

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

#42357

RECEIVED

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

SEP 05 2006

DEPARTMENT OF
WATER RESOURCES

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List 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
43-4221 PD					

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**.

Name and Address of Former Owner/Claimant(s)	<u>Roland Zollinger, Kathy Zollinger, Russell Zollinger and Patty Zollinger</u> <u>1513 South 3350 East</u> <u>Malta, ID 83342</u>
New Owner/Claimant(s)	<u>Arden Eugene Wickel and Wynnell F. Wickel</u> Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address	<u>2337 East 1500 South</u>
City, State and ZIP Code	<u>Malta, ID 83342</u>
New Telephone Number	<u>(208) 645-2581</u>
Date you acquired the property	<u>September 1, 2006</u>

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)

Arden Eugene Wickel
Arden Eugene Wickel
Wynell F. Wickel
Wynell F. Wickel

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 _____ Date _____ Fee 25.00
 Received by AMB Date 9-5-06 Receipt No. C082082
 Processed by _____ AJ Date _____ WR _____ Date _____

310665

WARRANTY DEED

#42357

For Value Received

Cathy Jean White, Roland L. Zollinger and Russell D. Zollinger, Co-Personal Representatives of the Estate of Asiel A. Zollinger, deceased, and Roland L. Zollinger, a married man contracting with his sole and separate property and Russell D. Zollinger, a married man contracting with his sole and separate property

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

Arden Eugene Wickel and Wynell F. Wickel, husband and wife
Address: 2337 East 1500 South
Malta, Idaho 83342

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

**TOWNSHIP 13 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 13: N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$

Section 25: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 24: S $\frac{1}{2}$ SW $\frac{1}{4}$ and Tax No. 4685, more particularly described as follows:

Tax No. 4685: Part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ and part of the S $\frac{1}{2}$ NW $\frac{1}{4}$, described as follows: Beginning at the Southeast corner of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 24, said point marked by a $\frac{1}{2}$ inch rebar and shall be the Point of Beginning;
Thence South 89°53'16" West along the 1/16th section line for 2066.92 feet to a $\frac{1}{2}$ inch rebar;
Thence North 49°44'04" East for 1108.05 feet to a $\frac{1}{2}$ inch rebar;
Thence North 53°37'35" East for 1527.76 feet to $\frac{1}{2}$ inch rebar on the quarter section line;
Thence South 0°18'28" West along said quarter section line for 1618.18 feet to the Point of Beginning.

PARCEL NO. 2:

**TOWNSHIP 13 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 24: SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 25: NE $\frac{1}{4}$ NE $\frac{1}{4}$

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

2006 SEP 1 PM 2 54

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 18.00 DEPUTY *26*

310665

PARCEL NO. 3:

Easement for access for the benefit of Parcel No. 2 as granted by Easement of Right-Of-Way, by and between Asiel Zollinger and Theda Zollinger, husband and wife, "Grantors" and Lois Elison, "Grantee", dated December 23, 1974 and recorded January 22, 1974 as Instrument No. 80813 on Film No. 93, records of Cassia County, Idaho.

PARCEL NO. 4:

Easement for stock water pipeline, together with ingress and egress for installation and maintenance thereof, as contained in Warranty Deed to Asiel A. Zollinger and Theda A. Zollinger, husband and wife, "Grantees", executed by Herber J. Zollinger and Theora Mae Zollinger, husband and wife, "Grantors", recorded December 30, 1980 as Instrument No. 131565 on Film No. 139, records of Cassia County, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Water Right No. 43-4221.

SUBJECT TO:

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

Taxes for 2006 and subsequent years.

Reservations contained in U.S. Patent to Pearl N. Zollinger, dated May 28, 1958 and recorded June 11, 1958 as Instrument No. 197601 in Book 2 of Patents, records of Cassia County, Idaho.

Easement of Right-Of-Way, by and between Asiel and Theda Zollinger, husband and wife, "Grantors" and Lois Elison, a married woman, "Grantee" dated December 23, 1974 and recorded January 22, 1975 as Instrument No. 80813 on Film No. 93, records of Cassia County, Idaho.

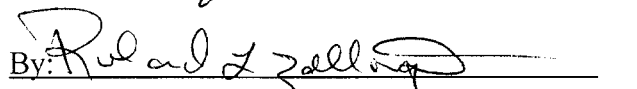
Joint Well Use Agreement between Arden Eugene Wickel and Wyness F. Wickel, husband and wife and Glen R. Kunau and Dona Kunau, husband and wife, dated March 8, 1993 and recorded March 8, 1993 as Instrument No. 223440 on Film No. 242, records of Cassia County, Idaho, records of Cassia County, Idaho.

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.

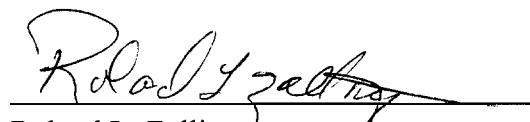
Dated: September 1, 2006

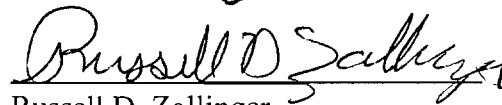
ESTATE OF ASIEL A. ZOLLINGER

By: 
Cathy Jean White, Co-Personal Representative

By: 
Roland L. Zollinger, Co-Personal Representative

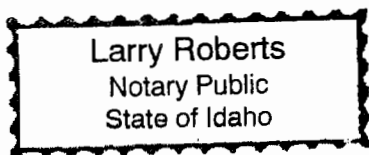
By: 
Russell D. Zollinger, Co-Personal Representative

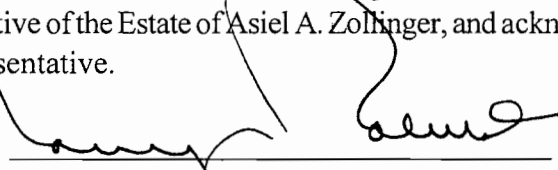

Roland L. Zollinger


Russell D. Zollinger

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

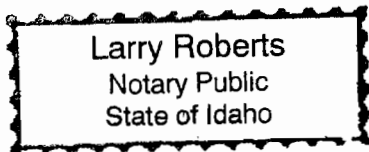
On this 17 day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Cathy Jean White**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, and acknowledged to me that she executed the same as such Co-Personal Representative.




Notary Public
Residing at: Burley, ID
My Commission expires: 6.30.09

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

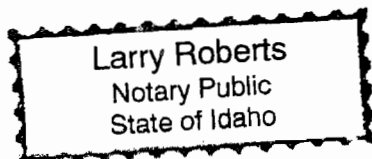
On this 17 day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roland L. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, and acknowledged to me that he executed the same as such Co-Personal Representative.

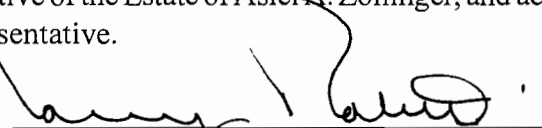



Notary Public
Residing at: Burley, ID
My Commission expires: 6.30.09

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

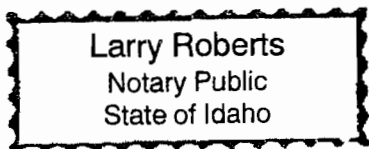
On this 17 day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Russell D. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, and acknowledged to me that he executed the same as such Co-Personal Representative.

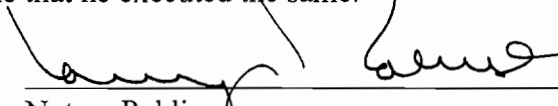



Notary Public
Residing at: Burley, ID
My Commission expires: 6.30.09

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 12 day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roland L. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

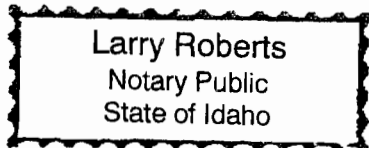


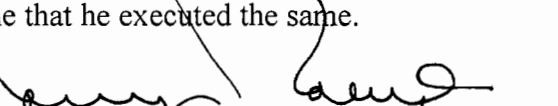


Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09 -

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 12 day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Russell D. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.





Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

314.336

QUITCLAIM DEED

No #

For Value Received

Cathy Jean White, Roland L. Zollinger and Russell D. Zollinger, Co-Personal Representatives of the Estate of Asiel A. Zollinger, deceased, and Roland L. Zollinger, a married man contracting with his sole and separate property and Russell D. Zollinger, a married man contracting with his sole and separate property

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

Arden Eugene Wickel and Wynell F. Wickel, husband and wife
ADDRESS: 2337 East 1500 South
Malta, Idaho 83342

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

State of Idaho, Department of Water Resources Water Right No. 43-4221

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: October 19th, 2006

ESTATE OF ASIEL A. ZOLLINGER

By:

Cathy Jean White
Cathy Jean White, Co-Personal Representative

Roland L. Zollinger
Roland L. Zollinger

By:

Roland L. Zollinger
Roland L. Zollinger, Co-Personal Representative

Russell D. Zollinger
Russell D. Zollinger

By:

Russell D. Zollinger
Russell D. Zollinger, Co-Personal Representative

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

2006 OCT 5 AM 9 52

FEE \$600 D. PUTY

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER

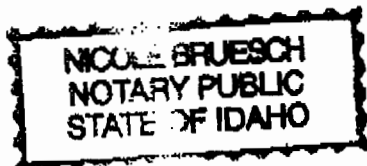
314336

STATE OF IDAHO)

) ss.

COUNTY OF Cassia)

On this 4th day of October, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Cathy Jean White**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, and acknowledged to me that she executed the same as such Co-Personal Representative.

Nicole Bruesch

Notary Public

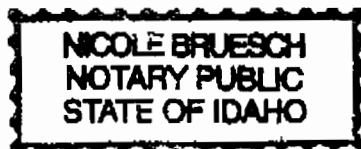
Residing at: maile IDMy Commission expires: 7-14-12

STATE OF IDAHO)

) ss.

COUNTY OF Cassia)

On this 4th day of October, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roland L. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, and acknowledged to me that he executed the same as such Co-Personal Representative.

Nicole Bruesch

Notary Public

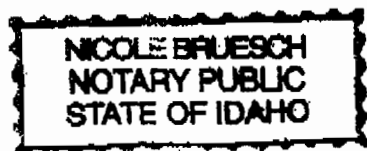
Residing at: maile IDMy Commission expires: 7-14-12

STATE OF IDAHO)

) ss.

COUNTY OF Cassia)

On this 4th day of October, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Russell D. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, and acknowledged to me that he executed the same as such Co-Personal Representative.

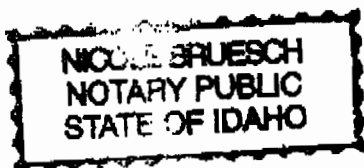
Nicole Bruesch

Notary Public

Residing at: maile IDMy Commission expires: 7-14-12

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 4th day of October, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roland L. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Nicole Bruesch

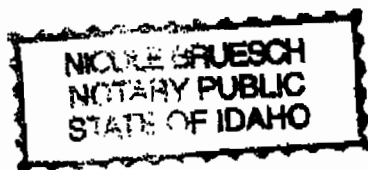
Notary Public

Residing at: Malta ID

My Commission expires: 7-14-12

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 4th day of October, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Russell D. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Nicole Bruesch

Notary Public

Residing at: Malta ID

My Commission expires: 7-14-12

311238

This deed is executed and recorded to include real property located in Cassia County, Idaho that was inadvertently left out of Warranty Deed recorded as Instrument No. 310665 on September 1, 2006, records of Cassia County, Idaho

WARRANTY DEED

#42357

For Value Received

Cathy Jean White, Roland L. Zollinger and Russell D. Zollinger, Co-Personal Representatives of the Estate of Asiel A. Zollinger, deceased, and Roland L. Zollinger, a married man contracting with his sole and separate property and Russell D. Zollinger, a married man contracting with his sole and separate property

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

Arden Eugene Wickel and Wynell F. Wickel, husband and wife
Address: 2337 East 1500 South
Malta, Idaho 83342

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 13 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: Lots 1, 2 and the E½NW¼

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Water Right No. 43-4221.

SUBJECT TO:

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

Taxes for 2006 and subsequent years.

Reservations contained in U.S. Patent to Pearl N. Zollinger, dated May 28, 1958 and recorded June 11, 1958 as Instrument No. 197601 in Book 2 of Patents, records of Cassia County, Idaho.

Easement of Right-Of-Way, by and between Asiel and Theda Zollinger, husband and wife, "Grantors" and Lois Ellison, a married woman, "Grantee" dated December 23, 1974 and recorded January 22, 1975 as Instrument No. 80813 on Film No. 93, records of Cassia County, Idaho.

Joint Well Use Agreement between Arden Eugene Wickel and Wynell F. Wickel, husband and wife and Glen R. Kunau and Dona Kunau, husband and wife, dated March 8, 1993 and recorded March 8, 1993 as Instrument No. 223440 on Film No. 242, records of Cassia County, Idaho, records of Cassia 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: September 30, 2006

ESTATE OF ASIEL A. ZOLLINGER

By: Cathy Jean White

Cathy Jean White, Co-Personal Representative

Roland L. Zollinger
Roland L. Zollinger

By: Roland L. Zollinger

Roland L. Zollinger, Co-Personal Representative

Russell D. Zollinger
Russell D. Zollinger

By: Russell D. Zollinger

Russell D. Zollinger, Co-Personal Representative

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 30th day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Cathy Jean White, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, and acknowledged to me that she executed the same as such Co-Personal Representative.

Nicole Bruesch
Notary Public

Residing at: Malta ID

My Commission expires: 7.14.12

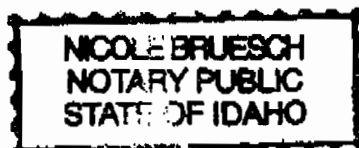
NICOLE BRUESCH
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)

) ss.

COUNTY OF Cassia)

On this 30th day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roland L. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, and acknowledged to me that he executed the same as such Co-Personal Representative.

Nicole Bruesch

Notary Public

Residing at: Malta, ID

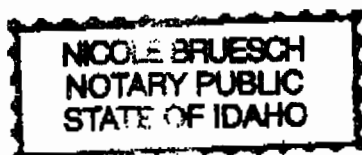
My Commission expires: 7-14-12

STATE OF IDAHO)

) ss.

COUNTY OF Cassia)

On this 30th day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Russell D. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, and acknowledged to me that he executed the same as such Co-Personal Representative.

Nicole Bruesch

Notary Public

Residing at: Malta, ID

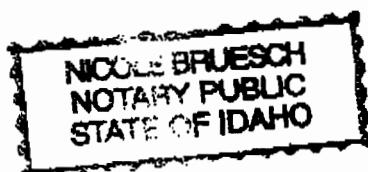
My Commission expires: 7-14-12

STATE OF IDAHO)

) ss.

COUNTY OF Cassia)

On this 30th day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roland L. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Nicole Bruesch

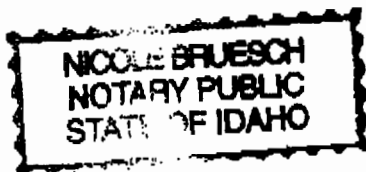
Notary Public

Residing at: Malta, ID

My Commission expires: 7-14-12

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 30th day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Russell D. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Nicole Bruesch

Notary Public

Residing at: Maita, ID

My Commission expires: 7-14-12

211600
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 12.00 DEPUTY 26
2006 OCT 4 PM 10 33
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW