

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

RECEIVED
 FEB 11 2009
 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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
36-2070M					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

DARWIN P. NEIBAUR - JUNE NEIBAUR

4. New Owner/Claimant(s)

DOUG Hartley Farms, INC. an IDAHO Corp.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

550 W. 1000 N.

City, State and ZIP Code

PAUL, ID. 83347

New Telephone Number

(208) 532-4195

5. Date you acquired the property

Dec 8, 2008

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

X Doug Hartley Pres
X Renee Hull Sec/Treas.
 (title if applicable)
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature]
 Received by [Signature]
 Processed by _____ AJ

Date 2/5/09
 Date 2/5/09
 Date _____

Receipt Amt. 2500
 Receipt No. 5030678
 WR _____ Date _____

WARRANTY DEED

#22157

For Value Received

Darwin Neibaur Farms Partnership, an Idaho General Partnership

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

DOUG HARTLEY FARMS, INC., an Idaho Corporation,
Address: 550 W. 1000 N., 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 26: S¼

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto

SUBJECT TO:

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

Taxes for 2008 and subsequent years, a lien, but not yet due or payable.

Assessments of the A & B Irrigation District and the rights and powers of said District as by law provided.

Assessments levied or to be levied by Magic Valley Groundwater District, if any.

Power Line Easement from Robert M. Smith, single, to Idaho Power Company, a corporation, dated October 11, 1955 and recorded August 8, 1957 as Instrument No. 129025 in Book 36 of Deeds, Page 268, records of Minidoka 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: November 19, 2008

DARWIN NEIBAUR FARMS PARTNERSHIP,
an Idaho General Partnership

THE ESTATE OF DARWIN P. NEIBAUR

BY: [Signature]
STEVE NEIBAUR, Personal Representative

BY: [Signature]
CORINNE JONES, Partner

BY: [Signature]
RENEA HARTLEY, Partner

BY: [Signature]
DANALIE DORSEY, Partner

BY: [Signature]
STEVE NEIBAUR, Partner

BY: [Signature]
BURKE NEIBAUR, Partner

BY: [Signature]
IRA NEIBAUR, Partner

BY: [Signature]
JUNE NEIBAUR, Partner

Instrument # 499910

MINIDOKA COUNTY, RUPERT, IDAHO

12-4-2008 04:26:13 No. of Pages: 5

Recorded for : RUPERT LAND TITLE

DUANE SMITH Fee: 15.00

Ex-Officio Recorder Deputy [Signature]

-continued-

WARRANTY DEED

#22157

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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: November 19, 2008

**DARWIN NEIBAUR FARMS PARTNERSHIP,
an Idaho General Partnership**

THE ESTATE OF DAWIN P. NEIBAUR

BY: STEVE NEIBAUR, Personal Representative

BY: CORINNE JONES, Partner

BY: RENEA HARTLEY, Partner

BY: DANA LEE DORSEY, Partner

BY: STEVE NEIBAUR, Partner

BY: BURKE NEIBAUR, Partner

BY: IRA NEIBAUR, Partner

BY: JUNE NEIBAUR, Partner

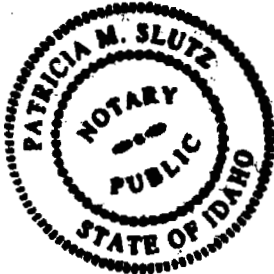
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STATE OF IDAHO)

) ss.

COUNTY OF CANYON)

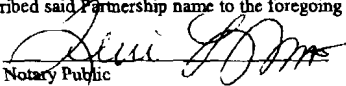
On this 21st day of NOVEMBER, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared DANA LEE DORSEY, known or identified to me to be the partner or one of the partners in the Partnership of DARWIN NEIBAUR FARM and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.



Patricia M. Slutz
Notary Public
Residing at: Caldwell
My Commission expires: 1-24-2012

STATE OF IDAHO)
) ss.
COUNTY OF MINIDOKA)

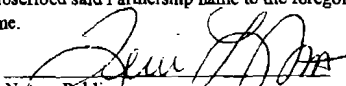
On this 25 day of **NOVEMBER, 2008**, before me, the undersigned, a Notary Public in and for said State, personally appeared **STEVE NEIBAUR**, known or identified to me to be the partner or one of the partners in the Partnership of **DARWIN NEIBAUR FARM** and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.


Notary Public
Residing at: Burley, ID
My Commission expires: 08/02/14

TERRI L. SMITH
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)
) ss.
COUNTY OF MINIDOKA)

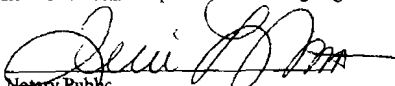
On this 21 day of **NOVEMBER, 2008**, before me, the undersigned, a Notary Public in and for said State, personally appeared **CORINNE JONES**, known or identified to me to be the partner or one of the partners in the Partnership of **DARWIN NEIBAUR FARM** and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.


Notary Public
Residing at: Burley, ID
My Commission expires: 08/02/14

TERRI L. SMITH
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)
) ss.
COUNTY OF MINIDOKA)

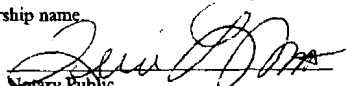
On this 26 day of **NOVEMBER, 2008**, before me, the undersigned, a Notary Public in and for said State, personally appeared **RENEA HARTLEY**, known or identified to me to be the partner or one of the partners in the Partnership of **DARWIN NEIBAUR FARM** and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.


Notary Public
Residing at: Burley, ID
My Commission expires: 08/02/14

TERRI L. SMITH
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)
) ss.
COUNTY OF MINIDOKA)

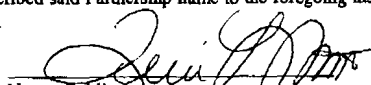
On this 1 day of **DECEMBER, 2008**, before me, the undersigned, a Notary Public in and for said State, personally appeared **BURKE NEIBAUR**, known or identified to me to be the partner or one of the partners in the Partnership of **DARWIN NEIBAUR FARM** and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.


Notary Public
Residing at: Burley, ID
My Commission expires: 08/02/14

TERRI L. SMITH
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)
) ss.
COUNTY OF MINIDOKA)

On this 21 day of **NOVEMBER, 2008**, before me, the undersigned, a Notary Public in and for said State, personally appeared **IRA NEIBAUR**, known or identified to me to be the partner or one of the partners in the Partnership of **DARWIN NEIBAUR FARM** and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.

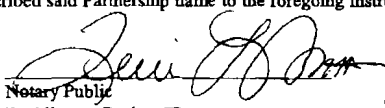

Notary Public
Residing at: Burley, ID
My Commission expires: 08/02/14

TERRI L. SMITH
NOTARY PUBLIC
STATE OF IDAHO

-continued-

STATE OF IDAHO)
) ss.
COUNTY OF MINIDOKA)

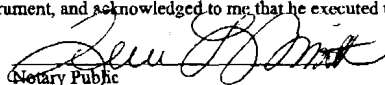
On this 21 day of **NOVEMBER, 2008**, before me, the undersigned, a Notary Public in and for said State, personally appeared **JUNE NEIBAUR**, known or identified to me to be the partner or one of the partners in the Partnership of **DARWIN NEIBAUR FARM** and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.


Notary Public
Residing at: Burley, ID
My Commission expires: 08/02/14

TERRI L. SMITH
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)
) ss.
COUNTY OF MINIDOKA)

On this 25 day of **NOVEMBER, 2008**, before me, the undersigned, a Notary Public in and for said State, personally appeared **STEVE NEIBAUR, PERSONAL REPRESENTATIVE OF THE ESTATE OF DARWIN P. NEIBAUR** known or identified to me to be the partner or one of the partners in the Partnership of **DARWIN NEIBAUR FARM** and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.


Notary Public
Residing at: Burley, ID
My Commission expires: 08/02/14

TERRI L. SMITH
NOTARY PUBLIC
STATE OF IDAHO