

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

**RECEIVED**

**MAR 18 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.

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 31-66C                |                              |       |                       |                              |       |
| 31-67C                |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

2 x 25 = 50

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)

Carolyn M. Probst, 3650 S. Craig Circle, SALT LAKE CITY, UTAH 84109  
Elna Orlean Koehle, 4577 Creekmont Court, SANTA ROSA, CA 95404

4. New Owner/Claimant(s)

DAVID J. AND JAMES F. HAGENBARTH

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 1128

City, State and ZIP Code

Dillon, MT 59725

New Telephone Number

406 683-2163

5. Date you acquired the property

NOV. 18, 2004

**SUPPORT DATA**

**IN FILE #** 31-66C

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) David J. Hagenborth  
(include title if applicable) James F. Hagenborth

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>3-18-05</u> | Fee <u>\$50.00/xc</u>       |            |
| Received by <u>MM</u> | Date <u>3-18-05</u> | Receipt No. <u>CD 77192</u> |            |
| Processed by _____    | AJ Date _____       | WR _____                    | Date _____ |

Microfilm No. 050915  
16 Day Dec 20 04  
At 4:13 O'Clock P  
Carroll Over  
Clark Co. Recorder  
Fee \$ 12 Deputy

ADIT TL-316241

## WARRANTY DEED

Recorded at Request of  
Amecitille

THIS INDENTURE is made this 18 day of November, 2004, by CAROLYN M. PROBST, a widow, and ELNA ORLEAN KOEHLE, a married woman dealing with her sole and separate property, hereafter collectively referred to as the "Grantors", and DAVID HAGENBARTH AND JAMES HAGENBARTH, married men dealing with their sole and separate property, whose mailing address is P.O. Box 1128, Dillion, Montana, 59725, the "Grantees".

## WITNESSETH:

That the Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantors in hand paid by the Grantees, the receipt whereof is hereby acknowledged, have granted, bargained, sold, and by these presents do grant, bargain, sell, convey and confirm unto the Grantees, and to the Grantees' heirs and assigns forever, all of the following described property, to-wit:

Township 12 North, Range 38 East of the Boise Meridian,  
County of Clark, State of Idaho.

Section 1: Government Lots 3 and 4; S1/2NW1/4; S1/2

Section 2: E1/2E1/2E1/2

SUBJECT to all patent reservations, rights of way and protective covenants of record and all applicable building codes, laws and regulations.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantors.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantees, and to the Grantees' heirs and assigns forever. The Grantors and the Grantors' heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantees and the Grantees' heirs and assigns, against the Grantors and the Grantors' heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

IN WITNESS WHEREOF, the Grantors have executed the within instrument the day and year first above written.

Carolyn M. Probst  
Carolyn M. Probst

Elna Orlean Koehle

STATE OF UTAH                    )  
                                          )ss.  
County of Salt Lake            )

On this 18 day of November, 2004, before me, the undersigned, a notary public, in and for said State, personally appeared Carolyn M. Probst, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.

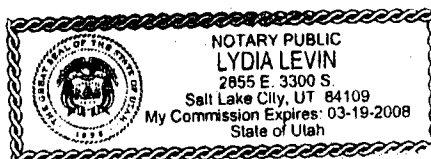
Lydia Levin

Notary Public for Utah

Residing at: 2855 E. 3300 S, SLU, UT 84109

My Commission Expires: 03/19/2008

(seal)



IN WITNESS WHEREOF, the Grantors have executed the within instrument the day and year first above written.

\_\_\_\_\_  
Carolyn M. Probst

*Elna Orlean Kochle*  
Elna Orlean Kochle

STATE OF UTAH                    )  
                                          )ss.  
County of Salt Lake            )

On this \_\_\_\_\_ day of November, 2004, before me, the undersigned, a notary public, in and for said State, personally appeared Carolyn M. Probst, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.

(seal)

\_\_\_\_\_  
Notary Public for Utah

Residing at: \_\_\_\_\_

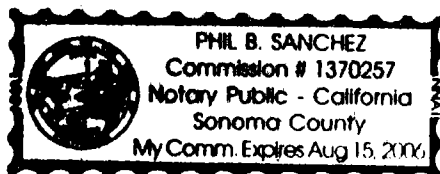
My Commission Expires: \_\_\_\_\_

STATE OF CALIFORNIA                    )  
                                                   )ss.  
 County of SONOMA                    )

On this 23<sup>rd</sup> day of November, 2004, before me, the undersigned, a notary public, in and for said State, personally appeared Elna Orlean Koehle, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.

(seal)



Phil B. Sanchez

Notary Public for California

Residing at: 1711 4th ST SANTA ROSA, CA 95404

My Commission Expires: 8-15-2006

G:\WPDATA\ADWS\1046\04 Probst\Warranty Deed wpd.smm

## CORPORATION WARRANTY DEED

Effective March 14, 2000, SILVER RIDGE RANCH, INC., (formerly known as Miller Farms, Inc.), (hereafter referred to as **GRANTOR**), of Roberts, Idaho, for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto CAROLYN M. PROBST, a single woman dealing with her sole and separate property, of salt Lake City, Utah, and ELNA ORLEAN KOEHLER, a married woman dealing with her sole and separate property, of Santa Rosa, California, (hereafter collectively referred to as **GRANTEES**), as **Tenants in Common**, and to their successors and assigns forever, all of the following described real property situated in Clark County, State of Idaho to-wit:

Lots 3 & 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$  SEC 1, E $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$ , less 1 Ac. E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  SEC 2;  
T 12 N; R 38 EBM

TOGETHER WITH any and all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereunto belonging or in anywise pertaining

**GRANTOR**, for itself, its successors and assigns, does hereby warrant and agrees to forever defend the **GRANTEES**, their successors and assigns, in the quiet and peaceable possession of said premises forever against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

IN WITNESS WHEREOF, the **GRANTOR** hereunto has set its hand and seal this 7<sup>th</sup> day of April, 2000.

SILVER RIDGE RANCH, INC.

By:

Larry Sidwell Jensen  
Larry Sidwell Jensen, President

Silver Ridge Ranch  
C/O Sid Jensen  
2552 E 400 N  
Roberts, ID 83444  
208 228-3601

1 CORPORATION WARRANTY DEED

Microfilm No. 048668  
10 day April 2000  
At 1:50 O'Clock P. M.  
CONNIE S. OWEN  
Clark Co. Recorder  
Per 609  
Rebecca Nordstrom Deputy  
Recorded at Request of  
Thomson & Stephens