

OTV ✓

RECEIVED  
MAY 09 2008  
Department of Water Resources  
Eastern Region

**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 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) |
|-----------------------------|--------------------------|----------|-------------------|--------------------------|----------|
| ⓧ 35-7857 B <sup>v</sup> WR |                          | OK       | ⓧ 35-7984 WR      |                          | OK       |
| ⓧ 35-7920 B WR              |                          | OK       |                   |                          |          |
| ⓧ 35-8606 WR                |                          | OK       |                   |                          |          |
| ⓧ 35-8626 WR                |                          | OK       |                   |                          |          |
| 35-7477 <sup>?</sup> Patent |                          |          | ⓧ 35-7477 A       |                          | OK       |
| ⓧ 35-8932 WR                |                          | OK       |                   |                          |          |

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)

William R. Toews & Joanne L. Toews  
2841 West 1400 South  
Aberdeen ID.

4. New Owner/Claimant(s)

MPH Farms

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

2050 S. 2950 W.

City, State and ZIP Code

Aberdeen, ID 83210

New Telephone Number

(208) 221-4352

Email:

5. Date you acquired the property

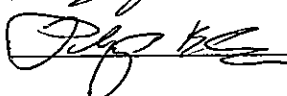
4-30-2008

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<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

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)

 (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 \_\_\_\_\_ Date 5/9/08  
 Received by \_\_\_\_\_ Date \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_

Receipt Amt. 175<sup>00</sup>  
 Receipt No. E034026  
 WR \_\_\_\_\_ Date \_\_\_\_\_

# IDWR Water Right and Adjudication Search

Note: This search tool identifies active water rights and active transfers. If you want to search both active and inactive water rights, please check the box below.

Search for both active and inactive water right records.

## Search Results

Type of Query

USAGE INSTRUCTION

|                                                                                                                                 |                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| All SRBA & Water Rights                                                                                                         |                                                                                                                                                                                                                                                            |
| SRBA<br><input type="checkbox"/> Claims<br><input type="checkbox"/> Recommendations<br><input checked="" type="checkbox"/> Both | Water Rights<br><input type="checkbox"/> Applications<br><input type="checkbox"/> Permits<br><input type="checkbox"/> Decrees, Licenses and Statutory Claims<br><input type="checkbox"/> Transfers<br><input checked="" type="checkbox"/> All of the above |

Basin Who What When Where Clear Search Help

Query parameters:

basinFrom = 35

Use = IRRIGATION

Township = 6S

Range = 29E

Section = 8

Search for: active Records

## Information for type: Statutory Claim, Decree and License

|                                                   | Record | Basin | Sequence | Suffix | Version | Basis   | Status | Priority Date | Diversion Rate | Source List  | Water Uses | Owner List                 |
|---------------------------------------------------|--------|-------|----------|--------|---------|---------|--------|---------------|----------------|--------------|------------|----------------------------|
| Details<br>General Provision                      | 1      | 35    | 7857     | B      | ✓       | License | Active | 1979-05-09    | 1.28           | GROUND WATER | IRRIGATION | TOEVS. WILLIAM R (Current) |
| Details<br>General Provision                      | 2      | 35    | 7920     | B      | ✓       | License | Active | 1980-09-29    | 0.69           | GROUND WATER | IRRIGATION | TOEVS. WILLIAM R (Current) |
| Details<br>Related Documents<br>General Provision | 3      | 35    | 8606     | ✓      |         | License | Active | 1985-07-01    | 6.07           | GROUND WATER | IRRIGATION | TOEVS. WILLIAM R (Current) |
| Details<br>Related Documents<br>General Provision | 4      | 35    | 8626     | ✓      |         | License | Active | 1986-02-13    | 1.88           | GROUND WATER | IRRIGATION | TOEVS. WILLIAM R (Current) |
| Details<br>Related Documents<br>General Provision | 1      | 35    | 7477     | A      | ✓       | Decreed | Active | 1975-02-12    | 12.56          | GROUND WATER | IRRIGATION | T 6 FARMS (Current)        |
| Details<br>Related Documents<br>General Provision | 2      | 35    | 8932     | ✓      |         | License | Active | 1991-01-08    | 3.16           | GROUND WATER | IRRIGATION | T-6 FARMS (Current)        |
| Details<br>Related Documents<br>General Provision | 2      | 35    | 7984     | ✓      |         | Decreed | Active | 1981-05-11    | 5.92           | GROUND WATER | IRRIGATION | T 6 FARMS (Current)        |

1-2

## WARRANTY DEED

This is to certify that this  
is a true and correct copy of  
the original document recorded  
as Instrument No. 193824  
FIRST AMERICAN TITLE COMPANY

*Idaho* THIS INDENTURE, made this 29 day of April, 2008, between William R. Toevs, a/k/a Ritchey Toevs and Joanne L. Toevs, a/k/a Joanne P. Toevs, as Grantors and MPH Farms, a general partnership consisting of Daryl Klassen, Michael J. Klassen and ~~Philip B. Klassen~~, whose address is 2050 South 2950 West, Aberdeen, Idaho 83210, as Grantees. *Philip PBK*

WITNESSETH: That the Grantors for value received, does by these presents, grant, bargain, sell and convey unto Grantees, their heirs and assigns, all that certain lot, piece, or parcel of land situate, lying and being in the County of Power, State of Idaho and particularly described as follows:

Real property in the County of Power, State of Idaho, described as follows:

TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN,  
POWER COUNTY, IDAHO

SECTION 8: N1/2, SE1/4

SECTION 9: W1/2

SECTION 15: SW1/4, W1/2SE1/4

**Instrument # 193824**

POWER COUNTY, IDAHO

2008-04-30

04:11:25 No. of Pages: 2

Recorded for : FIRST AMERICAN TITLE

CHRISTINE STEINLICHT

Fee: 6.00

Ex-Officio Recorder Deputy

*Danna L Curry*

EXCEPTING THEREFROM: A PARCEL OF LAND LOCATED  
IN THE NW1/4 SW1/4 SECTION 15, TOWNSHIP 6 SOUTH,  
RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY,  
IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF  
SECTION 15; THENCE SOUTH 900 FEET; THENCE EAST 300  
FEET; THENCE NORTH 900 FEET; THENCE WEST 300 FEET  
TO THE POINT OF BEGINNING.

SECTION 16: ALL

SECTION 17: NE1/4, SE1/4, E1/2SW1/4

Together with all water and water rights appurtenant thereto, excepting therefrom and reserving unto Grantors their heirs and assigns, two (2) cubic feet per second (cfs) diversion rate from Water Right 35-07477A and the right to continue to maintain said reserved water right as appurtenant to the land conveyed. Grantees agree to appropriate and apply the reserve water to beneficial use until transferred by Grantors.

Together with other tenements, hereditaments, and appurtenances thereunto belonging or

in anywise appertaining including the rents, issues and profits thereto; and

**SUBJECT TO:** All City, County, State and Federal building and zoning laws, ordinances and regulations;

**SUBJECT TO:** All rights reserved in federal patents, state or railroad deeds, restrictive covenants, rights of way, easements and discrepancies between fence lines and property boundaries.

Except as otherwise set forth herein, the Grantors hereby warrant the Property in the quiet and peaceable possession of the Grantees, their heirs and assigns, against all and every person or persons whomsoever, lawfully claiming or to claim the same.

William R. Toevs  
William R. Toevs

Joanne P. Toevs  
Joanne P. Toevs

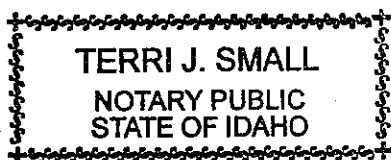
STATE OF IDAHO )

County of Bannock )<sup>:ss</sup>

On this 30 day of April, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared William R. Toevs and Joanne P. Toevs, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

(seal)



Terri J. Small  
NOTARY PUBLIC FOR IDAHO  
Residing at: Pocahontas, ID  
My Commission Expires: 4/29/2011

## BILL OF SALE

**KNOW ALL MEN BY THESE PRESENTS**, that on this 30 day of April, 2008, William R. Toevs and Joanne L. Toevs, husband and wife of 2841 West 1800 South, Aberdeen, County of Bingham, State of Idaho, (Toevs), for and in consideration paid by Daryl Klassen, Michael J. Klassen and Phillip B. Klassen, db/a MPH Farms, 2050 South 2950 West, Aberdeen, County of Bingham, State of Idaho, (MPH Farms), the receipt of and adequacy of which is hereby acknowledged, do by these presents, grant, bargain, sell and convey to MPH Farms, their heirs and assigns the following property:

|             |                                            |                              |
|-------------|--------------------------------------------|------------------------------|
| Pivot 1 (1) | 2001 Zimmatic Center Pivot                 | # unavailable                |
| Pivot 2 (1) | 1997 Zimmatic Center Pivot                 | # unavailable                |
| Pivot 3 (1) | 1996 Zimmatic Center Pivot                 | #L55226                      |
| Pivot 4 (1) | 2001 Zimmatic Center Pivot                 | #unavailable                 |
| Pivot 5 (1) | 2008 Zimmatic Center Pivot                 | #L98793                      |
| Pivot 6 (1) | 2001 Zimmatic Center Pivot                 | #L67313                      |
| Pivot 7 (1) | 1992 Zimmatic 1/4 Mile Linear              | #L45439                      |
| Pivot 8 (1) | 1998 Zimmatic 1/4 Mile Linear              | #92470-04276                 |
| Pivot 9 (1) | 2000 Zimmatic Center Pivot                 | # 47997                      |
| Pivot 10    | (1) 1984 Zimmatic 1/2 Mile Linear          | #P18593                      |
| Pivot 11    | (1) 1996 Zimmatic Center Pivot             | #P22106                      |
| Pivot 12    | (1) 2007 Zimmatic Center Pivot             | #P64818                      |
| Pivot 13    | (1) 2007 Zimmatic Center Pivot             | #L93972                      |
| Well #1     | (1) 600 hp General Electric Electric Motor | #SKJ515017                   |
|             | (1) Wal Line Vertical Turbine Pump         | #LP096213                    |
|             | (1) 200 hp Marathon Electric Motor         | #unavailable                 |
|             | (1) Cornell Centrafungal Pump              | #120696                      |
| Well #2     | (1) 400 hp General Electric Electric Motor | #BSJ220011                   |
|             | (1) Johnson Vertical Turbine Pump          | #unavailable                 |
| Well #3     | (1) 350 hp General Electric Electric Motor | #BHI524013                   |
|             | (1) Vertical Turbine Pump                  | Make and Serial #<br>unknown |
| Well #4     | (1) 700 hp General Electric Electric Motor | #CVJ3C3020                   |
|             | (1) Layne & Bowler Vertical Turbine Pump   | #unknown                     |

- (1) 125 hp General Electric Electric Motor #EV204012
- (1) Cornell Booster Pump #37795
- (1) 100 hp General Electric Electric Motor #AX024022
- (1) Cornell Booster Pump #44195
- (9) Various Short Length Encl. Move Wheel lines
- (50) 4" x 40' Hook and Latch Hand Lines

To Have and to Hold, the same unto MPH Farms, their heirs and assigns forever;  
and Toevs do hereby covenant that they are the lawful owners of said property have  
good right, full power and lawful authority to convey the same, and that they will defend  
the title thereto against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, the said party of the first part has hereunto set their  
hand this day and year first above written.

William R Toevs  
William R. Toevs

Joanne L. Toevs  
Joanne L. Toevs

**STATE OF IDAHO** )  
County of Bannock )  
:ss

On this 30 day of April, 2008, before me, the undersigned, a Notary Public in and  
for said State, personally appeared William R. Toevs and Joanne L. Toevs, husband and wife,  
known or identified to me to be the persons whose names are subscribed to the foregoing  
instrument, and acknowledged to me that they executed the same.

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

(seal)

Terr J. Small  
**NOTARY PUBLIC FOR IDAHO**  
Residing

at: Pocatello ID

My Commission Expires: 4/28/2011

