

RECEIVED

MAR 31 2006

DEPARTMENT OF
WATER RESOURCES

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
43-2342					
43-13269					

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)

DANIEL D. MOSS and JANN MOSS

450 South 850 East Declo, ID 83323

New Owner/Claimant(s)

BURLEY WEST INVESTMENTS, L.L.C.

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

New Mailing Address

P.O. BOX 584

City, State and ZIP Code

RIPERT, ID 83350

New Telephone Number

()

Date you acquired the property

March 28, 2006

SUPPORT DATA

IN FILE # 43-2342

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	_____	_____

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

Burley West Investments, L.L.C.
BY: Joel Parker
JOEL PARKER, 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 <u>CB</u>	Date <u>3/31</u>	Fee <u>50.00</u>	
Received by _____	Date _____	Receipt No. <u>C080780</u>	
		WD	Date _____

307564

WARRANTY DEED

#4739

For Value Received

DANIEL D. MOSS, also known as DAN MOSS and JANN MOSS, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

BURLEY WEST INVESTMENTS, L.L.C.

Address: P.O. Box 584 Rupert, ID 83350

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

**TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 10: **E½, EXCEPTING THEREFROM that portion deeded to the State of Idaho
for highway purposes.**

PARCEL NO. 2:

**TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 11: **All of Section 11, lying West of Interstate 84 North Right-of-Way.**

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto
including but not limited to Idaho Department of Water Resources water right numbers 43-2342 and 43-13269.**

SUBJECT TO:

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

Taxes for 2006 and subsequent years, a lien, but not yet due or payable.

**Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Tim
Matthews and Ruth Matthews, as Consumer, dated May 3, 1955 and recorded August 5, 1955 as Instrument No.
187063 in Book No. 9 of B.S.A. on Page 73, records of Cassia County, Idaho, covering E½ of Section 10, Township
11 South, Range 26 East of the Boise Meridian.**

**ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST dated April 11, 2005
and recorded April 18, 2005 as Instrument No. 301565, records of Cassia County, Idaho.**

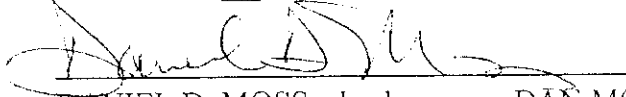
**Right-of-Way Deed from John D. Matthews and Nelda Matthews, husband and wife, to Raft River Highway
District, a quasi municipal corporation, dated November 15, 1959 and recorded June 19, 1964 as Instrument No.
19192 on Film No. 28 in the office of the County Recorder of the County of Cassia, State of Idaho, over the South
25 feet of the SE¼ of Section 10 and the North 25 feet of the NE¼ of Section 15, Township 11 South, Range 26
East of the Boise Meridian.**

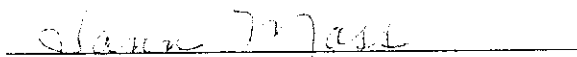
Billboard and building restrictions and access limitations contained in Warranty Deed from Seiji Endow and Masako Endow, husband and wife, to the State of Idaho, dated January 8, 1965 and recorded March 30, 1965 as Instrument No. 23321 on Film No. 33 in the office of the County Recorder of the County of Cassia, State of Idaho which reads as follows: "Grantors agree that no buildings or structures, except irrigation or drainage structures will be permitted to be constructed within 20 feet of the real property described. Grantors further agree that no billboards or other advertising signs will be permitted closer than 100 feet from the real property above described, excepting signs pertaining to business established on lands adjacent to the described real property." The Grantors bargain, sell, convey and relinquish to the Grantee all existing, future, or potential common law or statutory easements of access between the right of way of the public way identified as I-80N-4(2)232, and all of the contiguous remaining real property of the Grantors whether acquired by separate conveyances or otherwise, or which the real property covered by this instrument is a part, where said remaining real property abuts on the Southwesterly side of the said public way, except for access to the County Road at the following designated County Road Survey Station(s): 40+25, a 20' W. Farm Approach.

Easement for Seiji Endow and Masako Endow, husband and wife, to the State of Idaho, dated January 8, 1965 and recorded March 30, 1965 as Instrument No. 23324 on Film No. 33 in the office of the County Recorder of the County of Cassia, State of Idaho, granting unto said State an easement to construct a 14.0 foot access road located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 11 South, Range 26 East of the Boise Meridian.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 28th, 2006

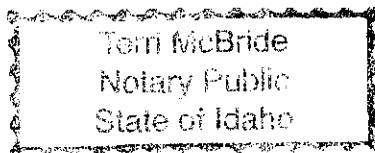

DANIEL D. MOSS, also known as DAN MOSS

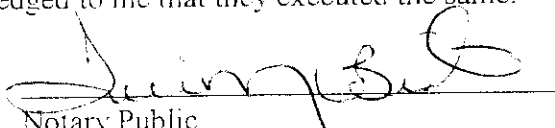

JANN MOSS

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

307564
CASSIA COUNTY, IDAHO
LARRY A. MCKELCHEN
RECORDER
FEE 6.00 DEPUTY 26
RECORDED AT THE OFFICE OF
LAND TITLE & ESCROW
2006 MAR 28 PM 4 30

On this 28th day of March, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **DANIEL D. MOSS and JANN MOSS**, known or identified to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.




Notary Public
Residing at: Boise
My Commission expires: 2-5-08