

LAND TITLE AND ESCROW, INC.

COUNTY

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PL 2 # 2
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MICROFILMED
MAY 24 2000

RECEIVED
MAY 18 1999
Department of Water Resources
Southern Region

"This plat is made solely for the purpose of assisting in locating the land, and the company assumes no liability for variations, if any, with an actual survey."

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**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
MAY 18 1999

Department of Water Resources
Southern Region

RECEIVED
JUL 20 1999

Department of Water Resources

1. Water Right No(s).: 36-15237

Adjudication Claim No(s).: _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Robert L. Miller

75 W. 200 N.

4. New Owner/Claimant(s) Adrian Boer

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

New Mailing Address 466 S. 200 W.

City, State and ZIP Code Jerome, ID 83338

New Telephone Number (208) 324-5048

5. Date you acquired the property May 3, 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Adrian Boer

Date _____

Date _____

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED

MAY 24 2000

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

JUL 20 1999

For Value Received

Department of Water Resources

ROBERT L. MILLER, an unmarried man

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

ADRIAN BOER, a married man

Address: 466 S. 200 W. Jerome, ID 83338-6065

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

SEE EXHIBIT "A" ATTACHED:

SUBJECT TO:

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

RECEIVED

MAY 18 1999

Department of Water Resources
Southern Region

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: May 3, 1999



ROBERT L. MILLER

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 3RD day of May, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT L. MILLER, known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that HE executed the same.


Notary Public
Residing at: Jerome
My Commission expires: 1-30-03

NOTARY PUBLIC
STATE OF IDAHO
RESIDING AT: Jerome, ID
MY COMMISSION EXPIRES 1-30-03

MICROFILMED

MAY 24 2000

180362

STATE OF IDAHO COUNTY OF GOODING
LAND TITLE & ESCROW
Filed for record at the request of
30 min. past 4 o'clock P m. this 3rd
of May, 19 99 6.00
By Penny Archibald Deputy

EXHIBIT "A"

Order Number: G-28395

**TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 33: That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

**Beginning at the West quarter corner of Section 33;
Thence South 337.00 feet;
Thence East 637.3 feet;
Thence North 337.00 feet;
Thence West 637.3 feet to THE POINT OF BEGINNING.**

**MICROFILMED
MAY 24 2000**

**RECEIVED
MAY 18 1999
Department of Water Resources
Southern Region**

LAND TITLE AND ESCROW, INC.

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MICROFILMED

MAY 24 2000

RECEIVED

MAY 18 1999

Department of Water Resources
Southern Region

"This plat is made solely for the purpose of assisting in locating the land, and the company assumes no liability for variations, if any, with an actual survey."

decreed

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

AUG 19 1998

Department of Water Resources
Southern Region

RECEIVED

AUG 28 1998

Department of Water Resources

1. Water Right Number(s) WR5809NP

Adjudication Claim Number(s) 36-15237

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE**, or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually on file with the county.) OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a **USDA Farm Service Agency** (formerly **ASCS**) **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) ROBERT WHIPKEY AND WANDA WHIPKEY

1039 Gridley Dr. , Hagerman, ID 83332

4. New Owner/Claimant(s) ROBERT L. MILLER

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address 75 North 200 West, Jerome, ID 83355

City, State and ZIP Code _____

New Telephone Number () _____

5. Date you acquired the property July 8, 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) *Robert L. Miller* Date _____

_____ Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED

MAY 24 2000

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

DATE: 07/06/98
PAGE: 2

PAGE 01

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MICROFILMED
MAY 24 2000

Shirley Sae

WARRANTY DEED

RECEIVED #G-27091

AUG 28 1998

For Value Received

Department of Water Resources

ROBERT E. WHIPKEY and WANDA M. WHIPKEY, HUSBAND AND WIFE

RECEIVED

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

AUG 19 1998

ROBERT L. MILLER, A SINGLE PERSON

Address: 75 NORTH 200 WEST, JEROME, IDAHO 83355

Department of Water Resources
Southern Region

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

SEE SCHEDULE A ATTACHED

SUBJECT TO:

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

Taxes for 1998 and subsequent years, a lien, but not yet due and payable.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Easement by and between Lawrence Carpenter and Carolyn Carpenter, husband and wife, party of the first part, and A. N. Ambrose, party of the second part, dated July 24, 1973, recorded August 13, 1973 as Instrument Number 46553, Gooding County records.

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: July 7, 1998

Robert E. Whipkey
ROBERT E. WHIPKEY

176301

STATE OF IDAHO COUNTY OF GOODING
Land Title & Escrow Inc.

Filed for record at the request of

45 min. past 4 o'clock P.m. this 8th

of July, 1998. 6.00

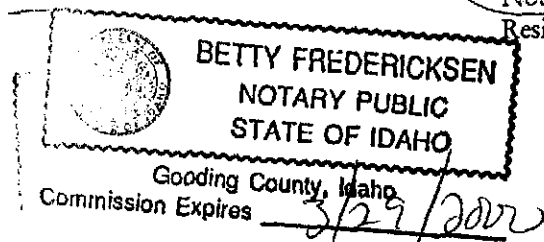
By Penny Archibald Deputy

STATE OF IDAHO)

COUNTY OF GOODING) ss.

On this 14th day of July, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT E. WHIPKEY and WANDA M. WHIPKEY, 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.

Betty Fredericksen
Notary Public
Residing at GOODING, IDAHO



MICROFILMED
MAY 24 2000

SCHEDULE A

Order Number: G-2709

TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 33: That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at the West quarter corner of Section 33;
Thence South 337.00 feet;
Thence East 637.3 feet;
Thence North 337.00 feet;
Thence West 637.3 feet to THE POINT OF BEGINNING.

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AUG 28 1998

Department of Water Resources

RECEIVED

AUG 19 1998

Department of Water Resources
Southern Region

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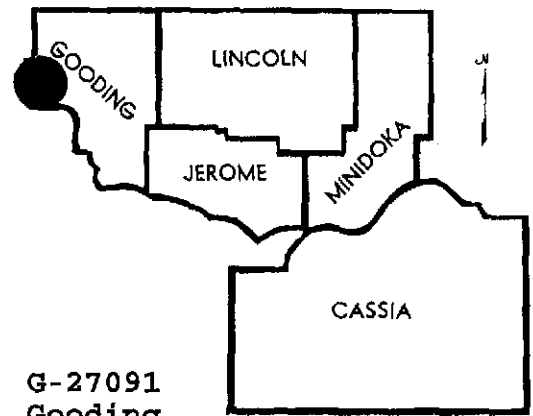
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Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-27091
OFFICE: Gooding

August 12, 1998

RECEIVED

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

AUG 28 1998 RECEIVED

Department of Water Resources AUG 19 1998

Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
MILLER\WHIPKEY

Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on
on WHIPKEY
for Water Right Number 36-15237
- Copy of Deed #176301
- Copy of Map

Thank you,

LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script, appearing to read "Lisa Ritter".

Lisa Ritter
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: miller

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 - FAX 878-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8981

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0608 - FAX 438-1189

2 4 2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

1996 DEC 13 AM 9:28

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
Water Right 36-15237

FILED

NAME & ADDRESS: ROBERT WHIPKEY
WANDA WHIPKEY
1039 GRIDLEY DR
HAGERMAN ID 83332

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1952

POINT OF DIVERSION: T08S R15E S33 NWWSW Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.03 CFS	
DOMESTIC 1 HOME	01-01 12-31	0.04 CFS	

PLACE OF USE: STOCKWATER Within GOODING County
T08S R15E S33 NWSW
DOMESTIC Within GOODING County
T08S R15E S33 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: DEC 13 1996

[Signature]

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

RULE 54(b) CERTIFICATE

JUN 04 1997

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: DEC 13 1996

[Signature]

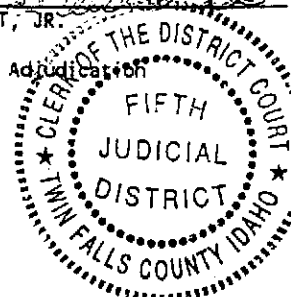
DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-15237

MICROFILMED
MAY 24 2000

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

By: *[Signature]*
DEPUTY CLERK



PAGE 1
NOV-26-1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 23, 1999

ADRIAN BOER
466 S 200 W
JEROME ID 83338

RE: Decreed Water Right 36-15237

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'L. Glen Saxton'.

for L. GLEN SAXTON, Chief
Water Allocation Bureau

LGS:klt

Enclosure

MICROFILMED
MAY 24 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT L MILLER
75 N 200 W
JEROME ID 83355

RE: Water Right 36-15237

Dear Mr. Miller:

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department..

Please feel free to contact the department if you have questions.

Sincerely,

for 
L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

MICROFILMED
MAY 24 2000