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NOV 13 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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MAY 03 2005

DEPARTMENT OF
WATER RESOURCES

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

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
36-2070F		—	36-7529A	36-16872	✓
36-2070H	36-16953	✓	36-7529B	36-16873	✓
36-2070J	36-16870	✓	36-11893	36-16955	✓
36-2070K	36-16871	✓	36-7529A	36-16954	✓
_____	_____	—	_____	_____	—

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) Mack Neibaur
511 West, 1200 North, Paul, Idaho 83347
4. New Owner/Claimant(s) Mitchell D. Neibaur and Rachel H. Neibaur
Name Connector (Check one) ☒ and, [] or, [] and/or
- New Mailing Address 495 West, 1200 North
- City, State and ZIP Code Paul, Idaho 83347
- New Telephone Number 208) 431 4240
5. Date you acquired the property April 1, 2004

SUPPORT DATA

IN FILE # 36-2070F

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)
- Mitchell D. Neibaur*
Mitchell D. Neibaur
- Rachel H. Neibaur*
Rachel H. Neibaur

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 <i>CM</i>	Date <i>5-3-05</i>	Fee <i>\$175.00</i>	<i>+200</i>
Receipted by <i>CM</i>	Date <i>5-3-05</i>	Receipt No. <i>CO-7717</i>	<i>5029318</i>
Processed by _____	AJ Date _____	WR _____	Date _____

RECEIVED

40142mc

NOV 13 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION
WARRANTY DEED

478061

FOR VALUE RECEIVED, the Estate of Mack W. Neibaur, deceased, and Edna H. Neibaur of 511 West 1200 North, Paul, Idaho 83347, the Grantor, does hereby grant, bargain, sell and convey unto Mitchell D. Neibaur and Rachel H. Neibaur, husband and wife, the Grantee, whose current address is 495 West 1200 North, Paul, Idaho 83347, the following described premises, located in Minidoka County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 26: NW¼

Together with the benefits and subject to the burdens of the Land Exchange and Well Use and Easement Agreement recorded April 18, 2002, as Instrument No. 458715, Minidoka County records and rights under Licenses of the Idaho Department of Water Resources for water which is appurtenant.

PARCEL NO. 2:

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 27: S½ together with rights under Licenses of the Idaho Department of Water Resources for water which is appurtenant.

PARCEL NO. 3:

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 34: N½ together with rights under Licenses of the Idaho Department of Water Resources for water which is appurtenant.

SAVE AND EXCEPT:

TRACT NO. 1:

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

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

Beginning at the Northeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 34;
Thence West along the North section line of said Section 34 330 feet;
Thence South parallel with the East section line of said Section 34 500 feet;
Thence East parallel with the North line of said Section 34 for 330 feet to a point on the East section line of said Section 34;
Thence North along the East section line for 500 feet to the True Point of Beginning.

TRACT NO. 2:

Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34 of Township 7 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the Northeast section corner of Section 34, said corner marked by a $\frac{5}{8}$ " rebar with a 3" aluminum cap on top; Thence South 00 degrees 01 minute 15 seconds East (South rec.) along the east section line for a distance of 500.00 feet to the Point of Beginning;

Thence South 00 degrees 01 minutes 15 seconds East continuing along said line for a distance of 493.17 feet;

Thence along a non-tangent curve to the left for a distance of 92.84 feet to a $\frac{1}{2}$ " rebar, said curve having a radius of 1376.10 feet and a central angle of 3°51'56" and a long chord bearing of North 15 degrees 38 minutes 44 seconds West for a distance of 92.82 feet;

Thence continuing along said curve to the left for a distance of 455.47 feet to a $\frac{1}{2}$ " rebar, said curve having a radius of 1376.10 feet and a central angle of 18°57'50" and a long chord bearing of North 27 degrees 03 minutes 37 seconds West for a distance of 453.39 feet;

Thence North 89 degrees 59 minutes 29 seconds East (East rec.) for a distance of 231.11 feet to the

Point of Beginning.

TRACT NO. 3:

Part of the NE~~1~~/~~4~~NE~~1~~/~~4~~ of Section 34 of Township 7 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the Northeast section corner of Section 34 of T.7 S., R. 23 E., B.M. said corner marked by a 5/8" rebar with a 3" aluminum cap on top; Thence South 89 degrees 59 minutes 29 seconds West (West rec.) along the north section line for a distance of 330.00 feet to the Point of Beginning.

Thence South 00 degrees 01 minutes 15 seconds East (South rec.) for a distance of 381.09 feet to a 1/2" rebar;

Thence along a non-tangent curve to the left for a distance of 652.17 feet to a 1/2" rebar, said curve having a radius of 1376.10 feet and a central angle of 27°09'50" and a long chord bearing of North 56 degrees 33 minutes 45 seconds West for a distance of 646.08 feet;

Thence continuing along said curve to the left for a distance of 80.04 feet to the north section line, said curve having a radius of 1376.10 feet and a central angle of 3°19'57" and a long chord bearing of North 71 degrees 48 minutes 21 seconds West for a distance of 80.03 feet;

Thence North 89 degrees 59 minutes 29 seconds East along said section line for a distance of 615.04 feet to the Point of Beginning.

To have and to hold the said premises with their appurtenances to the said Grantees, their heirs and assigns forever. And the Grantors do hereby covenant to and with the Grantees that Grantors are the owners in fee of said premises, that said premises are free from all encumbrances and that Grantors will warrant and defend the same from all lawful claims whatsoever.

DATED this 23rd day of March, 2005.

Estate of Mack W. Neibaur

By: Glen H. Neibaur
Glen H. Neibaur,
Co-personal representative

By: Elaine Blunck
Elaine Blunck
Co-personal representative

Edna H. Neibaur
Edna H. Neibaur

STATE OF Utah)
County of Salt Lake) ss.

On this 23 day of March, 2005, before me the undersigned notary public in and for said state, personally appeared Glen H. Neibaur, known to me to be the person whose name is subscribed to the within instrument as co-personal representative of the estate of Mack W. Neibaur, and acknowledged to me that he executed the same as such personal representative.

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

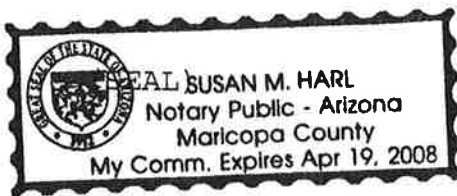
(SEAL)

Wendell W. Hamilton
Notary Public
Residing at Riverton
My Commission expires 10/22/06

STATE OF Arizona)
County of Maricopa) ss.

On this 23 day of March, 2005, before me the undersigned notary public in and for said state, personally appeared Elaine Blunck, known to me to be the person whose name is subscribed to the within instrument as personal representative of the estate of Mack W. Neibaur, and acknowledged to me that she executed the same as such personal representative.

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

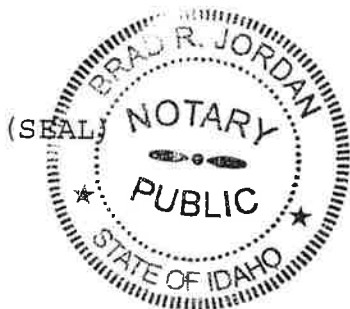


Susan M. Harl
Notary Public
Residing at Scottsdale AZ
My Commission expires _____

STATE OF IDAHO)
) ss.
County of Cassia)

On this 25 day of March, in the year of 2005,
before me the undersigned notary public in and for said state,
personally appeared Edna H. Neibaur, 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.



Brad R. Jordan
Notary Public
Residing at Idaho Falls, Idaho
My Commission expires 10-7-2005

Instrument # 478061

MINIDOKA COUNTY, RUPERT, IDAHO
2005-04-27 03:51:43 No. of Pages: 5
Recorded for : BURLEY LAND TITLE
DUANE SMITH Fee: 15.00
Ex-Officio Recorder Deputy led

RECEIVED
MAY 03 2005
DEPARTMENT OF
WATER RESOURCES

Post-It* Fax Note	7671	Date	3/3/05	# of pages	1
To	Diana		From		
Co./Dept.			Co.		
Phone #			Phone #		
Fax #	878-1089		Fax #		

SECTION 34 TOWNSHIP 7 SOUTH RANGE 23 EAST

	07S23E340021 MACK W & EDNA H NEIBAUR 0C465375 4-30-03 369712 12-22-86		
Z	Z	Z	Z
	07S23E347200 MITCHELL D & RACHEL H NEIBAUR 470701 2-10-04 465376 4-30-03		

THIS INFORMATION IS FOR
ASSESSMENT PURPOSES ONLY.
MINIDOKA COUNTY ASSUMES NO
LIABILITY OR RESPONSIBILITY FOR
ERRORS OR OMISSIONS.

RECEIVED

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

WARRANTY DEED

465376

#17323

For Value Received

**ESTATE OF MACK W. NEIBAUR, DECEASED, by and through
DARYL MACK NEIBAUR, Personal Representative**

470701

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MITCHELL D. NEIBAUR and RACHEL H. NEIBAUR, husband and wife
Address: 499 West 1200 North, Paul, ID 83347

Hereinafter called the Grantee, the following described premises situated in **Minidoka** County, Idaho, to-wit:

**TOWNSHIP 7 SOUTH, RANGE 23 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

SECTION 34: SE $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$

TOGETHER WITH Water Right No. 36-2070K and 36-7528B which rights have a Point
of Diversion located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 7 South, Range 23 East
SUBJECT TO: Boise Meridian, Minidoka, County, Idaho.

All reservations in patents or deeds in the chain of title.

Taxes for 2003 and subsequent years, a lien, but not yet due or payable.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.
Consent to Addition of Water Right Information
this 26th day of January, 2004.

Dated: **April 29, 2003**

**ESTATE OF MACK W. NEIBAUR,
deceased**

BY: Daryl Mack Neibaur
DARYL MACK NEIBAUR

The Estate of Mack W. Neibaur, deceased

BY: Glen H. Neibaur
Glen H. Neibaur, Co-Personal Representative

BY: Elaine Blunck
Elaine Blunck, Co-Personal Representative

STATE OF IDAHO)

) ss.

Mitchell D. Neibaur
Mitchell D. Neibaur

Rachel H. Neibaur
Rachel H. Neibaur

COUNTY OF MINIDOKA)

*Notary Acknowledgement for Consent attached on Page 2.

On this 30th day of APRIL, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared **DARYL MACK NEIBAUR**, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the **Estate of MACK W. NEIBAUR**, and acknowledged to me that he executed the same as such Personal Representative.

Julia C. Coffman
Notary Public
Residing at: RIPLEY ID

WARRANTY DEED

478061

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Thence South 00 degrees 01 minutes 15 seconds East continuing along said line for a distance of 493.17 feet;

Thence along a non-tangent curve to the left for a distance of 92.84 feet to a $\frac{1}{2}$ " rebar, said curve having a radius of 1376.10 feet and a central angle of 3°51'56" and a long chord bearing of North 15 degrees 38 minutes 44 seconds West for a distance of 92.82 feet;

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DATED this 23rd day of March, 2005.