

OK JC 6-11-04
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MAY 19 2004

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

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

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MAY 27 2004
Department of Water Resources

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
35-7784					
35-2595					
35-2575					
35-2501					

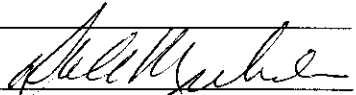
2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights(s) or claims(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 your water rights(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
Cannon-Shelley Property Limited Partnership
1470 N. 750 E., Shelley, ID 83274
4. New Owner/Claimant(s)
Mickelsen Properties, LLC
Name connector (check one): ☐ and ☐ or, ☐ and/or
New Mailing Address
PO Box 438
City, State and ZIP Code
Rigby, ID 83442
New Telephone Number
745-6626
5. Date you acquired the property
May 23, 2003

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) _____
(include title if applicable) DALE MICKELSEN
Mark Mickelsen, Managing Member 

For Snake River Basin Adjudication Claims: Please attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

For Office Use Only

Received by jc Date 5-21-04 Fee \$100 -
Received by jc Date 5-21-04 Receipt No. E029858
Processed by _____ Date _____ WR _____ Date _____

← collected fees in error
Requested refund on 6-8-04
jc

Instrument # 322880

RIGBY, JEFFERSON, IDAHO

2003-05-23 03:20:00 No. of Pages: 5

Recorded for : BONNEVILLE LAND & TITLE

CHRISTINE BOULTER

Fee: 15.00

Ex-Officio Recorder Deputy
Index to: WARRANTY DEED

BCT TJ-19881A

322880

WARRANTY DEED

THIS INDENTURE is made this 23rd day of May, 2003, by CANNON SHELLEY PROPERTY LIMITED PARTNERSHIP, an Idaho limited partnership having as its general partners Alan N. Cannon, Jr. and Katherine B. Cannon, husband and wife, and Seth Alan Cannon, the "Grantor", to MICKELSEN PROPERTIES, LLC, an Idaho limited liability company, whose mailing address is 1050 W. Riverman Dr., IF, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described real property in the County of Jefferson, State of Idaho, to-wit:

Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho.

Section 28: SE $\frac{1}{4}$
E $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at a point that is South 400.5 feet from the Northwest corner of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 28, Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho; running thence N52°E 339.7 feet; thence S28°42'E 138.5 feet; thence S54°15"W 411.8 feet; thence North along the section line 153 feet to the point of beginning.
- b. That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, lying North and West of a certain Irrigation Ditch, being more particularly described as follows:

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ASSESSOR

For PLATTING

Date 5/23/03 Time 3:20

Beginning at the Northwest corner of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 28; thence Easterly along the existing fence 412.0 feet to the Northwest bank of said Irrigation Ditch; thence Southwesterly along said ditch bank 534.7 feet; thence North 349.7 feet to the point of beginning.

Section 33: All

Section 34: Beginning at the Southeast corner of said Section 34, Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho; running thence North 300 feet; thence West 930 feet; thence South 300 feet; thence East 930 feet to the point of beginning.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. Beginning at the Southeast corner of Section 34, Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho; running thence North 24 feet; thence N89°01'29"W 940.136 feet; thence South 40 feet to the South line of said Section 34; thence East along the South line of said Section 34 a distance of 940 feet to the point of beginning.

SUBJECT TO the following:

1. Liens of taxes and assessments not yet due and payable.
2. Rights reserved in federal patents, state or railroad deeds.
3. All existing easements or claims of easements, rights-of-way, protective covenants, and other matters of record.
4. All zoning ordinances, any applicable building codes, laws and regulations.

5. All encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.
6. Agreements for the providing of electrical power.

TOGETHER with all pumps, motors, electrical control panels, mainline, associated water rights, and irrigation equipment, including but not limited to:

6	Pivots
Approximately 10	Handlines (¼ mile)
3	Pumps

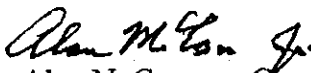
ALSO TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof, subject to the matters set forth above.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

CANNON SHELLEY PROPERTY
LIMITED PARTNERSHIP

By: 
Alan N. Cannon, General Partner

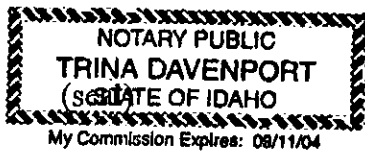
By: Katherine B. Cannon
Katherine B. Cannon, General
Partner

By: Seth A. Cannon
Seth Alan Cannon, General Partner

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 23 day of May, 2003, before me the undersigned, a notary public in and for said State, personally appeared Alan N. Cannon, known or identified to me to be one of the general partners in the limited partnership of Cannon Shelley Property Limited Partnership, and the general partner or one of the general partners who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that such general partner executed the same in said limited partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

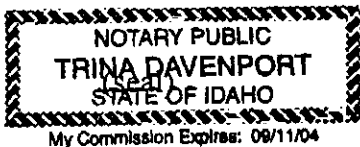


Davenport
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 9/11/2004

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 22 day of May, 2003, before me the undersigned, a notary public in and for said State, personally appeared Katherine B. Cannon, known or identified to me to be one of the general partners in the limited partnership of Cannon Shelley Property Limited Partnership, and the general partner or one of the general partners who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that such general partner executed the same in said limited partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

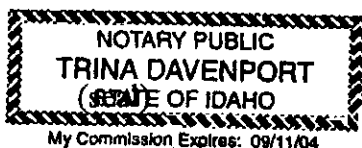


Trina Davenport
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 9/11/2004

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 23 day of May, 2003, before me the undersigned, a notary public in and for said State, personally appeared Seth Alan Cannon, known or identified to me to be one of the general partners in the limited partnership of Cannon Shelley Property Limited Partnership, and the general partner or one of the general partners who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that such general partner executed the same in said limited partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Trina Davenport
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 9/11/2004

G:\WPDATA\CAH\8474\Cannon,Mickelsen,50803 Jefferson.wd.frm

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

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Arthur W. Holden
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Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

*Also Licensed in Utah and Arizona
**Also Licensed in Missouri & Kansas

May 18, 2004

Idaho Department of Water Resources
Attn: Jennifer Crabtree
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Re: Notice of Change of Ownership - Mickelsen Properties, LLC

Dear Jennifer:

We are enclosing with this letter a Notice of Change of Water Right Ownership on behalf of Mickelsen Properties, LLC, for water rights numbers 35-7784, 35-2595, 35-2575 and 35-2501.

Also enclosed is our check in the amount of \$100.00 for the filing fee. Thank you for your kind assistance in this matter.

Yours very truly,



Kent W. Foster

Enclosures

