

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

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DEC - 9 2002
K
 Department of Water Resources

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
75-04499	\$25				
75-10160	\$25				
	A75-04498	☒			
	A75-04500	☒			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$50-
- 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)

K + F Partnership

3485 Sun Circle, Idaho Falls, ID 83404

4. New Owner/Claimant(s)

Cole Ranch Properties, L.L.C.

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

New Mailing Address

510 Hummingbird Lane

City, State and ZIP Code

Butte, MT 59701

New Telephone Number

(406) 494-6503

5. Date you acquired the property

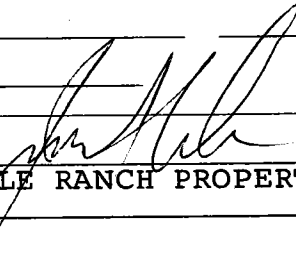
August 16, 2002

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 Eastern Region

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) By , Managing Member
(include title if applicable) COLE RANCH PROPERTIES, L.L.C.

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>12-3-02</u>	Fee <u>\$ 50</u>
Received by <u>JC</u>	Date <u>12-3-02</u>	Receipt No. <u>E028351</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

PARTNERSHIP WARRANTY DEED

K & F PARTNERSHIP, an Idaho Partnership composed of **Gene R. Kantack and Leonard Foster, Jr.**, as GRANTOR, for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **COLE RANCH PROPERTIES, L.L.C.**, a Montana Limited Liability Company, as GRANTEE, whose address is 510 Hummingbird Lane, Butte, MT 59701 and Grantee's successors and assigns, all of the following described real property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO the 2001 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for itself and its successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: August 9, 2002.

K & F PARTNERSHIP

Partnership Name

By: [Signature]
Gene R. Kantack, A Partner

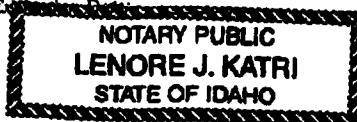
By: [Signature]
Leonard Foster, Jr., A Partner

STATE OF IDAHO

COUNTY OF Bonneville

On August 9, 2002, before me, the undersigned, personally appeared **GENE R. KANTACK and LEONARD FOSTER, JR.** known or identified to me to be the partners in the partnership and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the

[Signature]
Notary Public for the State of Idaho
Commission Expires: 01/28/03



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Department of Water Resources
Eastern Region

A PARCEL OF LAND BEING GOVERNMENT LOTS 5 AND 6 OF SECTION 19; GOVERNMENT LOTS 5, 6, 7 AND 8 OF SECTION 30; GOVERNMENT LOTS 5, 6, 7, 8, 9, 10, 11 AND 12 OF SECTION 31; AND THE E1/2SW1/4 AND THE SE1/4NW1/4 OF SECTION 31; ALL IN TOWNSHIP 21 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 19, T. 21 N., R. 22 E., B.M.; THENCE, ALONG THE SECTION LINE COMMON TO SECTION 19 AND 24, S. 0° 15' 37" E., 2638.25 FEET TO AN IRON PIN WITH ALUMINUM CAP, ALSO BEING THE REAL POINT OF BEGINNING;

THENCE N. 89° 44' 23" E., 522.94 FEET TO A POINT ON A MEANDER LINE GENERALLY MEANDERING ALONG THE WEST BANK OF THE SALMON RIVER; THE FOLLOWING COURSES AND DISTANCES:

S. 13° 02' 02" W., 353.93 FEET TO A POINT;
 THENCE S. 18° 02' 49" W., 267.31 FEET TO A POINT;
 THENCE S. 02° 00' 23" E., 233.37 FEET TO A POINT;
 THENCE S. 37° 05' 40" E., 184.60 FEET TO A POINT;
 THENCE S. 22° 33' 38" E., 191.52 FEET TO A POINT;
 THENCE S. 13° 02' 10" E., 356.06 FEET TO A POINT;
 THENCE S. 05° 52' 37" W., 519.95 FEET TO A POINT;
 THENCE S. 11° 31' 48" W., 339.10 FEET TO A POINT;
 THENCE S. 16° 32' 35" W., 236.38 FEET TO A POINT;
 THENCE S. 20° 33' 12" W., 673.29 FEET TO A POINT;
 THENCE S. 24° 33' 55" E., 369.09 FEET TO A POINT;
 THENCE S. 32° 05' 00" E., 146.66 FEET TO A POINT;
 THENCE S. 36° 35' 36" E., 478.96 FEET TO A POINT;
 THENCE S. 33° 35' 12" E., 628.59 FEET TO A POINT;
 THENCE S. 31° 34' 49" W., 91.79 FEET TO A POINT;
 THENCE S. 11° 31' 55" E., 257.32 FEET TO A POINT;
 THENCE S. 67° 08' 36" E., 253.74 FEET TO A POINT;
 THENCE S. 20° 03' 15" E., 199.49 FEET TO A POINT;
 THENCE S. 68° 08' 39" E., 259.74 FEET TO A POINT;
 THENCE S. 04° 30' 48" E., 279.25 FEET TO A POINT;
 THENCE S. 15° 02' 21" W., 389.98 FEET TO A POINT;
 THENCE S. 22° 19' 15" E., 117.71 FEET TO A POINT;
 THENCE S. 27° 34' 15" W., 448.92 FEET TO A POINT;
 THENCE S. 05° 30' 50" W., 251.32 FEET TO A POINT;
 THENCE S. 01° 30' 18" E., 146.60 FEET TO A POINT;
 THENCE S. 16° 32' 43" E., 273.29 FEET TO A POINT;
 THENCE S. 10° 01' 41" E., 445.81 FEET TO A POINT;
 THENCE S. 28° 34' 30" E., 103.75 FEET TO A POINT;
 THENCE S. 26° 58' 03" E., 312.20 FEET TO A POINT;

THENCE S. 34° 35' 00" E., 231.52 FEET TO A POINT;
THENCE S. 22° 13' 00" E., 232.65 FEET TO A POINT;
THENCE S. 07° 58' 04" W., 837.27 FEET TO A POINT;
THENCE S. 52° 04' 58" E., 747.70 FEET TO A POINT;
THENCE S. 57° 03' 10" E., 814.83 FEET TO A POINT;
THENCE S. 67° 35' 00" E., 357.39 FEET TO A POINT;
THENCE S. 59° 33' 00" E., 113.85 FEET TO A POINT;
THENCE S. 58° 16' 00" E., 253.44 FEET TO A POINT;
THENCE S. 16° 32' 00" E., 208.23 FEET TO A POINT;
THENCE S. 40° 00' 00" E., 238.59 FEET TO A POINT;
THENCE S. 34° 31' 00" E., 139.26 FEET TO A POINT;
THENCE S. 65° 50' 00" E., 419.43 FEET TO A POINT;
THENCE S. 45° 15' 00" E., 228.03 FEET TO A POINT;
THENCE S. 24° 14' 00" E., 190.08 FEET TO A POINT;
THENCE S. 13° 45' 00" E., 300.63 FEET TO A POINT;
THENCE S. 05° 34' 00" E., 540.87 FEET TO A POINT;
THENCE S. 09° 41' 00" E., 215.16 FEET TO A POINT;
THENCE S. 20° 10' 00" W., 258.39 FEET TO A POINT;
THENCE S. 03° 31' 00" W., 516.78 FEET TO A POINT;

THENCE LEAVING SAID MEANDER LINE, AND RUNNING ALONG THE SOUTH
BOUNDARY OF SAID SECTION 31, S. 90° 00' 00" W., 2138.73 FEET TO AN
ALUMINUM CAP MONUMENT;

THENCE S. 90° 00' 00" W., 2546.07 FEET TO AN ALUMINUM BLM MONUMENT
MARKING THE SOUTHWEST CORNER OF SAID SECTION 31;

THENCE, ALONG THE WEST BOUNDARY OF SAID SECTION 31, N. 00° 14' 08"
E., 2630.39 FEET TO AN ALUMINUM BLM MONUMENT MARKING THE WEST 1/4
CORNER OF SAID SECTION 31;

THENCE CONTINUING ALONG SAID WEST BOUNDARY, N. 00° 03' 04" E.,
2639.43 FEET TO AN ALUMINUM BLM MONUMENT MARKING THE
NORTHWEST CORNER OF SAID SECTION 31;

THENCE ALONG THE WEST BOUNDARY OF SAID SECTION 30, N. 00° 03' 19"
E., 2639.05 FEET TO AN ALUMINUM BLM MONUMENT MARKING THE WEST 1/4
CORNER OF SAID SECTION 30;

THENCE CONTINUING ALONG SAID WEST BOUNDARY, N. 00° 02' 59" E.,
2638.83 FEET TO AN ALUMINUM BLM MONUMENT MARKING THE
NORTHWEST CORNER OF SAID SECTION 30;

THENCE N. 00° 15' 37" W., 2638.25 FEET TO THE REAL POINT OF BEGINNING.