



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) 369-7515

CORPORATE HEADQUARTERS

RECEIVED

January 4, 2005

JAN 07 2005

DEPARTMENT OF
WATER RESOURCES

Karilynn Townsend
State of Idaho
Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Re: IDWR License Nos. 79-7159 and 79-7160.

Dear Ms. Townsend:

At the request of and as an accommodation to DJS Properties Limited Partnership, I am enclosing a Notice of Change of Water Right ownership for the above referenced licenses. Enclosed with the Notice are copies of the following deeds:

1. Warranty Deed conveying the land described by the point of diversion and place of use under the above licenses from Neal S. and Evelyn R. De Witt to Don J. Simplot. This deed was recorded on June 19, 1996 in the official real property records of Idaho County as instrument no. 387366.
2. Two Bargain and Sale Deeds conveying the same land described in 1 above from Don J. Simplot to DJS Properties Limited Partnership. These deeds were both recorded on March 20, 1998 in the official real property records of Idaho County as instrument nos. 398839 and 398840.

Should you have any concerns about the enclosed Notice please contact me.

After updating your water right records, please return a copy of these licenses containing the current water right owner to my attention at the above address.

Thank you,

Vic Conrad
Land, Water & Asset Recovery

Enclosure

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

RECEIVED

JAN 07 2005

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
<u>79-7159</u>	<u>79-7159</u>	☐	_____	_____	☐
<u>79-7160</u>	<u>79-7160</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**.

Please see the attached Warranty Deed and Bargain and Sale Deeds

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) Nealer Evelyn DeW. H
PO Box 217 WHITCIRK ID 83557
4. New Owner/Claimant(s) DJS Properties L.P.
 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 March 20, 1998

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

RONALD N. GRAVES
P.O. BOX 27
BOISE, ID 83707

STATE of IDAHO	
County of Idaho	ss
Recorded at request of <u>J. R. Simplot</u>	
<u>Co.</u>	
at <u>15</u> minutes past <u>10</u> o'clock	<u>A</u> M.
this <u>02</u> day of <u>March</u>	19 <u>98</u>
ROSE E. GEHRING	
By <u>Carol [Signature]</u>	Recorder
Fees \$ <u>6.00</u>	Deputy

COMPUTER
INDEXED
TRACTED
FILMED
ABSTRACTED

m/ P.O. Box 27, Boise 83707

398840

BARGAIN AND SALE DEED

FOR VALUE RECEIVED, **Don J. Simplot**, a married man dealing with his separate property, as Grantor, does hereby grant, bargain, sell and convey unto **DJS Properties L.P., an Idaho limited partnership**, whose current address is 999 Main Street, Boise, Idaho 83702, as Grantee, all that certain real property located in **Idaho County, Idaho** and as more particularly described on **Exhibit A** attached hereto and made a part hereof by this reference.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument effective this 15th day of December, 1997.

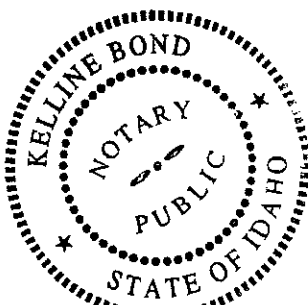
GRANTOR:

[Signature]
Don J. Simplot

STATE OF IDAHO)
) ss.
County of Ada)

On this 15th day of December, 1997, before me, the undersigned Notary Public in and for said State, personally appeared **Don J. Simplot**, 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.

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires: 10-13-98

BARGAIN AND SALE DEED - 1
Whitebird - 2.3041 acres

EXHIBIT A

parcel of land situated in Lot 4 of Section 27, T28N, R1E, Boise Meridian, which is more particularly described as follows:

Commencing at C-W 1/16 corner of Section 27, a 5/8"X30" IR with plastic cap marked PLS 5165, which is southeast corner of Lot 4

Thence N89°43'42"E, on center section line, 889.83' to a 5/8"X30" IR with plastic cap marked PLS 5165. This is THE POINT OF BEGINNING

Thence N61°13'45"E, 169.45' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N02°31'18"W, 278.00' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S48°41'21"E, 158.31' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is intersection of Bracket Gulch Creek and access road to L.T.L. property

Thence N40°42'17"E, along Bracket Gulch Creek, 287.86' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is on east line of Lot 4

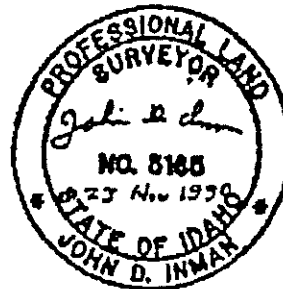
Thence S00°08'58"E, on east line of Lot 4, 352.74' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S52°19'31"E, 74.58' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S36°42'55"W, 91.22' to a 1/2"X24" IR with plastic cap marked PLS 5165. This point is on center section line

Thence S89°43'42"W, along center section line, 330.31' to THE POINT OF BEGINNING

This parcel contains 2.3041 acres more or less.



Whitebird (2 of 2)

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

RONALD N. GRAVES
P.O. BOX 27
BOISE, ID 83707

STATE of IDAHO	
County of Idaho	SS <u>J. R. Simplot</u>
Recorded at request of <u>Co.</u>	
at <u>15</u> minutes past <u>10</u> o'clock <u>A</u> M.	
this <u>20</u> day of <u>March</u> , 19 <u>98</u>	
ROSE E. GEHRING	
By <u>Carol Veltman</u>	Recorder
Fees \$ <u>6.00</u>	Deputy

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TRACTED
FILMED
ASSESSOR

M/Kelline Bond, J.R. Simplot Co.
P.O. Box 27, Boise 83707

398839

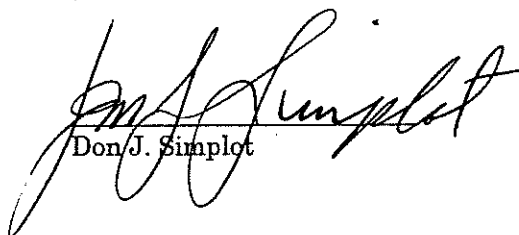
BARGAIN AND SALE DEED

FOR VALUE RECEIVED, **Don J. Simplot**, a married man dealing with his separate property, as Grantor, does hereby grant, bargain, sell and convey unto **DJS Properties L.P., an Idaho limited partnership**, whose current address is 999 Main Street, Boise, Idaho 83702, as Grantee, all that certain real property located in **Idaho County, Idaho** and as more particularly described on **Exhibit A** attached hereto and made a part hereof by this reference.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument effective this 15th day of December, 1997.

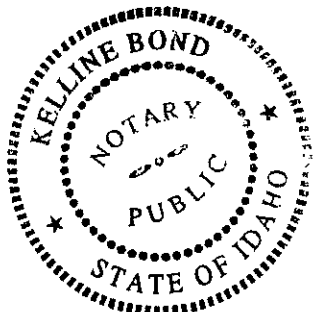
GRANTOR:

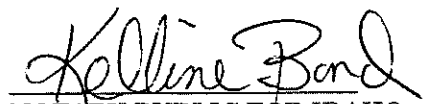

Don J. Simplot

STATE OF IDAHO)
) ss.
County of Ada)

On this 15th day of December, 1997, before me, the undersigned Notary Public in and for said State, personally appeared **Don J. Simplot**, 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.

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




NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires: 10-13-98

BARGAIN AND SALE DEED - 1
Whitebird 15.5105 acres

EXHIBIT A

A parcel of land situated in Lot 4 of Section 27, T28N, R1E, Boise Meridian, which is more particularly described as follows:

Commencing at C-W 1/16 corner of Section 27, a 5/8"X30" IR with plastic cap marked PLS 5165, which is southeast corner of Lot 4

Thence N00°06'21"W, on line between Lots 3 and 4, 730.00' to a 5/8"X30" IR with plastic cap marked PLS 5165. This is THE POINT OF BEGINNING

Thence N00°06'21"W, on line between Lots 3 and 4, 636.36' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is on the southerly high water line of the Salmon River

Thence S64°23'31"E, along the southerly high water line of the Salmon River, 897.58' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S50°08'41"E, along the southerly high water line of the Salmon River, 636.61' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S27°20'39"E, along the southerly high water line of the Salmon River, 80.80' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is on the east line of Lot 4, which is identical to the center section line of Section 27

Thence S00°08'58"E, on the east line of Lot 4, 21.44' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is in center of creek called Bracket Gulch Creek

Thence S40°42'17"W, up Bracket Gulch Creek, 287.86' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is on centerline of access road to L.T.L. property

Thence N48°41'21"W, 158.31' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N70°06'18"W, 1,000.00' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N73°16'18"W, 91.00' to THE POINT OF BEGINNING.

Whitebird (1 of 2)

This parcel contains 15.5105 acres more or less.



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387366

WARRANTY DEED

GRANTOR, NEAL S. DeWITT and EVELYN R. DeWITT, husband and wife, of HC01 Box 162, White Bird, ID 83554, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto DON J. SIMPLOT, a married man dealing with his sole and separate property, of P. O. Box 27, Boise, ID 83707, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 1996, which are a lien, not yet due and payable.
2. Road Easement and Right of Way, dated April 27, 1990, by and between NEAL DeWITT and EVELYN R. DeWITT, husband and wife, and LT&L, INC., an Idaho corporation, including terms and conditions thereof, recorded April 30, 1990, as Instrument No. 352869, records of Idaho County, Idaho.
3. Easement Agreement, dated June 14, 1991, by and between NEAL S. DeWITT and EVELYN R. DeWITT, husband and wife, and DON J. SIMPLOT, a married man dealing with his sole and separate property, including terms and conditions thereof, recorded June 24, 1991, as Instrument No. 358776, records of Idaho County, Idaho.
4. Easement Agreement, dated June 14, 1991, by and between DON J. SIMPLOT, a married man dealing with his sole and separate property and NEAL S. DeWITT and EVELYN R. DeWITT, husband and wife, including terms and

1 conditions thereof, recorded June 24, 1991, as
2 Instrument No. 358777, records of Idaho
County, Idaho.

3 TO HAVE AND TO HOLD the said premises, with their
4 appurtenances, unto the said Grantees, their heirs and assigns
5 forever. And the Said Grantors do hereby covenant to and with the
6 said Grantees that they are the owners in fee simple of said
7 premises; that they are free from all encumbrances, and that they
8 will warrant and defend the same from all lawful claims whatsoever,
9 except general taxes for the year 1996, and easements,
10 reservations, restrictions and rights-of-way of record or in use.

11 In construing this deed, and where the context so requires,
12 the singular includes the plural and the masculine, the feminine
13 and the neuter.

14 IN WITNESS WHEREOF, Grantors have hereunto subscribed their
15 names to this instrument this 19 day of June, 1996.

16
17 Neal S. DeWitt
18 NEAL S. DeWITT

Evelyn R. DeWitt
EVELYN R. DeWITT

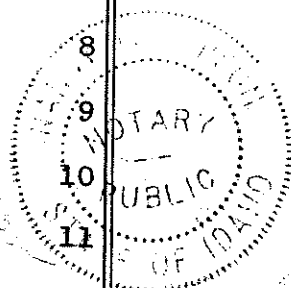
19 STATE OF IDAHO)
20 ss.
County of Idaho)

21 On this 19 day of June, 1996, before me,
22 Nancy Thompson, a Notary for the said County and
23 State, personally appeared NEAL S. DeWITT and EVELYN R. DeWITT,
24 husband and wife, known or identified to me to be the persons whose
25 names are subscribed to the within instrument, and they
26 acknowledged to me that they freely executed the same and that the
27 statements therein contained are true.

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

3
4 (NOTARY SEAL)

Nancy Thompson
Notary Public for State of Idaho,
Residing at *Bozeman* therein.
My commission expires on
2-21-97



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28 WARRANTY DEED

STATE of IDAHO	
County of Idaho	ss
Recorded at request of	
INLAND TITLE CO.	
at	45 minutes past 2 o'clock P. M.
this	19 day of June 19 96
ROSE E. GEHRING	
By	Edith L. Anderson Recorder
Fees	\$12.00 Deputy

EXHIBIT A

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Whitebird (1 of 2)

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D. Simplot



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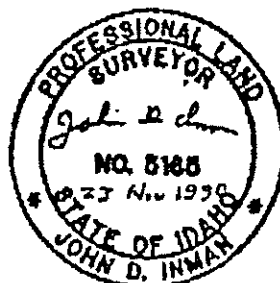
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