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SEP 03 2009

Department of Water Resources
Eastern Region

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 numbers (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
29-11697 WR	OK	
29-11698 WR	OK	
29-11699 WR	OK	
29-11700 WR	OK	

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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)
J. Phillip Adams and Fredee C. Adams, husband & wife
1705 No. Highway 38
Brigham City UT 84302

4. New Owner/Claimant(s) Name Connector (check one) ☐ and, ☐ or, ☐ and/or
New Mailing Address Downey Properties, LLC
City, State, Zip code c/o Sandra Goldberg
3064 So. Highland Drive
Salt Lake City, UT 84106

New Telephone Number

5. Date you acquired the property July 31, 2009

SUPPORT DATA
IN FILE # 29-11697

6. If the change in ownership affects the entire water right for each water right or adjudication claim number list 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 will not be split, skip this area and proceed to line7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)


DOWNEY PRPERTIES, LLC
By Sandra Goldberg

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 _____
Receipted by BANK
Processed by _____ AJ

Date _____
Date 9/3/09
Date _____

Fee \$100
Receipt No. E035306
Date _____

ALLIANCE TITLE - POCATELLO

20917051

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WARRANTY DEED

3010916674

<u>Grantor</u>	<u>Grantee</u>
J. Phillip Adams and Fredee C. Adams, husband and wife 1705 N. Highway 38 Brigham City, Utah 84302	Downey Properties, LLC c/o Sandra Goldberg 3064 So. Highland Drive Salt Lake City, Utah 84106

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the Grantor hereby sells and forever transfers the following parcel of real property (the "Property") located in Bannock County, Idaho, to the Grantee, including the Grantor's right, title and interest therein:

Parcel 1:

A parcel of land in Sections 25 and 26, Township 11 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

1 chain = 66 feet
COMMENCING at the Northeast corner of the Southeast $\frac{1}{4}$ of said Section 25;
Thence running West 19.34 chains; 1276.44
Thence South $26\frac{3}{4}^{\circ}$ West 9.55 chains; 630.3
Thence North $66\frac{3}{4}^{\circ}$ West 3.17 chains; 209.22
Thence North $26\frac{3}{4}^{\circ}$ East 8.16 chains; 538.56
Thence West 37.12 chains, more or less, to the Northwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section; 2449.92
Thence South 35 rods; 577.5
Thence Southeasterly 255 rods, more or less, to a point that lies 2.65 chains West and 1.57 chains North of the Southeast corner of said Section; 4207.5
Thence South 1.57 chains; 103.62
Thence East 2.65 chains; 174.9
Thence North 40 chains to the PLACE OF BEGINNING. 2640

WARRANTY DEED - 1

Sandra Goldberg
July 31, 09

Also:

COMMENCING at a point 4.18 chains North of the Southwest corner of said Section; 275.88
 Thence running North 83°00' West 4.50 chains; 297
 Thence North 13° East 10.14 chains; 669.24
 Thence South 82°45' East 21.63 chains; 1427.58
 Thence South 15 3/4° West 10 chains; 660
 Thence North 83° West 16.60 chains, to the PLACE OF BEGINNING; 1095.6

Except:

A parcel of land in Section 26, Township 11 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

BEGINNING at a point 4.18 chains North of the Southeast corner of Section 26, Township 11 South, Range 36 East, Boise Meridian, Bannock County, Idaho, the TRUE POINT OF BEGINNING. 275.88

Thence running North 83°00' West 225 feet more or less to the center of a County Road;
 Thence North 13° East along said center line 625 feet;
 Thence South 82°45' East 171 feet more or less to the East line of said Section 26;
 Thence South along the East line to the TRUE POINT OF BEGINNING.

Also:

A parcel of land in Sections 25, 26, 35 and 36, Township 11 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

COMMENCING at a point 12.62 chains East and South 84°06' East 1.77 chains East of the Northwest corner of the Northeast 1/4 of said Section 35; 832.92 116.82
 Thence South 84°06' East 20.95 chains; 1382.7
 Thence South 4°10' West 7.64 chains; 504.24
 Thence North 84° West 21.20 chains; 1399.2
 Thence Northerly 7.63 chains to the PLACE OF BEGINNING. 503.58

Also:

COMMENCING at a point 5.78 chains South of the Northwest corner of Southeast 1/4 of the Northeast 1/4 of said Section 36; 381.48
 Thence running South 11 chains; 726
 Thence North 62° West 44.96 chains; 2967.36
 Thence North 62°16' West 8.60 chains; 567.6
 Thence North 84°30' West 17.97 chains; 1186.02
 Thence North 4°10' East 12.91 chains; 852.06
 Thence South 83° East 20.23 chains; 1335.18
 Thence South 17 1/4° West 2.28 chains; 150.48
 Thence South 62° East 50.51 chains, more or less, to the PLACE OF BEGINNING. 2333.66

Also:

WARRANTY DEED - 2

84

COMMENCING at a point 6 chains West of the Northeast corner of the Southeast $\frac{1}{4}$ of the
 Northeast $\frac{1}{4}$ of said Section 35; 396
 Thence South $5\frac{3}{4}^{\circ}$ West 38 links to the TRUE POINT OF BEGINNING; 25.08
 Thence running South $5\frac{3}{4}^{\circ}$ West 3.12 chains; 205.92
 Thence South $72^{\circ}11'$ East 22.55 chains; 1488.2
 Thence South 3.35 chains; 221.7
 Thence North $71^{\circ}40'$ West 22.80 chains; 1504.8
 Thence South $3^{\circ}22'$ West 2.39 chains; 157.74
 Thence North $87^{\circ}50'$ West 5.50 chains; 363
 Thence South $3\frac{3}{4}^{\circ}$ West 4.30 chains; 283.8
 Thence North $83^{\circ}43'$ West 27.87 chains; 1839.42
 Thence Northerly 10.44 chains to the Northwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of
 said Section 35; 689.04
 Thence South $87^{\circ}37'$ East 25 chains; 1650
 Thence North $85^{\circ}43'$ East 8.70 chains, more or less, to the POINT OF BEGINNING; 574.2

Also:

COMMENCING at the Northeast corner of said Section 36;
 Thence running South 80 rods; 1320
 Thence West 11.46 chains; 756.36
 Thence North $9^{\circ}30'$ East 20.76 rods; 342.54
 Thence Northerly 60 rods, more or less, to a point 40 rods West of the POINT OF BEGINNING; 990
 Thence East 40 rods to the POINT OF BEGINNING. 660

Except:

COMMENCING at the Northwest corner of the Northeast $\frac{1}{4}$ of Section 35;
 Thence East 832.92 feet;
 Thence South $84^{\circ}06'$ East 1499.52 feet;
 Thence South $4^{\circ}10'$ West 442.24 feet to the POINT OF BEGINNING;
 Thence South $4^{\circ}10'$ West 62 feet;
 Thence North $84^{\circ}0'$ West 92 feet;
 Thence North $4^{\circ}10'$ East 62 feet;
 Thence South $84^{\circ}0'$ East 92 feet, to the POINT OF BEGINNING.

Except:

COMMENCING at the Northeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 35;
 Thence West 396.0 feet;
 Thence South $3^{\circ}45'$ West 25.08 feet to the TRUE POINT OF BEGINNING;
 Thence South $85^{\circ}43'$ West 363.0 feet;
 Thence South $3^{\circ}45'$ West 550.0 feet;
 Thence South $87^{\circ}50'$ East 363.0 feet;
 Thence North $3^{\circ}22'$ East 600.0 feet, more or less, to the POINT OF BEGINNING.

Parcel 2:

Bannock County, Idaho, to-wit:

Township 11 South, Range 36 East, Boise Meridian, Bannock County, Idaho,

Section 34: Southeast $\frac{1}{4}$.

Section 35: Southwest $\frac{1}{4}$.

Township 12 South, Range 36 East, Boise Meridian, Bannock County, Idaho,

Section 2: Lots 3 and 4, Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, and the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, and the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$.

TOGETHER WITH Water Right Nos. 29-11697, 29-11698, 29-11699 and 29-11700

TOGETHER WITH AND INCLUDING any and all fixtures and improvements, any and all appurtenances, tenements, and hereditaments, and any and all rents, issues, and profits that relate or otherwise pertain to the foregoing parcels of real property.

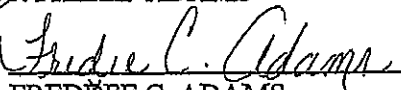
TO HAVE AND TO HOLD the foregoing parcels of real property unto the Grantee and its successors and assigns forever.

Grantor does hereby covenant with and warrant the Grantee that Grantor is lawfully seized in fee simple of the Property, has good right and lawful authority to sell and convey the Property, and that Grantor fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

SUBJECT TO taxes, levies, and assessments for the current year not yet due and payable and the following items: discrepancies, conflicts in boundary lines, shortage in area, encroachments, easements, right of ways, boundary line agreements, development agreements, water supply agreements, plats, covenants, conditions, restrictions, reservations, all zoning, building and use laws or restrictions; along with any state of facts that an accurate survey or inspection of the Property would show.

IN WITNESS WHEREOF, the Grantor hereunto sets his hand this 31st day of July, 2009.


J. PHILLIP ADAMS


FREDDIE C. ADAMS

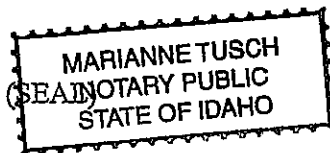
JCA

WARRANTY DEED - 4

S.G.

STATE OF IDAHO)
 : ss
 County of Bannock)

On the 31st day of July, 2009, before me, a Notary Public, personally appeared J. PHILLIP ADAMS and FRED ^{not} C. ADAMS, husband and wife, known or identified to me to be the persons who executed the foregoing Warranty Deed, and duly acknowledged to me that they executed the same.



Marianne Tusch
 NOTARY PUBLIC FOR IDAHO
 Residing at: Pocatello
 My Commission Expires: 12-16-11

STATE OF IDAHO }
 County of Bannock }

I hereby certify that the foregoing is a full true and correct copy of an instrument as the same now remains on file and of record in my office.

WITNESS my hand and official seal hereto affixed

this 19th day of August, a.d. 20 09
 DALE HATCH, CLERK OF THE DISTRICT COURT
 EX-OFFICIO AUDITOR AND RECORDER

By Deputy *D. Bischoff*