

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

RECEIVED**FEB 22 2006****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 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
43-99C			43-277		
43-100C			43-10591		
43-101C			43-10592		
43-102C			43-13212		
43-103C			43-2536		
43-104B					
43-105					
43-106					
43-107					
43-275					
43-276					

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) J. R. Simplot Company
P.O. Box 27, Boise, ID 83707
4. New Owner/Claimant(s) Loughmiller, Inc.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3170 US Hwy 93
- City, State and ZIP Code Twin Falls, Idaho 83301
- New Telephone Number (208)-733-5761
5. Date you acquired the property January 13, 2006

SUPPORT DATA**IN FILE #** 43-99C

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(s) Loughmiller, Inc.
(include title if applicable)

BY: William J. Loughmiller
William J. Loughmiller, President

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>MA</u>	Date <u>2-22-06</u>	Fee <u>\$ 400.00</u>
Receipted by <u>MA</u>	Date <u>2-22-06</u>	Receipt No. <u>CD80572</u>
Processed by _____	AJ Date _____	WR _____ Date _____

306208

BARGAIN AND SALE DEED

GRANTOR, J.R. SIMPLOT COMPANY, a Nevada corporation, as successor by merger with Simplot Industries, Inc., a Utah corporation, successor by mergers with The Bannock Motor Inn, Inc., an Idaho corporation and Bannock Hotel Company, an Idaho corporation whose principal address is 999 Main Street, Suite 1300, Boise ID 83702, for Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby bargain, sell and convey unto LOUGHMILLER, INC., an Idaho corporation, whose principal address is 3170 US Highway 93, Twin Falls ID 83301, as GRANTEE, and to Grantee's successors and assigns forever, all of the following described real estate located in Cassia County, State of Idaho:

See Exhibit A attached hereto and made a part hereof.

TOGETHER WITH all improvements, easements, hereditaments, water and water rights, ditches and ditch rights, and claims to water rights, which water-related rights and claims include, but are not limited to, those matters set forth on Exhibit B, attached hereto and made a part hereof, and appurtenances thereto, and SUBJECT TO such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto caused this deed to be executed in its corporate name this 9 day of January, 2006.

J.R. SIMPLOT COMPANY

By Lawrence S. Hlobik, President & CEO

CASSIA COUNTY, IDAHO LARRY A. MICKELSEN RECORDER

FEE 900 DEPUTY

ATTEST:

By Terry T. Uhling, Secretary

2006 JAN 13 PM 4 02

RECORDED AT THE REQUEST OF LAND TITLE & ESCROW

STATE OF IDAHO)) ss. County of ADA)

On this 9 day of January, 2006, before me, a Notary Public in and for said State, personally appeared Lawrence S. Hlobik and Terry T. Uhling, known to me to be the President & CEO and Secretary, respectively of J.R. Simplot Company, the corporation that executed the within instrument, and acknowledged to me that said corporation 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.

Noel Janet Varnon

Notary Public for Idaho Residing at: Boise My Commission Expires: 10/29/08

NOTARY SEAL WAS PRESENT BUT WOULD NOT SCAN INTO SYSTEM

EXHIBIT A

In Township 13 South, Range 26 East, Boise Meridian, Cassia County, Idaho:

Section 11: SE1/4; E1/2 SW1/4

Section 12: W1/2 SW1/4,

EXCEPTING THEREFROM approximately 1-3/4 acres located in the Northeast corner of the NW1/4SW1/4 of said Section 12, more particularly described as follows:

Commencing at the Northeast corner of the NW1/4SW1/4 of said Section 12; running thence South 302 feet; thence West 250 feet; thence North 302 feet; thence East 250 feet to the place of beginning.

ALSO EXCEPTING THEREFROM, the existing right-of-way for U.S. Highway No. 30 South.
Section 13: W1/2 NW1/4;

NW1/4SW1/4, EXCEPT:

the South 25 feet thereof, and the existing right-of-way of U.S. Highway No. 30 South; ALSO EXCEPTING the following described tract:

Part of the NW1/4SW1/4 of Section 13 of Township 13 South, Range 26 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the Southeast corner of the NW1/4SW1/4 of Section 13 of T.13 S., R.26 E., B.M., said corner marked by a 5/8" rebar; thence North 00°04'29" West along the East line of the NW1/4SW1/4 for 25.00 feet to the North right of way of a county road; thence South 89°51'07" West along said right of way for a distance of 43.10 feet to a 1/2" rebar on the West right of way of State Highway 81 which shall be the Point of Beginning; Thence South 89°51'07" West along the county road right of way for a distance of 187.30 feet to a 1/2" rebar; Thence North 00°02'59" West for a distance of 469.35 feet to a 1/2" rebar; Thence North 89°46'50" East for a distance of 187.20 feet to a 1/2" rebar on the West right of way of State Highway 81; Thence South 00°03'43" East along said right of way for a distance of 469.58 feet to the Point of Beginning.

Section 14: NE1/4; W1/2 SW1/4; S1/2 NW1/4; NE1/4NW1/4

Section 15: S1/2 SE1/4; NE1/4SE1/4; SE1/4NE1/4;

EXCEPTING THEREFROM:

A portion of the SE1/4SE1/4 of Section 15, Township 13 South, Range 26 East, Boise Meridian, described as:

Beginning on the East boundary line of said Section 15 at a point 25 feet North of the Southeast section corner of said Section 15, thence South 89°35' West 200 feet; thence North 0°25' West 200 feet; thence North 89°35' East 200 feet; thence South 0°25' East 200 feet to the point of beginning.

ALSO EXCEPTING THEREFROM:

Part of the SW1/4SE1/4 of Section 15, Township 13 South, Range 26 East, Boise Meridian, described as:

Beginning at the South ¼ section corner of said Section 15, said corner marked by a 5/8" rebar which shall be the Point of Beginning;

Thence North 0°18'45" West along the ¼ section line for 458.65 feet to a ½" rebar;

Thence North 84°14'38" East for 132.00 feet to a ½" rebar;

Thence South 6°39'06" East for 473.74 feet to a ½" rebar on section line;

Thence South 89°35'00" West along section line for 183.71 feet to the Point of beginning.

EXHIBIT B**Water Rights Deardorff Farm**

Water Right No.	Priority	Source	Quantity	Stage
43-99C	April 1, 1879	Cassia Creek	2.5 cfs	Decreed
43-100C	Nov. 30, 1880	Cassia Creek	2.4 cfs	Decreed
43-101C	April 30, 1883	Cassia Creek	1.2 cfs	Decreed
43-102C	Nov. 30, 1886	Cassia Creek	0.8 cfs	Decreed
43-103C	April 1, 1894	Cassia Creek	1.1 cfs	Decreed
43-104B	Aug. 30, 1904	Cassia Creek	0.8 cfs	Decreed
43-105	Sept. 28, 1885	Cassia Creek	0.8 cfs	Decreed
43-106	April 30, 1888	Cassia Creek	0.8 cfs	Decreed
43-107	April 1, 1894	Cassia Creek	1.6 cfs	Decreed
43-275	April 1, 1883	Cassia Creek	0.8 cfs	Decreed
43-276	Sept. 30, 1884	Cassia Creek	0.4 cfs	Decreed
43-277	April 1, 1894	Cassia Creek	1.2 cfs	Decreed
43-10591	Nov. 11, 1945	Unnamed Drain	0.62 cfs	Decreed
43-10592	Nov. 9, 1945	Unnamed Drain	0.62 cfs	Decreed
43-13212	April 4, 1894	Cassia Creek	0.8 cfs	Decreed
43-2536	Sept. 11, 1961	Ground water	3.22 cfs	Decreed