

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

#44407

RECEIVED
JUL 15 2008

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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
45-11945					

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**.

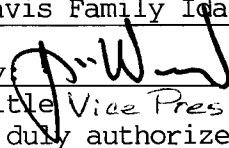
Name and Address of Former Owner/Claimant(s)	<u>Layne Rasmussen & Gayle Rasmussen</u> <u>29 South 500 West</u> <u>Burley, ID 83318</u>
New Owner/Claimant(s)	<u>Davis Family Idaho, L.L.C.</u> Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	<u>704 North Main</u>
City, State and ZIP Code	<u>LeSueur, Minnesota 56058</u>
New Telephone Number	() _____
Date you acquired the property	<u>March 11, 2008</u>

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 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.

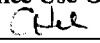
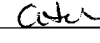
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
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(s) of New Owner(s) or Claimant(s)** Davis Family Idaho, L.L.C.
 By:  (title if applicable) James T. Ward
 Title Vice President (title if applicable)
 A duly authorized officer

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  Date 7/16/08
 Received by  Date 7/16/08
 Processed by _____ AJ Date _____

Receipt Amt. 2500
 Receipt No. 3030298
 WR _____ Date _____

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
3:00:11 pm 02-15-2008
2008-001099
NO. PAGES: 7 FEE: \$21.00
LARRY A. MICKELSEN
COUNTY CLERK
DEPUTY: VIKI

TWIN FALLS COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
4:00:10 pm 02-15-2008
2008-003495
NO. PAGES: 7 FEE: \$21.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BHUNTER

44407

WARRANTY DEED

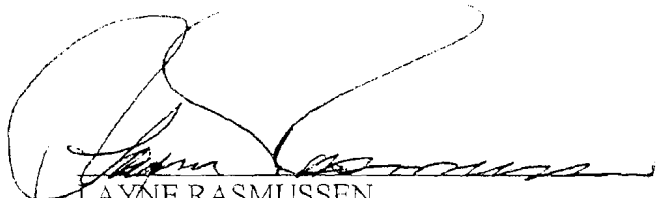
FOR VALUE RECEIVED, LAYNE RASMUSSEN and GAYLE L. RASMUSSEN, also known as **GAYLE RASMUSSEN, husband and wife**, hereinafter referred to as "Grantors," do hereby grant, bargain, sell and convey unto **DAVIS FAMILY IDAHO, LLC, an Idaho Limited Liability Company**, whose address is 704 North Main, LeSueur, Minnesota, 56058, hereinafter referred to as "Grantee," as its sole and separate property, the following described real property situated in Cassia County and Twin Falls County, Idaho, to-wit:

See Exhibit A attached hereto and incorporated herein consisting of Parcel Nos. 1 - 7.

To have and to hold the said premises and their appurtenances unto the said Grantee, its successors and assigns, forever, including all water rights appurtenant thereto, which include, but may not be limited to, 570.34 assessed acres of Milner Irrigation District and Water Right No. 45-11945 for 0.04 cfs for domestic use.

The said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; and that Grantors will warrant and defend the same from all lawful claims whatsoever.

DATED this 14th day of February, 2008.

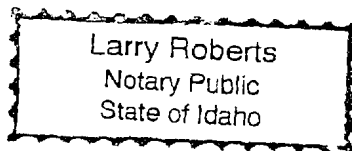

LAYNE RASMUSSEN

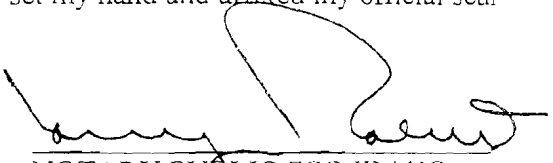
GAYLE L. RASMUSSEN

STATE OF IDAHO)
)ss.
County of Cassia)

On the 14th day of February, 2008, before me, a Notary Public, in and for said County and State, personally appeared LAYNE RASMUSSEN, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he 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.

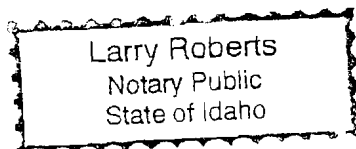



NOTARY PUBLIC FOR IDAHO
Residing at: Burley, ID
My commission expires: 6-30-09 -

STATE OF IDAHO)
)ss.
County of Cassia)

On the 14th day of February, 2008, before me, a Notary Public, in and for said County and State, personally appeared GAYLE L. RASMUSSEN, also known as GAYLE RASMUSSEN, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she 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.



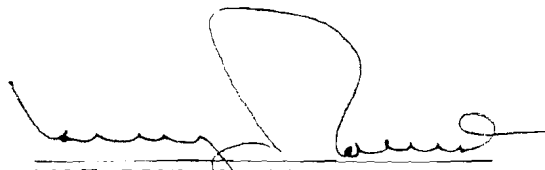

NOTARY PUBLIC FOR IDAHO
Residing at: Burley, ID
My commission expires: 6-30-09 -

EXHIBIT 'A'

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 36: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPT that portion thereof lying within Twin Falls County, Idaho and ALSO EXCEPT railroad right-of-way.

Section 36: That part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying South of the railroad right-of-way, and S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$.

EXCEPT That part of the SE $\frac{1}{4}$ lying South of main canal of Milner Low Lift Irrigation District.

ALSO EXCEPT any portion thereof lying within Twin Falls County, Idaho, ALSO EXCEPT that portion deeded to the Burley Highway District for road purposes, and ALSO EXCEPT railroad right-of-way.

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 36: Part of the S $\frac{1}{2}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 36, said corner marked by a 5/8 inch rebar; Thence North 89°56'40" East along the North line of the S $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 610.26 feet to the West line of Cassia County which shall be the Point of Beginning;
Thence North 89°56'40" East along the North line of the S $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 1966.53 to a 1/2 inch rebar;
Thence North 89°56'40" East continuing along said line for a distance of 35.81 feet to the centerline of the Milner Low Lift Main Canal;
Thence along said centerline for the following courses and distances:
Thence South 68°39'40" West for a distance of 368.98 feet;
Thence South 62°02'31" West for a distance of 66.26 feet;
Thence South 48°15'34" West for a distance of 74.26 feet;
Thence South 34°21'13" West for a distance of 181.44 feet;
Thence South 39°45'02" West for a distance of 94.38 feet;
Thence South 49°17'04" West for a distance of 89.65 feet;
Thence South 60°53'26" West for a distance of 91.70 feet;
Thence South 66°07'41" West for a distance of 248.53 feet;
Thence South 72°07'21" West for a distance of 124.63 feet;
Thence South 82°14'06" West for a distance of 162.72 feet;
Thence South 88°17'14" West for a distance of 193.63 feet;
Thence North 89°11'23" West for a distance of 533.53 feet to the West line of Cassia County;
Thence North 00°01'02" East along said line for a distance of 697.33 feet to the Point of Beginning.

PARCEL NO. 3

TOWNSHIP 10 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Part of Lot 1 and part of the SE¼NW¼ and part of the SW¼ and all of Lot 2, more particularly described as follows:

Beginning at the W¼ section corner, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top which shall be the Point of Beginning;
Thence North 00°02'31" West along the West section line for a distance of 1320.44 feet to the Northwest corner of Lot 2;
Thence North 00°02'31" West along the West section line for a distance of 385.16 feet to a ½ inch rebar on the South railroad right of way;
Thence North 85°33'00" East along said right of way for a distance of 1388.76 feet to a ½ inch rebar on the East line of Lot 1;
Thence South 00°13'30" East along said line for a distance of 487.76 feet to the Northwest corner of the SE¼NW¼ marked by a 5/8 inch rebar;
Thence South 55°14'28" East for a distance of 448.11 feet to a ½ inch rebar;
Thence South 36°44'05" East for a distance of 353.34 feet to a ½ inch rebar;
Thence South 01°57'52" East for a distance of 450.64 feet to a ½ inch rebar;
Thence South 07°48'13" East for a distance of 854.41 feet to a ½ inch rebar;
Thence South 07°48'13" East for a distance of 17.20 feet to the centerline of the Milner Low Lift Main Canal;
Thence along said centerline for the following courses and distances:
Thence South 64°32'32" West for a distance of 42.10 feet;
Thence South 75°06'22" West for a distance of 99.70 feet;
Thence North 89°56'49" West for a distance of 122.47 feet;
Thence North 79°44'16" West for a distance of 185.18 feet;
Thence North 50°53'15" West for a distance of 69.42 feet;
Thence North 15°30'30" West for a distance of 190.98 feet;
Thence North 32°25'54" West for a distance of 36.60 feet;
Thence North 58°59'51" West for a distance of 52.82 feet;
Thence North 76°47'59" West for a distance of 743.64 feet;
Thence North 81°04'14" West for a distance of 124.26 feet;
Thence South 88°51'28" West for a distance of 151.77 feet;
Thence South 73°46'44" West for a distance of 106.59 feet;
Thence South 68°17'08" West for a distance of 246.87 feet;
Thence South 51°13'26" West for a distance of 72.54 feet;
Thence South 28°22'53" West for a distance of 81.45 feet;
Thence South 02°32'51" West for a distance of 80.54 feet;
Thence South 15°06'59" East for a distance of 198.61 feet;
Thence South 06°12'36" West for a distance of 82.56 feet;
Thence South 25°37'32" West for a distance of 101.29 feet;
Thence South 48°55'19" West for a distance of 78.34 feet to the West section line;
Thence North 00°02'31" West along said line for a distance of 800.87 feet to the Point of Beginning.

EXCEPTING THEREFROM those portions deeded to the Burley Highway District.

PARCEL NO. 4:

TOWNSHIP 10 SOUTH, RANGE 20 EAST, BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 35:

Part of the N $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

BEGINNING at the East quarter section corner of Section 35, said corner marked by a $\frac{5}{8}$ " rebar which shall be the POINT OF BEGINNING;

THENCE South 00°01'02" West along the east section line for a distance of 1319.01 feet to the Southeast corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ marked by a $\frac{5}{8}$ " rebar;

THENCE South 89°54'21" West along the south line of the N $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 3629.74 feet to the southwest corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ marked by a $\frac{1}{2}$ " rebar;

THENCE North 00°43'34" West along the west line of the N $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 365.08 feet to a $\frac{1}{2}$ " rebar;

THENCE North 00°43'34" West continuing along said line for a distance of 85.27 feet to the centerline of the Main Canal;

THENCE along said centerline for the following courses and distances:

THENCE North 65°09'07" East for a distance of 1274.42 feet;

THENCE North 55°38'14" East for a distance of 201.70 feet;

THENCE North 48°32'08" East for a distance of 284.90 feet;

THENCE North 59°58'27" East for a distance of 62.42 feet to the north line of the N $\frac{1}{2}$ SE $\frac{1}{4}$;

THENCE North 89°47'38" East along said line for a distance of 106.70 feet to a $\frac{1}{2}$ " rebar;

THENCE North 89°47'38" East continuing along said line for a distance of 938.66 feet to the POINT OF BEGINNING.

PARCEL NO. 5:

TOWNSHIP 10 SOUTH, RANGE 20 EAST, BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 36:

Part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ more particularly described as follows:

BEGINNING at the Northwest corner of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 36, said corner marked by a $\frac{5}{8}$ " rebar which shall be the POINT OF BEGINNING;

THENCE North 89°56'40" East along the north line of the S $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 610.26 feet to the East line of Twin Falls County;

THENCE South 00°01'02" West along said line for a distance of 697.33 feet to the centerline of the Milner Low Lift Main Canal;

THENCE along said centerline for the following courses and distances:

THENCE North 86°16'42" West for a distance of 138.19 feet;

THENCE North 75°37'11" West for a distance of 167.18 feet;

THENCE North 71°41'27" West for a distance of 184.08 feet;

THENCE North 79°59'51" West for a distance of 66.85 feet;

THENCE South 77°40'29" West for a distance of 71.44 feet to a $\frac{1}{2}$ " rebar on the west line of the S $\frac{1}{2}$ SW $\frac{1}{4}$;

THENCE North 00°01'02" East along said line for a distance of 592.06 feet to the POINT OF BEGINNING.

SUBJECT TO an irrigation canal easement along the southerly side.
AND SUBJECT TO Twin Falls Highway District right of way.

PARCEL NO. 6:

TOWNSHIP 10 SOUTH, RANGE 20 EAST, BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO,

Section 35: That part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

BEGINNING at the East quarter section corner of Section 35, said corner marked by a $\frac{5}{8}$ " rebar which shall be the POINT OF BEGINNING;
THENCE South 89°47'38" West along the south line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ for a distance of 938.66 feet to a $\frac{1}{2}$ " rebar;
THENCE South 89°47'38" West continuing along said line for a distance of 106.70 feet to the centerline of the Main Canal;
THENCE along said centerline for the following courses and distances:
THENCE North 59°58'27" East for a distance of 714.97 feet;
THENCE North 74°06'06" East for a distance of 180.75 feet;
THENCE North 71°00'16" East for a distance of 267.20 feet to the east line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
THENCE South 00°01'02" West along said line for a distance of 94.43 feet to a $\frac{1}{4}$ " rebar;
THENCE South 00°01'02" West continuing along said line for a distance of 396.06 feet to the POINT OF BEGINNING.

SUBJECT TO an irrigation canal easement along the northerly side
AND SUBJECT TO any other easements or right of way of record or use.

PARCEL NO. 7:

TOWNSHIP 10 SOUTH, RANGE 20 EAST, BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 35: The S $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$ and that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying South and East of the main canal of Twin Falls Canal Company.

SUBJECT TO Twin Falls County highway right of way

EXCEPT:

Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 10 South, Range 20 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the South quarter section corner of Section 35, said corner marked by a $\frac{5}{8}$ " rebar which shall be the POINT OF BEGINNING;
THENCE South 89°55'00" West along section line for 388.78 feet to a $\frac{1}{2}$ " rebar;
THENCE North 00°07'43" West for 289.93 feet to a $\frac{1}{2}$ " rebar;
THENCE South 88°20'24" East for 653.74 feet to a $\frac{1}{2}$ " rebar;
THENCE South 00°07'43" East for 268.04 feet to a $\frac{1}{2}$ " rebar on section line;
THENCE South 89°55'00" West along section line for 264.64 feet to the POINT OF BEGINNING.

SUBJECT TO an existing county road right of way.

ALSO SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2008 and subsequent years.

Assessments of the Milner Low Lift Irrigation District and the rights and powers of said District as by law provided.

Easement, as reserved by the Twin Falls Canal Company.

Easement from Neil Jensen and Wilma Jensen, husband and wife, to The Amalgamated Sugar Company, a corporation of Twin Falls, dated August 20, 1929 and recorded July 9, 1931 as Instrument No. 102075 in Book No. 42 of Miscellaneous, Page 162, records of Cassia County, Idaho, over and across Section 36, Township 10 South, Range 20 East of the Boise Meridian.

Power Line Easement from Del Hinnan, a bachelor, to the Idaho Power Company recorded October 28, 1929, as Instrument No. 223626 in Book 90 of Deeds, page 156, records of Twin Falls County, Idaho.

Power Line Easement executed by George W. Webb and Elizabeth Webb, his wife, Grantor(s) to Idaho Power Company, a corporation, Grantee, dated September 19, 1941 and recorded May 15, 1942 as Instrument No. 141901 in Book 12 of Miscellaneous on Page 474, records of Cassia County, Idaho, "Within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 10 South, Range 21 East of the Boise Meridian."

Power Line Easement executed by Laura V. Hale, Spinster and May A. Hale, Spinster, Grantors to Idaho Power Company, a corporation, Grantee, dated September 20, 1941 and recorded November 5, 1942 as Instrument No. 143254 in Book 12 of Miscellaneous on Page 505, records of Cassia County, Idaho, covering Lot No. 2 in Section 31, Township 10 South, Range 21 East of the Boise Meridian.

Power Line Easement from Hubert H. d'Autremont and Helen C. d'Autremont, husband and wife, to Idaho Power Company, a corporation, dated November 21, 1942 and recorded February 3, 1943 as Instrument No. 144091, in Book 12 of Miscellaneous, Page 524, records of Cassia County, Idaho, over and across the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 36, Township 10 South, Range 20 East of the Boise Meridian.

Power Line Easement executed by Samuel F. Webb, a single man and , his wife, Grantor to Idaho Power Company, a corporation, Grantee, dated March 19, 1953 and recorded February 5, 1954 as Instrument No. 181226 in Book 15 of Miscellaneous on Page 68, records of Cassia County, Idaho, covering Lot 2 in Section 31, Township 10 South, Range 21 East of the Boise Meridian.

Reservations contained in Deed recorded October 18, 1948, as Instrument No. 385007, in Book 160 of Deeds, page 121, records of Twin Falls County, Idaho and recorded January 31, 1955, as Instrument No. 442307, in Book 181 of Deeds, page 627, records of Twin Falls County, Idaho. (Reserving to Union Central Life Insurance Company, an undivided one-half interest in the oil, gas and other hydrocarbons and minerals.)

Oil and Gas Lease between the Union Central Life Insurance Company and Jon J. Nelson, Trustee, dated October 26, 1976, recorded December 13, 1976, as Instrument No. 706647, records of Twin Falls County, Idaho. Assignment of Oil and Gas Lease recorded December 23, 1979, as Instrument No. 772218, records of Twin Falls County, Idaho, from John J. Nelson, Trustee, to Bell Western Corp., Trustee.

Irrigation Pipeline Easement executed by Rasmussen, Inc., an Idaho corporation to Edwin E. Brune and Margaret E. Brune, husband and wife, dated May 11, 2000 and recorded May 23, 2000 as Instrument No. 269394, records of Cassia County, Idaho.