

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

RECEIVED**NOV 29 2005****DEPARTMENT OF
WATER RESOURCES**

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

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
<u>45-7290</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>45-7331</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>45-11912</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>45-11913</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>45-11914</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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>Don McFarland, Carol McFarland and Marshall J. McFarland</u> <u>2112 Highway 25</u> <u>Eden, ID 83325</u>	<u>1025 Darren Drive</u> <u>Stephenville, TX 76801</u>
New Owner/Claimant(s)	<u>William J. Millenkamp and Susan J. Millenkamp</u> Name Connector (Check one): ☐ and, ☐ or, ☐ and/or	
New Mailing Address	<u>471 North 300 West</u>	
City, State and ZIP Code	<u>Jerome, ID 83338</u>	
New Telephone Number	<u>(208) 731-5518</u>	
Date you acquired the property	<u>November 15, 2005</u>	

SUPPORT DATA**IN FILE #** 45-7290

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)

William J. Millenkamp
William J. Millenkamp

Susan J. Millenkamp
Susan J. Millenkamp

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>MM</u>	Date <u>11-29-05</u>	Fee <u>\$125.00</u>
Received by _____	Date _____	Receipt No. <u>0079754</u>
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED

#40891

305229

For Value Received

Marshall McFarland, a single man, an undivided ½ interest and Don McFarland and Carol McFarland, husband and wife, an undivided ½ interest

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

William J. Millenkamp and Susan J. Millenkamp, husband and wife
Address: 471 North 300 West
Jerome, ID 83338

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

See attached Exhibit "A"

SUBJECT TO:

Taxes for 2005 and subsequent years.

Assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided.

Agreement to furnish water between the United States of America, and J. R. Howell and Cicley A. Howell, dated June 3, 1908, and recorded June 27, 1908, as Instrument NO. 6715 in Book 1 of Bills of Sale and Agreements on Page 161, records of Cassia County, Idaho.

Judgment on Declaration of Taking in the case of the United States of America, Plaintiff, vs. Norma Gnemi Herbold, also known as Norma Gnemi Herboldt, et al, Defendant, dated January 30, 1969 and recorded January 31, 1969 as Instrument No. 44676 on Film No. 59, records of Cassia County, Idaho.

Easement pertaining to a lateral for irrigation purposes, from Henry Neilson and Merab Neilson, husband and wife, parties of the first part, to Joseph C. Fowler and Alta Fowler, husband and wife, parties of the second part, dated January 14, 1960, and recorded April 20, 1960, as Instrument No. 206102 in Book 16 of Miscellaneous, records of Cassia County, Idaho.

Terms and conditions of an Agreement to Move Access Road and Easement between Victor C. Engkraf and Lillie Mae Engkraf, husband and wife, Claude C. King and Thelma G. King, husband and wife, and John Thain and Mildred Thain, husband and wife, and Theda B. Cherry, a widow, dated April 19, 1977 and recorded June 6, 1977 as Instrument No. 99232 on Film No. 10, records of Cassia County, Idaho.

Easement for Erection and Maintenance of Power Line from J. T. Thain and Mildred Thain, to Rural Electric Company, a cooperative association, dated March 17, 1978, and recorded December 7, 1978 as Instrument No. 112706 on Film No. 122, records of Cassia County, Idaho.

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 15.00
DEPUTY RB
2005 NOV 16 PM 4 45
RECORDED AT THE REQUEST
OF LAND TITLE & ESCROW

305229

Idaho Mortgage and Security Agreement between Don McFarland and Carol McFarland, husband and wife, as Mortgagors, and The Mutual Life Insurance Company of New York, as Mortgagee, dated February 15, 1994 and recorded February 16, 1994 as Instrument No. 229228 on Film No. 253, records of Cassia County, Idaho.

Financing Statement between M. Don McFarland and Carol L. McFarland, as Debtors, and The Mutual Life Insurance Company of New York, as Secured Party, filed February 16, 1994 as Instrument No. 229229 on Film No. 253, records of Cassia County, Idaho.

Effect of Resolution of Cassia County Idaho Board of Commissioners Resolution No. 96-3-1, dated March 18, 1996 and recorded March 21, 1996 as Instrument No. 241781 on Film No. 275, records of Cassia County, Idaho.

Effect of Resolution of Cassia County Idaho Board of Commissioners Resolution No. 96-4-4, dated April 22, 1996 and recorded April 23, 1996 as Instrument No. 242370 on Film No. 276, records of Cassia County, Idaho.

Financing Statement between Don McFarland and Carol McFarland, as Debtors, and Diversified Financial Services, LLC, as Secured Party recorded October 2, 2003 as Instrument No. 291765, records of Cassia County, Idaho.

Financing Statement between Don McFarland and Carol McFarland, as Debtors, and Diversified Financial Services, LLC, as Secured Party recorded October 2, 2003 as Instrument No. 291766, 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: November 15th, 2005

Marshall J. McFarland

Marshall J. McFarland

Don McFarland

Don McFarland

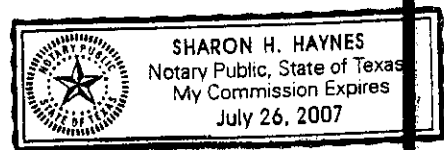
Carol McFarland

Carol McFarland

STATE OF TEXAS)
) ss.
COUNTY OF Krook

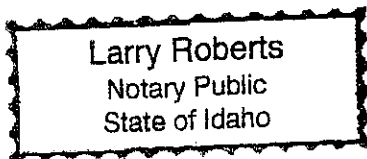
On this 11 day of November, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Marshall J. McFarland, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Sharon W. Haynes
Notary Public
Residing at: Stephenville, TX
My Commission expires: 7-26-07



STATE OF IDAHO)
COUNTY OF Jerome) ss.
LR)

On this 15th day of **November, 2005**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Don McFarland and Carol McFarland**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 06.30.09

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: That part of Lots 2, 3, 4 and SE¼SW¼ described as follows:

Beginning at the South quarter corner of said Section 2;
Thence North 0°03' East a distance of 20.091 chains;
Thence North 89°57' East a distance of 9.366 chains;
Thence North 4°05' East a distance of 0.683 chains;
Thence North 73°08' West a distance of 7.869 chains;
Thence North 89°41' West a distance of 2.143 chains;
Thence North 88°42' West a distance of 3.890 chains;
Thence North 70°17' West a distance of 2.045 chains;
Thence North 41°41' West a distance of 12.990 chains;
Thence North 7°24' East a distance of 0.813 chains;
Thence North 23°00' West a distance of 6.262 chains;
Thence North 27°49' West a distance of 1.560 chains to the South waters edge of the Snake River;
Thence South 66°08' West along the South waters edge of the Snake River, a distance of 24.218 chains;
Thence South 0°12' East a distance of 31.705 chains to the Southwest section corner of said Section 2;
Thence East along the South section line of said Section 2, a distance of 39.799 chains to the Point of Beginning.

EXCEPTING THEREFROM the following described parcel:

Beginning at the South quarter corner of Section 2, Township 9 South, Range 25, East, Boise Meridian;
Thence West along the section line 23 feet;
Thence North 0°03' East a distance of approximately 1,530 feet to the center line of the irrigation lateral;
Thence East along the center line of said irrigation lateral to the Eastern boundary of the SW¼ of said Section 2, a distance of 23 feet;
Thence South along said Eastern boundary of the SW¼ of said Section 2 a distance of approximately 1,530 feet to the South quarter corner of said Section 2, to the True Point of Beginning.

PARCEL NO. 1-A:

A perpetual easement over and across said parcel excepted above for the purposes of ingress and egress and for access to the irrigation lateral, a part of which forms the Northern boundary of said parcel, as reserved in Agreement to Move Access Road and Easement recorded June 6, 1977, as Instrument No. 99232, records of Cassia County, Idaho.

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: All of Lots 2, 3, 4 and SE $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel:

Beginning at the South quarter corner of said Section 2;
Thence North 0°03' East a distance of 20.091 chains;
Thence North 89°57' East a distance of 9.366 chains;
Thence North 4°05' East a distance of 0.683 chains;
Thence North 73°08' West a distance of 7.869 chains;
Thence North 89°41' West a distance of 2.143 chains;
Thence North 88°42' West a distance of 3.890 chains;
Thence North 70°17' West a distance of 2.045 chains;
Thence North 41°41' West a distance of 12.990 chains;
Thence North 7°24' East a distance of 0.813 chains;
Thence North 23°00' West a distance of 6.262 chains;
Thence North 27°49' West a distance of 1.560 chains to the South waters edge of the Snake River;
Thence South 66°08' West along the South waters edge of the Snake River, a distance of 24.218 chains;
Thence South 0°12' East a distance of 31.705 chains to the Southwest section corner of said Section 2;
Thence East along the South section line of said Section 2, a distance of 39.799 chains to the Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 9 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

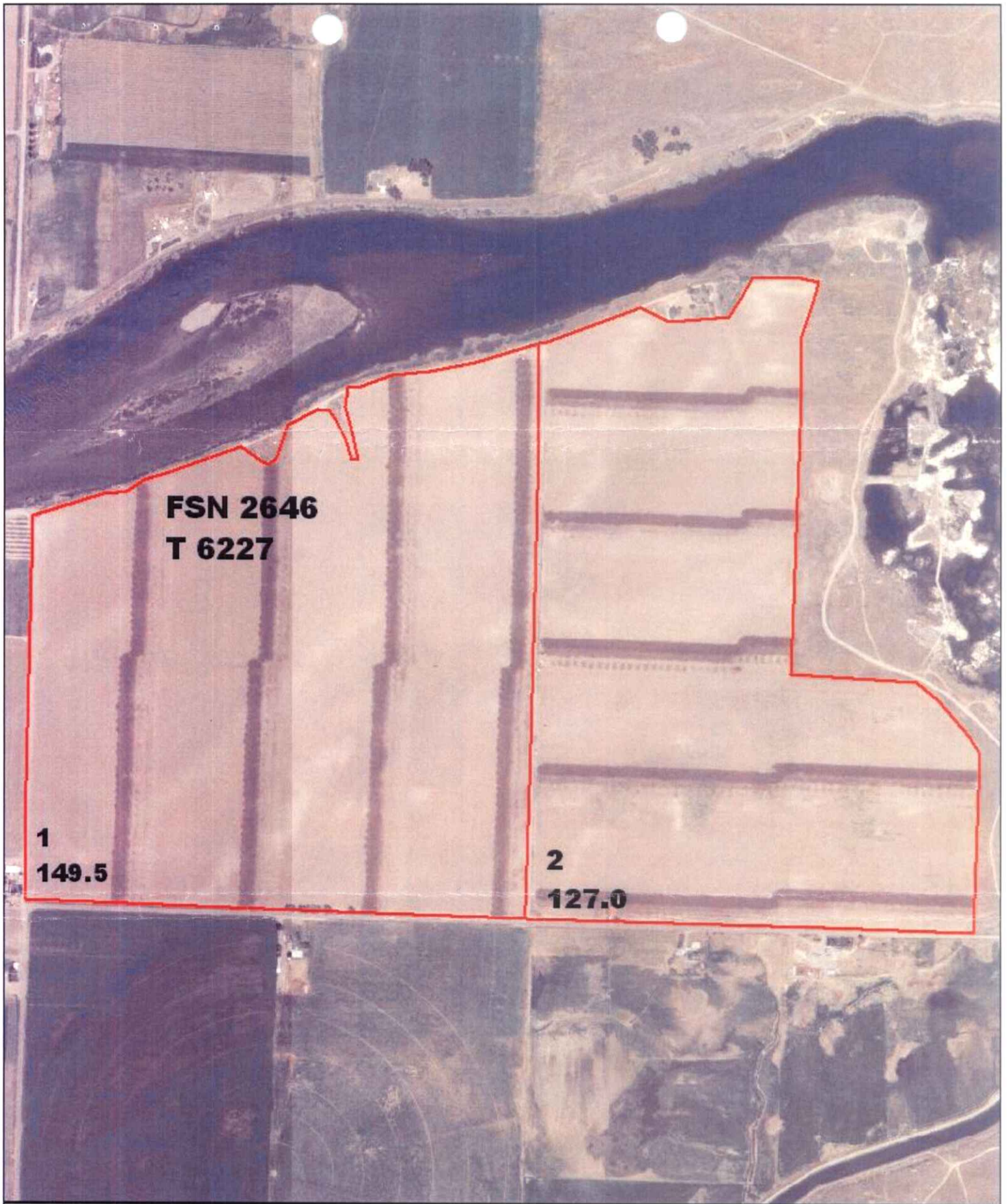
Beginning at the South quarter corner of said Section 2;
Thence West along the section line 23 feet;
Thence North 0°03' East a distance of approximately 1,530 feet to the centerline of the irrigation lateral;
Thence East along the center line of said irrigation lateral to the Eastern boundary of the SW $\frac{1}{4}$ of said Section 2, a distance of 23 feet;
Thence South along said Eastern boundary of the SW $\frac{1}{4}$ of said Section 2 a distance of approximately 1,530 feet to the South quarter corner of said Section 2, the True Point of Beginning.

PARCEL NO. 4:

TOWNSHIP 9 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: S $\frac{1}{2}$ SE $\frac{1}{4}$, SAVE AND EXCEPT the following described parcel:

Beginning at a BLM brass cap at the Southeast section corner of said Section 2;
Thence South 89°54' West for 329.82 feet;
Thence North 986.08 feet;
Thence North 44°27' West for 467.29 feet to a BLM brass cap;
Thence North 89°53' East 656.7 feet;
Thence South 1320 feet to the True Point of Beginning.

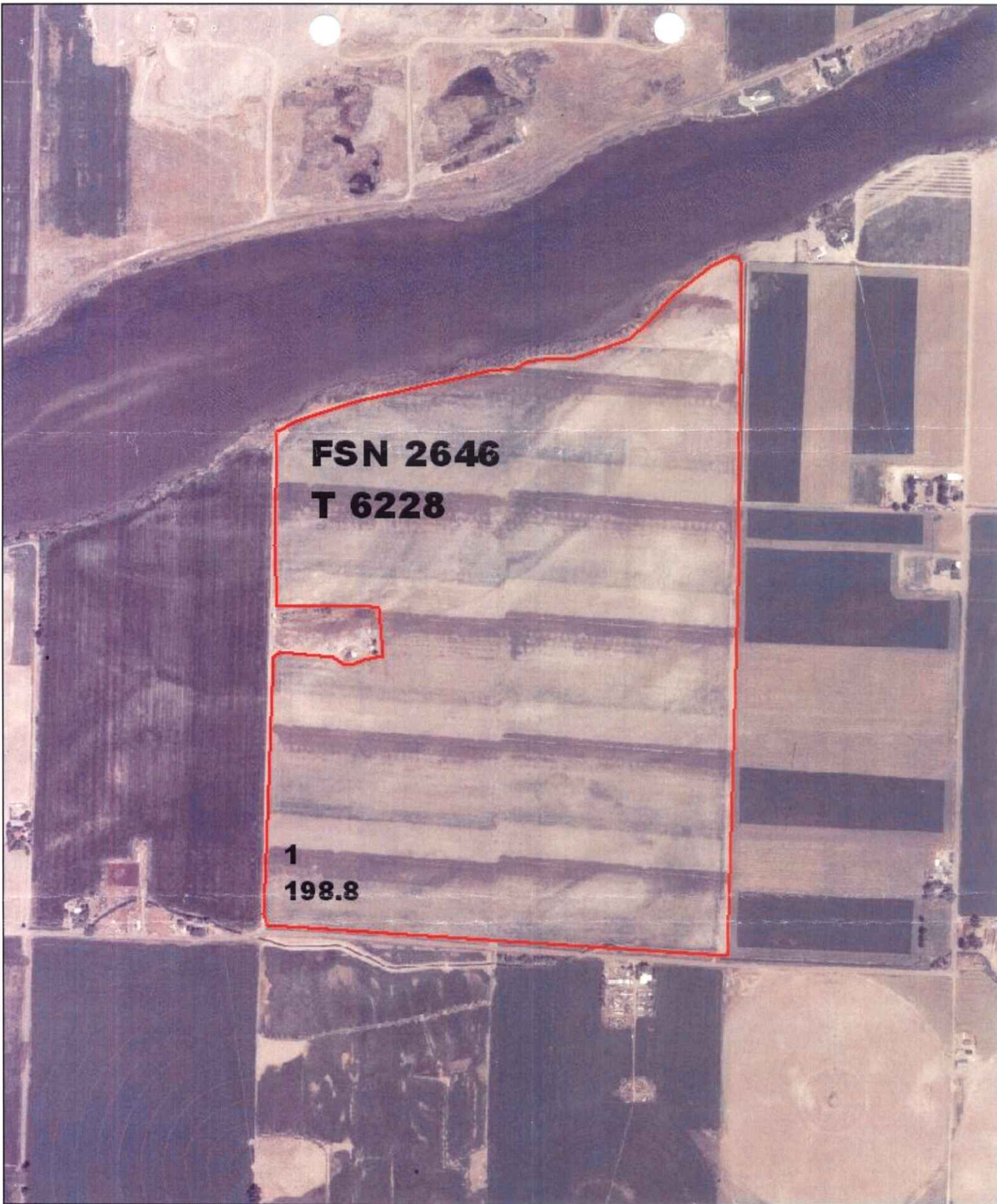


Map of T6227
HEL
Map Cassia Co.
Cassia Co.

0.06 0 0.06 0.12 0.18 0.24 Miles



Map Printed: Apr 8, 2004



FSN 2646
T 6228

1
198.8

Map of T6228
HEL
Map Cassia Co. T9S,R25,S3,10
Cassia Co.

400 0 400 800 1200 1600 Feet



Map Printed: Apr 8, 2004