

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

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?
43-2471	Yes ☐	43-2504	Yes ☐	43-4199	Yes ☐
43-2472	Yes ☐	43-2516	Yes ☐	43-13351	Yes ☐
43-2475	Yes ☐	43-2517	Yes ☐	43-13352	Yes ☐
43-2488	Yes ☐	43-2519	Yes ☐	43-13577	Yes ☐
43-2489	Yes ☐	43-2575	Yes ☐	43-13603	Yes ☐

2. Previous Owner's Name: 43-13578 43-2505 43-13604
Cassia Creek Farms, LLC, an Idaho limited liability company
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Murphy Land Company, LLC, an Idaho limited liability company
Name of each new owner as listed on the conveyance document
P. O. Box 310
New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or
P. O. Box 310
Mailing address
American Falls, ID 83211
City State ZIP
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: October 31, 2011.
6. 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.

7. Signature: By: *Lance D. Funk* Managing Member 10/31/2011
Signature of new owner/claimant Title, if applicable Date
Signature: Lance D. Funk _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DB Date 11-4-2011 Receipt No. 5032213 + 5032214 Receipt Amt. \$425-
Approved by _____ Processed by _____ Date _____ \$25-

CASSIA COUNTY
Recorded for:
LAND TITLE AND ESCROW
1:41:39 pm 10-31-2011
2011-004420
No. Pages: 9 Fee: \$34.00
JOSEPH W. LARSEN
County Clerk
Deputy: VIKI

#48573

(Space Above For Recorder's Use)

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, CASSIA CREEK FARMS, LLC, an Idaho limited liability company ("Grantor"), does hereby grant, transfer, sell, and convey unto MURPHY LAND COMPANY, LLC, an Idaho limited liability company ("Grantee"), whose mailing address is P. O. Box 310, American Falls, Idaho 83211, the following described premises located in Cassia County, Idaho:

See **Exhibit A** attached hereto and incorporated herein by this reference;

together with all rents, remainders, and reversions, and all appurtenances and hereditaments, issues and profits, improvements and fixtures, easements, mineral rights, water rights, including those water rights identified in **Exhibit B** attached hereto and incorporated hereby this reference, and all other permits, licenses, and rights thereunto appertaining (collectively "appurtenances").

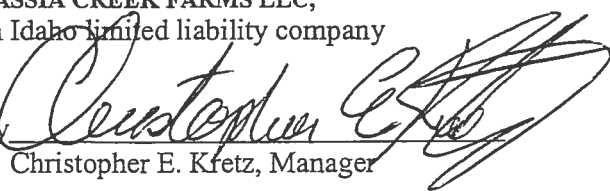
TO HAVE AND TO HOLD said premises with their appurtenances unto said Grantee, its successors and assigns forever; and said Grantor does hereby covenant to and with said Grantee that Grantor is the owner in fee simple absolute of said premises; that said premises are free from all encumbrances except property taxes and assessments not yet due and payable, restrictions, licenses, agreements, and easements of record, including those matters described in the Commitment for Title Insurance of First American Title Insurance Company (Order No. 48573), effective September 30, 2011 at 8:00 A.M., on Schedule B – Section II as Exceptions 8-93; and that Grantor will warrant and defend the premises from all other claims and demands whatsoever arising by, through, or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed, delivered, and recorded.

GRANTOR:

CASSIA CREEK FARMS LLC,
an Idaho limited liability company

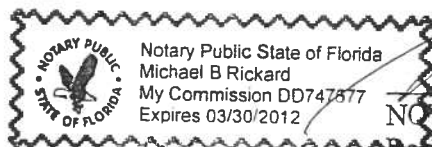
By


Christopher E. Kretz, Manager

STATE OF FLORIDA)
) ss.
County of Palm Beach)

On this 27th day of October, 2011, before me, a Notary Public in and for said State, personally appeared **CHRISTOPHER E. KRETZ**, known or identified to me (or proved to me on the oath of N/A) to be the Manager of **CASSIA CREEK FARMS LLC**, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and who acknowledged to me that such limited liability company 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 FLORIDA

Residing at: JUPITER, FL

My Commission Expires: DD 747677

EXHIBIT A
(Legal Description)

Order Number: 48573

PARCEL NO. 1:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: Lots 2, 3, and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING Part of Lot 4 of Section 30, described as follows:

Beginning at the Southwest corner of Lot 4 of said Section 30, which shall be the True Point of Beginning;

Thence North 0°01' West for 208.71 feet along the Section line to a point;

Thence South 89°55' East for 208.71 feet to a point;

Thence South 0°01' East for 208.71 feet to a point on the Section line;

Thence North 89°55' West for 208.71 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of said Section 30, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project center line; thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 63.505 meters (208.35 feet), Station 62+31.217, 2.108 meters (6.92 feet) right of said Project centerline and being the True Point of Beginning;

Thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 862.684 meters (2830.32 feet) to the S $\frac{1}{4}$ corner of said Section 30, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;

Thence North 89°35'47" East along the South boundary of said Section 30 for a distance of 807.070 meters (2647.86 feet) to the Southeast corner of said Section 30, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;

Thence North 00°28'50" West along the East boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 30 for a distance of 14.946 meters (49.04 feet), Station 79+00.941, 12.192 meters (40.00 feet) left of said Project centerline;

Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 807.063 meters (2647.84 feet) to a point on the West boundary of the SE $\frac{1}{4}$ of said Section 30, Station 70+93.910, 12.192 (40.00 feet) left of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 553.910 meters (1817.29 feet), Station 65+40.000, 12.192 (40.00 feet) left of said Project centerline;

Thence North 00°28'55" West for a distance of 1.524 meters (5.00 feet), Station 65+40.000, 13.716 (45.00 feet) left of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 308.773 meters (1013.03 feet), Station 62+31.227, 13.716 (45.00 feet) left of said Project centerline;

Thence South 00°26'47" East for a distance of 15.824 meters (51.92 feet) to the True Point of Beginning.

-Continued-

Order Number: 48573

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: NE¼, NE¼NW¼, Lots 1 and 2

LESS, part of Lot 1 and Lot 2 of said Section 31, described as follows:

Beginning at the Southwest corner of Lot 2 of said Section 31, which shall be the True Point of Beginning;

Thence North 0°01' West along section line for 1617.50 feet to a point;

Thence South 89°54' East for 1394.28 feet to a point;

Thence South 0°01'30" East for 1617.50 feet to a point on the South line of Lot 2;

Thence North 89°54'30" West along said South line for 1395.0 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the Northwest corner of said Section 31, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project centerline;

Thence North 89°37'26" East along the North boundary of said Section 31 for a distance of 926.189 meters (3038.67 feet) to the NW corner of said Section 31, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;

Thence North 89°35'47" East along the North boundary of said Section 31 for a distance of 807.070 meters (2647.86 feet) to the Northeast corner of said Section 31, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;

Thence South 00°32'10" East along the East boundary of the NE¼ of said Section for a distance of 9.438 meters (30.97 feet), Station 79+01.011, 12.192 meters (40.00 feet) right of said Project centerline;

Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 807.105 meters (2647.98 feet) to a point on the West boundary of the NE¼ of said Section 31, Station 70+93.876, 12.192 (40.00 feet) right of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 553.876 meters (1817.17 feet), Station 65+40.000, 12.192 (40.00 feet) right of said Project centerline;

Thence South 00°28'55" East for a distance of 1.524 meters (5.00 feet), Station 65+40.000, 13.716 (45.00 feet) right of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 280.000 meters (918.63 feet), Station 62+60.000, 13.716 (45.00 feet) right of said Project centerline;

Thence North 00°28'55" West for a distance of 1.524 meters (5.00 feet), Station 62+60.000, 12.192 (40.00 feet) right of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 92.290 meters (302.79 feet) to a point on the West boundary of Government Lot 1 of said Section 31, Station 61+67.714, 12.192 (40.00 feet) right of said Project centerline;

Thence North 00°28'14" West along the West boundary of Government Lot 1 for a distance of 10.202 meters (33.47 feet) to the Northwest corner of said Section 31 and being the Point of Beginning.

-Continued-

Order Number: 48573

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE¼

PARCEL NO. 4:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE¼NW¼, SAVE AND EXCEPT, the following described parcel:

Beginning at the W¼ section corner of said Section 31, said corner marked by a US BLM aluminum pipe with a cap; Thence South 89°55'11" East along the South line of the NW¼ of Section 31 for a distance of 1394.26 feet to the Point of Beginning;
Thence North 00°00'00" East for a distance of 1365.91 feet;
Thence South 89°51'32" East for a distance of 28.52 feet to a ½ inch rebar;
Thence South 00°09'35" East for a distance of 978.70 feet to a ½ inch rebar;
Thence along a non-tangent curve to the right for a distance of 1222.71 feet to a ½ inch rebar on the South line of the NW¼, said curve having a radius of 1531.45 feet and a central angle of 45°44'41" and a long chord bearing South 70°56'23" East for a distance of 1190.49 feet;
Thence North 89°55'11" West along the South line of the NW¼ for a distance of 1156.47 feet to the Point of Beginning.

PARCEL NO. 5:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: N¼

EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

Beginning at the Northwest corner of said Section 32, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;
Thence North 89°45'08" East along the North boundary of said Section 32 for a distance of 808.396 meters (2652.22 feet) to the N¼ corner of said Section 32, Station 87+09.374, 4.006 meters (13.14 feet) right of said Project centerline;
Thence North 89°37'03" East along the North boundary of said Section 32 for a distance of 493.668 meters (1619.64 feet), Station 92+03.095, 0.628 meters (2.06 feet) left of said Project centerline;
Thence South 00°20'12" East for a distance of 13.201 meters (43.31 feet), Station 92+03.095, 12.573 (41.25 feet) right of said Project centerline;
Thence South 89°39'48" West for a distance of 163.383 meters (536.03 feet), Station 90+40.000, 16.165 (53.03 feet) right of said Project centerline;
Thence North 00°51'22" East for a distance of 4.620 meters (15.16 feet), Station 90+40.00, 11.545 (37.88 feet) right of said Project centerline;
Thence South 89°39'48" West for a distance of 330.355 meters (1083.84 feet) to a point on the West boundary of the NE¼ of said Section 32, Station 87+09.400, 12.192 (40.00 feet) right of said Project centerline;

-Continued-

Order Number: 48573

Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 808.389 meters (2652.19 feet) to a point on the West boundary of the NW¼ of said Section 32, Station 79+01.011, 12.192 (40.00 feet) right of said Project centerline;
Thence North 00°32'10" West along the West boundary of NW¼ of said Section 32 for a distance of 9.438 meters (30.97 feet) to the Northwest corner of said Section 32 and being the Point of Beginning.

Tract No. 2

All that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

PARCEL NO. 6:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: 3¼, SAVE AND EXCEPT that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

PARCEL NO. 7:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: NW¼, SAVE AND EXCEPT that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

ALSO EXCEPTING the following described tract:

Commencing at a brass cap marking the Northwest corner of said Section 33; thence along the west boundary of the said NW¼NW¼ of Section 33, Thence South 00°01'16" East for 32.98 feet to an iron pin on the south right of way line of Yale Road, said point marking the Point of Beginning;
Thence leaving said west boundary along said south right of way line South 89°51'44" East for 211.55 feet to an iron pin;
Thence continuing South 89°47'15" East for 225.23 feet to an iron pin;
Thence leaving said south right of way line along a line easterly of and parallel with said west boundary of the NW¼NW¼ of Section 33, Thence South 00°01'16" East for 298.25 feet to an iron pin;
Thence along a line south of and parallel with the north boundary of said NW¼NW¼ of Section 33, Thence South 89°56'49" West for 436.77 feet to an iron pin on said west boundary of the NW¼NW¼ of Section 33;
Thence along said west boundary North 00°01'16" West for 300.00 feet to the Point of Beginning.

-Continued-

Order Number: 48573

PARCEL NO. 8:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: SW¼

PARCEL NO. 9:
TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: ALL, SAVE AND EXCEPTING the following described tract:

Beginning at an iron pin marking the Southwest corner of said Section 1; Thence along the west boundary of said SW¼SW¼ of Section 1; Thence North 00°02'22" East for 247.04 feet to an iron pin; thence leaving said west boundary along a line north of and parallel with the south boundary of said SW¼SW¼ of Section 1; Thence South 89°29'54" East for 529.00 feet to an iron pin; Thence along a line east of and parallel with said west boundary of the SW¼SW¼ of Section 1; Thence South 00°02'22" West for 247.04 feet to an iron pin on said south boundary of the SW¼SW¼ of Section 1; Thence North 89°29'54" West for 529.00 feet to the Point of Beginning.

PARCEL NO. 10:
TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: NW¼

LESS, commencing at the Northwest corner of said Section 12, running Thence South 50 feet; Thence East on a line parallel with the North boundary line of the said Section 12 and 50 feet South therefrom to the East boundary line of the NW¼ of said Section 12; Thence North 50 feet to the North boundary line of said Section 12; Thence West 2640 feet along the North boundary line of said Section 12 to the Point of Beginning.

PARCEL NO. 11:
TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 4: ALL

PARCEL NO. 12:
TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: ALL

PARCEL NO. 13:
TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: E¼

-Continued-

Order Number: 48573

PARCEL NO. 14:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: W $\frac{1}{4}$

PARCEL NO. 15:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 8: ALL

PARCEL NO. 16:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: S $\frac{1}{2}$ N $\frac{1}{2}$ and SE $\frac{1}{4}$

PARCEL NO. 17:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Part of the NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the W $\frac{1}{4}$ section Corner of Section 31, said corner marked by a US BLM aluminum pipe with cap; Thence North 00°00'25" East along the West line of Section 31 for a distance of 1367.40 feet to the Point of Beginning;
Thence North 00°00'25" East along the West line of Section 31 for a distance of 254.97 feet;
Thence South 89°51'32" East for a distance of 24.56 feet to a 3/8 inch rebar;
Thence South 89°51'32" East for a distance of 1369.51 feet to a 1/2 inch rebar;
Thence South 00°00'00" West for a distance of 254.97 feet;
Thence North 89°51'32" West for a distance of 1369.10 feet to a 1/2 inch rebar;
Thence North 89°51'32" West for a distance of 25.00 feet to the Point of Beginning.

EXHIBIT B
(Listing of Water Rights)

	<u>Water Right Number</u>
1.	43-2471
2.	43-2472
3.	43-2475
4.	43-2488
5.	43-2489
6.	43-2504
7.	43-2505
8.	43-2516
9.	43-2517
10.	43-2519
11.	43-2575
12.	43-4199
13.	43-13351
14.	43-13352
15.	43-13577
16.	43-13578
17.	43-13603
18.	43-13604



Land Title and Escrow, Inc.

Focused on Service, Positioned for the Future

October 31, 2011

Trish Fawcett
Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RE: File No. 48573

Dear Trish:

Enclosed with this letter please find the following documents:

1. The original executed Notice of Change in Water Right Ownership.
2. A copy of the executed recorded Special Warranty Deed.
3. Land Title and Escrow's trust account check no. 25690 payable to Idaho Department of Water Resources in the amount of \$425.00.
4. Land Title and Escrow's check payable to Idaho Department of Water Resources in the amount of \$25.00.

Would you please make the necessary changes in the records to indicate Murphy Land Company, LLC as the new owner for future water assessments and notices. Please send a receipted copy to this office.

Should you have any questions concerning this letter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

Nancy Garrett
Administrative Assistant

/nrg
enc.

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lteb@pmt.org

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Box 473 • Gooding, Idaho • 83330
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Box 111 • Rupert, Idaho • 83350
Ph: 208.436.0606
Fx: 208.436.1199
lter@pmt.org

Box 349 • Jerome, Idaho • 83338
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