

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

APR 30 2020

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
43-10207	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	43-13538	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
43-10208	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
43-10209	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
43-10210	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
43-10362	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Donald F. Johnson and Terri Johnson  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Millenkamp Properties, L.L.C.  
New owner(s) as listed on the conveyance document Name connector  and  or  and/or

471 N 300 W Jerome ID 83338  
Mailing address City State ZIP

bill@millenkamp.com  
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: April 1, 2020

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
- \$25 per *undivided* water right.
  - \$100 per *split* water right.
  - No fee is required for pending adjudication claims.
- If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA  
IN FILE # 43-10207

8. Signature: [Signature] Member 4/1/2020  
Signature of new owner/claimant Title, if applicable Date

Signature: \_\_\_\_\_ Title, if applicable Date

**For IDWR Office Use Only:**  
Received by [Signature] Date 4-30-2020 Receipt No. 5037902 Receipt Amt. \$150-

Active in the Water Supply Bank? Yes  No  If yes, forward to the State Office for processing W-9 received? Yes  No

Name on W-9 \_\_\_\_\_ Approved by \_\_\_\_\_ Processed by [Signature] Date 6-16-20

Recording Requested by:

Givens Pursley LLP  
Attn: L. Edward Miller  
601 W. Bannock Street  
Boise, Idaho 83702  
20357229

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

## WARRANTY DEED

FOR VALUE RECEIVED, Donald F. Johnson and Terri A. Johnson, also shown of record as Terri Johnson, a <sup>husband and wife</sup> married couple, and Sunset Ranch, Inc., an Idaho corporation, whose address is 506 Riverside Dr., P.O. Box 761, Burley, Idaho 83318 (together, "**Grantor**"), does hereby grant, bargain, sell, and convey unto Millenkamp Properties, L.L.C., an Idaho limited liability company whose current mailing address is 431 North 300 West, Jerome, Idaho 83338 ("**Grantee**"), the following described real property, located in Cassia County, Idaho:

See Exhibit 1, attached hereto and made a part hereof.

TOGETHER WITH all appurtenances, easements, rights of access, fixtures, buildings, and improvements located thereon and all of Grantor's right, title, and interest in and to any and all water and water rights (represented by license, decree, permit or otherwise), including but not limited to water rights nos. 43-10207, 43-10208, 43-10209, 43-10210, 43-10362, and 43-13538, any and all wells, well rights, permits, and licenses, ditches and ditch rights, storage and storage rights, including all such rights represented by shares in any ditch, canal, or irrigation company, and any other rights in and to water; all minerals, privileges, and other rights appurtenant thereto; streets, alleys, and rights of way adjacent thereto; all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining to; the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the Property, as well in law as in equity (together, the "**Property**").

TO HAVE AND TO HOLD the Property unto Grantee, its successors and assigns forever, subject to all taxes and other assessments not yet due and payable and to only the matters set forth on Exhibit 2, attached hereto and incorporated herein by this reference (the "**Permitted Exceptions**").

AND GRANTOR does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Property; that Grantor has the right to convey fee simple title to the Property; that the Property is free from any and all liens, claims, encumbrances, and other defects of title except the Permitted Exceptions; that Grantor shall and will warrant and defend the quiet and peaceful possession of said Property by Grantee, and its successors and assigns forever, against all claims whatsoever.

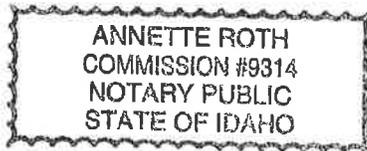
*[signature page follows]*



STATE OF IDAHO )  
 )  
 ) : ss.  
County of Cassia )

On this 1<sup>st</sup> day of April, 2020, before me, the undersigned a notary public in and for the State of Idaho, personally appeared **Terri A. Johnson**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

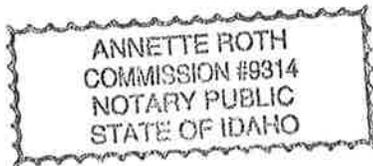


Annette Roth  
Notary Public for Idaho  
Residing at: Rupert, ID  
My commission expires: 08/04/2023

STATE OF IDAHO )  
 )  
 ) : ss.  
County of Cassia )

On this 1<sup>st</sup> day of April, 2020, before me, a Notary Public in and for the State of Idaho, personally appeared **Donald F. Johnson**, known or identified to me to be the President of **Sunset Ranches, Inc.**, an Idaho corporation, who subscribed said corporation's name to the foregoing instrument, and acknowledged to me that he executed the same in said corporation's name.

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



Annette Roth  
Notary Public for Idaho  
Residing at: Rupert, ID  
My commission expires: 08/04/2023

**EXHIBIT 1**

**LEGAL DESCRIPTION**

**PARCEL NO. 1:  
TOWNSHIP 12 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO**

- Section 2: W $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 3: SE $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 4: All
- Section 9: SW $\frac{1}{4}$
- Section 10: All
- Section 11: W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 13: W $\frac{1}{2}$ , W $\frac{1}{2}$ E $\frac{1}{2}$
- Section 14: All
- Section 15: All

**TOWNSHIP 12 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO**

Section 3: Lots 2, 3, 4 and W $\frac{1}{2}$ SW $\frac{1}{4}$

SAVE AND EXCEPT, the following described property:

Part of Lot 4, more particularly described as follows:

Beginning at the Northwest corner of said Section 3, said corner marked by a U.S. General Land Office pipe with cap; Thence South 89°27'00" East along section line for 42.58 feet to a  $\frac{1}{2}$  inch rebar which shall be the POINT OF BEGINNING;  
Thence South 89°27'00" East along section for 228.35 feet to a  $\frac{1}{2}$  inch rebar;  
Thence South 2°34'06" West for 238.97 feet to a  $\frac{1}{2}$  inch rebar;  
Thence North 88°01'42" West for 212.97 feet to a  $\frac{1}{2}$  inch rebar in the center of a gravel road;  
Thence North 0°40'58" West along the center of said road for 233.59 feet to the POINT OF BEGINNING.

**PARCEL NO. 2:  
TOWNSHIP 12 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO**

Section 3: Part of Lot 4, more particularly described as follows:

Beginning at the Northwest corner of said Section 3, said corner marked by a U.S. General Land Office pipe with cap; Thence South 89°27'00" East along section line for 42.58 feet to a  $\frac{1}{2}$  inch rebar which shall be the POINT OF BEGINNING;  
Thence South 89°27'00" East along section for 228.35 feet to a  $\frac{1}{2}$  inch rebar;  
Thence South 2°34'06" West for 238.97 feet to a  $\frac{1}{2}$  inch rebar;  
Thence North 88°01'42" West for 212.97 feet to a  $\frac{1}{2}$  inch rebar in the center of a gravel road;  
Thence North 0°40'58" West along the center of said road for 233.59 feet to the POINT OF BEGINNING.

**PARCEL NO. 3:**  
**TOWNSHIP 12 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,**  
**CASSIA COUNTY, IDAHO**

Section 9: E $\frac{1}{2}$

**PARCEL NO. 4:**  
**TOWNSHIP 11 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,**  
**CASSIA COUNTY, IDAHO**

Section 35: SE $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{4}$ SE $\frac{1}{4}$

Section 34: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  more particularly described as follows:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 34, the TRUE POINT OF BEGINNING;  
Thence North along the West boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 34 for 400 feet;  
Thence East along a line parallel to the South boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 34 for 600 feet;  
Thence South 400 feet to the South boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 34;  
Thence West along the South boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 34 for 600 feet to the POINT OF BEGINNING.

**EASEMENT NO. 1:**

A 25 foot easement for ingress and egress to the E $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 35, Township 11 South, Range 28 East, Boise Meridian and for Section 36, Township 11 South, Range 28 East Boise Meridian, as reserved in Warranty Deed dated April 1, 1986 and recorded May 8, 1986 as Instrument No. 176224 on Film No. 180, records of Cassia County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of the E $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 34, Township 11 South, Range 28 East Boise Meridian;  
Thence East along the North boundary of Section 3, Township 12 South, Range 28 East of the Boise Meridian to a point that is 25 feet West of the Northeast corner of said Section 3;  
Thence South 25 feet;  
Thence East 25 feet to the East boundary of said Section 3;  
Thence continuing East and 25 feet South of the North boundary of Section 2, Township 12 South, Range 28 East, Boise Meridian, to the East boundary of said Section 2;  
Thence North 25 feet to the Northeast corner of said Section 2;  
Thence West along the North boundary of said Section 2 to the Northwest corner of said Section 2;  
Thence North 25 feet;  
Thence West to the West boundary of the E $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 34, Township 11 South, Range 28 East Boise Meridian;  
Thence South 25 feet to the POINT OF BEGINNING.

And all water rights appurtenant to the above-described real property, including but not limited to water rights nos. 43-10207, 43-10208, 43-10209, 43-10210, and 43-13538.

**EXHIBIT 2**

**Permitted Exceptions**

1. Taxes, including any assessments collected therewith, for the year 2020 which are a lien not yet due and payable.
2. The land described herein is located within the boundaries of Raft River Ground Water District and is subject to any assessments levied thereby.
3. Agreement for Easement and Right of Way, between R.C. Wake, as Grantor, and the United States of America, as Grantee, dated May 8, 1942 and recorded November 10, 1942 as Instrument No. 143282 in Book 7 of Bills of Sale and Agreements on Page 27, records of Cassia County, Idaho. (Covers Section 4, Township 12 South, Range 28 East of the Boise Meridian).

When Recorded Return To:

Givens Pursley LLP  
Attn. L. Edward Miller  
601 W Bannock St  
Boise, Idaho 83702

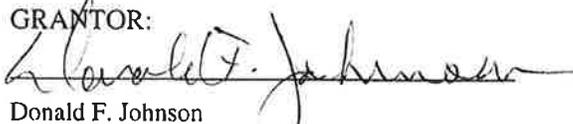
SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**WATER RIGHT QUITCLAIM DEED**

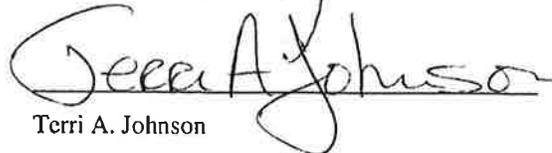
FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, Donald F. Johnson and Terri A. Johnson, also shown of record as Terri Johnson, a married couple, and Sunset Ranch, Inc., an Idaho corporation, whose address is 506 Riverside Dr., P.O. Box 761, Burley, Idaho 83318 (together, "Grantor"), do hereby convey, release, remise, and forever quitclaim unto Millenkamp Properties, L.L.C., an Idaho limited liability company whose current mailing address is 431 North 300 West, Jerome, Idaho 83338 ("Grantee"), all of Grantor's right, title, and interest in and to that certain decreed water right identified as no. 43-10565 in the records of the Idaho Department of Water Resources.

IN WITNESS WHEREOF, the undersigned has caused their name to be hereunto subscribed this 1st day of April, 2020.

GRANTOR:

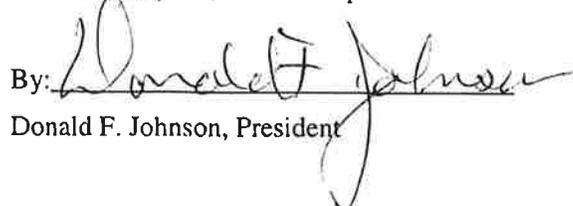
  
Donald F. Johnson

Donald F. Johnson

  
Terri A. Johnson

Terri A. Johnson

Sunset Ranch, Inc., an Idaho corporation

By:   
Donald F. Johnson, President

Donald F. Johnson, President

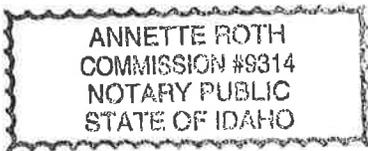
STATE OF IDAHO )

:ss.

County of Cassia )

On this 1<sup>st</sup> day of April, 2020, before me, the undersigned a notary public in and for the State of Idaho, personally appeared **Donald F. Johnson**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Annette Roth  
Notary Public for Idaho  
Residing at: Rupert, ID  
My commission expires: 08/04/2023

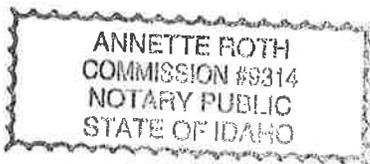
STATE OF IDAHO )

:ss.

County of Cassia )

On this 1<sup>st</sup> day of April, 2020, before me, the undersigned a notary public in and for the State of Idaho, personally appeared **Terri A. Johnson**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



Annette Roth  
Notary Public for Idaho  
Residing at: Rupert, ID  
My commission expires: 08/04/2023

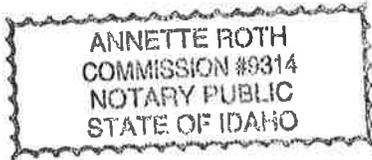
STATE OF IDAHO )

:ss.

County of *Cassia* )

On this 1<sup>st</sup> day of April, 2020, before me, a Notary Public in and for the State of Idaho, personally appeared **Donald F. Johnson**, known or identified to me to be the President of **Sunset Ranches, Inc.**, an Idaho corporation, who subscribed said corporation's name to the foregoing instrument, and acknowledged to me that he executed the same in said corporation's name.

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



*Annette Roth*  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at: Rupert, ID  
My commission expires: 08/04/2023



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858  
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

June 16, 2020

MILLENKAMP PROPERTIES LLC  
471 N 300 W  
JEROME ID 83338-5078

Re: Change in Ownership for Water Right No(s): 43-10207, 43-10208, 43-10209, 43-10210, 43-10362, and 43-13538

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

Additionally, a quitclaim deed for right 43-10565 (stockwater, 0.04 cfs, ground water) was enclosed, but not listed on the Notice. The current owner for this right in our database is the State of Idaho, Department of Lands, and it was decreed to the same entity. The quitclaim is not sufficient to change ownership of that right as the listed owner is not the entity named on the deed. No fee was paid for the change on that right, so no refund is forthcoming.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9909.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Bitzenburg'.

Jim Bitzenburg  
Senior Water Resource Agent

Enclosure(s)

CC: TitleOne, Jerome- File #20357229



**TitleOne**  
a title & escrow co.

RECEIVED

APR 30 2020

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

237 N. Lincoln  
Jerome, ID 83338  
Ph. (208) 324-5613  
Fx. (866) 310-3443  
www.titleonecorp.com

Idaho Dept of Water Resources  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301

Date: April 10, 2020

Re: Escrow No. 20357229 ~ Millenkamp Properties, L.L.C., an Idaho limited liability company

In connection with the above referenced transaction, I am enclosing the following:

- Check No. 26540 in the amount of \$150.00
- Notice if Change in Water Right Ownership
- Copy of the recorded Warranty Deed, Instrument No. 2020-001502, Cassia County, Idaho

Once transfer is complete, please provide confirmation to my attention at TitleOne, 237 N. Lincoln, Jerome, ID 83338. If you have any questions, please do not hesitate to contact me.

Sincerely,

Laury Jo Lamb  
(208) 324-5613  
llamb@titleonecorp.com