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DEC 05 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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OCT 16 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

1. List the ~~number~~ 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?
47- ~~14720~~	Yes ☐	Yes ☐		Yes ☐	Yes ☐
14270	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kelley's Canyon Orchard LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Millenkamp Properties II LLC
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
- 208-324-2350 _____
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: 10/9/2018
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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.

8. Signature: [Signature] Managing Member 10/5/18
 Signature of new owner/claimant Title, if applicable Date

Signature: _____
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by AM Date 10.16.2018 Receipt No. 5036998 Receipt Amt. \$25-

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 2-4-19



TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE - BURLEY
12:20:17 PM 10-09-2018
2018015943
NO. PAGES 6 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CA
Electronically Recorded by Simplifile

Order Number: 18315319

WARRANTY DEED

For Value Received,

Kelley's Canyon Orchard, LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain sell and convey unto, Millenkamp Properties II LLC, an Idaho limited liability company, whose current address is 471 N 300 W, Jerome, ID 83338, the Grantee, the following described premises, in Twin Falls County, Idaho, To Wit:

Part of Lots 7, 8, 9, 11, 12, 13 and 14, of Section 9, Township 9 South, Range 15 East Boise Meridian, and part of Lot 12 of Section 4, Township 9 South, Range 15 East Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Beginning at the Meander corner on the South bank of the Snake River lying on the section line common to Sections 9 and 10 of Township 9 South, Range 15 East Boise Meridian, said corner being marked by a U.S. General Land Office pipe with brass cap;
Thence South 00°10'20" West along the Section line common to Sections 9 and 10 for 427.10 feet to a point on the North side of the Upper Brandon Ditch which shall be THE POINT OF BEGINNING;
Thence South 00°10'20" West along section line for 433.61 feet to a ½ inch rebar on the South rim of the Snake River Canyon;
Thence North 76°23'56" West (North 76°25' West rec.) along said canyon rim for 223.07 feet (223 feet rec.) to a ½ inch rebar;
Thence North 70°29'12" West (North 70°40' West rec.) along said canyon rim for 159.73 feet (160 feet rec.) to a ½ inch rebar;
Thence North 74°43'47" West (North 75°02' West rec.) along said canyon rim for 584.51 feet (585 feet rec.) to a point;
Thence South 87°33'41" West (South 87°16' West rec.) along said canyon rim for 676.63 feet (677 feet rec.) to a point;
Thence South 81°38'59" West (North 81°57' West rec.) along said canyon rim for 853.57 feet (854 feet rec.) to a point;
Thence South 81°00'27" West (South 80°43' West rec.) along said canyon rim for 780.55 feet (781 feet rec.) to a point;
Thence North 77°19'51" West (North 77°38' West rec.) along said canyon rim for 731.66 feet (732 feet rec.) to a point;
Thence North 21°59'03" West (North 22°18' West rec.) along said canyon rim for 340.01 feet (340 feet rec.) to a point;
Thence North 86°24'08" West (North 86°42' West rec.) along said canyon rim for 384.80 feet (385 feet rec.) to a point;

Thence North 61°45'47" West (North 62°07' West rec.) along said canyon rim for 134.92 feet to a ½ inch rebar at the Southeast corner of that property as deeded to Frank Strobel by Warranty Deed recorded 6 Oct. 1978, as Instrument No. 745567;

Thence North 00°41'23" West (North 00°55'00" West rec.) along the East line of the Strobel property for 1184.54 feet (1184.61 feet rec.) to a ½ inch rebar on the centerline of a county road also being the South line of the property as deeded to Associated McCullough Enterprises by Warranty Deed recorded 10 Oct. 1986 as Instrument No. 910242;

Thence on a curve to the left on the centerline of said county road Associated McCullough Enterprises property line for 440.12 feet to a point, said curve having a central angle of 8°09'06" and a radius of 3093.47 feet with a long chord bearing of North 69°54'35" East (North 69°40'43" East rec.) for a distance of 439.75 feet from the previous point;

Thence North 65°50'02" East (North 65°36'10" East rec.) along the centerline of said county road/Associated McCullough Enterprises property line for 573.60 feet to a point;

Thence on a curve to the right on the centerline of said county road/Associated McCullough Enterprises property line for 346.23 feet to a point, said curve having a central angle of 39°40'28" and a radius of 500.00 feet with a long chord bearing of North 85°40'15" East for a distance of 339.35 feet from the previous point;

Thence South 74°29'30" East (South 74°43'22" East rec.) along the center line of said county road/Associated McCullough Enterprises property line for 267.72 feet to a point;

Thence on a curve to the right on the centerline of said county road/Associated McCullough Enterprises property line for 238.60 feet to a point, said curve having a central angle of 13°40'16" and a radius of 1000.00 feet with a long chord bearing of South 67°39'22" East (South 67°53'13" East rec.) for a distance of 238.04 feet from the previous point;

Thence South 60°49'13" East (South 61°03'05" East rec.) along the centerline of said county road/Associated McCullough Enterprises property line for 54.35 feet to a point on the section line common to Sections 4 and 9;

Thence South 89°47'46" East (North 89°58'22" East rec.) along said section line for 55.16 feet to a meander corner on the South bank of the Snake River, said corner being marked by a U.S. General Land Office pipe with brass cap;

Thence South 69°09'42" East along the high water line of the Snake River for 107.56 feet to a point;

Thence South 36°50'03" East along said high water line for 324.38 feet to a point;

Thence South 28°01'36" East along said high water line for 188.40 feet to a point;

Thence South 71°51'23" East along said high water line for 266.27 feet to a point;

Thence South 85°01'19" East along said high water line for 128.00 feet to a point;

Thence South 77°56'56" East along said high water line for 186.93 feet to a point;

Thence South 70°15'54" East along said high water line for 277.05 feet to a point;

Thence South 3°16'00" West (South 2°49'21" West rec.) for 57.04 feet to a point on the North line of that property as deeded to William S. Slaughenhaupt by Warranty Deed recorded 6 June 1975 as Instrument No. 681182;

Thence North 68°21'57" West (North 68°43' West rec.) along the North line of the Slaughenhaupt property for 136.00 feet to a point;

Thence on a curve to the left along the North line of the Slaughenhaupt property for 35.00 feet to a ½ inch rebar, said curve having a central angle of 2°03'24.4" and a radius of 975.00 feet with a long chord bearing of North 69°23'39" West (North 69°44'42" West rec.) for a distance of 34.99 feet from the previous point;

Thence South 13°17'28" West (South 12°56'25" West rec.) along the West line of the Slaughenhaupt property for 266.15 feet (266.10 feet rec.) to a ½ inch rebar on the South side of an irrigation ditch known as the Lower Brandon Ditch, said point also being the Northwest corner of that property as deeded to Philip Smith by Warranty Deed recorded 6 Nov. 1978, as Instrument No. 613816;

Thence South 23°03'03" West (South 22°42' West rec.) along the West line of the Smith property for 429.47 feet to a ½ inch rebar on the North side of the Upper Brandon Ditch;

Thence North 85°47'05" East (North 85°23' East rec.) along the Smith property line on the North side of the Upper Brandon Ditch for 240.50 feet (240.0 feet rec.) to a point;
Thence South 46°41'06" East (South 47°03' East rec.) along the Smith property line on the North side of the Upper Brandon Ditch for 197.00 feet to a point;
Thence North 65°36'54" East (North 65°15' East rec.) along the Smith property line on the North side of the Upper Brandon Ditch for 93.80 feet to a point;
Thence North 88°11'54" East (North 87°50' East rec.) along the Smith property line on the North side of the Upper Brandon Ditch for 446.20 feet to a point;
Thence South 68°30'06" East (South 68°52' East rec.) along the Smith property line on the North side of the Upper Brandon Ditch for 224.60 feet to a point;
Thence South 69°48'06" East (South 70°10' East rec.) along the Smith property line on the North side of the Upper Brandon Ditch for 417.00 feet to a point;
Thence South 70°34'06" East (South 70°56' East rec.) along the Smith property line on the North side of the Upper Brandon Ditch for 420.00 feet to THE POINT OF BEGINNING.

SUBJECT TO an existing county road right of way along the Northern most line of the above described property being noted in the description as road centerline.

TO HAVE AND TO HOLD the said premises, together with all improvements thereon and all tenements, hereditaments and appurtenances belonging to, or in any way appertaining to, said premises (including, without limitation, all water and water rights and ditch, canal or irrigation company shares associated therewith) unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to (i) all existing patent reservations, easements, right(s) of way, and protective covenants as may appear of record, shown on the recorded plat of, if any, or visible from a physical inspection of, the premises, (ii) zoning ordinances, and applicable building codes, laws and regulations, (iii) general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and (iv) other permitted exceptions contained in the Attached Exhibit "A", and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

Dated: 10/01/2018

Kelley's Canyon Orchard, LLC, an Idaho limited liability company

By: _____
Robin Kelley Rausch, Manager

By: _____
Gretchen Kelley Bietz, Manager

State of Idaho, County of _____, ss.

On this _____ day of October 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Robin Kelley Rausch, known or identified to me to be a manager of the limited liability company that executed the within instrument and acknowledged to me that she executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

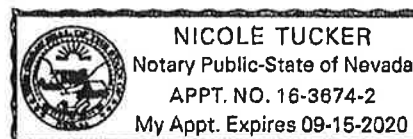
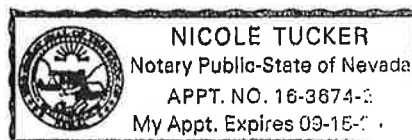
Notary Public for Idaho
Residing In: _____
My Commission Expires: _____

State of Nevada, County of Washoe, ss.

On this 2nd day of October 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Gretchen Kelley Bietz, known or identified to me to be a manager of the limited liability company that executed the within instrument and acknowledged to me that she executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Notary Public for Idaho
Residing In: Reno, NV
My Commission Expires: 9/15/20



Dated: 10/01/2018

Kelley's Canyon Orchard, LLC, an Idaho limited liability company

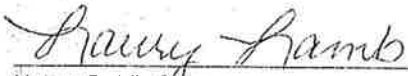
By: 
Robin Kelley Rausch, Manager

By: _____
Gretchen Kelley Bietz, Manager

State of Idaho, County of Jerome, ss.

On this 5th day of October 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Robin Kelley Rausch, known or identified to me to be a manager of the limited liability company that executed the within instrument and acknowledged to me that she executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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


Notary Public for Idaho
Residing In: Jerome, ID
My Commission Expires: 4/2/2022



State of _____, County of _____, ss.

On this _____ day of October 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Gretchen Kelley Bietz, known or identified to me to be a manager of the limited liability company that executed the within instrument and acknowledged to me that she executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Notary Public for Idaho
Residing In: _____
My Commission Expires: _____

EXHIBIT "A"
Permitted Exceptions

Taxes, including any assessments collected therewith, for the year 2018 which are a lien not yet due and payable.

Terms, conditions, easements and, obligations, if any, contained in Pipeline Easement by and between Robert Maxwell, Jr. and Bulah Maxwell, husband and wife and Robert M. Maxwell, III and Julie Ann Maxwell, husband and wife.

Recorded: September 21, 1971

Instrument No: 624722

An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: November 11, 1971

Instrument No.: 626469

Easement in favor of the Buhl Highway District by Right of Way

Recorded: March 8, 1972

Instrument No.: 647029

All matters, and any rights, easements, interests or claims as disclosed by Survey recorded June 1, 1987 as Instrument No. 922643.

An easement and rights incidental thereto as set forth in document.

Granted to: Buhl Highway District and its successors and assigns

Recorded: April 11, 1994

Instrument No.: 1994006326

Any claim arising from the difference in the mean high water line of the Snake River and the meander line as shown by the Government Survey.

AND, without acknowledgment by Grantee of any right, title or interest of any person which might arise out of the following matters:

Any easement asserted by Jacob Higley or his successor in interest on behalf of the adjacent property with an address of 1785 River Road, Buhl, Idaho with respect to a pipeline to convey spring water from the premises.

Any interest asserted by the owner or owners of property adjacent to the southeast corner of the premises on the canyon rim.

Any easement or interest in the premises asserted by Philip Smith Jr. or his successor in interest on behalf of the adjacent property pursuant to an April 8, 2015, consent to move the point of diversion for water and install a penstock pipe for a micro hydro generator.

END
R/L



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 04, 2019

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

Re: Change in Ownership for Water Right No(s): 47-4290, 47-7232, 47-14270, 47-17334 & 47-17335
Assignment of Permit for Water Right No. 47-17665 & 47-17666

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.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: TitleOne



RECEIVED

DEC 05 2018

DEPARTMENT OF
WATER RESOURCES

237 N. Lincoln
Jerome, ID 83338
Ph. (208) 324-3357
Fx. (866) 310-3443
www.titleonecorp.com

RECEIVED

OCT 16 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
Attn: Trish Fawcett
650 Addison Ave. W., Suite 500
Twin Falls, ID. 83301-5858

Date: October 12, 2018

Re: Escrow No. – 18315319 – Kelley's Canyon Orchard / Millenkamp

Dear Trish,

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

- Check in the amount of \$25.00
- IDWR Notice of Change in Water Right Ownership
- Copy of Recorded Warranty Deed

If you have any questions, please do not hesitate to contact me.

Sincerely,

Jess Davies
(208) 881-0753
jdavies@titleonecorp.com



Laury Lamb
Senior Escrow Officer

237 N Lincoln
Jerome, ID 83338
p: 208.324.3357
f: 866.310.3443
e: llamb@TitleOneCorp.com
www.titleonecorp.com