

RECEIVED

JUN 05 2009

WATER RESOURCES
WESTERN 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 number(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	Water Right No(s).	Adjudication Claim No(s).	Split
PD 63-20787	4-3-09	N			

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.

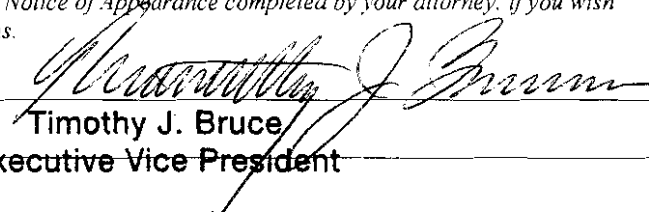
3. Name and Address of Former Owner/Claimant(s) Carol and Noah Rae
4. New Owner/Claimant(s) DDR Nampa, LLC
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 3300 Enterprise Parkway
- City, State and ZIP Code Beechwood, OH 44122
- New Telephone Number _____
5. Date you acquired the property _____

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed 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 line 7)		
Water Use	Diversion Rate or Volume	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number 63-7101		
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		

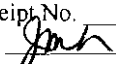
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

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


Timothy J. Bruce
Executive Vice President

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For Office Use Only

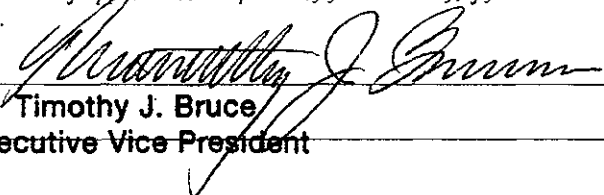
Received by _____	Date _____	Fee _____
Recepted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR  Date 6-8-09

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed 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.

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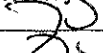
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

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


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For Office Use Only

Received by 	Date <u>June 5, 09</u>	Fee <u>\$25.00</u>
Receipted by 	Date <u>June 5, 09</u>	Receipt No. <u>4032533</u>
Processed by <u>AJ</u>	Date <u>June 5, 09</u>	WR <u>pmh</u> Date <u>6-8-09</u>

200541422

RECORDED

2005 JUL 15 PM 3 17

G NOEL HALLS

CANYON COUNTY RECORDER
PIONEER - NAMPA

REQUEST

TYPE *Deal* FEB 21 00



Order No.: C046408

WARRANTY DEED

FOR VALUE RECEIVED,

OAAS LANEY, LLC, an Idaho limited liability company and THE DOBSON FAMILY LIMITED PARTNERSHIP, an Idaho limited partnership, the Grantors, do hereby grant, bargain sell and convey unto DDR NAMPA LLC, a Delaware limited liability company whose current address is 3300 Enterprise Parkway, Beachwood, Ohio 44122, the Grantee, the following described premises, in Canyon County, Idaho, TO WIT:

Parcel 1:

A parcel of land being Government Lot 3 of Section 18, Township 3 North, Range 1 West of the Boise Meridian, Nampa, Canyon County, Idaho, being more particularly described as follows:

COMMENCING at the Northwest corner of Government Lot 3 (West quarter corner) of Section 18, Township 3 North, Range 1 West, Boise Meridian, the REAL POINT OF BEGINNING of this description; thence

North 89°46'23" East 1229.71 feet to the Northeast corner of said Government Lot 3; thence South 00°20'33" East 1322.01 feet to the Southeast corner of said Government Lot 3; thence South 89°32'41" West 1239.49 feet along the centerline of Stamm Lane to the Southwest corner of said Government Lot 3; thence

North 00°04'47" East 1326.97 feet along the centerline of Happy Valley Road to the REAL POINT OF BEGINNING of this description.

Parcel 2:

A parcel of land being a portion of the West Half of Section 18, Township 3 North, Range 1 West of the Boise Meridian, Nampa, Canyon County, Idaho, being more particularly described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter (West quarter corner) of Section 18, Township 3 North, Range 1 West, Boise Meridian; thence

North 89°46'23" East 1229.71 feet to the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 18, the REAL POINT OF BEGINNING of this description; thence

North 00°19'32" West 332.02 feet to Northwest corner of the South Half of the South Half of the Southeast Quarter of the Northwest Quarter of said Section 18; thence
 North 89°49'18" East 1333.00 feet to the Northeast corner of the South Half of the South Half of the Southeast Quarter of the Northwest Quarter of said Section 18; thence
 South 00°13'41" East 330.92 feet to Southeast corner of the South Half of the South Half of the Southeast Quarter of the Northwest Quarter (Center quarter corner) of said Section 18; being also the Northeast corner of Autumn Wind Subdivision; thence
 South 89°46'51" West 499.63 feet to the Northwest corner of Autumn Wind Subdivision; thence
 South 00°02'56" East 475.73 feet along the West line of Autumn Wind Subdivision to a point; thence
 South 89°32'26" West 498.19 feet to a point; thence
 South 00°13'23" East 489.46 feet to a point; thence
 South 89°32'26" West 331.16 feet to a point on the West line of the Northeast Quarter of the Southwest Quarter; thence
 North 00°20'33" West 968.51 feet to the REAL POINT OF BEGINNING of this description.

Parcel 3:

A parcel of land being a portion of the Northeast Quarter of the Southwest Quarter of Section 18, Township 3 North, Range 1 West of the Boise Meridian, Nampa, Canyon County, Idaho, being more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter (West quarter corner) of Section 18, Township 3 North, Range 1 West, Boise Meridian; thence
 South 00°04'47" West 1326.97 feet to the Southwest corner of the Government Lot 3 of said Section 18; thence
 North 89°32'41" East 1239.49 feet to the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 18; the REAL POINT OF BEGINNING of this description; thence
 North 00°20'33" West 353.50 feet along the West line of said Northeast Quarter of the Southwest Quarter to a point; thence
 North 89°32'26" East 377.02 feet to a point; thence
 South 00°20'21" East 135.00 feet to a point; thence
 North 89°32'26" East 48.00 feet to a point; thence
 South 00°20'21" East 218.50 feet to a point on the South line of said Northeast Quarter of the Southwest Quarter; thence
 South 89°32'26" West 425.00 feet along the centerline of Stamm Lane to the REAL POINT OF BEGINNING of this description.

Parcel 4:

A parcel of land being a portion of the Northeast Quarter of the Southwest Quarter of Section 18; Township 3 North, Range 1 West of the Boise Meridian, Nampa, Canyon County, Idaho, being more particularly described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter (West quarter corner) of Section 18, Township 3 North, Range 1 West, Boise Meridian; thence South 00°04'47" West 1326.97 feet to the Southwest corner of the Government Lot 3 of said Section 18; thence North 89°32'41" East 1239.49 feet to the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 18; thence North 89°32'26" East 425.00 feet along the South line of said Northeast Quarter of the Southwest Quarter to the REAL POINT OF BEGINNING of this description; thence North 00°20'21" West 218.50 feet to a point; thence South 89°32'26" West 48.00 feet to a point; thence North 00°20'21" West 135.00 feet to a point; thence North 89°32'26" East 153.00 feet to a point; thence South 00°20'21" East 353.50 feet to a point on the South line of said Northeast Quarter of the Southwest Quarter; thence South 89°32'26" West 105.00 feet along the centerline of Stamm Lane to the REAL POINT OF BEGINNING of this description.

Parcel 5:

A parcel of land being a portion of the Northeast Quarter of the Southwest Quarter of Section 18, Township 3 North, Range 1 West of the Boise Meridian, Nampa, Canyon County, Idaho, being more particularly described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter (West quarter corner) of Section 18, Township 3 North, Range 1 West, Boise Meridian; thence South 00°04'47" West 1326.97 feet to the Southwest corner of the Government Lot 3 of said Section 18; thence North 89°32'41" East 1239.49 feet to the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 18; thence North 89°32'26" East 530.00 feet along the South line of said Northeast Quarter of the Southwest Quarter to the REAL POINT OF BEGINNING of this description; thence North 00°20'21" West 353.50 feet to a point; thence South 89°32'26" West 198.87 feet to a point; thence North 00°13'23" West 489.46 feet to a point; thence North 89°32'26" East 498.19 feet to a point on the West line of Autumn Wind Subdivision; thence South 00°02'56" East 842.98 feet along the West line of Autumn Wind Subdivision to a point on the South line of said Northeast Quarter of the Southwest Quarter; thence South 89°32'26" West 296.05 feet along the centerline of Stamm Lane to the REAL POINT OF BEGINNING of this description.

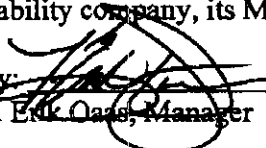
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantors do hereby

covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT zoning ordinances, utility easements of record, ad valorem taxes for the current calendar year not yet due and payable, road rights of way of record and those other encumbrances, reservations, restrictions, and easements and other exceptions set forth on Exhibit "A" attached hereto and made a part hereof, and that Grantors will warrant and defend the same from all lawful claims whatsoever.

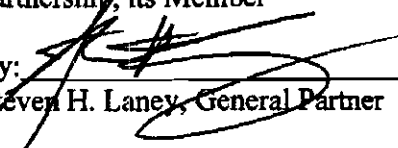
Dated: July 15th, 2005

OAAS LANEY, LLC, an Idaho limited liability company

By: Whiterock Investments, LLC, an Idaho
limited liability company, its Member

By: 
T. Erik Oaas, Manager

By: Laneyland L.P., an Idaho limited
partnership, its Member

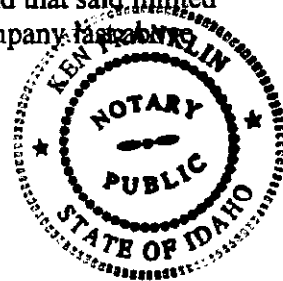
By: 
Steven H. Laney, General Partner

THE DORSON FAMILY LIMITED PARTNERSHIP, an Idaho limited partnership

By: 
Larry Joseph, General Partner

STATE OF IDAHO)
) ss.
County of Ada)

On this 15th day of July, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared T. Erik Oaas known or identified to me to be the Manager of Whiterock Investments, LLC, said limited liability company known to me to be the Member of OAAS LANEY, LLC, the limited liability company that executed the instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company first above mentioned and that said limited liability company executed on behalf of said limited liability company first above mentioned and that said limited liability company executed it.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho
My Commission Expires: 10/3/10

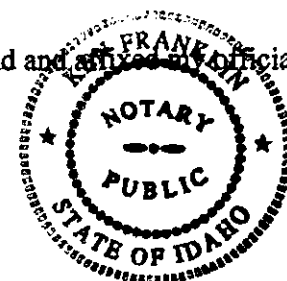


State of Idaho)
) ss:
County of Ada)

On this 15th day of July, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven H. Laney known or identified to me to be the person whose name is subscribed to the within instrument, as the General Partner of Laneyland L.P., a limited partnership, said partnership known to me to be the Member of OAAS LANEY, LLC, the limited liability company that executed the within instrument and acknowledged to me that he executed the same as General Partner and that such partnership executed it as the Member of the limited liability company and that such limited liability company executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public
My Commission Expires 10/3/10



State of Idaho)
) ss.
County of Ada)

On this 15th day of July, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Larry Joseph known or identified to me to be the General Partners of THE DOBSON FAMILY LIMITED PARTNERSHIP, the partnership that executed the instrument and acknowledged to me that he executed the same for and on behalf of said partnership and that said partnership executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public
My Commission Expires: 10/3/10



EXHIBIT "A"

1. Liens, levies and assessments of the City of Nampa, not yet due and payable.
2. Levies and assessments of the Nampa Meridian Irrigation District, not yet due and payable
3. Right of the public in and to that portion of the premises lying within the right-of-way of Stamm Lane.
Affects: Parcels 1, 3, 4, and 5
4. Right of the public in and to that portion of the premises lying within the right-of-way of Happy Valley Road.
Affects: Parcel 1
5. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
Recorded: December 16, 1892
Book: 1 of Patents
Page 599, of Official Records
Affects: Parcels 1-5
6. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Idaho Power Company
Purpose: Public Utilities
Recorded: November 15, 1920
Book: 92
Page: 110, of Official Records
Affects: Parcel 2
7. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Idaho Power Company
Purpose: Public Utilities
Recorded: April 16, 1987
Instrument No.: 8708151, of Official Records
Affects: Parcels 3 and 4
8. Matters shown on ALTA/ACSM Survey prepared by Stanley Consultants, Inc., under Project No. 18355 as last revised June 3, 2005;
 - a) Parcel 1: Unrecorded easements for: (a) Siphon Pipe; (b) 12" pipe in Northwest corner; (c) Lateral on East side; (d) 9-12" pipes on

East/Southeast side; (e) Overhead power on East; (f) Dewey Lateral; (g) Concrete irrigation structure in Southwest corner; (h) 4' concrete culvert; (i) 8" pipe in Southwest corner; (j) 2-12" pipe in Southwest corner.

- b) Parcel 2: Unrecorded easement for ditch
- c) Parcel 3: Unrecorded easement for overhead power
- d) Parcel 4: Unrecorded easement for overhead power
- e) Parcel 5: Unrecorded easements for power and overhead power