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DEC 08 2006

WATER RESOURCES
WESTERN 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
PD 61-2167					
PD 61-2210					

SUPPORT DATA

2. The following **REQUIRED** information must be submitted with this form:

IN FILE # 61-2167

- 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) John W. Warkentin and Katherine E. Warkentin,
Ryan Warkentin and Jennifer Warkentin
4. New Owner/Claimant(s) City of Mountain Home, Idaho
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 10
- City, State and ZIP Code Mountain Home, Idaho 83647
- New Telephone Number (208) 587-2104
5. Date you acquired the property December 1, 2006

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)

Mayor, City of Mountain Home, Idaho

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 <u>[Signature]</u>	Date <u>12-8-06</u>	Fee <u>\$50⁰⁰</u>
Received by <u>[Signature]</u>	Date <u>12-8-06</u>	Receipt No. <u>W034946</u>
Processed by <u>AJ</u>	Date _____	WR <u>SR</u> Date <u>7-25-07</u>

WARRANTY DEED

FOR VALUE RECEIVED

John W. Warkentin and Katherine E. Warkentin, husband and wife, and Ryan Warkentin and Jennifer Warkentin, husband and wife

GRANTOR(s) do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Delbert G. Kohtz and Frances L. Kohtz, husband and wife

GRANTEE(s) whose address is: **1135 Valley Rd., South Eden, ID 83325**

The following described real property in **ELMORE** County, Idaho to wit:

Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 19: U.S. Government Lots 5 and 8, the South 30 feet of US Government Lot 7, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 30: NE $\frac{1}{4}$

Subject to: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 6, 2006

✱ John W. Warkentin
John W. Warkentin

✱ Katherine E. Warkentin
Katherine E. Warkentin

✱ Ryan Warkentin
Ryan Warkentin

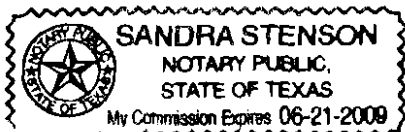
✱ Jennifer Warkentin
Jennifer Warkentin

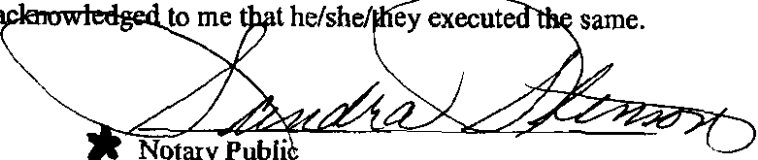
State of TEXAS

County of Dallam

On Nov. 28, 2006 before me, a notary public in and for said State, personally appeared and **John W. Warkentin and Katherine E. Warkentin**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.




Notary Public

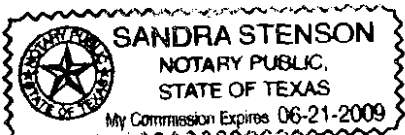
Residing at: Dallam County, Texas
Commission Expires: 6/21/09

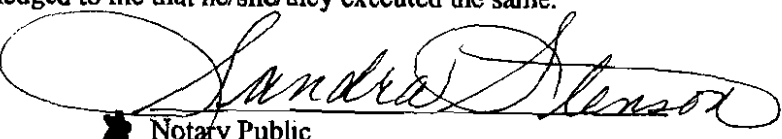
State of TEXAS

County of Dallam

On Nov 28, 2006 before me, a notary public in and for said State, personally appeared and **Ryan Warkentin and Jennifer Warkentin**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.




Notary Public

Residing at: Dallam County, Texas
Commission Expires: 6/21/09

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Delbert G. Kohtz and Frances L. Kohtz, husband and wife, (Grantors) do hereby grant, bargain, sell, assign, and convey unto the Idaho Water Company, LLC, an Idaho limited liability company registered to do business in Idaho as Idaho Water Company, LLC, a/k/a Idaho Water Co. LLC, whose address is 1135 Valley Road South, Eden, Idaho 83325 (Grantee) and to Grantee's successors and assigns forever, all of Grantors' right title and interest in the water rights described in Exhibit 1 attached hereto (collectively the "Water Rights").

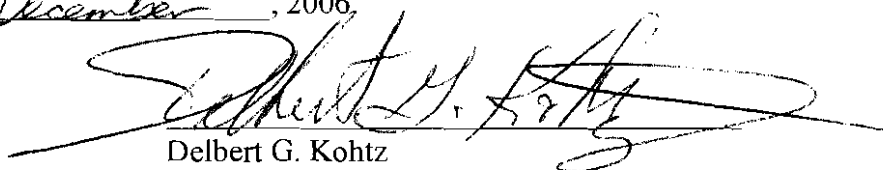
Grantors retain no residual or reversionary interest in any of the Water Rights.

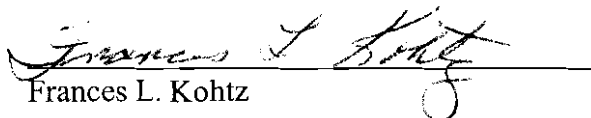
Grantors hereby covenant and warrant to Grantee as follows:

- (A) that Grantors are the owners in fee simple of the Water Rights;
- (B) that Grantors have not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances;
- (D) that Grantors have the authority to convey the Water Rights to Grantee;
- (E) the Grantors have disclosed to Grantee in good faith all relevant information known to Grantors bearing on the validity and extent of the Water Rights.

Grantors make no other covenants or warranties as to the Water Rights.

IN WITNESS WHEREOF, the Grantors, have caused their names to be hereunto subscribed on the 15th day of December, 2006.

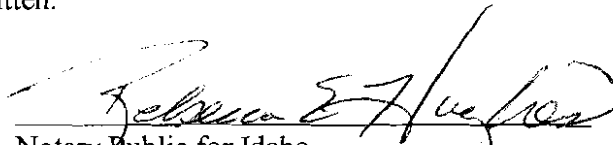

Delbert G. Kohtz


Frances L. Kohtz

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 1st day of December, 2006, before me, the undersigned, a Notary Public in and for said state, personally appeared Delbert G. Kohtz and Frances L. Kohtz, husband and wife, known 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.



Notary Public for Idaho,
Residing at: Mountain Home, ID
My commission expires: 1/30/10

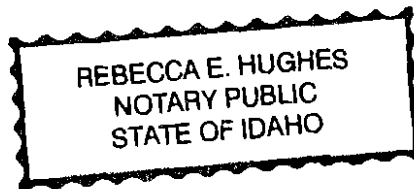


EXHIBIT 1

Idaho Water Right Number 61-2167

Idaho Water Right Number 61-2210

These water rights were formerly appurtenant to the following described real property located in Elmore County, Idaho, to-wit:

Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 19: U.S. Government Lots 5 and 8, the South 30 feet of US Government Lot 7, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 30: NE $\frac{1}{4}$

The above water rights have been transferred to the City of Mountain Home, Idaho, for use within the City of Mountain Home pursuant to Idaho Department of Water Resources Transfer No. 72128, which transfer to the City of Mountain Home has been approved by the Idaho Department of Water Resources.

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Idaho Water Company, LLC, an Idaho limited liability company registered to do business in Idaho as Idaho Water Company, LLC, a/k/a Idaho Water Co. LLC, whose address is 1135 Valley Road South, Eden, Idaho 83325, (Grantor) does hereby grant, bargain, sell, assign, and convey unto the City of Mountain Home, Idaho, a municipal corporation of the County of Elmore, State of Idaho, whose address is P.O. Box 10, Mountain Home, Idaho 83647 (Grantee) and to Grantee's successors and assigns forever, all of Grantor's right title and interest in the water rights described in Exhibit 1 attached hereto (collectively the "Water Rights"), which transfer to the City of Mountain Home, Idaho, has been approved by the Idaho Department of Water Resources.

Grantor retains no residual or reversionary interest in any of the Water Rights.

Grantor hereby covenants and warrants to Grantee as follows:

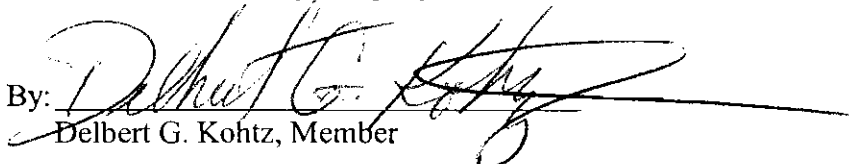
- (A) that Grantor is the owner in fee simple of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances;
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

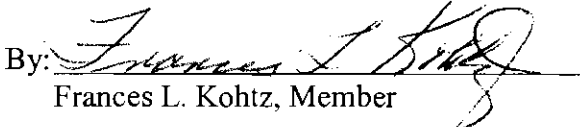
Grantor makes no other covenants or warranties as to the Water Rights.

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the 1st day of

December, 2006.

Idaho Water Company, LLC,
an Idaho limited liability company

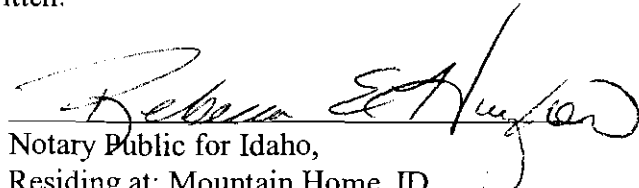
By: 
Delbert G. Kohtz, Member

By: 
Frances L. Kohtz, Member

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 1st day of December, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Delbert G. Kohtz and Frances L. Kohtz, known to me to be the members of Idaho Water Company, LLC the limited liability company that executed the foregoing instrument or the persons who executed the instrument on behalf of said limited liability company, and acknowledged to me that said limited liability company 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.


Notary Public for Idaho,
Residing at: Mountain Home, ID
My commission expires: 1/30/10

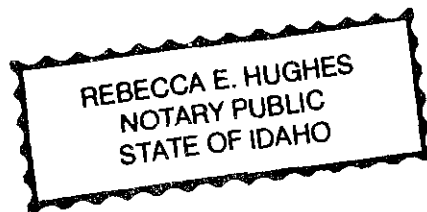


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