

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAR 03 2014
Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
29-4166 <i>OK</i>	Yes ☐	29-11925 <i>OK ON DEED</i>	Yes ☐		Yes ☐
29-4398 <i>OK ON DEED</i>	Yes ☐	29-13476 <i>OK</i>	Yes ☐		Yes ☐
29-10407 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
29-11648 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
29-11650 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: The Rose Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Downey Properties, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3064 S Highland Drive Salt Lake City Utah 84106
Mailing address City State ZIP
- 801-485-1388
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: January 8, 2007
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
7. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 29-4166

8. Signature: Downey Properties, LLC Title, if applicable Date
Signature of new owner/claimant
- Signature: Laverne Goldberry Title, if applicable Date
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 3/4/2014 Receipt No. E039586 Receipt Amt. \$250.-
Approved by JB Processed by JB Date 4/7/2014 \$175.- for this app.

20700443

WHEN RECORDED RETURN TO:

MAIL TAX NOTICES TO:

Richards, Riley & Associates, PLLC
5373 South Green Street Suite 550
Salt Lake City, Utah 84123

Sandra Goldberg & Stanley Goldberg
3064 Highland Drive
Salt Lake City, Utah 84106

QUITCLAIM DEED

STANLEY GOLDBERG and SANDRA GOLDBERG, trustees under the ROSE TRUST AGREEMENT dated January 29, 1998, Grantor, of 3064 Highland Drive, Salt Lake City, County of Salt Lake, State of Utah 84106, for and in consideration of \$10.00 (TEN AND NO/100 DOLLARS) and other good and valuable consideration, in hand paid, Quitclaim to DOWNEY PROPERTIES, LLC, a Utah Limited Liability Company, Grantee, of 3064 Highland Drive, Salt Lake City, County of Salt Lake, State of Utah 84106, the following described real property subject to all encumbrances thereon situated in Bannock County, State of Idaho, to-wit:

SEE EXHIBITS "A", "B", "C" AND "D" ATTACHED HERETO
AND MADE A PART HEREOF BY REFERENCE.

WITNESS the hand of said Grantor this 6th day of September, 2006.

GRANTOR:

THE ROSE TRUST, dated January 29, 1998

By:

Sandra Goldberg
Sandra Goldberg,
Trustee

By:

Stanley Goldberg
Stanley Goldberg,
Trustee

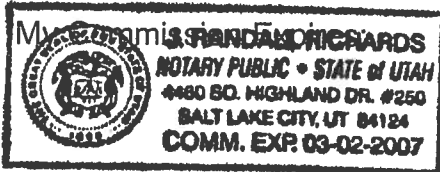
State of Utah)

:ss.

County of Salt Lake)

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The foregoing instrument was acknowledged before me this 6th day of September, 2006, by Sandra Goldberg.



J. Randall Richards
NOTARY PUBLIC
Residing in: SLC, UT

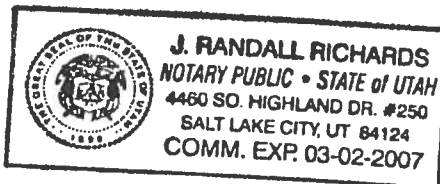
State of Utah)

:ss.

County of Salt Lake)

The foregoing instrument was acknowledged before me this 6th day of September, 2006, by Stanley Goldberg.

My Commission Expires:



J. Randall Richards
NOTARY PUBLIC
Residing in: SLC, UT

OFFICIAL RECORD BK# 871
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE 27 DEPUTY BP

Richards, Riley + Associates PLLC
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2007 JAN -8 A 8:06

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Exhibit "A"

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Real property in the County of Bannock, State of Idaho, described as follows:

PARCEL 1

A PORTION OF SECTION 25, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 4.18 CHAINS NORTH OF THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 11 SOUTH, RANGE 36 E.B.M., RUNNING THENCE SOUTH 83° EAST 16.60 CHAINS; RUN THENCE NORTH 15-3/4° EAST 9.93 CHAINS, RUN THENCE SOUTH 62°13' EAST 22.60 CHAINS; MORE OR LESS, TO A POINT ON THE SOUTH BOUNDARY LINE OF SAID SECTION 1.42 CHAINS EAST OF THE SOUTH QUARTER CORNER, RUN THENCE WEST 29.89 CHAINS, RUN THENCE NORTH 83° WEST TO WEST BOUNDARY LINE OF SAID SECTION; RUN THENCE NORTH ALONG SAID WEST BOUNDARY LINE TO THE POINT OF COMMENCEMENT.

PARCEL 2

A PORTION OF SECTION 25, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., RUNNING THENCE EAST 0.66 CHAINS, THENCE SOUTH 26-3/4° WEST 9.55 CHAINS, THENCE NORTH 66-3/4° WEST 3.17 CHAINS, THENCE NORTH 26-1/4° EAST 8.16 CHAINS, THENCE EAST 2.88 CHAINS TO THE POINT OF BEGINNING.

PARCEL 3

A PORTION OF SECTION 26, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., THENCE RUNNING NORTH 719.40 FEET, THENCE SOUTH 84°10' EAST 2382.60 FEET, MORE OR LESS, THENCE SOUTH 13-1/2° WEST 165 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING OF THE FOLLOWING SURVEY, THENCE CONTINUING SOUTH 3° WEST 183.4 FEET, MORE OR LESS, THENCE RUNNING SOUTH 83° EAST TO AN INTERSECTION WITH THE EAST BOUNDARY LINE OF SECTION 26; SAID POINT BEING 92.39 FEET NORTH FROM THE SOUTHEAST CORNER OF SECTION 26; THENCE NORTH ALONG THE EAST BOUNDARY LINE OF SECTION 26 A DISTANCE OF 183.53 FEET, MORE OR LESS, THENCE NORTH 83° WEST 297 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

PARCEL 4

A PORTION OF SECTION 35, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING 6.78 CHAINS WEST AND 11.89 CHAINS SOUTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., AND RUNNING THENCE SOUTH 3-3/4° WEST 4.84 CHAINS, THENCE NORTH 87°50' WEST 5.50 CHAINS, THENCE NORTH 3-3/4° EAST 4.84 CHAINS, THENCE SOUTH 87°50' EAST 5.50 CHAINS, TO THE POINT OF BEGINNING.

PARCEL 5

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THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO.

PARCEL 6

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO.

PARCEL 7

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO.

PARCEL 8

A PORTION OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING 1.42 CHAINS EAST OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., THENCE SOUTH 62°13' EAST 31.92 CHAINS, THENCE SOUTH 9.5° WEST 5.19 CHAINS, THENCE WEST 8.54 CHAINS, THENCE SOUTH 5.78 CHAINS, THENCE NORTH 62° WEST, 50.51 CHAINS, THENCE NORTH 17-1/4° EAST, 2.28 CHAINS, THENCE EAST 25.69 CHAINS, TO THE POINT OF BEGINNING.

PARCEL 9

A PORTION OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., SECTION 31, TOWNSHIP 11 SOUTH, RANGE 37, E.B.M., SECTION 6, TOWNSHIP 12 SOUTH, RANGE 37, E.B.M., AND SECTION 1, TOWNSHIP 12 SOUTH, RANGE 36, E.B.M., ALL IN BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 36, E.B.M., SAID CORNER BEING THE COMMON CORNER OF TOWNSHIPS 11 AND 12 SOUTH, RANGES 36 EAST AND 37 EAST, THENCE BEARING SOUTH ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 102.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE BEARING NORTH 71°50' WEST A DISTANCE OF 389.90 FEET; THENCE BEARING NORTH 58°16' WEST A DISTANCE OF 1127.1 FEET; THENCE BEARING NORTH 0°10' EAST 2056.0 FEET; THENCE BEARING NORTH 89°50' EAST 1323.15 FEET, MORE OR LESS, TO THE EAST LINE OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., THENCE BEARING SOUTH ALONG SAID EAST LINE OF SECTION 36, A DISTANCE OF 1344.84 FEET; THENCE BEARING NORTH 89°36' EAST 15.35 FEET; THENCE BEARING SOUTH 25°08' EAST A DISTANCE OF 427.0 FEET; THENCE BEARING SOUTH 9°05' EAST A DISTANCE OF 220.9 FEET; THENCE BEARING SOUTH 11°59' EAST A DISTANCE OF 439.65 FEET; THENCE BEARING SOUTH 1°18' EAST A DISTANCE OF 504.45 FEET; THENCE BEARING NORTH 71°50' WEST A DISTANCE OF 351.85 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE PROPERTY DEEDED TO THE STATE OF IDAHO, RECORDED OCTOBER 7, 1969 AS INSTRUMENT NO. 464332.

PARCEL 10

SE $\frac{1}{4}$ SW $\frac{1}{4}$ AND SW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO.

Parcel 1:

Township 11 South, Range 37 East, Boise Meridian, Bannock County, Idaho:

Section 31: SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; and the Lots 2 and 3

Township 12 South, Range 37 East, Boise Meridian, Bannock County, Idaho:

Section 5:

A part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, and a part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and a part of the NW $\frac{1}{4}$ described as follows:

Commencing at the North Quarter Corner of said Section 5, run thence South 1303 feet to the SE Corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5; thence East 1315.58 feet to the NE Corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5; thence South 1320 feet to the SE Corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5; thence West 137 feet to a stake in South boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5; thence South 31 $\frac{3}{4}$ ° West 260 feet to a stake in the creek; South 45°00' West 675 feet to a stake on the left bank of Marsh Creek; thence meandering along the left bank of Creek North 14 $\frac{3}{4}$ ° West 100 feet; North 50° East 81 feet; North 81° East 53 feet; North 43° East 78 $\frac{1}{2}$ feet; North 26° West 130 feet; North 74° West 193 feet; North 37 $\frac{1}{4}$ ° East 105 feet; North 61 $\frac{1}{2}$ ° West 174 feet; South 87° West 106 feet; South 62 $\frac{3}{4}$ ° West 149 feet; South 45 $\frac{3}{4}$ ° West 100 feet; South 82° West 85 feet; North 53° West 363 feet crossing the Creek from the left bank to the right bank; thence meandering along the right bank of Marsh Creek South 88° West 84 feet; North 21 $\frac{3}{4}$ ° West 267 feet; North 70° West 130 feet; North 21 $\frac{1}{2}$ ° West 288 feet; North 70 $\frac{3}{4}$ ° West 404 feet; South 55° West 171 feet; North 61° West 78 feet; North 38° West 87 feet; North 53 $\frac{1}{2}$ ° West 113 feet; North 12 $\frac{3}{4}$ ° West 132 feet; North 38 $\frac{1}{2}$ ° West 168 feet; North 5 $\frac{1}{2}$ ° West 99 feet; North 66° West 270 feet; North 45 $\frac{1}{4}$ ° West 194 feet; north 80 $\frac{1}{2}$ ° West 88 feet; North 44 $\frac{1}{4}$ ° West 155 feet; North 67 $\frac{1}{4}$ ° West 241 feet; South 70° West 86 feet; North 37 $\frac{1}{4}$ ° West 181 feet to a stake in the West line of Section 5, Township 12 South, Range 37 E.B.M.; thence North 1000.40 feet along the West boundary of Lot 4 in said Section 5 to the NW Corner of said Section 5; thence South 89°50' East 2640 feet along North boundary of Section 5 to the place of beginning.

EXCEPTING:

S $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 5, Township 12 South, Range 37 E.B.M., Bannock County, Idaho.

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PARCEL 2:

24

A Sixty (60') foot wide ingress/egress easement located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 11 South, Range 37 East, Boise Meridian, Bannock County, Idaho, and more particularly described as follows:

Beginning at the Southwest Corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31; thence North 1240 feet, more or less, along the West boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the Southerly right of way line of Highway 40 (F.A.P. S-1751 (1)); Thence South 89°30'36" East 58 feet, more or less, along said Southerly right of way line to a right of way monument at Highway Station 62+00, 70 feet right of centerline; thence North 84°46'46" East 2 feet, more or less, along said right of way line to a point that is 60.00 feet East of the West boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence South 1300 feet, more or less, along a line 60.00 feet East of and parallel with the West boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ to a point that is 60.00 feet South of the North boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 60.00 feet East of the West boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence West 60.00 feet, more or less, to a point on the West boundary line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ that is 60.00 feet South of the point of beginning; thence North 60.00 feet along the West boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ to the point of beginning.

PARCEL 3:

A right of roadway leading from Old U.S. Highway 191 to the property lying West of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 5, Township 12 South, Range 37 East, Boise Meridian, Bannock County, Idaho, as the same now exists.

TOGETHER WITH the right of ingress and egress for the purpose of maintaining a spring and conveying the water therefrom in the ditches as the same now exists on the following described property:

Township 12 South, Range 37 East, Boise Meridian, Bannock County, Idaho:
Section 5; S $\frac{1}{2}$ NE $\frac{1}{4}$.

EXCEPTING THEREFROM THE FOLLOWING:

That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5, Township 12 South, Range 37 East, Boise Meridian, Bannock County, Idaho, included in the following description: A strip of land 66 feet wide being 37 feet on each side of the following described center line: Beginning at a point 154 feet, more or less, West of the Quarter Corner of Section 5, Township 12 South, Range 37 East, Boise Meridian, Bannock County, Idaho; thence North 24° East a distance of 250 feet, more or less; thence on a 80° curve to the right a distance of 95 feet, more or less, to a point of ending on the Section line.

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TOGETHER WITH the water and water rights in and to a spring rising upon the S½NE¼ of Section 5, Township 12 South, Range 37 East, Boise Meridian, Bannock County, Idaho, and

TOGETHER WITH the right of ingress and egress for the purpose of maintaining and conveying the water from said spring in the ditches as the same now exists.

TOGETHER WITH water rights filed with the State of Idaho, Department of Water Resources, under the water right No. 29-11925 and water right No. 29-4398.

TOGETHER WITH all Seller's interest in and to all oil, gas, mineral, and geothermal rights.

as
Exhibit "C"

20700443

PARCEL 1:

W1/2SW1/4 SECTION 32, TOWNSHIP 11 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO.

Together with all improvements situated thereon, any and all appurtenances thereto, and any and all oil rights, gas rights, mineral rights, spring rights, and water rights, any and all grazing permits, forest service permits used with the property, irrigation systems, wells, pumps, and any and all easements and rights-of-way of record over any adjoining real property.

PARCEL 2:

TOGETHER WITH AN EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS OVER THE SOUTH FIFTY (50) FEET OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, EXCLUDING THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO.

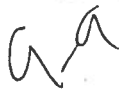


Exhibit "D"

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**Township 12 South, Range 37 East, Boise Meridian, Bannock County,
Idaho:**

Section 5: S1/2 NE1/4

**Excepting therefrom that portion of the SE1/4 NE1/4, Section 5, Township
12 South, Range 37 East, Boise Meridian, included in the following
description: A strip of land 66 feet wide being 33 feet on each side of the
following described center line:**

**Beginning at a point 154 feet, more or less, West of the East Quarter corner
of Section 5; thence North 24 deg East, a distance of 250 feet, more or less;
thence on a 80 deg curve to the right a distance of 95 feet, more or less, to
a point ending on the Section Line.**