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DEPT. OF WATER RESOURCES
SOUTHERN 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 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
36-2233B	A36-02233B	☒			

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) Max Herbold, Inc.
4. New Owner/Claimant(s) Dennis M. Herbold
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
215 Circle Drive
 New Mailing Address
Rupert, Idaho 83350
 City, State and ZIP Code
436-2066
 New Telephone Number
January 31, 2001
5. Date you acquired the property

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)

Dennis M. Herbold
Dennis M. Herbold

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>[Signature]</i>	Date <i>8/21/06</i>	Fee <i>25.00</i>
Received by <i>[Signature]</i>	Date <i>8/22/06</i>	Receipt No. <i>3028860</i>
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED

451457

FOR VALUE RECEIVED, MAX HERBOLD, INC., an Idaho corporation, the Grantor, does hereby grant, bargain, sell and convey unto DENNIS M. HERBOLD, a single man, the Grantee, whose current address is 215 Circle Drive, Rupert, Idaho, the following described premises, located in Minidoka County, Idaho, to wit:

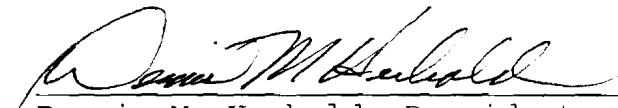
SEE ATTACHED EXHIBIT

To have and to hold the said premises with their appurtenances to the said Grantee, his heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee that Grantor is the owner in fee of said premises, that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

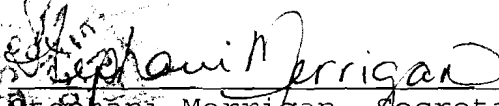
DATED this 31st day of January, 2001.

MAX HERBOLD, INC.

by


Dennis M. Herbold, President

ATTEST:


Stephani Merrigan, Secretary

STATE OF IDAHO)
) ss.
County of Cassia)

Instrument # 451457

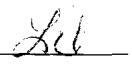
MINIDOKA COUNTY, RUPERT, IDAHO

2001-02-08 10:59:55 No. of Pages: 6

Recorded for : DONALD J CHISHOLM

DUANE SMITH Fee: 18.00

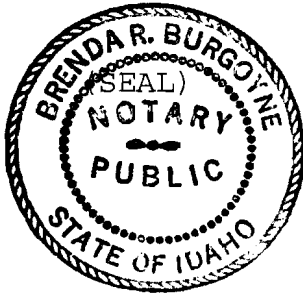
Ex-Officio Recorder Deputy



On this 31st day of January, 2001, before me the undersigned notary public in and for said state, personally appeared Dennis M. Herbold, known to me to be the president, and Stephani Merrigan, known to me to be the secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf

of said corporation, and acknowledged to me that such corporation executed the same.

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



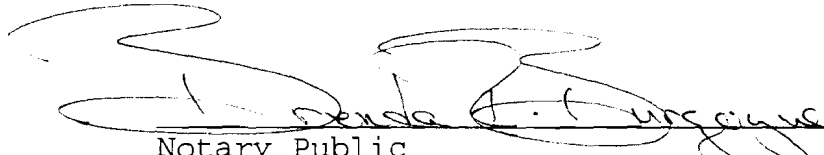

Notary Public
Residing at Hleyburn - Idaho
My Commission expires 2.24.2005

EXHIBIT TO WARRANTY DEED
MAX HERBOLD, INC. TO DENNIS M. HERBOLD

TRACT 1:

36-2233B
→ That portion of the SW¼ of Section 21,
Township 7 South, Range 24 East of the Boise
Meridian, Minidoka County, Idaho lying North
of the Union Pacific Railroad Right of Way.

TRACT 2:

E½SW¼ of Section 23, Township 9 South, Range
24 East of the Boise Meridian, Minidoka
County, Idaho,

SAVE & EXCEPT the following parcels:

Parcel 1:

TOWNSHIP 9 SOUTH, RANGE 24 EAST OF THE BOISE
MERIDIAN, MINIDOKA COUNTY, IDAHO

Section 23: A part of the E½SW¼, more
particularly described as
follows:

Commencing at the Southwest corner of the
E½SW¼ (monumented by a 5/8 inch rebar); Thence
North 00°13'16" West along the West boundary
line of the E½SW¼ for 40.01 feet to a ½" rebar
and cap at the intersection with the North
right-of-way line of State Highway 30 (80 feet
wide) and the True Point of Beginning;
Thence continuing North 00°13'16" West along
said West boundary line of the E½SW¼ for
389.61 feet to a ½" rebar and cap;
Thence North 88°41'06" East for 468.51 feet to
a ½" rebar and cap;
Thence continuing North 88°41'06" East for
8.37 feet to a point at the center of an
irrigation lateral;
Thence South 00°13'16" East along the center
of said irrigation lateral for 389.61 feet to

a point at the intersection with the North right-of-way line of State Highway 30 (80 feet wide);

Thence South 88°41'06" West along the North right-of-way line of State Highway 30 (80 feet wide) for 8.37 feet to a ½" rebar and cap;

Thence continuing South 88°41'06" West along the North right-of-way line of State Highway 30 (80 feet wide) for 468.51 feet to the True Point of Beginning.

Parcel 2:

TOWNSHIP 9 SOUTH, RANGE 23 EAST, BOISE
MERIDIAN, MINIDOKA COUNTY, IDAHO

Section 23: That part of the SE¼SW¼,
more particularly
described as follows:

Commencing at the Southwest corner of Section 23; thence North 89°26'37" East for 2179.12 feet (recorded as North 89°53' East for 2337.00 feet on Quitclaim Deed recorded January 7, 1988, Document No. 376722); Thence North 89°26'37" East for 160.90 feet along the South section line to a point; thence North 0°25'58" West (recorded as North 0°07' West) for 35 feet to an existing iron pin; thence continuing North 0°25'58" West for 4.78 feet to a point on the North highway right of way which shall be the TRUE POINT OF BEGINNING;

Thence North 0°25'58" West for 220.53 feet (recorded as North 0°07' West for 225.40 feet) to an existing iron pin;

Thence South 89°29'28" West for 161.33 feet (recorded as South 89°53' West for 161.00 feet) to an existing iron pin;

Thence South 0°31'38" East for 220.70 feet (recorded as South 0°07' East for 225.40 feet) to the North highway right of way line;

Thence North 89°25'41" East for 160.97 feet

along the North highway right of way to the True Point of Beginning.

Parcel 3:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE
MERIDIAN, MINIDOKA COUNTY, IDAHO
Section 23: That part of the SE¼SW¼,
more particularly
described as follows:

Commencing at the Southwest corner of Section 23; Thence North 89°26'37" East for 2380.02 feet along the South section line to a point; Thence North 0°25'58" West for 39.79 feet to an iron pin on the North highway right of way which shall be the TRUE POINT OF BEGINNING; Thence North 0°25'58" West for 240.48 feet to an iron pin; Thence South 89°29'28" West for 221.37 feet to an iron pin; Thence South 0°31'38" East for 240.73 feet to an iron pin on the North highway right of way line; Thence North 89°25'41" East for 20.00 feet along said right of way to a point; Thence North 0°31'38" West (recorded as North 0°07' West) for 220.70 feet to an existing iron pin; Thence North 89°29'28" East for 161.33 feet (recorded as North 89°53' East for 161.00 feet) to an existing iron pin; Thence South 0°25'58" East (recorded as South 0°07' East) for 220.53 feet to a point on the North highway right of way line; Thence North 89°25'41" East for 40.00 feet along the North highway right of way line to the True Point of Beginning.

Parcel 4:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE
MERIDIAN, MINIDOKA COUNTY, IDAHO

Section 23: A part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly described as follows:

Commencing at the Southwest corner of Section 23, monumented by a brass cap, and running thence along the Southern line thereof North 88°41'06" East 2379.84 feet (recorded as North 89°26'37" East 2380.02 feet) to a point; Thence North 01°11'10" West 39.78 feet (recorded as North 00°25'58" West 39.79 feet) to a $\frac{1}{2}$ " rebar on the northern Highway 30 right of way line, and at the Southeast corner of that real property described as Tract No. 2 of the quitclaim deed from Max Herbold, Inc. to Florence Faye Rasmussen recorded November 7, 1994, in the official records of Minidoka County as Instrument No. 415653, said rebar being the true point of beginning of this description;

Thence along the Eastern line of said Tract No. 2 North 01°11'10" West 240.48 feet (recorded as North 00°25'58" West) to a $\frac{1}{2}$ " rebar at the Northeast corner thereof;

Thence leaving said Eastern line North 88°44'16" East 50.00 feet to a $\frac{1}{2}$ " rebar and cap stamped "Moon 7920";

Thence South 01°11'10" East 240.42 feet to a $\frac{1}{2}$ " rebar and cap stamped "Moon 7920" on said northern highway right of way line;

Thence along said right of way line South 88°40'08" West 50.00 feet (recorded as South 89°25'41" West) to the True Point of Beginning.