



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

RECEIVED

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 9, 2005

BRET ARMACOST
DORIS ARMACOST
PO BOX 87
COUNCIL ID 83612

RE: Water Rights No. 67-10702, 67-11428 & 67-11429

Dear Mr. & Mrs. Armacost:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

 X **Evidence of Water Right Ownership: Notarized copy of Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question**

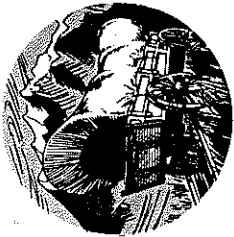
Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information **within 30 days** we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call Kari Lynn Townsend at 208-287-4952

Sincerely,

Kara Alder
Research Analyst



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702
(208) 373-3744

8151 W. Rifleman Street / Boise, Idaho 83704
(208) 377-2700

100-01-506 209415 JB

Reviewed By: B.A.D.A.

INSTRUMENT NO. **100845**

PAGE 1 OF 4

RECEIVED

OCT 12 2005

Department of Water Resources

Instrument # 100845

COUNCIL, ADAMS, IDAHO

2001-12-13 01:00:23 No. of Pages: 4

Recorded for: **TIMBERLINE TITLE & ESCROW**

MICHAEL FISK

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: DEED

[Signature]

SPACE ABOVE FOR RECORDING DATA

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED FLYING Y LIMITED PARTNERSHIP, an Idaho limited partnership, which is a reformation of FLYING Y PARTNERSHIP, an Idaho general partnership, which acquired title as FLYING Y PARTNERSHIP, an Idaho general partnership

GRANTOR(s) does (do) hereby GRANT, BARGAIN, SELL and CONVEY unto

BRET ARMACOST and DORIS ARMACOST, husband and wife

GRANTEE(S), whose current address is: 3363 S. Bridgeport Lane, Boise, ID 83706
the following described real property in Adams
more particularly described as follows, to wit;

County, State of Idaho,

See the attached Exhibit "A" for legal description, which by
this reference is incorporated herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 21, 2001

FLYING Y LIMITED PARTNERSHIP, an Idaho limited partnership

By: *[Signature]*
Mark C. Yates, general partner

By: Phyllis R. Yates, Trustee of Trust A
of the C. T. & Phyllis Yates Family
Trust, U/T/A dated November 27, 1992,
general partner

By: *[Signature]*
Phyllis R. Yates, Trustee

STATE OF _____, County of _____, ss.

On this _____ day of _____, in the year of _____, before me

_____, a Notary Public, personally appeared _____

known or identified to me to be the person(s) whose name(s) _____ subscribed to the within
instrument, and acknowledged to me that _____ he _____ executed the same.

Notary Public: _____

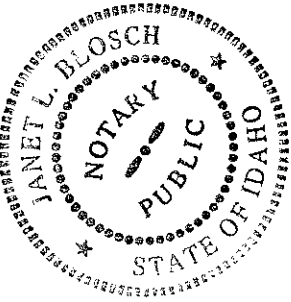
Residing at: _____

My Commission Expires: _____

ACKNOWLEDGMENT - Partnership

STATE OF IDAHO, County of Ada, ss.

On this 21st day of November, in the year of 2001, before me
Janet L. Blossch, a notary public,
personally appeared Mark Yates,
known or identified to be one of the partners in a partnership, of _____,
Flying Y Partnership, an Idaho general partnership
and the partner or one of the partners who subscribed said partnership name to the foregoing
instrument, and acknowledged to me that he executed the same in said partnership name.



Notary Public: Janet L. Blossch
Residing at: Boise, Idaho
My commission expires: March 17, 2001

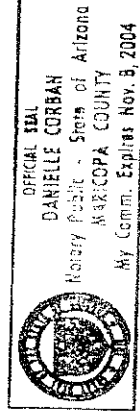
STATE OF ARIZONA,

COUNTY OF Maricopa, ss.

On this 3 day of Dec, 2001, before me, the undersigned, a Notary Public in and for said
county and state, personally appeared Phyllis R. Yates, known to me (or proved to me on the basis of
satisfactory evidence) to be the person whose name is subscribed to the within instrument as the Trustee of
Trust A of the C.Y. & Phyllis Yates Family Trust U.D.T. dated November 27, 1992, as general partner of
The Flying Y Limited Partnership, an Idaho limited partnership, the partnership which executed the within
instrument, and acknowledged to me that she executed the within instrument and acknowledged to me that
said Trust executed same as such partner and that such partnership executed the same.

Notary Public: Danielle Corban
Residing at: Compass Bank - 12021 N. 111th Ave
My Commission expires: 11-8-2004 Youngtown, AZ

85343



STATE OF _____, County of _____, ss.	Phyllis R. Yates, Trustee
On this _____ day of _____, in the year of _____, before me _____,	
_____ a Notary Public, personally appeared _____	
known or identified to me to be the person(s) whose name(s) _____ subscribed to the within	
instrument, and acknowledged to me that _____ he _____ executed the same	
Notary Public: _____	
Residing at: _____	
My Commission Expires: _____	

INSTRUMENT NO. 100845

PAGE 3 OF 4

EXHIBIT "A"

PARCEL ONE

Township 17 North, Range 2 West, Boise Meridian, Adams County, Idaho Sections 24 and 23: A parcel of land situated in the SW1/4NW1/4 and the NW1/4SW1/4 of Section 24 and the SE1/4NE1/4 and E1/2NE1/4SE1/4 of Section 23, more particularly described as follows:

Commencing at an aluminum cap marking the corner common to Sections 23, 24, 25 and 26, T17NR2WEM, Adams County, Idaho;

Thence North 00° 44'30" West 1323.72 feet along the line common to said Sections 23 and 24 to a 5/8 inch rebar marking the South 1/16 corner, the REAL POINT OF BEGINNING;

Thence continuing North 89° 39'42" West 655.00 feet to a 1/2 inch rebar

marking the CESE 1/64 corner of said Section 23;

Thence North 00° 34'40" West 1,322.78 to a 1/2 inch rebar marking the CEE 1/64

corner of said Section 23;

Thence North 10° 49'42" West 1,325.24 feet to a 1/2 inch rebar set in an east-

west fence line;

Thence South 89° 26'57" East 883.43 feet along said fence line to a 1/2 in

rebar on the line common to Sections 23 and 24;

Thence South 00° 44'30" East 110.12 feet along said common line to a 1/2 inch

rebar;

Thence South 53° 16'28" East 712.66 feet to a 1/2 inch rebar;

Thence North 37° 17'22" East 250.37 feet to a 1/2 inch rebar;

right of way line of Council Cuprum Road;

Thence South 50° 23'37" East 760.63 feet along said South right of way to a 1/2

inch rebar on the East boundary of said SW1/4NW1/4;

Thence South 00° 35'02" East 458.99 feet to a 5/8 inch rebar marking the CW

1/16 corner of said Section 24;

Thence South 00° 35'00" East 1324.81 feet to a 5/8 inch rebar marking the CW

SW1/6 corner of said Section 24;

Thence South 89° 22'45" West 1294.67 feet to the POINT OF BEGINNING.

PARCEL TWO (TRACT C)

Township 17 North, Range 2 West, Boise Meridian, Adams County, Idaho Section 3: A parcel of land being the NE1/4SW1/4 and S1/2NW1/4 more particularly described as follows:

Commencing at an aluminum cap marking the corner common to Sections 2, 3, 10

and 11, T17NR2WEM, Adams County, Idaho;

Thence South 89° 42'45" West 2634.94 feet to an aluminum cap marking the 1/4

corner common to said Sections 3 and 10;

Thence North 00° 23'11" West 1320.98 feet to a 5/8 inch rebar marking the 1/4

corner of said Section 3, the REAL POINT OF BEGINNING;

Thence South 89° 41'28" West 1316.76 feet to a 5/8 inch rebar marking the CS

Southwest 1/16 corner of said Section 3;

Thence North 00° 21'20" West 1320.40 feet to a 5/8 inch rebar marking the CW

1/16 corner of said Section 3;

Thence South 89° 39'57" West 1316.05 feet to an aluminum cap marking the West

1/4 corner of said Section 3;

Thence North 00° 19'30" West 1341.43 feet to a 5/8 inch rebar marking the West

North 1/16 corner on the wet boundary of said Section 3;

Thence South 89° 45'14" East 2630.82 feet to a 5/8 inch rebar marking the CN

1/16 corner of said Section 3;

Thence South 00° 23'11" East 2635.95 feet to the REAL POINT OF BEGINNING.

CONTINUED

STATE OF

On this

day of

ss.

a Notary Public, personally appeared

, in the year of

, before me

town or identified to me to be the person(s) whose name(s)

strument, and acknowledged to me that

he executed the same,

subscribed to the within

Notary Public:

Residing at:

My Commission Expires:

By: Phyllis R. Yates
Phyllis R. Yates, Trustee

INSTRUMENT NO. 100845
PAGE 4 OF 4CONTINUED SCHEDULE A
ORDER NO. 100-01-506

PARCEL THREE (TRACT D)

Township 17 North, Range 2 West, Boise Meridian, Adams County, Idaho
Section 3: A parcel of land being the S1/2NE1/4 and the SE1/4 of said Section
more particularly described as follows:

Commencing at an aluminum cap marking the corner common to Sections 2, 3, 10,
and 11, T17NR2WBM, Adams County, Idaho, the REAL POINT OF BEGINNING;

Thence South 89° 42' 45" West 2634.94 feet to an aluminum cap marking the 1/4
corner common to said Sections 3 and 10;

Thence North 00° 23' 11" West 3958.94 feet to a 5/8 inch rebar marking the CN
1/15 corner common to said Section 3;

Thence South 89° 47' 01" East 2630.91 feet to a 5/8 inch rebar marking the
North 1/16 corner common to said Sections 2 and 3;

Thence South 00° 26' 55" East 3933.81 feet to the REAL POINT OF BEGINNING.