



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED

JAN - 8 2004

Department of Water Resources

January 7, 2004

Kari Lynn Townsend
State of Idaho
Department of Water Resources
1301 N. Orchard
Boise, ID 83706-2237

Re: Change of Ownership for Water Right 47-39B.

Dear Kari Lynn:

On behalf of and as an accommodation to the J. R. Simplot Self-Declaration of Revocable Trust, I am enclosing the following:

1. Notice of Change of Water Right Ownership.
2. A copy of the supporting Conveyance of Decreed Water Right No. 47-39B.
3. A copy of Corporation Warranty Deed recorded in the real property records of Twin Falls County on August 3, 1999, as instrument no. 1999-014420.
4. \$25.00 check to cover your fee to accomplish the ownership change.

Should you have any questions about the enclosed ownership change please contact me.

Sincerely,

Vic Conrad
Land Water & Asset Recovery

Enclosures

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN - 8 2004

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

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).: 47-39B
 Adjudication Claim No(s).: A47-39B
 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 See attached Conveyance of Decreed Water Right and Corporation Warranty Deed.
 - 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 Tews Land and Livestock, Inc.
2473 East 4100 North
 4. New Owner/Claimant(s) J. R. Simplot Self-Declaration of Revocable Trust
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address PO Box 27
 City, State and ZIP Code Boise, ID 83707
 New Telephone Number (208) 336-2110
 5. Date you acquired the property August 3, 1999
 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 or Claimant(s) By: J. R. Simplot Self-Declaration of Revocable Trust
Ronald N. Graves, Attorney-in-Fact
- (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..

Conveyance of Decreed Water Right

This Conveyance of Decreed Water Right ("Conveyance") is made and entered into on the 26th day of December, 2003, to be effective as of August 3, 1999, by and between Tews Land and Livestock, Inc., an Idaho corporation ("Tews") and J. R. Simplot Self-Declaration of Revocable Trust, J. R. Simplot, Trustee, established by written instrument dated December 21, 1989, and registered in the Fourth Judicial District of the State of Idaho, Ada County, as No. 3T-788 ("Simplot Trust").

RECITALS

WHEREAS, Tews owned certain real property which was conveyed to the Simplot Trust pursuant to a Corporation Warranty Deed recorded in the Twin Falls County real property records on August 3, 1999 as instrument no. 1999-014420 ("Ranch"), and

WHEREAS, the Ranch has an appurtenant water right identified as Idaho Department of Water Resources water right number 47-39 evidenced by decree to Owyhee Land & Sheep Co., a predecessor of Tews, in the case of Ira Brackett, et al. vs Cedar Canal Co., et al. dated January 3, 1914 in the Fourth Judicial District County of Twin Falls, Idaho, and

WHEREAS, Tews, while retaining ownership of water right 47-39, on October 28, 1981, Tews filed an application with the Idaho Department of Water Resources ("IDWR") to transfer the point of diversion and place of use of water right 47-39, said application for transfer identified as IDWR Transfer No. 2664, which Transfer was intended to provide a source of water to a cooperative stock watering system located in Twin Falls and Owyhee Counties of which Tews was a member, and

WHEREAS, IDWR renumbered water right 47-39 to 47-39B after Transfer No. 2644 was approved, and

WHEREAS, in order to confirm that water right 47-39B was intended to remain appurtenant to and owned by the Ranch and to clarify Tews's intention to convey said water right to the Simplot Trust, Tews wishes to formally convey its interest in and to water right 47-

39B to Simplot Trust in order to correct the IDWR's water right records with respect to the ownership of water right 47-39B.

NOW, THEREFORE, effective as of August 3, 1999, the date of the acquisition of the Ranch by the Simplot Trust, for good and valuable consideration, Tews hereby assigns, quitclaims and conveys all of its right, title and interest in and to water right no. 47-39B to the Simplot Trust, the successor to Tews's real property and water right interests pursuant to the Corporation Warranty Deed attached hereto and incorporated herein as Exhibit A.

Executed this 29 day of Dec, 2003.

Tews Land and Livestock, Inc.

By: Gerald Tews
Its: pres.

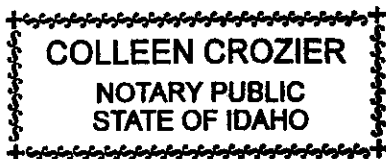
STATE OF IDAHO

ss.

County of Twin Falls

On this 29th day of December, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Gerald Tews, known to me to be the president of the corporation which executed the foregoing instrument, and acknowledged to me that said corporation executed the same.

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



Colleen Crozier
Notary Public for Idaho
Commission expires 9-30-09

42466B

TitleFact, Inc.

163 Fourth Avenue North

P.O. Box 486

Twin Falls, Idaho 83303

Twin Falls County, Idaho

Recorded for:
TITLEFACT

11:00am Aug.03,1999

1999-014420

No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CN

Twin Falls County, Idaho

Recorded for:
TITLEFACT

02:53pm Jul.23,1999

1999-013794

No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: SL

**** SPACE ABOVE FOR RECORDER ****

CORPORATION WARRANTY DEED

**** successor in interest to TEWS ANGUS FARMS, INC. AN IDAHO CORPORATION
FOR VALUE RECEIVED TEWS LAND AND LIVESTOCK, INC., an Idaho corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto J.R. SIMPLOT AS TRUSTEE OF THE J.R. SIMPLOT SELF-DECLARATION OF REVOCABLE TRUST, established by written instrument dated December 21, 1989, and registered in the Fourth Judicial District of the State of Idaho, Ada County, as No. 3T-788, Grantee, whose address is: P.O. Box 27. Boise, Idaho 83707, the following described real estate, situated in Twin Falls County, Idaho, to-wit:

PARCEL NO. 2

Township 14 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 22: SE $\frac{1}{4}$ SE $\frac{1}{4}$, above Flow Line

Section 24: NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27: W $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 33: SE $\frac{1}{4}$; E $\frac{1}{2}$ NE $\frac{1}{4}$

Section 34: NE $\frac{1}{4}$; SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 35: NW $\frac{1}{4}$

Township 15 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 3: Lot 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 4: Lots 1 and 2; S $\frac{1}{2}$ NE $\frac{1}{4}$

PARCEL NO. 3:

Township 14 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 2: W $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 10: NE $\frac{1}{4}$ NE $\frac{1}{4}$

*Section 12: S $\frac{1}{2}$ SW $\frac{1}{4}$ above flow line

*Section 22: NE $\frac{1}{4}$ SE $\frac{1}{4}$ above flow line and SE $\frac{1}{4}$ NE $\frac{1}{4}$ above flow line

Township 13 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 33: SW $\frac{1}{4}$

PARCEL NO. 6

Township 15 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 14: SW $\frac{1}{4}$

Section 15: SE $\frac{1}{4}$

Section 22: NE $\frac{1}{4}$

Section 23: S $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

ALL SUBJECT TO: Twin Falls Highway District right of way

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

47-39B

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President.

Dated: July 16, 1999

TEWS LAND AND LIVESTOCK, INC., an Idaho corporation

By: *Gerald Tews*
GERALD TEWS, President

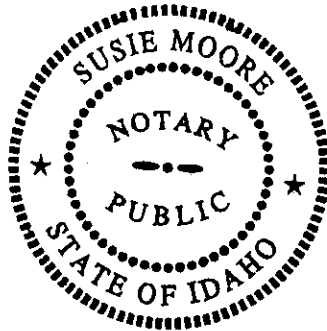
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 21st day of July, 1999, before me, the undersigned, Notary Public in and for said State, personally appeared Gerald Tews, known to me to be the President of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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

Susie Moore
Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 11-28-2002



47-398