

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
	<u>25-4313</u>	☐			☐
	<u>25-7412</u>	☐			☐
		☐			☐
		☐			☐
		☐			☐

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)

Ball Brothers Produce, Oregon Short Line Railroad Co.
Union Pacific Railroad Co.

4. New Owner/Claimant(s)

Ball Brothers Produce, L.C.

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

New Mailing Address

P.O. Box 69

City, State and ZIP Code

Lewisville Idaho 83431

New Telephone Number

(208) 754-4651

5. Date you acquired the property

2001

done
by
EC
9/20/04

CERTIFICATION OF NON-FOREIGN STATUS

Under Section 1445(e) of the Internal Revenue Code, a corporation, partnership, trust, or estate must withhold tax with respect to certain transfers of property if a holder of an interest in the entity is a foreign person. To inform the transferee that no withholding is required with respect to UNION PACIFIC RAILROAD COMPANY's interest in it, the undersigned hereby certifies the following on behalf of UNION PACIFIC RAILROAD COMPANY (hereinafter the "COMPANY"):

1. The COMPANY is not a foreign corporation, foreign partnership, foreign trust, or foreign estate (as those terms are defined in the Internal Revenue Code and Income Tax Regulations);
2. The COMPANY's U.S. employer identification number is 94-6001323; and
3. The COMPANY's office address is 1416 Dodge Street, Omaha, Nebraska 68179 and state of incorporation is Delaware.

The COMPANY agrees to inform the transferee if it becomes a foreign person at any time during the three year period immediately following the date of this notice.

The COMPANY understands that this certification may be disclosed to the Internal Revenue Service by the transferee and that any false statement contained herein could be punished by fine, imprisonment, or both.

Under penalties of perjury, I declare that I have examined this certification and to the best of my knowledge and belief it is true, correct, and complete, and I further declare that I have authority to sign this document on behalf of the COMPANY.



Title: Assistant Vice President

Date: 9/20/2001

876-52

QUITCLAIM DEED

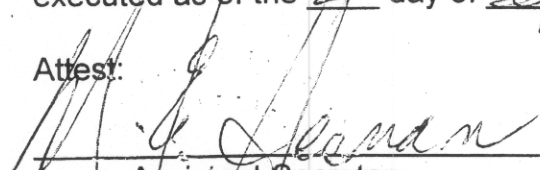
UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, successor in interest by merger to Union Pacific Railroad Company, a Utah corporation and Oregon Short Line Railroad Company ("Grantor") in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration to it duly paid, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto BALL BROTHERS PRODUCE, L.C. ("Grantee") whose address is P. O. Box 69, Lewisville, Idaho 83431 and unto its successors and assigns forever, all of Grantor's right, title, interest, estate, claim and demand, both at law and in equity, of, in, and to the real estate (hereinafter the "Property") situated in Lewisville, Jefferson County, State of Idaho, as more particularly described in Exhibit A, hereto attached and hereby made a part hereof.

EXCEPTING from this quitclaim and RESERVING unto Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered underlying the Property, including without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual rights to explore for, remove and dispose of said minerals by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the Property, and in such manner as not to damage the surface of the Property, or to interfere with the use thereof by the Grantee, its successors and assigns.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging; TO HAVE AND TO HOLD, subject to the aforesaid provisions, the Property unto the said Grantee and unto its successors and assigns.

IN WITNESS WHEREOF, the Grantor has caused this deed to be duly executed as of the 29th day of September, 2001.

Attest:


Assistant Secretary

(Seal)

UNION PACIFIC RAILROAD COMPANY

By 

Title:

Assistant Vice President

UNION PACIFIC RAILROAD COMPANY
Jefferson County, Idaho

EXHIBIT "A"

A parcel of land in Section 8, Township 4 North, Range 38 East, Boise Meridian, Jefferson County, Idaho more particularly described as follows:

Commencing at the SE corner of Section 5, Township 4 North, Range 38 East, Boise Meridian and running thence North 90° 00' 00" West a distance of 1493.76 feet along the section line to the centerline of the Union Pacific Railroad Company, Lewisville Branch; thence South 19° 37' 32" West a distance of 149.0 feet along said centerline; thence North 70° 22' 28" West a distance of 33.0 feet to the west right of way line of the Union Pacific Railroad Company, Lewisville Branch said point being the True Point of Beginning; thence North 70° 22' 28" West a distance of 67.0 feet; thence South 19° 37' 32" West a distance of 514.90 feet; thence South 0° 28' 23" East a distance of 194.97 feet to the west right of way line of the Union Pacific Railroad Company, Lewisville Branch; thence North 19° 37' 32" East, a distance of 698.0 feet along said right of way to the Point of Beginning.

Excepting therefrom all that portion of the above described property that lies within Lot 3 of Block 14 as said Lots and Blocks are shown on the Lewisville Original Townsite Plat.

Containing 0.903 Acres more or less.

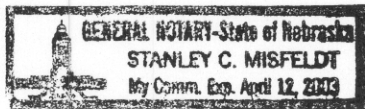
OFFICE OF REAL ESTATE
OMAHA, NEBRASKA
WRITTEN BY: JCO
August 10, 2001
876052.leg

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 20th day of September, 2001, before me, a Notary Public in and for said County and State, personally appeared R. D. Whight and M. E. Heenan who are the Assistant Vice President and the Assistant Secretary, respectively, of Union Pacific Railroad Company, a Delaware corporation, and who are personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to in the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.



(Seal)

Stanley C. Misfeldt
Notary Public

EXHIBIT "A"

Commencing at the Southeast corner of Section 5; T4N; R38E; B.M.; Jefferson County, Idaho and running thence North 90°00'00" West (N 90° 00' 00" W) a distance of 1458.72 feet (1458.72') along the section line to the East Railroad right-of-way of the Union Pacific Railroad, Lewisville Branch said point being the TRUE POINT OF BEGINNING; thence North 90° 00' 00" East (N 90° 00' 00" E), a distance of 12.30 feet (12.30') along the section line; thence South 0° 00' 00" East (S 0° 00' 00" E), a distance of 343.50 feet (343.50'); thence North 90° 00' 00" West (N 90° 00' 00" W), a distance of 33.00 feet (33.00'); thence South 0° 00' 00" East (S 0° 00' 00" E), a distance of 19.50 feet (19.50'); thence South 88° 42' 51" West (S 88° 42' 51" W), a distance of 109.65 feet (109.65') to the East Railroad right-of-way of the Union Pacific Railroad, Lewisville Branch; thence North 19° 37' 32" East (N 19° 37' 32" E), a distance of 388.00 feet (388.00') along said right-of-way to the POINT OF BEGINNING; said described tract containing 0.63 acre, more or less.

EXHIBIT "A"

Commencing at the Southeast corner of Section 5; T4N; R38E; B.M.; Jefferson County, Idaho and running thence North $90^{\circ} 00' 00''$ West (N $90^{\circ} 00' 00''$ W) a distance of 1458.72 feet (1458.72') along the section line to the East Railroad right-of-way of the Union Pacific Railroad, Lewisville Branch said point being the TRUE POINT OF BEGINNING; thence North $90^{\circ} 00' 00''$ East (N $90^{\circ} 00' 00''$ E), a distance of 137.70 feet (137.70') along the section line; thence North $0^{\circ} 09' 53''$ West (N $0^{\circ} 09' 53''$ W), a distance of 383.08 feet (383.08') to the East Railroad right-of-way of the Union Pacific Railroad, Lewisville Branch; thence South $19^{\circ} 37' 32''$ West (S $19^{\circ} 37' 32''$ W), a distance of 406.70 feet (406.70') along said right-of-way to the POINT OF BEGINNING; said described tract containing 0.61 acre, more or less.

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) _____
(include title if applicable)

Carol M. Sall,
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 EMC Date 9-23-2005 Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____