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FEB 27 2007 DE ✓

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

DEPARTMENT OF WATER RESOURCES

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)
<u>65-2301</u>					
<u>65-4048</u>					
<u>65-3272</u>					
<u>65-2445</u>					
<u>65-2444</u>					

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 rights(s) and/or adjudication claims(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) Sky Ranch Co. c/o Edward A. Johnson
5330 Farrow Street, Boise, ID 83704
4. New Owner/Claimant(s) Tejay Properties
 Name Connector (check one): [] and, [] or, [] and/or
- New Mailing Address 12828 W. LaSalle, Suite 100
- City, State and ZIP Code Boise, ID 83713
- New Telephone Number (208) 377-4104

SUPPORT DATA

IN FILE # 65-2444

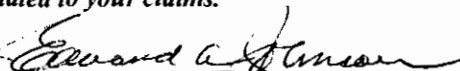
5. Date you acquired the property December 31, 2005

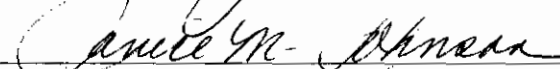
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water 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)


Edward A. Johnson, General Partner


Janice M. Johnson, General Partner

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 _____
Received by _____
Processed by _____ AJ

Date _____
Date 2-27-07
Date _____

Receipt Amt. 50.00 + 50
Receipt No. 0083352 + 0084475
WR _____ Date _____

ROSE SEC. 24

VALLEY COUNTY
Assessor's Office
Cartography Dept.
Cascade, ID 83611

File name:
In:
Scale: 1" = 400 ft.
Date: 4-22-02
Drawn by: S Probst



320.000 ac

This drawing is to be used for reference purposes only. The Assessor's Office is not responsible for any errors or omissions.

C4
CW16

4805

40.000 ac

S16E

SECTION 24

CS16

WEST MOUNTAIN ROAD

240.000 ac

SE

SW

RECORDATION REQUESTED BY:

D. L. Evans Bank
Boise West State Branch
3845 West State St.
Boise, ID 83703

WHEN RECORDED MAIL TO:

D. L. Evans Bank
Boise West State Branch
3845 West State St.
Boise, ID 83703

SEND TAX NOTICES TO:

D. L. Evans Bank
Boise West State Branch
3845 West State St.
Boise, ID 83703

Instrument # 318068

VALLEY COUNTY, CASCADE, IDAHO
2007-02-01 83:23:08 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE
ARCHIE N. BANBURY

Ex-Officio Recorder Deputy
Index to: MODIFICATION FOR CORRECTION OF T

Fee: 9.00

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MC 6241

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated January 30, 2007, is made and executed between Tejay Properties, an Idaho Limited Partnership, successor to Skyline Development Company, an Idaho Limited Partnership (referred to below as "Grantor") and D. L. Evans Bank, whose address is 3845 West State St., Boise, ID 83703 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated November 30, 2004 (the "Mortgage") which has been recorded in Valley County, State of Idaho, as follows:

Recorded December 3, 2004 as Instrument No. 290113 and modified January 15, 2006, recorded February 3, 2006 as Instrument No. 305595.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Valley County, State of Idaho:

REFER TO EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER WITH ALL WATER AND WATER RIGHTS, OITCHES AND DITCH RIGHTS USED THEREON OR APPURTENANT THERETO INCLUDING BUT NOT LIMITED TO WATER RIGHT NO. 65-2301 AND WATER RIGHT NO. 65-4048 WITH VALLEY COUNTY.

REFERENCE ALSO LOAN AGREEMENT DATED THE 29TH DAY OF NOVEMBER 2004.

The Real Property or its address is commonly known as 389 Smylie Lane, McCall, ID 83638.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

Promissory Note # 2051001872 included in the obligations referenced in Paragraph 3B of the Mortgage, is being replaced with Note # 2017102646 dated January 30, 2007, executed by Edward A. Johnson and Janice M. Johnson, in the original principal amount of \$400,000.00 bearing the interest rate of the the Published Wall Street Journal Prime Rate Plus 1.00% with a ceiling rate of 18.00% and floor or 7.75% with a maturity date of February 5, 2008.

This Modification of Mortgage dated January 30, 2007, is made and executed between Tejay Properties, an Idaho Limited Partnership and D.L. Evans Bank, whose address is 3845 West State Street, Boise, Idaho 83703 (referred to below as "Lender").

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JANUARY 30, 2007.

GRANTOR:

TEJAY PROPERTIES, AN IDAHO LIMITED PARTNERSHIP

By: Edward A. Johnson
Edward A. Johnson, General Partner of Tejay Properties, an Idaho Limited Partnership

By: Janice M. Johnson
Janice M. Johnson, General Partner of Tejay Properties, an Idaho Limited Partnership

LENDER:

D. L. EVANS BANK

x [Signature]
Authorized Signer

PARTNERSHIP ACKNOWLEDGMENT

STATE OF Idaho)
SSCOUNTY OF Valley

)

BETH R. BROWEN
NOTARY PUBLIC
STATE OF IDAHO

On this 30th day of January, in the year 2007, before me Beth R. Browen, a notary public in and for the State of Idaho, personally appeared Edward A. Johnson, General Partner; Janica M. Johnson, General Partner of Tejey Properties, an Idaho Limited Partnership, known or identified to me (or proved to me on the oath of Beth R. Browen), to be partners or designated agents in the partnership of Tejey Properties, an Idaho Limited Partnership, and the partners or designated agents who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Beth R. Browen
Notary Public for IdahoResiding at Bonae, IDMy commission expires 6/2/2012

LENDER ACKNOWLEDGMENT

STATE OF Idaho)
SSCOUNTY OF Valley

)

BETH R. BROWEN
NOTARY PUBLIC
STATE OF IDAHO

On this 31st day of January, in the year 2007, before me Beth R. Browen, a notary public in and for the State of Idaho, personally appeared John V. Evans, III, known or identified to me (or proved to me on the oath of Beth R. Browen), to be Executive VP Treasury Valley authorized agent for the Lender that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said Lender, duly authorized by the Lender through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute said instrument and that the seal affixed is the corporate seal of said Lender.

Beth R. Browen
Notary Public for IdahoResiding at Bonae, IDMy commission expires 6/2/2012

EXHIBIT A

Township 17 North, Range 2 East, Boise Meridian, Valley County, Idaho

Section 23: the Southeast Quarter of the Northeast Quarter; and the Northeast Quarter of the Southeast Quarter.

Section 24: the Southwest Quarter of the Northwest Quarter; and the Southwest Quarter lying Southwesterly of West Mountain Road; and the South Half of the Southeast Quarter.

Section 25: the West Half of the East Half; the Northeast Quarter of the Northeast Quarter; the West Half of the Southeast Quarter of the Northeast Quarter; the West Half of the East Half of the Southeast Quarter; the Southeast of the Southeast of the Southeast; the West Half.

Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho

Section 19: Government Lot 11

Section 30: Government Lot 3; and the Northwest 10 acres of Government Lot 4.

Handwritten signature