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DEC 07 2005

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

WATER RESOURCES
WESTERN REGION

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

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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
<u>65-8870</u>					

DEPARTMENT OF
WATER RESOURCES

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) JOHN W. KANTOLA; GARY A. KANTOLA; TRESSA A. KANTOLA
P.O. Box 55, Donnelly, ID 83615
4. New Owner/Claimant(s) DSJ, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 5405
- City, State and ZIP Code Boise, ID 83705
- New Telephone Number (208) 342-8901
5. Date you acquired the property June 3, 2005

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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

By: _____

Bryan S. Norby, Manager

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 _____	Date _____	Fee <u>25.00</u>
Received by <u>LG</u>	Date <u>12-7-03</u>	Receipt No. <u>W033664</u>
Processed by _____	AJ Date _____	WR _____ Date _____

WHEN RECORDED RETURN TO:
Richard D. Heaton, Esq.
4414 S. Gekeler Lane
Boise, ID 83716

MAIL TAX STATEMENTS TO:
DSJ, LLC
4414 S. Gekeler Lane
Boise, ID 83716

Instrument # 296176
VALLEY COUNTY, CASCADE, IDAHO
2005-06-03 04:26:59 No. of Pages: 6
Recorded for: AMERITITLE
LELAND G. HENRICH
Ex-Officio Recorder Deputy Fee: 12.00
Index to: DEEDS

1co 5650 - K05655

WARRANTY DEED

FOR VALUE RECEIVED, **LINDA L. YANKE, DANIEL R. YANKE and SUSAN L. NORBY**, being a majority of the co-Trustees of the "**RONALD C. YANKE FAMILY TRUST A**" UTA dated May 30, 1989 as amended, consented to as amended and restated under that certain Restated Trust Agreement dated August 12, 1991, as reformed and restated under that certain Second Reformation and Restatement dated February 2, 2004, whose current address is 4414 S. Gekeler Lane, Boise, Idaho 83716, the Grantor, does hereby GRANT, BARGAIN, SELL, AND CONVEY unto **DSJ, LLC**, an Idaho limited liability company, whose current address is 4414 S. Gekeler Lane, Boise, ID 83716, the Grantee, the following described real estate in Valley County, State of Idaho, more particularly described as follows (the "premises"):

All that real property more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. The Grantor does hereby covenant to and with the Grantee that it is the owner in fee simple of the premises; that it is free from all encumbrances except current year's taxes, levies, and assessments, and except restrictions, reservations and easements of

record and easements visible upon the premises, and that it will warrant and defend the same from all lawful claims whatsoever.

Dated the 1st day of June, 2005.

GRANTORS:

RONALD C. YANKE FAMILY TRUST A UTA dated May 30, 1989 as amended, as reformed and restated under that certain Second Reformation and Restatement dated February 2, 2004

By: *Linda L. Yanke*
Linda L. Yanke, co-Trustee

By: *Daniel R. Yanke*
Daniel R. Yanke, co-Trustee

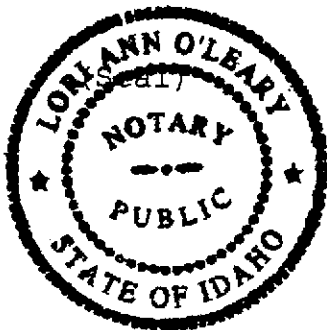
By: *Susan L. Norby*
Susan L. Norby, co-Trustee

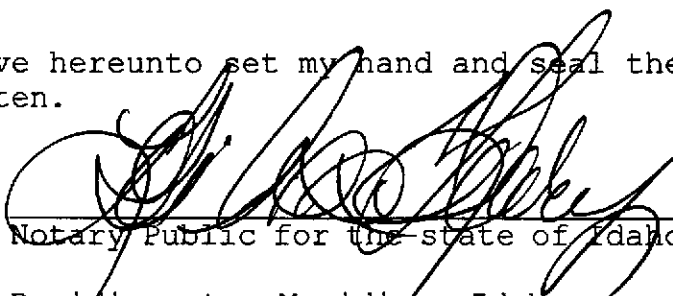
BEING A MAJORITY OF THE CO-TRUSTEES
OF THE RONALD C. YANKE FAMILY TRUST
A

STATE OF IDAHO)
) ss
County of ADA)

On this 1st day of June, 2005, before me, the undersigned Notary Public for the state of Idaho, personally appeared **LINDA L. YANKE, DANIEL R. YANKE and SUSAN L. NORBY**, co-Trustees of the "**RONALD C. YANKE FAMILY TRUST A**", known to me or identified to me to be the persons whose names are subscribed to the foregoing, and acknowledged to me that they executed the same for and on behalf of the Trust and in its name.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.




Notary Public for the state of Idaho

Residing at: Meridian, Idaho

My commission expires: 7/12/2007

EXHIBIT "A"

PARCEL I (Takeuchi - 7360A) ✓

That portion of land located in the S1/2 Section 11, Township 15 North, Range 3 East, Boise Meridian, Valley County, Idaho, lying south and west of State Highway 55.

PARCEL II (Takeuchi - 0005A) ✓

The N1/2 NE1/4 and the SW1/4NE1/4 of Section 13, Township 15 North, Range 3 East, Boise Meridian, Valley County, Idaho.

PARCEL III (IMMC - 2405A)

No. 65-8870

The E1/2NW1/4 of Section 11, Township 15 North, Range 3 East, Boise Meridian, Valley County, Idaho.

PARCEL IV (Jasper - 3005A) ✓

The W1/2NW1/4 of Section 11, Township 15 North, Range 3 East, Boise Meridian, Valley County, Idaho.

PARCEL V (Eastern - Western - 4805A) ✓

The SW1/4 of Section 2, Township 15 North, Range 3 East, B.M. Valley County, Idaho, less existing road and canals and except a piece of land in the NW corner of the SW1/4 of Section 2, Township 15 North, Range 3 East, B.M., more specifically described as starting 50 feet from the center of the county road, thence East along the North side of said quarter section, a distance of 250 feet, thence South 150 feet, thence West 250 feet, thence North along the county road 150 feet to a point of beginning.

PARCEL VI A (Sayers - 7360A) ✓

That part of the North half of the Southeast quarter, Section 2, Township 15 North, Range 3 East, Boise Meridian, Valley County, Idaho, lying West of State Highway 15 (now known as Highway 55), more particularly described as follows:

Beginning at a stone, the Southeast corner of Section 2, Township 15 North, Range 3 East, Boise Meridian, Valley County, Idaho; thence North 00° 17' 20" East, 1329.14 feet along the section line to a point, the sixteenth corner; thence South 89° 28' West, 1585.33 feet along the sixteenth line to a point on the West right of way line of State Highway No. 15 and the REAL POINT OF BEGINNING:

Thence continuing South 89° 28' West, 1045.76 feet along the sixteenth line to a point, the sixteenth corner; thence North 00° 08' 39" East, 1328.35 feet along the North-South quarter line to a point, the center of said Section 2; thence North 89° 27' 02" East, 1102.68 feet along the quarter line to a point on the West right of way line of State Highway No. 15; thence South 03° 39' West, 579.64 feet along the West right of way line of said State Highway No. 15 to a point; thence southerly 751.22 feet along a right of way curve to the left having a delta angle of 03° 44' 11", a radius of 11520.00 feet, a chord of 751.08 feet that bears South 01° 46' 55" West to a point, the Real Point of Beginning.

PARCEL VI B (Sayers - 8410A & 0610A) ✓

Those portions of the Northeast quarter of Section 11 and the South half of the Southeast quarter of Section 2, Township 15 North, Range 3 East, Boise Meridian, Valley County, Idaho, which lie West of the existing highway right-of-way as described in that certain Deed from Jack M. Kantola and Edith Kantola, his wife, the Grantors, to the United States of America, the Grantee, recorded on December 30, 1949, in the office of the Recorder of Valley County, Idaho in Book 28 of Deeds at page 13, with appurtenances, including 107 inches of irrigation water in the Center irrigation District, but excluding any other right, title or interest which Grantors may have in Center Irrigation District, subject to ordinances, restrictions, easements and rights-of-way, if any, in use or of record.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-08870

NAME AND ADDRESS: GARY A KANTOLA
TRESSA A KANTOLA
C/O JOHN KANTOLA
P.O. BOX 55
DONNELLY, ID 83615

JOHN W KANTOLA
PO BOX 55
DONNELLY, ID 83615

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.20 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1935

POINT OF DIVERSION: T15N R03E S11 NENW Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS 1.20 AFY

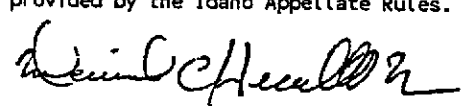
PLACE OF USE: Domestic T15N R03E S11 NENW Within Valley County

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

February 24, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DSJ, LLC
PO BOX 5405
BOISE ID 83705

RE: Change in Ownership for Water Right 65-8870

Dear Water Right Holder(s)

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for Jeff Peppersack, Manager
Water Rights Permit Section

JP:klm
Enclosure