

Arizona Department of Water Resources

Groundwater Right/Facility Report

Handwritten signature

RIGHT #: 58-109254.0008

STATUS DATE: 3/20/1999

AMA: PINAL AMA

RIGHT/PERMIT/FACILITY TYPE: IRRIGATION USE

LAND OWNERSHIP : PRIVATE OR COMPANY

FILE STATUS: ACTIVE - PARTIAL CONVEYANCE

2012 ALLOTMENT: 1,850.01

BMP Enrollee: N

RETIRED ACRES: 0.00

WATER DUTY ACRES: 470.74

IRRIGATION ACRES 550.00

WATER DUTY 3.93

IRRIGATION DISTRICT NAME: MARICOPA STANFIELD IRRIGATION & DRAINAGE

MAWA: 3.36

NAME & ADDRESS

DART PROPERTIES, LLC

TYPE: OWNER

C/O PO BOX 164

SACATON AZ 85147

PLACE OF USE

W1/2 04 T6.0S R4.0E

E1/2 05 T6.0S R4.0E

NE 05 T6.0S R4.0E

BOOK/MAP/PARCEL

*** NO DATA FOUND ***

WELL SERVING

Well#	Location	Year
55 - 619753	SE SE SE 5 T6.0S R4.0E	2012
55 - 619752	SE SE SE 4 T6.0S R4.0E	2012

RIGHT TO FACILITY RELATIONSHIPS

*** NO DATA FOUND ***

ARIZONA DEPARTMENT OF WATER RESOURCES

1729 North Trekell Rd, Suite 105
Casa Grande, AZ 85222

APPLICATION TO SUBSTITUTE ACRES DUE TO IRREGULARLY SHAPED ACRES (LIMITING CONDITIONS) (A.R.S. § 45-465.02)

PINAL ACTIVE MANAGEMENT AREA

RECEIVED

SEP 25 2007

FOR DEPARTMENT USE ONLY

Original Certificate No. _____

New Certificate No. _____

Certificate Fee: \$100.00

1. Dart Properties

PINALAMA

Last Name

First

Middle Initial

Last Name

First

Middle Initial

Mailing Address

City

State

Zip

PO. Box 167

Sutton

AZ

85247

Telephone:

(Area Code)

Home Number

Work Number

520-251-0610

()

(Dale)

()

2. Irrigation Grandfathered Right Certificate No.: 58-109254.0008

3. Number of acres to be retired: 5.5 Irrigation District affiliation: MSIDD

4. Number of acres substituted: 5.5 Irrigation District affiliation: MSIDD

5. If associated with a CAP District has permission to substitute been granted by the district? (YES) NO

6. Describe the location of the acres to be retired. (Attach Map)

a portion of NE

Section 5

Township 6S

Range 4E

Section _____

Township _____

Range _____

7. Describe the location of the acres you seek to substitute. (Attach Map)

a portion of SW

Section 4

Township 6S

Range 4E

Section _____

Township _____

Range _____

8. Are the certified acres: Irregular in shape?.....YES

(NO)

9. Do the certified acres : Contain poor quality soil?.....(YES)

NO

10. Are the substitute acres contiguous to the certified acres that will not be retired?....YES

(NO)

11. Does the limiting condition impede the implementation of more efficient irrigation practices? (YES) NO

12. If the answer to question 11 is YES, please explain:

(A) how the irregularity impedes the implementation of more efficient irrigation practices:

X (B) how your request for substitution acres will substantially facilitate the implementation of more efficient irrigation practices:

The soils are much better on west side of Field 19, The Proposed SRP 550 KW Powerline will also be avoided on gnd that is coming out. This area is subject to Flooding, while EAST Half is out of the flood plain and is much more efficient to farm.

YOUR FUTURE USE OF GROUNDWATER DEPENDS ON WHETHER THE INFORMATION IN THIS FORM IS COMPLETE AND CORRECT.

I (We), DART PROPERTIES LLC the applicant(s) named in this application, do hereby certify under the penalty of perjury, that the information contained and statements made herein are to the best of my (our) knowledge and belief, true, correct and complete.

Dated this 24th day of September, 19 2007

IF OWNER IS AN INDIVIDUAL, SIGN HERE:

(520) 421-0328 office

(520) 51-0618 cell

Telephone

Owner or Authorized Agent

Dale M. Buntz

Mailing Address

City

State

Zip

IF OWNER IS A CORPORATION, PARTNERSHIP, ASSOCIATION, ETC., SIGN HERE:

Telephone

Owner or Authorized Agent

Title

Mailing Address

City

State

Zip

Subscribed and sworn to before me this _____ day of _____, 19 2007

My Commission Expires:

Notary Public

OR

Dale M. Buntz

Authorized Personnel of the Department of Water Resources

Do not write below this line

Application is: ☐ Rejected ☐ Returned for: Completion _____ Correction _____ Other _____ ☐ Approved for Receipt	Application is: ☐ Rejected ☐ Returned for: Completion _____ Correction _____ Other _____ ☐ Approved for Receipt
--	--

PINAL AMA
CHECK DEPOSIT REQUESTS

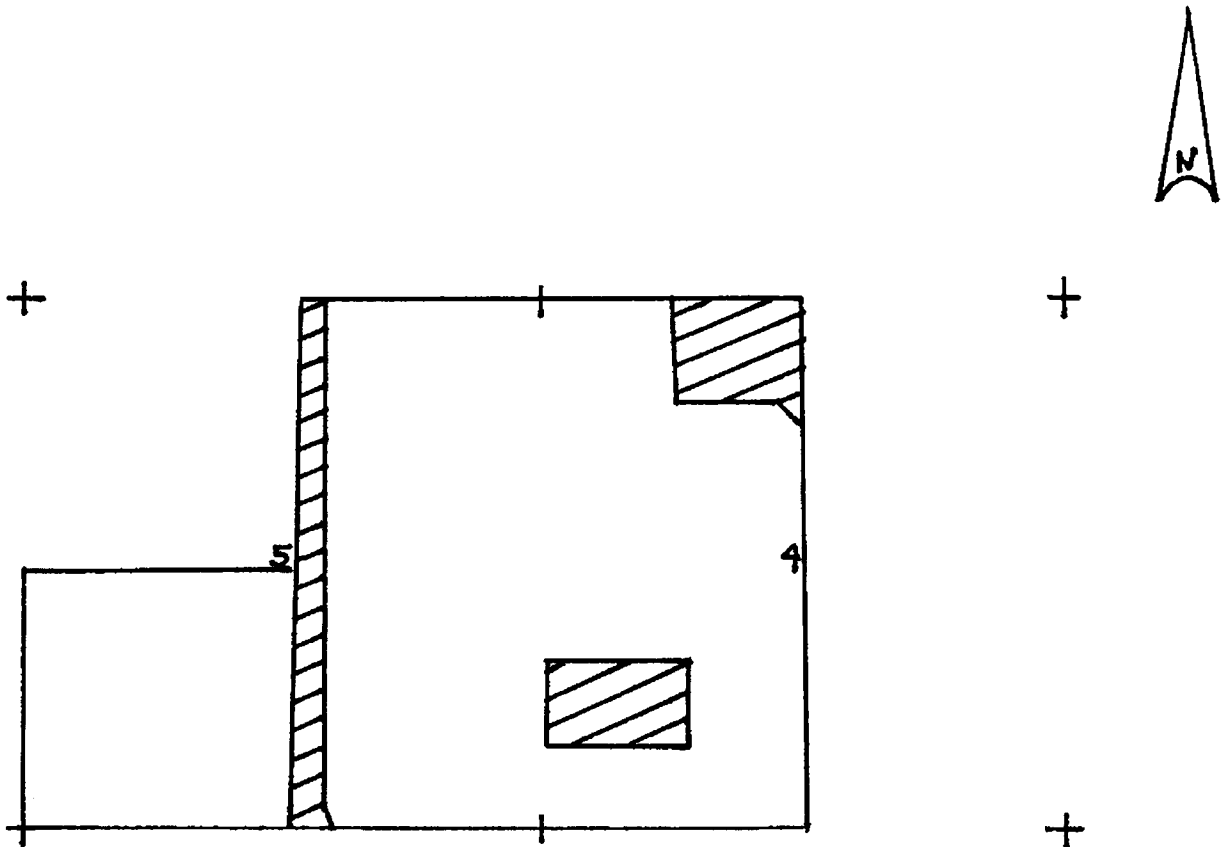
SUBMITTED BY:	GLORIA TAPIA
DATE	9/26/2007
APPLICANT	DART PROPERTIES
CASH	
CHECK NUMBER	#1313
CHECK AMOUNT	\$100.00
NAME ON CHECK	DART PROPERTIES LLC
ADDRESS	C/O P O BOX 159
CITY, STATE, ZIP	SACATON, AZ 85247
TELEPHONE NO.	520-251-0618
RIGHT NUMBER	58-109256.0008
IGFR Conveyance(58)_____ Type 1 Non-Irrigation GFR(58)_____	
Registered Well (55)_____ Type 2 Non-Irrigation GFR (58) _____	
Notice of Intent to Drill _____ Annual Water Report (2006) _____	
Well Permit _____ Annual Water Report (2006-Late) _____	
Extinguishment _____ Well Change Information _____	
Permit Fee Non-Exempt Well _____ App Substitute Acres _XXX_	

PAGE 1 OF 1 Exhibit A

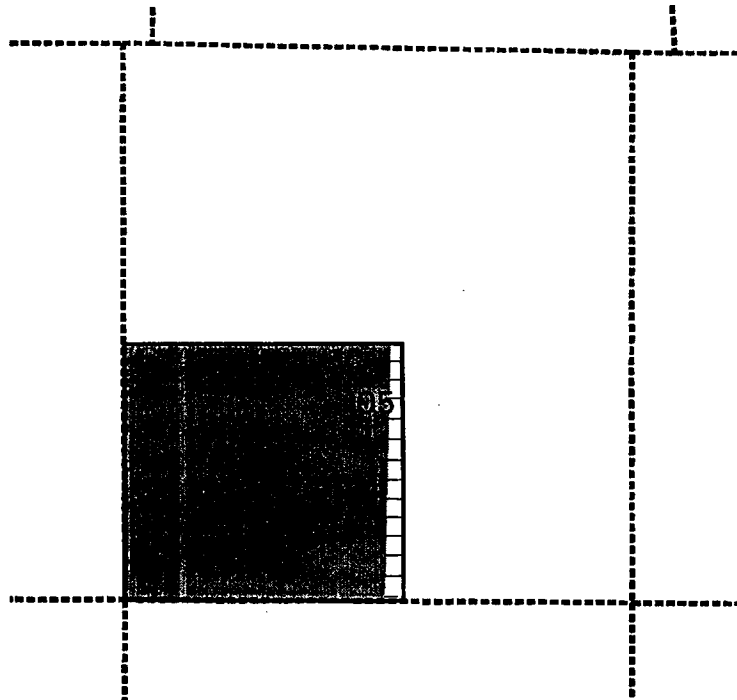
NAME G. Scott Simonton, etal CERTIFICATE NO. 58- 109254.0005

Sec 4,5 T 6 S R 4 E Map Source 1979 ASCS Aerial Photo

Irrigation Acres Certified 713 Date 09 / 02 / 93 Scale 1:24,000



Certificate Map -Exhibit A



Owner :
ROBUST HOLDING, LLC
Certificate No. : 58 -109254.0009
Irrigation Acres : 163.00



For more information about this map call:
(520) 836 -4857

North



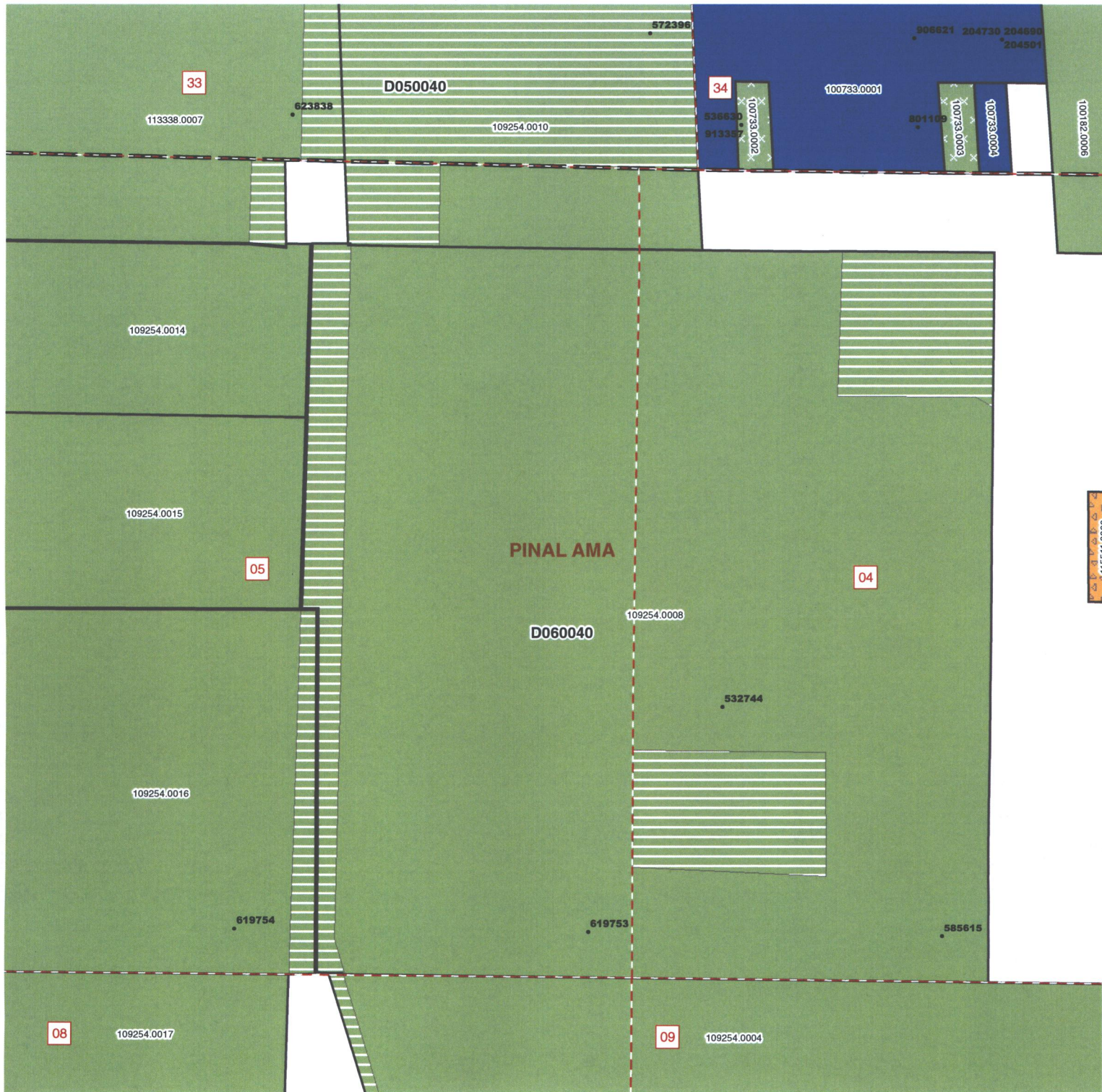
Scale 1:24000 1 inch = 2000 feet

Section 5 Township 6 S Range 4 E
Type of Right : 'IRRIGATION USE'
Certificate Date : 03-10-99

	Irrigation (Appurtenant)
	Non -Irrigation (Non -Appurtenant)

GROUNDWATER RIGHTS

58-109254.0008



- | | | | |
|-------------------|-----------------------------------|---|------------------------|
| • Registered Well | Irrigation Right | Inactive Developed | Irrigation Districts |
| Section Corners | Part Irrigation / Part Developed* | Part Inactive Developed* | Buckeye WLA |
| Section | Exempt Small Right | Extinguished | Pinal Protection Zones |
| Township | Exempt Small Grouping | Part Extinguished or Part Consolidated* | |
| County | Withdrawn from Irrigation | Non-Appurtenant Land | No Right |
| AMA Boundary | Type 1 Right | Restored Irrigation Right | |

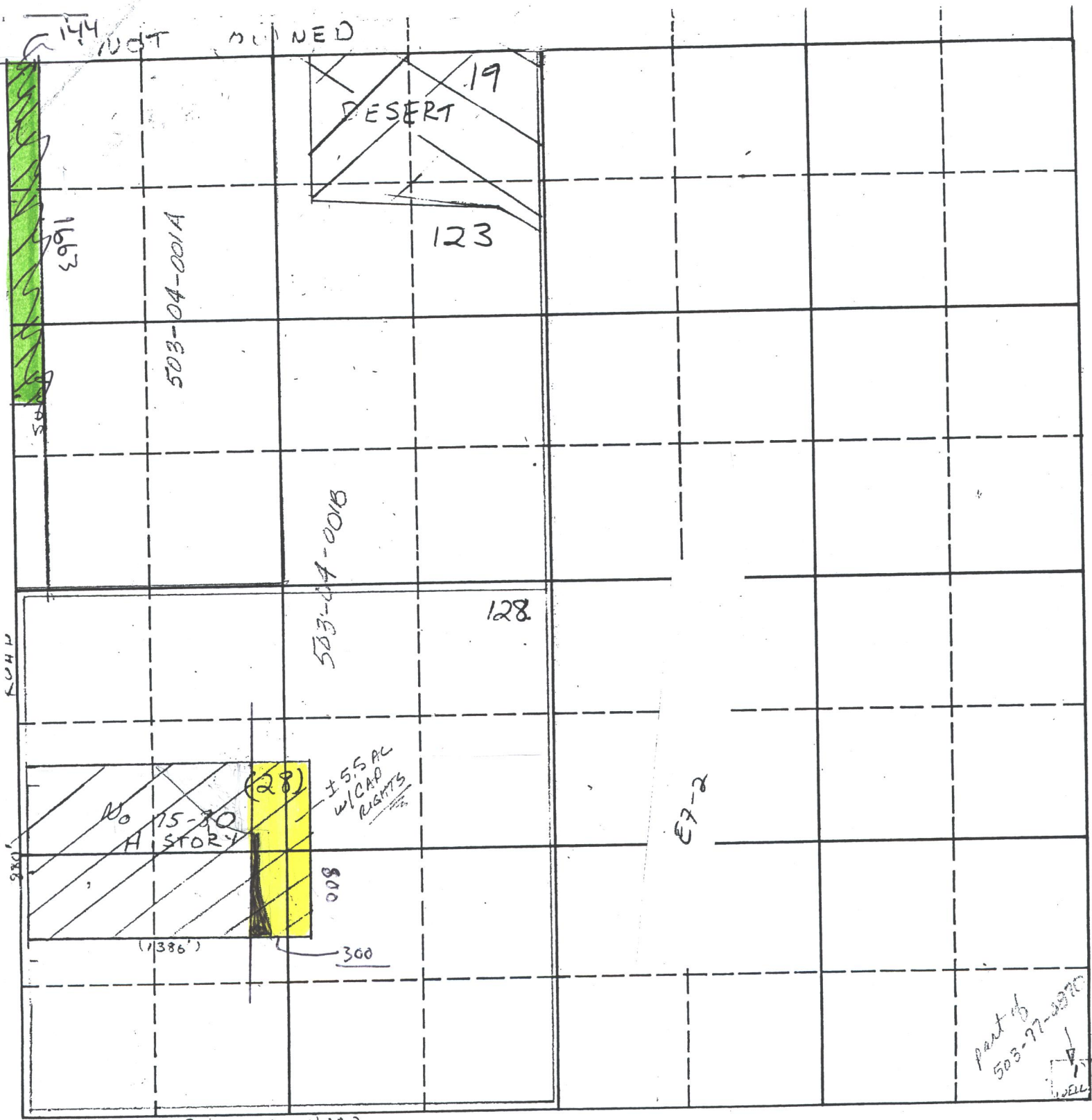


0 0.07 0.14 0.21 0.28 0.35 Miles

Map Scale 1:12,467

* See Plat in File

Map Printed: 10/18/2012 1:22:01 PM



BARNES ROAD

SECTION 4

TOWNSHIP 6S

RANGE 4E

APPLICANT NAME Cor. Rd. BH CH Jc Lds.

APPLICANT FILE NUMBER 78-109254

PREPARED BY LB DATE 8/18/82

CHECKED BY _____ DATE _____



SECTION 5

TOWNSHIP 6S

RANGE 4E

Dart Properties
#58-109254.0008

ARIZONA DEPARTMENT OF WATER RESOURCES

Pinal Active Management Area

1729 N. Trekell Road, Suite 105 Casa Grande, Arizona 85222
Telephone (520) 836-4857 • Fax (520) 836-9208



Janet Napolitano
Governor

Herb Guenther
Director

June 9, 2003

58-109254.0008

DART PROPERTIES, LLC
C/O PO BOX 164
SACATON, AZ 85247

Dear Irrigation Grandfathered Right Holder:

Enclosed is an OFFICIAL NOTICE of your agricultural conservation requirements for the third management period. These conservation requirements are effective beginning in calendar year 2003 and shall remain in effect until the first compliance date of the conservation requirements established for your Irrigation Grandfathered Right in the Fourth Management Plan. **PLEASE CAREFULLY REVIEW THIS LETTER AND THE ENCLOSED NOTICE.**

The Director of the Arizona Department of Water Resources ("Director") adopted the Third Management Plan ("TMP") for the Pinal Active Management Area ("AMA") in December of 1999. As originally adopted, the TMP did not contain a Base Agricultural Conservation Program with new irrigation water duties and maximum annual groundwater allotments for farms in the AMA because of questions regarding the appropriate irrigation efficiency to use when calculating the water duties. This issue was resolved in 2002 when the Legislature enacted legislation requiring the Director to calculate the irrigation water duties for most farms in the AMA using an assigned irrigation efficiency of 80 percent. A lower assigned irrigation efficiency may be used for farms determined by the Director to have limiting soils or excessive slopes and for farms where orchard crops were historically grown and continue to be grown. The legislation also requires the Director to modify the TMP to include a Best Management Practices ("BMP") Program as an alternative to the Base Program.

In April of 2003, the Director adopted modifications to Chapter 4 of the TMP to comply with the legislation enacted in 2002. The modifications include the addition of a Base Program with irrigation water duties calculated in the manner required by the legislation and the addition of a BMP Program. The Historic Cropping Program, an alternative program that was included in the TMP as adopted in 1999, was retained in the modifications. The purpose of this notice is to inform you of the water duties and allotments established for your farm and of the availability of the alternative programs. The official language of the modification to Chapter 4 may be reviewed at the Department's website, www.water.az.gov.

I. Base Agricultural Conservation Program Water Duties and Allotments

The irrigation water duty and maximum annual groundwater allotment adopted for your farm for the Base Program are set forth in the enclosed "Notice of Irrigation Water Duty and Maximum Annual Groundwater Allotment." You must comply with the water duty and annual allotment unless you apply for and are accepted for regulation under one of the alternative agricultural conservation programs described below.

II. Alternative Agricultural Conservation Programs

There are two conservation programs available to you as alternatives to the Base Program: the BMP Program and the Historic Cropping Program. The BMP Program requires the implementation of specific agricultural conservation practices on the farm in lieu of complying with a water duty and annual allotment. Under the Historic Cropping program, the Director will calculate the water duty and annual allotment using an assigned irrigation efficiency of 75 percent. If a farm has limiting soils, the Director may use an assigned irrigation efficiency of 70 percent. Use of flex account provisions is limited under the Historic Cropping Program. An individual who wishes to be regulated under one of these alternative programs must apply on a form prescribed and furnished by the Director. The Director must approve the application before the individual can be regulated under the program.

The Director has found the Base Program irrigation water duties and maximum annual groundwater allotments established in the modifications to Chapter 4 of the TMP to be achievable for most Irrigation Grandfathered Right holders. However, there are two separate methods for seeking administrative relief from the water duty and annual allotment established for your farm if you believe you will be unable to comply with them. You may request a VARIANCE or an ADMINISTRATIVE REVIEW.

1. VARIANCE

A person who requires additional time to comply with a new conservation requirement may apply to the Director for a VARIANCE from the requirement pursuant to A.R.S. § 45-574. The Director may grant a variance for up to five years upon a showing of "compelling economic circumstances." **AN APPLICATION FOR A VARIANCE MUST BE FILED WITHIN 95 DAYS AFTER THE DATE OF THIS NOTICE.**

2. ADMINISTRATIVE REVIEW

If you feel that a conservation requirement is unreasonable as applied to you, you may apply for an ADMINISTRATIVE REVIEW of the requirement pursuant to A.R.S. § 45-575(A). **AN APPLICATION FOR AN ADMINISTRATIVE REVIEW UNDER A.R.S. § 45-575(A) MUST BE FILED WITHIN 95 DAYS AFTER THE DATE OF THIS NOTICE.** An administrative review may also be applied for at any time during the third management period if extraordinary circumstances not in existence as of the date of this notice make it unreasonable to require your compliance with a conservation requirement.

If you have any questions regarding your conservation requirements, or if you need an application form and information on one of the alternative conservation programs or on the variance and administrative review procedure, please contact the Pinal AMA office at (520) 836-4857

Sincerely,

s/Herbert R. Guenther

Herbert R. Guenther
Director

**ARIZONA DEPARTMENT OF WATER RESOURCES
PINAL ACTIVE MANAGEMENT AREA
NOTICE OF IRRIGATION WATER DUTY
AND MAXIMUM ANNUAL GROUNDWATER ALLOTMENT**

Pursuant to A.R.S. § 45-572(B), the Director of the Arizona Department of Water Resources hereby gives notice of the irrigation water duty and maximum annual groundwater allotment established for the Irrigation Grandfathered Right listed below in the Third Management Plan for the Pinal Active Management Area.

The water duty and annual allotment shall become effective beginning in calendar year 2003 and shall remain in effect until the first compliance date of the water duty and annual allotment established for the Irrigation Grandfathered Right in the Fourth Management Plan. The owner of the Irrigation Grandfathered Right and any person using groundwater pursuant to the right must comply with the water duty and annual allotment while regulated under the Base Agricultural Conservation Program in the Third Management Plan.

IRRIGATION GRANDFATHERED RIGHT NO. 58-109254.0008

ASSIGNED IRRIGATION EFFICIENCY: 80 PERCENT

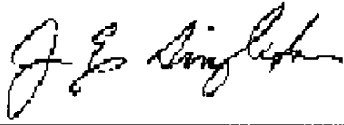
IRRIGATION WATER DUTY: 3.93 ACRE-FEET PER ACRE

**MAXIMUM ANNUAL
GROUNDWATER ALLOTMENT: 1850.01 ACRE-FEET PER YEAR**

The **irrigation water duty** is the amount of water in acre-feet per acre that is reasonably required to irrigate the crops historically grown in the farm unit to which the above-referenced Irrigation Grandfathered Right is appurtenant. The **maximum annual groundwater allotment** is the maximum amount of water that may be used in any year to irrigate the irrigation acres associated with the Irrigation Grandfathered Right, except as provided by A.R.S. 45-467, the flexibility account provision. The annual allotment is calculated by multiplying the water duty for the Irrigation Grandfathered Right by the number of water duty acres associated with the right.

CERTIFICATE OF MAILING

I certify that on this 9th day of June, 2003, a copy of the attached letter and notice were sent by first-class mail to the addressee shown on the letter at the address shown on the letter.

A handwritten signature in black ink, appearing to read "Joe Singleton", written over a horizontal line.

Joe Singleton
Water Resource Specialist
Phoenix Active Management Area
Arizona Department of Water Resources

Arizona Department of Water Resources
Pinal Active Management Area
1000 E. Racine Place
Casa Grande, Arizona 85222
Telephone: 836-4857

MEMORANDUM

TO: Al Ramsey, Operations Division
FROM: Lisa Benedetto, Pinal AMA
DATE: March 20, 1999
SUBJECT: Grandfathered Right Conveyance for 58-109254.0008

Please find enclosed a completed conveyance packet for the above referenced Grandfathered Right. The following items pertaining to this full conveyance have been provided.

- ☒ Signed conveyance form
- ☒ Legal ownership document(s)
- ☒ Certificate fee (Amount: \$35.00)
- ☒ Tracking sheet
- ☒ Copy of new certificate(s)
- ☒ Copy of conservation notice(s)
- ☒ Data entry worksheet(s)

If there are any questions regarding this conveyance, please call me at 836-4857.

Certificate Of Grandfathered Groundwater Right

COUNTY OF PINAL

STATE OF ARIZONA DEPARTMENT OF WATER RESOURCES

This is to certify that pursuant to the provisions of
Title 45, Chapter 2, Arizona Revised Statutes

DART PROPERTIES, L.L.C.

P.O. BOX 164

SACATON, ARIZONA 85247

is granted

IRRIGATION GRANDFATHERED RIGHTS

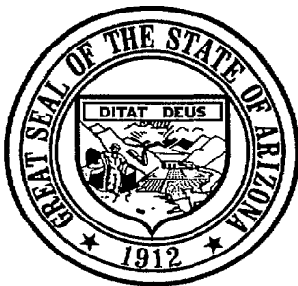
in the

PINAL ACTIVE MANAGEMENT AREA

for 550 irrigation acres of land. The rights are appurtenant to and groundwater may used only on the irrigation acres of land described as follows:

Lots 5, 6, 11, 12; SW¼ Sec 4 T6S R4E, and Sec 5 T6S R4E GSRB&M, excepting Government lots 5, 6, 11, 12, 15, 16; the west 2944.13 feet of S½; and excepting Government lots 7 and 10 west of Santa Rosa flood control easement, excluding permanent roads, permanent drainage channels and non-irrigated areas as more fully described in the map attached hereto as Exhibit A and made a part hereof by reference.

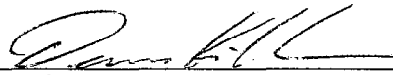
The use of groundwater on the above described land shall be for irrigation purposes in accordance with the laws of the State of Arizona and restrictions placed on use by the Director of the Department of Water Resources pursuant to Title 45, Chapter 2, Arizona Revised Statutes.



CERTIFICATE NO. 58-109254.0008

Is granted this 20th day of March, 1999

ARIZONA DEPARTMENT OF WATER RESOURCES


Pinal Active Management Area Director

The Department of Water Resources must be notified if the above named person(s) changes his address or conveys ownership of the right to another person(s) or wishes to convert the right to a non-irrigation grandfathered right associated with retired irrigated land.

**ARIZONA DEPARTMENT OF WATER RESOURCES
PINAL ACTIVE MANAGEMENT AREA**

**NOTICE OF IRRIGATION WATER DUTY
AND MAXIMUM ANNUAL GROUNDWATER ALLOTMENT**

Pursuant to A.R.S. 45-571.01, the Director of the Department of Water Resources hereby gives notice of the irrigation water duties and maximum annual groundwater allotments for Irrigation Grandfathered Right Certificate No. **58-109254.0008** for the Second Management Period, 1990 to 2000. The irrigation water duty is the amount of water in acre feet per acre that is reasonable to apply to irrigated land in a farm unit during the accounting period. The maximum annual groundwater allotment is the maximum amount of water that may be used during the accounting period to irrigate the above referenced Grandfathered Right, except as provided in A.R.S. 45-467, the flexibility account provision.

In accordance with A.R.S. 45-565.A.1., the Department has established two intermediate water duties, two intermediate maximum annual water allotments, one final water duty and one final maximum annual water allotment as follows:

Beginning calendar year 1992 and for each calendar year through the calendar year 1994:

IRRIGATION WATER DUTY: 5.23 ACRE FEET PER ACRE.

MAXIMUM ANNUAL GROUNDWATER ALLOTMENT: 2461.97 ACRE FEET.

Beginning calendar year 1995 and for each calendar year through the calendar year 1999:

IRRIGATION WATER DUTY: 4.36 ACRE FEET PER ACRE.

MAXIMUM ANNUAL GROUNDWATER ALLOTMENT: 2052.43 ACRE FEET.

Beginning calendar year 2000 and for each calendar year until the first compliance date of any Third Management Plan requirement:

IRRIGATION WATER DUTY: 3.74 ACRE FEET PER ACRE.

MAXIMUM ANNUAL GROUNDWATER ALLOTMENT: 1760.57 ACRE FEET.

Attachment A to this notice sets forth the official language of the above requirements for holders of irrigation grandfathered rights as adopted in the Second Management Plan for the Pinal Active Management Area. Attachment A is incorporated into this notice by reference. Compliance with the irrigation water duty and maximum annual groundwater allotment for each period must be achieved by the above respective dates, and must be maintained until the dates specified above.

**ARIZONA DEPARTMENT OF WATER RESOURCES • PINAL ACTIVE MANAGEMENT AREA
DATA ENTRY WORK/CHECKSHEET**

DATE: 03-20-99

STAFF: R. O'Haver

OLD FILE STATUS: CODE ID NAME Sumerton, Thome, Wolfswinkel STATUS
NEW FILE STATUS: CODE AD NAME Dart Properties, L.L.C. DATE: 03-20-99

RIGHT NUMBER: 58 - 109254 0008 TYPE: CODE J
NAME Dart Properties, L.L.C.

ADDRESS P.O. Box 1164 TELEPHONE: 520-421-0328
CITY/STATE/ZIP Sacaton, AZ 85247
AMA CODE D SUB-BASIN CODE 10-Maricopa Starfield OWNER CODE PO private company

☒ PLACE OF USE

SCREEN 2

☒ REPORTING PARTY

SCREEN 3

QUARTERS	SECTION	TOWNSHIP	RANGE	CODE	NAME
<u>W¹/₂</u>	<u>04</u>	<u>6S</u>	<u>4E</u>	NAME	<u>owner</u>
<u>E¹/₂</u>	<u>05</u>	<u>6S</u>	<u>4E</u>	ADDRESS	
<u>NE</u>	<u>05</u>	<u>6S</u>	<u>4E</u>	CITY/STATE ZIP	
				TELEPHONE	

☒ WATER ALLOTMENTS

SCREEN 5

ALLOTMENT <u>2052.43</u> AF	IRRIGATION ACRES <u>550.0</u>	TARGET GPCD <u>-</u>
WATER DUTY <u>4.36</u> AFA	WATER DUTY ACRES <u>470.74</u>	POPULATION <u>-</u>
MAWA/ACRE <u>3.73</u> AFA	SW ELIGIBLE <u>-</u>	CALC. GPCD <u>-</u>
	RETIRED ACRES <u>-</u>	CONSV. ALLOT. <u>-</u>

N/A DELIVERIES

SCREEN 6

RIGHTS	WELLS
58 - _____	55 - _____
58 - _____	55 - _____

N/A RECEIVES

SCREEN 7

RIGHTS	WELLS
58 - _____	55 - _____
58 - _____	55 - _____

☒ WELLS

SCREEN 8

WELL NO.	POWER COMPANY	ACCOUNT NO.	METER NO.	DEVICE	ENERGY
<u>619752</u>	<u>ED3</u>	<u>ED353700002</u>	<u>778348</u>		
<u>619753</u>	<u>ED3</u>	<u>ED35590000</u>	<u>555385</u>		

☒ FLEX ACCOUNT

SCREEN A

IRRIGATION DISTRICT: <u>57 - 001103.0000</u>	CUSTOMER ACCOUNT NO.: <u>-</u>
CURRENT FLEX ACCOUNT: <u>-</u>	

ARIZONA DEPARTMENT OF WATER RESOURCES

NOTIFICATION OF CHANGE OF OWNERSHIP OF AN IRRIGATION GRANDFATHERED
RIGHT AND CHANGE OF WELL OWNERSHIP

INSTRUCTIONS

- ENCLOSE A RECORDED DEED OR OTHER DOCUMENTATION WHICH EVIDENCES THIS CONVEYANCE.
- ENCLOSE A \$35.00 CERTIFICATE CONVEYANCE FEE MADE PAYABLE TO THE DEPARTMENT OF WATER RESOURCES FOR EACH NEW CERTIFICATE TO BE ISSUED.

In accordance with A.R.S. § 45-482(B), the undersigned parties hereby notify the Arizona Department of Water Resources of the conveyance of the following Certificate of Irrigation Grandfathered Right:

1. Certificate of Grandfathered Right Number: 58- 109854 - 0005
2. Number of irrigation acres on Certificate: 713 acres.
Number of irrigation acres to be conveyed: 564 acres.
3. If the conveyed parcel is less than or equal to 10 irrigation acres indicate whether or not it will be part of a farming operation greater than 10 irrigation acres: Yes No n/a
4. Indicate the quantity of water used between January 1 of the year the right was conveyed and the date of conveyance: see list acre feet. 1996: 1903.53 1998: 232.97 (Jan 1-Mar 31)
1997: 1521.92 (1995: land leased to DART PROPERTIES pending completion of sale - usage 1379.6)
5. Wells serving this right:
2 owned wells (Indicate DWR well registration numbers below:
55- 619753 55- 619752 55- 55-
 non-owned, non-district wells (Indicate DWR well registration numbers below):
55- 55- 55- 55-

RECEIVED

MAY 4 1998

PINAL AMA

SELLER/GRANTOR (Print or Type)	BUYER/GRANTEE (Print or Type)
NAME <u>G. Scott Simpson Revocable</u> <u>Living Trust</u> <u>Thome Limited Partnership</u>	NAME <u>DART PROPERTIES, LLC</u>
ADDRESS <u>Daryl A. Wolfswinkel</u> <u>c/o 2084 E. Southern Avenue</u> <u>#G-101</u> <u>Tempe, AZ 85282</u>	ADDRESS <u>c/o PO Box 164</u> <u>Sacaton, AZ 85247</u>
	PHONE <u>520-421-0328</u>

Terry F. Button 4/1/98
BUYER'S SIGNATURE DATE
Managing Member

If you have questions regarding this matter, please phone the appropriate Active Management Area office: Phoenix (602) 417-2465; Prescott (520) 778-7202; Pinal (520) 836-4857; Tucson (520) 628-6758; Santa Cruz (520) 761-1814.



RAMONA FARMS
P.O. BOX 159 520-418-3642
SACATON, AZ 85247

BANK OF AMERICA
BANK OF AMERICA ARIZONA
HOME OFFICE 001
PHOENIX, AZ 85003
91-170-1221

32001

*****35 DOLLARS AND 00 CENTS

DATE 04/17/98 AMOUNT *****35.00

Arizona Dept. Of Water Resource
1000 E. Racine Place

Casa Grande AZ 85222

RAMONA L OR TERRY F. BUTTON

ARIZONA DEPARTMENT OF WATER RESOURCES

NOTIFICATION OF CHANGE OF OWNERSHIP OF AN IRRIGATION GRANDFATHERED
RIGHT AND CHANGE OF WELL OWNERSHIP

INSTRUCTIONS

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RECEIVED

MAY - 4 1998

PINAL AMA

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1997: 1521.92 (1995: land leased to DART PROPERTIES pending completion of sale-usage:1379.6)
5. Wells serving this right:
2 owned wells (indicate DWR well registration numbers below):

55- 61975355- 619752

55- _____

55- _____

_____ non-owned, non-district wells (indicate DWR well registration numbers below):

55- _____

55- _____

55- _____

55- _____

SELLER/GRANTOR
(Print or Type)BUYER/GRANTEE
(Print or Type)

NAME G. Scott Simonton Revocable
Living Trust
Thorne Limited Partnership
ADDRESS Daryl A. Wolfswinkel
c/o 2084 E. Southern Avenue
#G-101
Tempe, AZ 85282

NAME DART PROPERTIES, LLC
ADDRESS c/o PO Box 164
Sacaton, AZ 85247
PHONE 520-421-0328

Jerry H. Butler
BUYER'S SIGNATURE
Managing Member

4/1/98
DATE

If you have questions regarding this matter, please phone the appropriate Active Management Area office: Phoenix (602) 417-2465; Prescott (520) 778-7202; Pinal (520) 836-4857; Tucson (520) 628-6758; Santa Cruz (520) 761-1814.

When Recorded, Return to: 1996-007951

(Return to Hawkins & Campbell via 24-Hr. Turnaround)

ROBERTS & ROWLEY, LTD.

63 East Main Street

Suite 501

Mesa, Arizona 85201-7417

OLD REPUBLIC TITLE AGENCY

587

03-008,100 (56)



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
KATHLEEN C. FELIX

DATE: 03/06/96 TIME: 1533
FEE : 12.00
PAGES: 3
FEE NO: 1996-007951

SPECIAL WARRANTY DEED

For and in consideration of TEN AND NO/100 DOLLARS, and other valuable considerations, G. SCOTT SIMONTON, Trustee of the G. SCOTT SIMONTON REVOCABLE LIVING TRUST, THOME LIMITED PARTNERSHIP, an Arizona limited partnership and DARYL A. WOLFSWINKEL, a single man (collectively, the "Grantor") do hereby convey to DART PROPERTIES, L.L.C., an Arizona limited liability company (the "Grantee"), certain real property situated in Pinal County, Arizona and more particularly described on the attached Exhibit A.

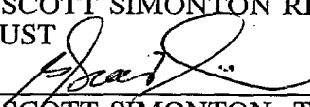
SUBJECT TO: Existing taxes, assessments, reservations in patents, encumbrances, covenants, conditions, restrictions, rights-of-way, and easements, as may appear of record.

And the Grantor binds itself and its successors to warrant the title as against its acts and none other, subject to the matters above set forth. No other covenants or warranties, express or implied are given by this Special Warranty Deed.

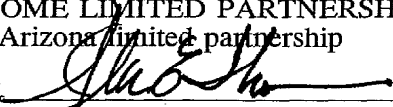
DATED: February 29, 1996.

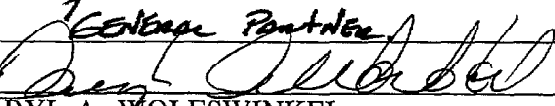
GRANTOR:

G. SCOTT SIMONTON REVOCABLE LIVING TRUST


G. SCOTT SIMONTON, Trustee

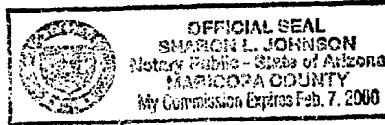
THOME LIMITED PARTNERSHIP,
an Arizona limited partnership

By: 

Its: 

DARYL A. WOLFSWINKEL

STATE OF ARIZONA)
) ss.
 County of Maricopa)



The foregoing instrument was acknowledged before me on February 29, 1996, by
G. Scott Simonton, Trustee of the *G. Scott Simonton Revocable Living Trust*.

Sharon L. Johnson
 Notary Public

My Commission Expires:

2/7/2000

STATE OF ARIZONA)
) ss.
 County of Maricopa)



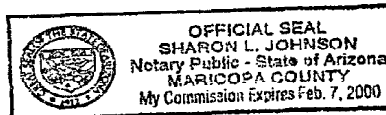
The foregoing instrument was acknowledged before me on February 29, 1996, by
Alan E. Thome, the *General Partner* of *Thome Limited Partnership*, an
 Arizona limited partnership.

Sharon L. Johnson
 Notary Public

My Commission Expires:

2-7-2000

STATE OF ARIZONA)
) ss.
 County of Maricopa)



The foregoing instrument was acknowledged before me on February 29, 1996, by
Daryl A. Wolfswinkel.

Sharon L. Johnson
 Notary Public

My Commission Expires:

2-7-2000

1996-007951

Escrow No.: 03-008.100

LEGAL DESCRIPTION

PARCEL NO. 1: (J)

All of the Southwest quarter of Section 4, Township 6 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

PARCEL NO. 2: (K)

A portion of the South half of Section 5, Township 6 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, being more particularly described as follows:

BEGINNING at the Southeast corner of Government Lot 9 said Section 5; thence Southerly along the East line of said Section 5 to the Southeast corner of said Section 5; thence Westerly along the South line of said Section 5 to a point located on the centerline of a right of way described in that document recorded in Docket 715, page 294, records of Pinal County, Arizona; thence Northerly along said centerline to a point on the North line of the South half of said Section 5; thence Easterly along said North line to the POINT OF BEGINNING.

PARCEL NO. 3: (L)

All of Government Lots 5, 6, 11 and 12, Section 4, Township 6 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

PARCEL NO. 4: (M)

All of Government Lots 8, 9 and 13 together with portions of Government Lots 7, 10 and 14, Section 5, Township 6 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described as follows:

BEGINNING at a point on the South line of Tract 49, Townships 5 and 6 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, said point lying 451.23 feet Westerly of the Southeast corner of said Tract 49, said point being the Northeast corner of Government Lot 13; thence Southerly along the East line of said Section 5 to the Southeast corner of Lot 9, Section 5; thence Westerly along the East-West mid-section line of said Section 5 to a point on the centerline of the right of way recorded in Docket, page 297, records of Pinal County, Arizona; thence Northerly along the said centerline to a point on the South line of said Tract 49; thence Easterly along said South line of Tract 49 to the POINT OF BEGINNING.

PINAL AMA

CERTIFICATE TRACKING FORM

GFR #: 58-109254

#ACRES 2387

TYPE: IGR

GENERATION

1

2387 IGR
58-109254.0001

2

2236 IGR
58-109254.0002

151 IGR
58-109254.0003

3

1317 IGR
58-109254.0004

713 IGR
58-109254.0005

179 IG
58-109254.0006

4

27 IGR
58-109254.0007

855 550
58-109254.0008
Dent Prop 3/99

163
58-109254.0009
Robert Holdings 3/99

5

27 Ac IGR
58-109254.0010
Matheson 08/95