

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

RECEIVED

MAR 09 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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
PD 45-14109	45-14296	X			
	45-14297	X			
	45-14294	X			
PD 45-13624	45-14295				

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) Chatburn Brothers, Inc.
4. New Owner/Claimant(s) Parker & Hallett LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 111 W. PECK RD.
- City, State and ZIP Code RUPERT, ID 83350
- New Telephone Number () _____
5. Date you acquired the property March 5, 2010

SUPPORT DATA

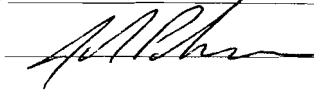
IN FILE # 45-13624

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 <u>45-14109 & 45-13624</u>		
Water Use	Diversion Rate or Volume	Description
	(cubic feet per second or acre-feet per annum)	(acres, number and type of stock, homes, etc)
Irrigation	<u>.65 CFS</u>	<u>69.169 Acres</u>
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	Description
	(cubic feet per second or acre-feet per annum)	(acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) PARKER & HALLETT LLC
(include title if applicable)



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 3-8 Date 3-9-2010 Fee \$200
 Received by [Signature] Date 3/11/2010 Receipt No. 5031318
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

CASSIA COUNTY #47282
RECORDED FOR:
LAND TITLE AND ESCROW
12:03:23 pm 03-08-2010
2010-001128
NO. PAGES: 4 FEE: \$12.00
DEE YEAMAN
COUNTY CLERK
DEPUTY: WLMARR

For Value Received

CHATBURN BROTHERS, INC., an Idaho corporation

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

PARKER & HALLETT LLC, an Idaho limited liability company
Address: 111 W. PECK ROAD, RUPERT, ID 83350

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

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to. 65 CFS from Idaho Department of Water Resources Water Right No.'s 45-14109 and 45-13624.

Reserving unto the Grantor its successors and assigns a 40 foot wide easement for ingress and egress over and across the property described on Exhibit "A" for the benefit of the property shown on Exhibit "B".

SUBJECT TO:

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

The second one-half of the 2009 taxes are due and payable, but not delinquent until after June 20, 2010.

Taxes for 2010 and subsequent years, a lien, but not yet due or payable.

Reservation contained in Warranty Deed, executed by Joseph William Chatburn, to J. Vard Chatburn, dated October 5, 1981 and recorded December 15, 1981 as Instrument No. 140083 on Film No. 146, records of Cassia County, Idaho, which reads as follows: "The Grantor retains and reserves under surface rights to all oil, gas, coal, other hydrocarbons, minerals and geothermal energy in direct proportion to the percentage set forth in the Correct Deed of Distribution dated November 10, 1980." (As to an undivided 4% of an undivided one-half interest)

Terms and Conditions contained in Warranty Deed from Chatburn Brothers, Inc., an Idaho corporation, to Dean Smart and Mary Ellen Smart, husband and wife, dated July 13, 2009 and recorded July 16, 2009 as Instrument No. 2009-003625, records of Cassia County, Idaho.

Easement Agreement between Marsh Creek Estates, LLC and Chatburn Brothers Inc. dated March 5, 2010 and recorded March 8, 2010 as Instrument No. 2010-001127 records of Cassia County, Idaho.

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.

Dated: March 5, 2010

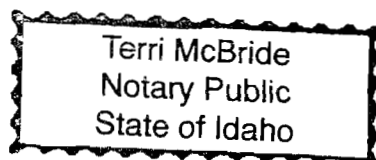
CHATBURN BROTHERS, INC.

BY: [Signature]
JEFF CHATBURN, President

BY: [Signature]
TAMMY CHATBURN, Secretary

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 5th day of **March, 2010**, before me, the undersigned, a Notary Public in and for said State, personally appeared **JEFF CHATBURN**, known or identified to me to be the President of the corporation and **TAMMY CHATBURN**, known or identified to me to be the Secretary of the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



[Signature]
Notary Public
Residing at: Rupert
My Commission expires: 2-5-14

EXHIBIT "A"

TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: Part of the NW¼ and the NE¼ of Section 33 more particularly described as follows:

Beginning at the North ¼ corner of Section 33, said corner marked by a 5/8 inch rebar; Thence South 89°24'11" East for a distance of 685.93 feet to a ½ inch rebar; Thence South 01°19'36" West for a distance of 1238.57 feet, which shall be the Point of Beginning; Thence South 01°19'36" West for a distance of 937.60 feet to a ½ inch rebar; Thence North 82°04'09" West for a distance of 440.77 feet to a ½ inch rebar; Thence South 00°33'38" West for a distance of 421.70 feet to a ½ inch rebar; Thence South 89°29'37" West for a distance of 175.13 feet to a ½ inch rebar; Thence South 04°52'53" West for a distance of 125.89 feet; Thence South 89°54'56" West for a distance of 827.24 feet to a ½ inch rebar; Thence North 00°34'00" West for a distance of 300.00 feet to a ½ inch rebar; Thence South 89°54'56" West for a distance of 948.74 feet to a 5/8 inch rebar; Thence North 13°38'07" West for a distance of 592.02 feet to a 5/8 inch rebar; Thence North 19°56'13" West for a distance of 290.84 feet to a ½ inch rebar; Thence North 38°36'16" East for a distance of 285.99 feet to a 5/8 inch rebar; Thence North 23°43'58" East for a distance of 42.79 feet; Thence North 89°37'10" East for a distance of 2470.30 feet to the Point of Beginning.

EXHIBIT "B"

TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: Part of the NW¼ and the NE¼ of Section 33 more particularly described as follows:

Beginning at the North ¼ corner of Section 33, said corner marked by a 5/8 inch rebar, which shall
be the Point of Beginning;

Thence South 89°24'11" East for a distance of 685.93 feet to a ½ inch rebar;

Thence South 01°19'36" West for a distance of 1238.57 feet;

Thence South 89°37'10" West for a distance of 2470.30 feet;

Thence North 23°43'58" East for a distance of 246.86 feet to a 5/8 inch rebar;

Thence North 02°52'13" West for a distance of 304.75 feet to a 5/8 inch rebar;

Thence North 00°10'07" West for a distance of 408.88 feet to a 5/8 inch rebar;

Thence North 12°23'46" West for a distance of 318.21 feet to a 5/8 inch rebar;

Thence North 89°37'30" East for a distance of 1798.49 feet to the Point of Beginning.