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**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 IDWR will produce new water right number(s) for the split(s).

| Water Right No(s) | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 35-02232E         |                          | E        |                   |                          |          |
| 35-02232F         |                          | F        |                   |                          |          |
| 35-04017          |                          |          |                   |                          |          |
| 35-07178          |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |

**SUPPORT DATA**

IN FILE # 35-2232E

**RECEIVED**

**DEC 17 2008**

Department of Water Resources  
Eastern Region

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

STEVEN M. & MILTON W. DALLEY

69 S. 1190 W.

BLACKFOOT, ID 83221

4. New Owner/Claimant(s)

EAGLE CREEK NORTHWEST LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

c/o CHARLES W. BRYAN, V.P.

P.O. Box 53

New Mailing Address

City, State and ZIP Code

NAMPA, ID 83653

New Telephone Number

(208) 466-0419

Email: charles.bryan@ubs.com

5. Date you acquired the property

MAY 20, 2008

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| 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(s) of New Owner(s) or Claimant(s)

Charles W. Bryan  
CHARLES W. BRYAN

V.P.

(title if applicable)

(title if applicable)

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 IDWR Office Use Only:

Received by BMA  
 Received by BMA  
 Processed by AJ

Date 12-17-08  
 Date 12-17-08  
 Date 12-17-08

Receipt Amt. 100.00  
 Receipt No. E034643  
 WR          Date



of Farm 4113

T25, R33E

0.08 0 0.08 0.16 0.24 0.32 Miles



Map Printed: Apr 19, 2004

**RECORDING REQUESTED BY:**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
168 West Pacific/P.O. Box 868  
Blackfoot, ID 83221

**Instrument # 594797**

BINGHAM COUNTY

5-23-2008 03:56:17 No. of Pages: **3**

Recorded for : FIRST AMERICAN TITLE COMPANY

SARA J. STAUB

Fee: ~~8.00~~ **9.00**

Ex-Officio Recorder Deputy

Space Above This Line for Recorder's Use Only

## WARRANTY DEED

File No.: **255270-B (Id)**

Date: **May 20, 2008**

For Value Received, **Ralph Dalley aka Ralph Fife Dalley and Joyce Ellis Dalley, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Eagle Creek Northwest, LLC**, hereinafter called the Grantee, whose current address is **c/o UBS AgriVest LLC, PO Box 53, Nampa, ID 83653**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

**Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 05/20/2008

Warranty Deed  
- continued

File No.: 255270-B (Id)

By: *Ralph Fife Dalley*  
Ralph Fife Dalley

By: *Joyce Ellis Dalley*  
Joyce Ellis Dalley

STATE OF Idaho )  
SS.  
COUNTY OF Bingham )

On this 23rd day of May, 2008, before me, a Notary Public in and for said State, personally appeared **Ralph Fife Dalley and Joyce Ellis Dalley**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



*Lori Day*  
Notary Public of Idaho  
Residing at: Blackfoot, Idaho  
Commission Expires: 10/21/2009

## EXHIBIT A

### PARCEL 1:

**TOWNSHIP 2 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO:  
SECTION 20: NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$**

**LESS: PART OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:  
COMMENCING AT THE SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 33 EAST AND RUNNING THENCE NORTH 00°32'51" EAST 1325.64 FEET ALONG THE EAST LINE OF SECTION 20 TO THE SOUTH 1/16 CORNER ON THE EAST LINE OF SAID SECTION 20, SAID POINT BEING THE TRUE POINT OF BEGINNING;  
THENCE NORTH 89°37'10" WEST 237.01 FEET ALONG THE SOUTH 1/16 LINE OF SAID SECTION 20;  
THENCE NORTH 00°32'25" EAST 662.03 FEET;  
THENCE SOUTH 89°29'17" EAST 237.09 FEET TO A POINT ON THE EAST LINE OF SECTION 20;  
THENCE ALONG SAID EAST LINE SOUTH 00°32'51" WEST 661.48 FEET TO THE POINT OF BEGINNING.**

### PARCEL 2:

**TOWNSHIP 2 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO:  
SECTION 21: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , AND COMMENCING AT THE SW CORNER OF THE SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; THENCE N. 1086 FEET TO THE POINT OF BEGINNING; THENCE IN A NORTHEASTERLY DIRECTION MEANDERING WITH THE NATURAL DRAIN CHANNEL, 1007 FEET; THENCE DUE N. 1173 FEET TO THE N. BOUNDARY OF THE SW $\frac{1}{4}$  OF SAID SECTION 21; THENCE W. 858 FEET TO THE NW CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$  OF SAID SECTION 21; THENCE S. 1534 FEET TO THE POINT OF BEGINNING.**

**LESS: PART OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:  
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 33 EAST AND RUNNING THENCE NORTH 00°32'51" EAST 1325.64 FEET ALONG THE WEST LINE OF SECTION 21 TO THE SOUTH 1/16 CORNER ON THE WEST LINE OF SAID SECTION 21, SAID POINT BEING THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 00°32'51" EAST 345.39 FEET ALONG SAID WEST LINE OF SAID SECTION 21;  
THENCE NORTH 89°13'19" EAST 437.64 FEET;  
THENCE SOUTH 00°32'51" WEST 356.25 FEET TO A POINT ON THE SOUTH 1/16 LINE OF SECTION 21;  
THENCE ALONG SAID SOUTH 1/16 LINE NORTH 89°21'25" WEST 437.53 FEET TO THE POINT OF BEGINNING.**

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