

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

RECEIVED

SEP 28 2004

WATER RESOURCES
WESTERN 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
63-03470	63-03470	NO			
63-05163	63-05163	NO			

DEPARTMENT OF
WATER RESOURCES

SEP 30 2004

RECEIVED

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) John McCoy
Marlene J. McCoy
4. New Owner/Claimant(s) TWO BEARS LAND & DEVELOPMENT, LLC, an
Idaho limited liability company
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address c/o Michael Suter, P.O. Box 424
- City, State and ZIP Code Twin Falls, ID 83303-0424
- New Telephone Number (208) 324-6840
5. Date you acquired the property Sept. 24, 2004

SUPPORT DATA

IN FILE # 63-3470

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) TWO BEARS LAND & DEVELOPMENT, LLC
(include title if applicable)

By Michael J. Suter, member
Michael J. Suter, Managing Member

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>DB</u>	Date	<u>9-28-04</u>
Received by	<u>SD</u>	Date	<u>9.3.2005</u>
Processed by	<u>AJ</u>	Date	_____
Fee	<u>\$50.00</u>	Receipt No.	<u>1016999</u>
WR	_____	Date	_____

WARRANTY DEED

FOR VALUE RECEIVED, JOHN W. McCOY and MARLENE J. McCOY, husband and wife, hereinafter referred to as the Grantor, hereby grants, bargains, sells and conveys unto TWO BEARS LAND AND DEVELOPMENT, LLC, an Idaho limited liability company, whose address is c/o Michael J. Suter, P.O. Box 424, Twin Falls, Idaho 83303-0424, hereinafter referred to as the Grantee, the following described premises situated in Elmore County, State of Idaho, to-wit:

A parcel of real property located in U.S. Government Lot 3 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, T.2N., R.10E., B.M., Elmore County, Idaho, more particularly described below:

Commencing at the section corner common to Sections 18 and 19 of T.2N., R.10E., and Sections 13 and 24 of T.2N., R.9E., B.M., Elmore County, Idaho; thence along the north boundary of Section 19 S.89°38'52" E. 1,757.5 feet to a point; thence S.35°13' E. 640.2 feet to a point on the westerly boundary of the right-of-way of the pubic highway from Pine to Featherville, the REAL POINT OF BEGINNING of the parcel;

Thence along the westerly boundary of that highway right-of-way S.50°21' E. 256.9 feet to a point; thence S.48°02' E. 84.8 feet to a point; thence S.33°00' E. 54.8 feet to a point; thence S.26°26' E. 49.4 feet to a point; thence S.16°02' E. 126.8 feet to a point; thence S.8°29' W. 413.7 feet to a point; thence S.7°57' W. 198.5 feet to a point; thence leaving the westerly right-of-way of that public highway N.82°03' W. 400.0 feet to a point; thence N.7°57' E. 992.5 feet to a point, which point is the REAL POINT OF BEGINNING, containing 7.8 acres, more or less.

TOGETHER with any and all water rights and ditch easements appurtenant thereto including, without limitation, Water Right Nos. 63-03470 and 63-05163.

SUBJECT to easements, reservations and restrictions of record or apparent including real property taxes and assessments for the year 2004 and thereafter.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anyway appertaining, the reversion and reversions, remainder

and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD all and singular the property, together with the appurtenances, unto the Grantee, Grantee's successors, heirs and assigns forever.

AND Grantor shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, Grantee's successors, heirs and assigns against Grantor and Grantor's successors, heirs and assigns and against all and every person and persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has hereunto executed this Deed the _____
day of July, 2004.

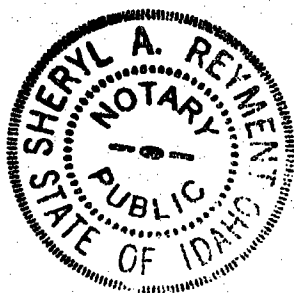
John W. McCoy

Marlene J. McCoy
Marlene J. McCoy

STATE OF IDAHO)
County of Elmore) ss.

On this 24th day of September, 2004, before me, the undersigned Notary Public in and for said State, personally appeared **JOHN W. McCOY and MARLENE J. McCOY**, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Shirley Bryant
Notary Public for State of Idaho
Residing at Mountain Home
My Commission Expires: 12-27-05

Bearing and distance from Johnson, Underkofler & Briggs survey of Riverview Subdivision

13 18

24 19

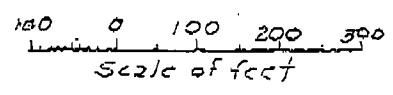
RANGE 9 EAST
RANGE 10 EAST



Certified correct
O. L. Kime



SE $\frac{1}{4}$ NW $\frac{1}{4}$



Highway R.O.W. Mark - - - -

TRACT OF LAND
IN LOT 3 AND SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 19
T. 2 N., R. 10 E., B.M.

Oct. 5, 1970

LOT 3

