



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
SEP 07 2005
Department of Water Resources

September 6, 2005

Don Shaff
State of Idaho
Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

Re: SRBA Claim Nos. A02-07090B, A02-10047, A02-10048 and A03-10196.

Dear Don:

Enclosed are Notices of Change of Water Right Ownership for each of the above referenced claims. The Notice enclosed for A03-10196 is for only that portion of the place of use which is attributable to the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9 T7N R5W, B.M. (40 irrigated acres). The balance of the enclosed Notices for A02-07090B, A02-10047 and A02-10048 are ownership changes for the entire amount of water represented by each claim.

Please contact me should you need any additional information to update your ownership records for these claims.

Sincerely,

Vic Conrad
Land, Water & Asset Recovery

Enclosures

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
	A02-10047	☐			☐
	A02-10048	☐			☐
		☐			☐
		☐			☐
		☐			☐

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

(Please See Note Below)

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) Ernest A. Bryant III
P.O. Box 669, Shoshone, ID 83352
4. New Owner/Claimant(s) J. R. Simplot Company
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 27
- City, State and ZIP Code Boise, ID 83707
- New Telephone Number (208) 336-2110
5. Date you acquired the property January 11, 2004

NOTE: Please see the attached copies of the following Warranty Deeds.

- a. Warranty Deed recorded in the Elmore County real property records on May 18, 1992 as instrument no. 268623. In this deed the original claimant, Ernest A. Bryant III conveyed the real property together with all water rights, including SRBA claim nos. A02-10047 and A02-10048 to the J. R. Simplot Self-Declaration of Revocable Trust.
- b. Warranty Deed recorded in the Elmore County real property records on January 11, 1994 as instrument no. 278419. In this deed the real property together with all water rights (including SRBA claim nos. A02-10047 and A02-10048) were conveyed by the J. R. Simplot Self-Declaration of Revocable Trust to the J. R. Simplot Company.

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) J. R. Simplot Company by Terry T. Uhling,
Senior Vice President, Secretary and
General Counsel

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

Bryant, Ernest A. & Gloria
Simplot Pers. #214

GRANTOR, J. R. SIMPLOT, as Trustee, 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, of 999 W. Main Street, Boise, Ada County Idaho 83702, for Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **J. R. SIMPLOT COMPANY**, a Nevada corporation ("Grantee"), of 999 W. Main Street, Suite 1300, Boise, Idaho 83702, and to Grantee's successors and assigns forever, all of that certain real property located in Elmore County, Idaho, described on Exhibit "A" attached hereto and incorporated herein.

Together with all improvements, fixtures, water, water rights, water stock and water stock rights, ditches, ditch rights, easements, hereditaments and appurtenances, specifically including, but not limited to, all mineral rights, hydrocarbon rights, geothermal rights, grazing rights and any and all additional rights arising from or related to ownership of said real property, free and clear of all encumbrances, EXCEPT for General taxes for the year 1993, which are a lien and are not yet due or payable, and SUBJECT TO the following:

1. Right of Way recorded May 3, 1910 in Book 1 of Transcribed Records of Ada County at page 106.
2. Easement recorded December 20, 1950 in Book 40 of Miscellaneous Records at page 443.
3. Agreement recorded December 26, 1952 in Book 28 of Agreements and Contracts at page 505.
4. Easement recorded September 4, 1958 in Book 42 of Miscellaneous Records at page 52.
5. Reservation as disclosed in Patent recorded June 10, 1960 in Book 20 of Patents at page 140.
6. Easement recorded July 19, 1962 as Instrument No. 113901.
7. Easement recorded July 29, 1966 as Instrument No. 129657.
8. Rights as disclosed in Patent recorded April 15, 1968 as Instrument No. 136148.
9. Easement recorded December 31, 1970 as Instrument No. 146616.
10. Mortgage dated May 12, 1992, executed by Ernest A. Bryant, III, as Mortgagee; and J. R. Simplot, as Trustee, J. R. Simplot Self Declaration of Revocable Trust, as Mortgagor, recorded May 18, 1992 as Instrument No. 268624.
11. Easement recorded May 25, 1978 as Instrument No. 181210.
12. Easement recorded July 11, 1984 as Instrument No. 223349.

All as contained in the records of the Elmore County Clerk and Recorder, Elmore County, Idaho.

Grantor, for itself, its successors and assigns, does hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee and its successors and assigns forever against the lawful claims of all persons. As between Grantor and Grantee this conveyance shall be effective as of November 19, 1993 regardless of the date this document is recorded.

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

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument as of the 29th day of November, 1993.

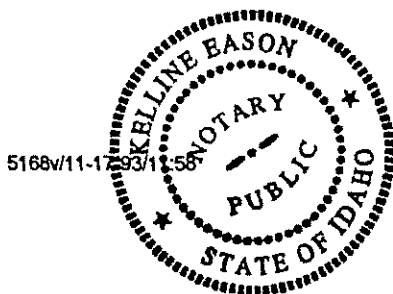
**J. R. SIMPLOT SELF-DECLARATION
OF REVOCABLE TRUST**

By *J.R. Simplot*
J. R. SIMPLOT, Trustee

Idaho
STATE OF ARIZONA)
Ada) ss.
County of Maricopa)

On this 29th day of November, 1993, before me, a Notary Public in and for said State, personally appeared J. R. Simplot, as Trustee of the J. R. Simplot Self Declaration of Revocable Trust, known 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.



Kelline Eason
Notary Public for Arizona
Residing at: *Boise Idaho*
My Commission Expires: *10-13-98*

278419

ELMORE COUNTY, IDAHO, ss

Request of

GUARANTY TITLE, INC.

Time 3:36 P.M.

Date January 11, 1994

Book of

Page

DOLORES ROBISON

By *Merla J. Becker*

Deputy

Fee \$ 9.00

WARRANTY DEED -2

EXHIBIT A

Township 5 South, Range 4 East, Boise Meridian, Elmore County, Idaho.

SECTION 28: SW¼ SW¼

SECTION 29: SW¼NE¼, SE¼, SE¼SW¼, N¼SW¼, Lot 1

SECTION 30: Lots 1, 2, 3 and 4, NE¼SE¼, NE¼NW¼, the SW 50 acres of the W¼NE¼ more particularly described as follows:

Commencing at the NW corner of said W¼NE¼; thence South along the West boundary line of the W¼NE¼ a distance of 165 feet to a point; thence running in a Southeasterly direction to a point on the East boundary line of said W¼NE¼, said point being 825 feet North of the SE corner of said W¼NE¼; thence South along said East boundary line a distance of 825 feet to the SE corner of said W¼NE¼; thence West along the South boundary line of said W¼NE¼ to the center of said Section 30; thence North along the West boundary line of said W¼NE¼ to the point of beginning.

SECTION 32: Lots 1, 2, 3 and 4

SECTION 33: NE¼NW¼, Lot 4

SAVE AND EXCEPT those portions of Lot 1, Section 32 and Lot 4, Section 33, Township 5 South, Range 4 East, Boise Meridian, Elmore County, Idaho, deeded to the State of Idaho Department of Fish and Game, as disclosed in Quitclaim Deed recorded in Book 32 at Page 232, records of Elmore County.

TOGETHER with all water rights, licenses, permits and irrigation district or water company shares appertaining to the aforesaid premises or any portion thereof, including but not limited to 610 shares of the Snake River Irrigation District (110 assessable shares and 500 nonassessable shares); and all irrigation equipment, sprinklers, pumps and fixtures located upon said premises.

WARRANTY DEED

GRANTORS, ERNEST A. BRYANT, III and GLORIA W. BRYANT, husband and wife, of Santa Barbara County, California, for Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto J. R. SIMPLOT, as Trustee, 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, of 999 Main Street, Boise, Idaho 83702, whose address is Suite 1300, 999 Main Street, Boise, Ada County, Idaho 83702, as Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in Elmore County, Idaho, described on Exhibit "A" attached hereto and incorporated herein.

Together with all improvements, fixtures, water, water rights, water stock and water stock rights, ditches, ditch rights, easements, hereditaments and appurtenances, specifically including, but not limited to, all mineral rights, hydrocarbon rights, geothermal rights, grazing rights and any and all additional rights arising from or related to ownership of said real property, free and clear of all encumbrances, EXCEPT for General taxes for the year 1992, which are a lien and are not yet due or payable, and SUBJECT TO the following:

1. Right of Way recorded May 3, 1910 in Book 1 of Transcribed Records of Ada County at page 106.
2. Easement recorded December 20, 1950 in Book 40 of Miscellaneous Records at page 443.
3. Agreement recorded December 26, 1952 in Book 28 of Agreements and Contracts at page 505.
4. Easement recorded September 4, 1958 in Book 42 of Miscellaneous Records at page 52.
5. Reservation as disclosed in Patent recorded June 10, 1960 in Book 20 of Patents at page 140.
6. Easement recorded July 19, 1962 as Instrument No. 113901.
7. Easement recorded July 29, 1966 as Instrument No. 129657.
8. Rights as disclosed in Patent recorded April 15, 1968 as Instrument No. 136148.

9. Easement recorded December 31, 1970 as Instrument No. 146616.

10. Mortgage dated March 30, 1978, executed by R. H. Bennett & So, Inc., an Idaho Corporation, as Mortgagor; and The Travelers Insurance Company, a Connecticut corporation, as Mortgagee, recorded April 5, 1978 as Instrument No. 180009.

11. Easement recorded May 25, 1978 as Instrument No. 181210.

12. Easement recorded July 11, 1984 as Instrument No. 223349.

All as contained in the records of the Elmore County Clerk and Recorder, Elmore County, Idaho.

Grantors, for themselves, their heirs and assigns, do hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee and his successors and assigns forever against the lawful claims of all persons.

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

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 12th day of May, 1992.

By *Ernest A. Bryant III*
ERNEST A. BRYANT, III

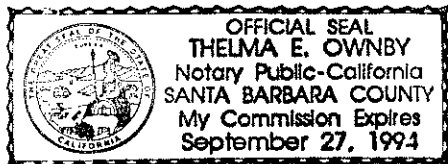
By *Gloria W. Bryant*
GLORIA W. BRYANT

STATE OF CALIFORNIA)
) ss.
County of Santa Barbara)

On this 14 day of May, 1992, before me, a Notary Public in and for said State, personally appeared ERNEST A. BRYANT, III and GLORIA W. BRYANT, husband and wife, known to

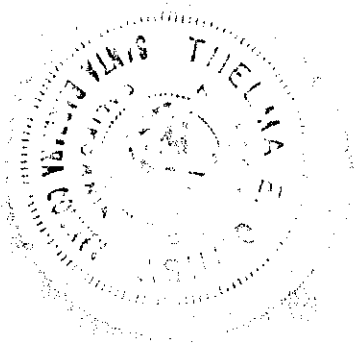
me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Thelma E. Ownby
Notary Public for California
Residing at: Santa Barbara, Ca.
My Commission Expires: Sept. 27, 1994

4588v/5-11-92/11:15



268623

ELMORE COUNTY, IDAHO, ss

Request of

GUARANTY TITLE, INC.

Time 1:10 P M

Date May 18, 1992

Book of

Page

DOLORES ROBISON

By Marla L. Secker

Deputy

Fee \$ 12⁰⁰

EXHIBIT A

Township 5 South, Range 4 East, Boise Meridian, Elmore County, Idaho.

SECTION 28: SW $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 29: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 1

SECTION 30: Lots 1, 2, 3 and 4, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, the SW 50 acres of the W $\frac{1}{2}$ NE $\frac{1}{4}$ more particularly described as follows:

Commencing at the NW corner of said W $\frac{1}{2}$ NE $\frac{1}{4}$; thence South along the West boundary line of the W $\frac{1}{2}$ NE $\frac{1}{4}$ a distance of 165 feet to a point; thence running in a Southeasterly direction to a point on the East boundary line of said W $\frac{1}{2}$ NE $\frac{1}{4}$, said point being 825 feet North of the SE corner of said W $\frac{1}{2}$ NE $\frac{1}{4}$; thence South along said East boundary line a distance of 825 feet to the SE corner of said W $\frac{1}{2}$ NE $\frac{1}{4}$; thence West along the South boundary line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ to the center of said Section 30; thence North along the West boundary line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ to the point of beginning.

SECTION 32: Lots 1, 2, 3 and 4

SECTION 33: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 4

SAVE AND EXCEPT those portions of Lot 1, Section 32 and Lot 4, Section 33, Township 5 South, Range 4 East, Boise Meridian, Elmore County, Idaho, deeded to the State of Idaho Department of Fish and Game, as disclosed in Quitclaim Deed recorded in Book 32 at Page 232, records of Elmore County.

TOGETHER with all water rights, licenses, permits and irrigation district or water company shares appertaining to the aforesaid premises or any portion thereof, including but not limited to 610 shares of the Snake River Irrigation District (110 assessable shares and 500 nonassessable shares); and all irrigation equipment, sprinklers, pumps and fixtures located upon said premises.