Those regulations should be consulted prior to development.

[illegible]

responsibility of the private landowner to fence out livestock permitted to graze on open range.

east side of Smiley Creek Road, an on-site study should be done to verify the extent, if any, of the flood hazard along Smiley Creek.

surface water irrigation rights are appurtenant to this lot

WELLS AND FINCH
All new fencing, exc

Forest Service. The minimum bottom roll height shall be 16 inches and calcium top roll height shall be determined in consultation with the United States Forest Service.

c. Wildfire damage to animals shall minimize the chances of atrocious wildfire, escape, etc. The costs of resulting problems caused by wildlife damage to provide property shall be the responsibility of the property owner(s). Actions taken to alleviate wildlife depredation shall be those prescribed or approved by Idaho Fish and Game.

d. Domestic pets, including cats, shall be kept indoors, in kennels, leashed, or otherwise under control of their owners to minimize pet-wildlife conflicts.

ABE'S CHAIR FIRST ADDITION

KEITCHUM, IDAHO

SHEET 1 OF 2

J500 No. 2425/1815-02plot



THIS MAP IS A PHOTOGRAPHIC REPRODUCTION OF THE ORIGINAL MAP FILED IN EITHER THE RECORDERS OR SURVEYORS OFFICE. THE COMPANY ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY, WITH AND WITHOUT THIS MAP.

CALHE, GARRETY

NON CERTIFICATE. Sanitary restrictions as required by Code Title 50, Ch. 13, have been satisfied. Sanitary conditions may be reimposed in accordance with Idaho Title 50, Ch. 13, Sec. 50-1326, by issuance of a state of Disapproval.

South Central District Health Dept., EHS

U.S. FOREST SERVICE

LEGEND

LINE POINT OF BEGINNING
E 1/16 Cor.
Section 27
Found 5/8" Rebar, L.S. 792

Round Brass Cap
Found 5/8" Rebar
Found 1/2" Rebar
Adjoining Lot Lines
Property Boundary
Easement, Width as Shown
Centerline

RICHARD D. FOSBURY, L.S. 3621



WARRANTY DEED

FOR VALUE RECEIVED, and as consideration as part of an IRC § 1031 tax-deferred exchange,

WILDLANDS, LLC, a Montana Limited Liability Company

the grantor, does hereby grant, bargain, sell and convey unto

WES WILLS, an unmarried man

the grantee, whose current address is **P O Box 7133**

Ketchum, ID 83340

the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:

AN UNDIVIDED 40% INTEREST IN THE FOLLOWING DESCRIBED PROPERTY

Lot 1 in Block 1 of ABE'S CHAIR FIRST ADDITION, BLAINE COUNTY, IDAHO as shown on the official plat thereof, recorded October 2, 2001, as Instrument No. 456145, records of Blaine County, Idaho.

This transaction is a 1031 Exchange for the benefit of Wes Wills, as replacement property.

SUBJECT TO: Mortgage executed by Wildlands, LLC to Smiley Creek Properties, LLP, recorded September 30, 2002 as Instrument No. 471369, records of Blaine County, Idaho, which the Grantee herein assumes (\$283,931.86 of the indebtedness) and agrees to pay.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

Dated: October 28, 2002

Wildland, LLC

By Wesley A. Wills, Member

State of Idaho

County of Blaine

On this 28th day of October, 2002, Before me a Notary Public in and for said State, personally appeared Wesley A. Wills known or identified to me to be the member of Wildlands, LLC and the party who executed the same in the limited liability company name and whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as member.

Notary Public

Residing at

Hailey, Id

Comm. Expires

9-7-2006

