

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

RECEIVED

SEP 18 2006

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, 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
WR- 36-2475					

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) are 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) Joseph W. Mrachek & Margaret Newbrough sold to Terry & Sue Votroubek June 15, 1988
4. New Owner/Claimant(s) Votroubek sold to Hilltop Dairy A General Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or Oct 9, 1998
- New Mailing Address 3349 S 1500 E
- City, State and ZIP Code Wendell ID
- New Telephone Number (208) 536-5620
5. Date you acquired the property Oct 9, 1998

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) Danny Vanalst OWNER
(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 <u>[Signature]</u>	Date <u>9/18/06</u>	Fee <u>25.00</u>
Received by <u>[Signature]</u>	Date <u>9/19/06</u>	Receipt No. <u>5028423</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

Order No. G980412

WARRANTY DEED

For Value Received

Terry Votroubek And Sue Votroubek, HUSBAND AND WIFE.

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto
Hilltop Dairy, A General Partnership,

the grantee(s), whose current address is

3349 SOUTH 1500 EAST, WENDELL, ID 83355

177513

the following described premises, to-wit:

See Attached Exhibit "A"

STATE OF IDAHO COUNTY OF GOODING
GOODING TITLE & ESCROW

Filed for record at the request of

14 min. past 9 o'clock A.M. this 14th

of October, 1998 6:00

By Penny Archibald Deputy

TOGETHER WITH 35 SHARES OF NORTH SIDE CANAL COMPANY WATER STOCK.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: October 9, 1998

TERRY VOTROUBEK

SUE VOTROUBEK

STATE OF IDAHO

: ss

COUNTY OF GOODING

On This 9th of OCTOBER in the year 1998, before me, a Notary Public in and for said State, personally appeared Terry Votroubek And Sue Votroubek, 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 of Idaho

Residing at WENDELL, Idaho

Commission Expires: 03/22/02



TITLE & ESCROW
COMPANIES

EXHIBIT A

Township 8 South, Range 14, East of the Boise Meridian, Gooding
County, Idaho

Section 22: The East one-half of the Southeast Quarter, which
lies North of the right of way of the North Side
Canal, Limited lateral, known as Lateral W-9,

EXCEPTING THEREFROM a tract deeded to the State of Idaho for road
purposes as set forth in Deed recorded April 29, 1942 in Book 33 of
Deeds at Page 343.

6980 ⁴¹² ~~417~~

177686

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Gooding Title

26 min. past 1 o'clock P m. this 28

of October 19 98 # 62

By Corinne M. Hill Deputy

Warranty Deed

GRANTORS, JOSEPH W. MRACHEK, a single man, and MARGARET NEWBROUGH, a single woman, of Wendell, County of Gooding, State of Idaho, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto TERRY VOTROUBEK and SUE VOTROUBEK, husband and wife, whose current address is 3271 South 1500 East, Wendell, County of Gooding, State of Idaho, as GRANTEES and to Grantees heirs and assigns forever, all of the following described real estate located in the County of Gooding, State of Idaho, to-wit:

Township 8 South, Range 14 East of the Boise Meridian

Section 22: E $\frac{1}{2}$ SE $\frac{1}{4}$ which lies North of the right-of-way of the Northside Canal, Limited lateral, known as Lateral W-9, except tract to State of Idaho for road purposes as set forth in Deed recorded April 29, 1942 in Book 33 of Deeds, page 343, records of Gooding County, Idaho.

Together with all water and water rights, including State of Idaho License and Certificate of water right No. G-29502, dated February 20, 1961, set forth in Deed recorded March 27, 1974, Instrument #49502, records of Gooding County, Idaho, and including 35 shares of water stock in the North Side Canal Company and together with the 10 h.p. pump on the well and with all appurtenances and improvements now located upon said premises.

Grantors, for themselves, their heirs and assigns do hereby covenant, warranty, and shall defend the quiet and peaceable possession of said premises by the Grantees, their heirs and assigns, forever against the lawful claims of all persons.

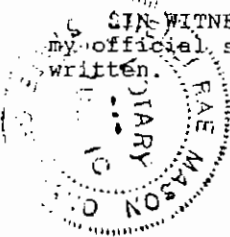
IN WITNESS WHEREOF, Grantors do hereunto subscribe their names to this instrument this 15 day of June, 1988.

Joseph W. Mrachek
JOSEPH W. MRACHEK
Margaret Newbrough
by Joseph W. Mrachek, Attorney in fact
MARGARET NEWBROUGH, by
Joseph W. Mrachek, Attorney in fact

STATE OF IDAHO)
) ss.
County of Gooding)

On this 15th day of June, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH WALTER MRACHEK, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



Shelli Rae Mason
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding, Idaho
Commission Expires:

SHELLI RAE MASON
COMMISSION EXPIRES 6-24-93

STATE OF IDAHO)
) ss.
County of Gooding)

On this 15th day of June, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH WALTER MRACHEK, proved to me to be the person whose name is subscribed to the within instrument as the attorney in fact of MARGARET NEWBROUGH, and acknowledged to me that he subscribed the name of MARGARET NEWBROUGH thereto as principal and his own name as attorney in fact.

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



Shelli Rae Mason
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding, Idaho
Commission Expires:

SHELLI RAE MASON
COMMISSION EXPIRES 6-24-93



Tract 2141
Farm 2169
Goodings, Idaho



Map Printed: Mar 7, 2006