

RECEIVED

OCT 12 2010

WATER RESOURCES
WESTERN REGIONSTATE 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?
PD 65-2809 ✓	Yes ☐		Yes ☐		Yes ☐
PD 65-6236 ✓	Yes ☐		Yes ☐		Yes ☐
PD 65-6239 ✓	Yes ☐		Yes ☐		Yes ☐
PD 65-12188 ✓	Yes ☐		Yes ☐		Yes ☐
PD 65-18543 ✓	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: J. R. Simplot Company and ML Investment Co.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): DJS Properties L. P.
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

PO Box 27

Mailing address

Boise ID 83707

City State ZIP

208-336-2110

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: See Exhibit A attached hereto
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.
- Debbie S. McDonald, Manager of DJS Management, LLC, the General Partner of DJS Properties, L.P.

7. Signature: Debbie S. McDonald Title, if applicable: _____ Date: October 8, 2010

Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____

Signature of new owner/claimant

For IDWR Office Use Only:

Received by Jmh Date 10-12-10 Receipt No. W038783 Receipt Amt. 125.

Approved by _____ Processed by Jmh Date 10-13-10

Form 42-248/42-1409(6) Rev. 07/10

SUPPORT DATA

IN FILE # 65-2809

Exhibit A to Notice of Change of Water Right Ownership

Response to Question #7: The above referenced water rights were conveyed by J. R. Simplot Company to ML Investment Company pursuant to the Bargain and Sale Deed recorded on May 3, 1999 in the official real property records of Payette County, Idaho as instrument no. 280965. The same water rights were then conveyed by ML Investment Company to DJS Properties L.P. pursuant to the Quitclaim Deed in Lieu of Foreclosure recorded on February 1, 2010 in the official real property records of Payette County, Idaho as instrument no. 364801.

A copy of both of the above described deeds are attached.

0364801

Instrument # 364801

STATE OF IDAHO, PAYETTE COUNTY
2-1-2010 11:25:00 No. of Pages: 3
Recorded for: DJS PROPERTIES LP
BETTY J DRESSEN Fee: \$9.00
Ex-Officio Recorder Deputy *[Signature]*
Index to: QUITCLAIM DEED - DEEDS

QUITCLAIM DEED IN LIEU OF FORECLOSURE

M.L. INVESTMENT COMPANY, a Nevada corporation, GRANTOR, does hereby REMISE, RELEASE and forever QUITCLAIM unto **DJS PROPERTIES L.P., an Idaho limited partnership**, whose principal address is 999 Main Street, Suite 1300, Boise ID 83702, GRANTEE, and to Grantee's successors and assigns forever, in lieu of foreclosure of that certain Mortgage recorded August 10, 2004, as Instrument No. 320228 in the real property records of Payette County, Idaho, which Mortgage was assigned to Grantee herein by Assignment recorded November 8, 2007, as Instrument No. 349305 and which Mortgage secures an indebtedness owed by Grantor to Grantee in the amount of One Million One Hundred Seventy-Five Thousand Three Hundred Seventeen Dollars and Sixty-Four Cents (\$1,175,317.64), all of the following described real property situated in the County of Payette, State of Idaho, to-wit:

See Exhibit A attached hereto and made a part hereof.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging.

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 this 1st day of February, 2010.

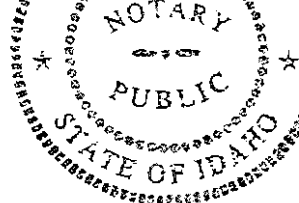
M.L. INVESTMENT COMPANY

[Signature: Debbie S. McDonald]
Debbie S. McDonald, President

STATE OF IDAHO }
 } ss.
COUNTY OF ADA }

On this 1st day of February, 2010, before me, the undersigned, personally appeared Debbie S. McDonald, to me known to be the President of M.L. Investment Company, the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that said individual was authorized to execute said instrument.

WITNES my hand and official seal the day and year first above written.



[Signature: Virginia L. Stoke]
Notary Public in and for the State of Idaho
Residing at: *Ada County Idaho*
Commission expires: *8-12-2010*

EXHIBIT A

In Twp. 8 N., R. 3 W., B.M., Payette County, Idaho:

- In Sec. 6: Government Lot 7;
- In Sec. 7: W1/2;
- In Sec. 18: NW1/4 and NW1/4SW1/4;

In Twp. 8 N., R. 4 W., B.M., Payette County, Idaho:

- In Sec. 1: S1/2S1/2 and N1/2SW1/4;
- In Sec. 2: The North 466.7 feet of the East 466.7 feet of the NE1/4SE1/4;
- In Sec. 12: All of said Section;
- In Sec. 13: N1/2, N1/2SW1/4 and SW1/4SW1/4;
AND Beginning at the East Quarter corner of Section 13, Township 8 North, Range 4 West, B.M.;
Thence North 89°34' West along the midsection line of said Section 13 a distance of 1,764 feet, more or less, to a fence, the TRUE POINT OF BEGINNING;
Thence South 50°7.5' West along said fence a distance of 1,107.5 feet to a point on the West boundary of the NW1/4SE1/4;
Thence North along the West boundary of the NW1/4SE1/4 a distance of 710 feet, more or less, to the North boundary of the NW1/4SE1/4;
Thence South 89°34' East along the North boundary of the NW1/4SE1/4 850 feet to the TRUE POINT OF BEGINNING.
- In Sec. 14: S1/2SE1/4;
- In Sec. 23: N1/2 SAVE AND EXCEPTING the N1/2N1/2NW1/4;
- In Sec. 24: W1/2NW1/4.

In Twp. 8 N., R. 4 W., B.M., Payette County, Idaho:

- In Sec. 2: The SE1/4 SAVE AND EXCEPT the North 466.7 feet of the East 466.7 feet thereof;
The E1/2SW1/4;
The SW1/4SW1/4;
And that portion of Government Lot 4 lying North and West of the County Road crossing said legal subdivision SAVE AND EXCEPT the following portion thereof:
Beginning at a point 70 feet, more or less, West of the NE corner of said Lot 4, which point is identical with that point where the North line of said Lot 4 intersects the West side line of the right-of-way of the county road as now located;
run thence West following the said North side line of said Lot 4 a distance of 625 feet;
thence South at right angles to said North line of said Lot 4 to the right-of-way of the aforesaid county road;
thence following the said right-of-way of said county road in a Northeasterly direction to the point of beginning;
- In Sec. 3: Government Lots 2, 3, and 4, the S1/2NW1/4 and the SW1/4;

- In Sec. 10: The SE1/4NE1/4, W1/2NE1/4, SE1/4, E1/2SW1/4, N1/2NW1/4SW1/4, E1/2SE1/4NW1/4SW1/4, NW1/4;
SAVE AND EXCEPT the S1/2NE1/4SE1/4NW1/4 and the N1/2SE1/4SE1/4NW1/4;
- In Sec. 11: All of said Section;
- In Sec. 14: The N1/2, N1/2S1/2 and S1/2SW1/4;
- In Sec. 15: All of said Section;
- In Sec. 22: The N1/2;
- In Sec. 23: The N1/2N1/2NW1/4;

In Sec. 27: A parcel of land in the SW1/4NE1/4 more particularly described as follows:
Beginning at the North quarter corner of said Section 27;
Run thence S. 0°13' W. on the midsection line of said Sec. 27 a distance of 1589.8 feet to a point on the Southerly right-of-way of State highway #52; said point being the REAL POINT OF BEGINNING;
Thence continuing S. 0°13' W. along said midsection line a distance of 898.4 feet to a point on the Northerly bank of the main channel of the Payette River;
Thence S. 40°58.5' E. along the Northerly bank of said Payette River a distance of 200.0 feet to a point;
Thence N. 0°13' E. a distance of 200.0 feet to a point;
Thence N. 40°58.5' W. a distance of 169.6 feet to a point;
Thence N. 0°13' E. a distance of 700.0 feet to a point on the Southerly right-of-way of State Highway #52;
Thence Westerly on the arc of a circle 2825.0 feet in radius curving to the left an arc distance of 29.1 feet, along the Southerly right-of-way line of said Highway, the chord of said arc running N. 42°51.3' W. a distance of 29.1 feet to the real point of beginning.

AND

A parcel of land in the SW1/4NE1/4 of Section 27, Township 8 North, Range 4 West, B.M., more particularly described as follows:

Beginning at the north quarter corner of said Section 27, Township 8 North, Range 4 West, B.M.;
Thence S. 0°13' W. along the midsection line of said Section 27 a distance of 2,488.2 feet to a point on the northerly bank of the main channel of the Payette River;
Thence S. 40°58.5' E. a distance of 200 feet to the TRUE POINT OF BEGINNING;
Thence S. 40°58.5' E. along the northerly bank of the main channel of the Payette River a distance of 200 feet to a point;
Thence N 14°02' E a distance of 240 feet to a point;
Thence N. 70°20' W a distance of 200 feet to the easterly line of the parcel of land on which the Payette Farms Company's pumping plant is situated;
Thence S. 0°13' W a distance of 150 feet to the northerly bank of the main channel of the Payette River to the POINT OF BEGINNING.

In Twp. 9 N., R. 4W., B.M., Payette County, Idaho:

In Sec. 34: The SW1/4NW1/4 and the S1/2.

In Twp. 8 N., R. 4 W., B.M., Payette County, Idaho:

In Sec. 10: S1/2NE1/4SE1/4NW1/4 and N1/2SE1/4SE1/4NW1/4.

COPY

FA-11224

280965

BARGAIN AND SALE DEED

FOR VALUE RECEIVED, **J. R. SIMPLOT COMPANY**, a Nevada corporation, successor by merger to Payette Farms Company, an Idaho corporation, as to Parcel I; **J. R. SIMPLOT COMPANY**, a Nevada corporation, as to Parcel II; and **J. R. SIMPLOT COMPANY**, a Nevada corporation, successor by merger to Simplot Industries, Inc., a Utah corporation, by merger with P & F Storage Co., an Idaho corporation, as to Parcel III, as Grantor, does hereby grant, bargain, sell and convey unto **ML INVESTMENT COMPANY**, a Nevada corporation, as Grantee, whose current address is P.O. Box 27, Boise, Idaho 83707, all that certain real property located in Payette 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, the Grantor has caused its corporate name to be hereunto subscribed by its President, and its corporate seal to be affixed by its Secretary, this 30th day of April, 1999.

J. R. SIMPLOT COMPANY

STATE OF IDAHO }
County of Payette } SSBy: Stephen A. Beebe
Its PresidentI hereby certify that this instrument
was filed for record at the request of
FIRST AMERICAN TITLE CO.

ATTEST:

By: Laura L. Stigle
SecretaryTime 4:00 PM
Date May 3, 1999
Instrument # 280965 Seeds

LAURA L. STIGLE

By: Laura L. Stigle Notary Recorder
DeputyFee \$15.00STATE OF IDAHO)
County of Ada) ss.

On this 30th day of April, 1999, before me, a Notary Public in and for said State, personally appeared STEPHEN A. BEEBE and RONALD N. GRAVES, the President and Secretary, respectively, of the corporation that executed the foregoing instrument on behalf of said corporation, and acknowledged to me that such corporation 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.

R. Scott Fusley
Notary Public for Idaho
Residing at Boise, Idaho

My Commission expires: 5-13-2003

280965

EXHIBIT "A"

PARCEL I:

In Twp. 8 N., R. 3 W., B.M. Payette County, Idaho:

In Sec. 6: Government Lot 7;
In Sec. 7: W1/2;
In Sec. 18: NW1/4 and NW1/4SW1/4;

In Twp. 8 N., R. 4 W., B.M., Payette County, Idaho:

In Sec. 1: S1/2S1/2 and N1/2SW1/4;
In Sec. 2: The North 465.7 feet of the East 466.7 feet of
the NE1/4SE1/4;
In Sec. 12: All of said Section;
In Sec. 13: N1/2; N1/2SW1/4 and SW1/4SW1/4;

AND Beginning at the East Quarter corner of Section 13, Township
8 North, Range 4 West, B.M.;

Thence North 89°34' West along the midsection line of said
Section 13 a distance of 1,764 feet more or less to a fence,
the true POINT OF BEGINNING;

Thence South 50°7.5' West along said fence a distance of
1,107.5 feet to a point on the West boundary of the
NW1/4SE1/4;

Thence North along the West boundary of the NW1/4SE1/4 a
distance of 710 feet more or less to the North boundary of the
NW1/4SE1/4;

Thence South 89°34' East along the North boundary of the
NW1/4SE1/4 850 feet to the TRUE POINT OF BEGINNING.

In Sec. 14: S1/2SE1/4;
In Sec. 23: N1/2 SAVE AND EXCEPTING the N1/2N1/2NW1/4 and
In Sec. 24: W1/2NW1/4.

In Twp. 8 N., R. 4 W., B.M., Payette County, Idaho:

In Sec. 2: The SE1/4 SAVE AND EXCEPT the North 466.7 feet of
the East 466.7 feet thereof;
the E1/2SW1/4;
the SW1/4SW1/4;
and that portion of Government Lot 4 lying North
and West of the County Road crossing said legal
subdivision SAVE AND EXCEPT the following portion
thereof:
Beginning at a point 70 feet, more or less, West of
the NE corner of said Lot 4, which point is

CONTINUED

EXHIBIT "A" CONTINUED

identical with that point where the North line of said Lot 4 intersects the West side line of the right-of-way of the county road as now located; run thence West following the said North side line of said Lot 4 a distance of 625 feet; thence South at right angles to said North line of said Lot 4 to the right-of-way of the aforesaid county road; thence following the said right-of-way of said county road in a Northeasterly direction to the point of beginning;

In Sec. 3: Government Lots 2, 3, and 4;
The S1/2NW1/4 and the SW1/4;

In Sec. 10: The SE1/4NE1/4; W1/2NE1/4; SE1/4; E1/2SW1/4;
N1/2NW1/4SW1/4; E1/2SE1/4NW1/4SW1/4; NW1/4 SAVE AND
EXCEPT THE S1/2NE1/4SE1/4NW1/4 and the
N1/2SE1/4SE1/4NW1/4;

In Sec. 11: All of said Section;

In Sec. 14: The N1/2; N1/2S1/2; and S1/2SW1/4;

In Sec. 15: All of said Section;

In Sec. 22: The N1/2;

In Sec. 23: The N1/2N1/2NW1/4;

In Sec. 27: A parcel of land in the SW1/4NE1/4 more particularly described as follows:
Beginning at the North quarter corner of said Section 27;
run thence S. 0°13' W. on the midsection line of said Sec. 27 a distance of 1589.8 feet to a point on the Southerly right-of-way of State Highway #52; said point being the REAL POINT OF BEGINNING;
thence continuing S. 0°13' W. along said midsection line a distance of 898.4 feet to a point on the Northerly bank of the main channel of the Payette River;
thence S. 40°58.5' E. along the Northerly bank of said Payette River a distance of 200.0 feet to a point;
thence N. 0°13' E. a distance of 200.0 feet to a point;
thence N. 40°58.5' W. a distance of 169.6 feet to a point;
thence N. 0°13' E. a distance of 700.0 feet to a point on the Southerly right-of-way of State Highway #52;

CONTINUED

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EXHIBIT "A" CONTINUED

thence Westerly on the arc of a circle 2825.0 feet in radius curving to the left an arc distance of 29.1 feet, along the Southerly right-of-way line of said Highway, the chord of said arc running N. 42° 51.3' W. a distance of 29.1 feet to the real point of beginning.

AND

A parcel of land in the SW1/4NE1/4 of Section 27, Township 8 North, Range 4 West, B.M. more particularly described as follows:

Beginning at the north quarter corner of said Section 27, Township 8 North, Range 4 West, B.M.;

Thence South 0°13' West along the midsection line of said Section 27 a distance of 2,488.2 feet to a point on the northerly bank of the main channel of the Payette River;

Thence South 40°58.5' East a distance of 200 feet to the true point of beginning;

Thence South 40°58.5' East along the northerly bank of the main channel of the Payette River a distance of 200 feet to a point;

Thence North 14°02' East a distance of 240 feet to a point;

Thence North 70°20' West a distance of 200 feet to the easterly line of the parcel of land on which the Payette Farms Company's pumping plant is situated;

Thence South 0°13' West a distance of 150 feet to the northerly bank of the main channel of the Payette River to the point of beginning.

In Twp. 9 N., R. 4 W., B.M., Payette County, Idaho:
In Sec. 34: The SW1/4NW1/4; and the S1/2.

PARCEL II:

In Twp. 7 N., R. 5 W., B.M., Payette County, Idaho:

In Sec. 9: NE1/4NE1/4 and W1/2SE1/4NE1/4.

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EXHIBIT "A" CONTINUED

A parcel of land situated in the W1/2NE1/4 of said Sec. 9, being more particularly described as follows:

Beginning at the Southwest corner of said W1/2NE1/4; thence North 0°09'00" West along the West boundary line of said W1/2NE1/4 2667.25 feet to the Northwest corner of said W1/2NE1/4; thence North 89°54'45" East along the North boundary line of said W1/2NE1/4 651.99 feet to the REAL POINT OF BEGINNING;

thence continuing North 89°54'45" East 673.1 feet to the Northeast corner of said W1/2NE1/4;

thence South 0°07'17" East along the East boundary line of said W1/2NE1/4 2078.46 feet;

thence North 89°33'48" West 417.55 feet;

thence South 33°18'24" West 451.89 feet;

thence North 0°09'00" West 2448.37 feet more or less to a point on the North boundary line of said W1/2NE1/4 and the POINT OF BEGINNING.

PARCEL III:

The South Half of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (S1/2NE1/4SE1/4NW1/4) and the North Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (N1/2SE1/4SE1/4NW1/4) of Section Ten (10), Township Eight (8) North, Range Four (4) West, Boise Meridian, Payette County, Idaho.

State of Idaho
County of Payette ss

I hereby certify that the foregoing
instrument is a true and correct copy of the
original on file in this office.

Dated APR 09 2001
LAURA L STIGILE

Clerk of the District Court and
Ex-Officio Auditor and Recorder
By [Signature] Deputy

DJS Properties LP

WELLS FARGO BANK, N.A.

92-8
1241

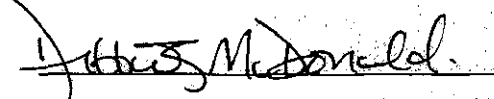
10/08/10

Check No.
00004115

\$125.00

PAY *One hundred twenty five and 00/100 Dollars*

TO THE Idaho Department of Water Resources
ORDER
OF



SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

⑈00004115⑈ ⑆124100064⑆ 0030085112⑈

SIMPLIOT SHARED SERVICES - AP
PO BOX 70003
BOISE, ID 83707-0103

Idaho Department of Water Resource
301 N Orchard St
PO Box 83720
Boise, ID 83720-0098