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DEC 17 2002

Department of Water Resources

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DEC 13 2002

WATER RESOURCES
WESTERN REGION

Form 42-248/42-1489(6) July, 2000

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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-10577					
63-26651					
63-25802					
63-10576					

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) 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)

M + W FARMS, INC.

412 HALSTEAD ST. CALDWELL, ID 83605

4. New Owner/Claimant(s)

DAVID L. MARCHBANKS + SHEILA D. MARCHBANKS

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

New Mailing Address

27425 IVERSON ROAD

City, State and ZIP Code

PARMA IDAHO 83660

New Telephone Number

(208) 459-7961

5. Date you acquired the property

10-3-02

MICHAEL
DEC 10 2004

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)
(include title if applicable)

David L. Marchbanks

Sheila Marchbanks

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>DAW</u>	Date <u>12-13-02</u>	Fee <u>\$100.00</u>
Received by <u>DAW</u>	Date <u>12-13-02</u>	Receipt No. <u>W029925</u>
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED, M & W FARMS, INC., an Idaho corporation, hereinafter referred to as the Grantor, hereby grants, bargains, sells and conveys unto DAVID L. MARCHBANKS and SHEILA D. MARCHBANKS, husband and wife, whose address is 27425 Iverson Road, Parma, Idaho 83660, hereinafter referred to as the Grantee, the following described parcels situated in Canyon County, State of Idaho, to-wit:

Parcel One

The SE-NE- and the SW-NE- in Section 28, T.5N., R.4W., B.M., Canyon County, Idaho.

EXCEPTING THEREFROM Tracts A and B as defined below:

Tract A:

This parcel is situated in the SW-NE- of Section 28, T.5N., R.4W., B.M. and is more particularly described as follows:

BEGINNING at the SE corner of the SW-NE- of said Section 28; thence West along the southerly boundary of the SW-NW- of said Section 28, a distance of 287.00 feet; thence North 0°16'25" East parallel to the easterly boundary of the SW-NE- of said Section 28, a distance of 262.85 feet; thence East parallel to the southerly boundary of the SW-NE- of said Section 28, a distance of 287.00 feet to a point on the easterly boundary of the SW-NE- of said Section 28; thence South 0°16'25" West along the easterly boundary of the SW-NE- of said Section 28, a distance of 264.85 feet to the POINT OF BEGINNING.

and

Tract B:

This parcel is situated in the SE-NE- of Section 28, T.5N., R.4W., B.M. and is more particularly described as follows:

Beginning at the SE corner of the SE-NE- of Section 28; thence North 0°16'20" East along the easterly boundary of said Section 28, a distance of 196.12 feet; thence North 89°37'40" West along the centerline of a drain ditch, a distance of 647.99 feet;

thence South 61°05'50" West continuing along the centerline of a drain ditch, a distance of 382.88 feet;
thence South 0°23'40" West continuing along the centerline of a drain ditch, a distance of 15.27 feet to a point on the southerly boundary of the SE-NE- of said Section 28;
thence East (basis for bearing) along the southerly boundary of the SE-NE- of said Section 28, a distance of 982.32 feet to the POINT OF BEGINNING.

and

The following real property located in Section 15, T.5N., R.4W., B.M., Canyon County, Idaho, and comprising Parcels One through Five as more particularly described below:

Parcel Two

The NW of the SW- of Section 15, T.5N., R.4W., B.M., Canyon County, Idaho.

and

Parcel Three

U.S. Government Lot 4, Section 15, T.5N., R.4W., B.M., Canyon County, Idaho.

EXCEPTING THEREFROM Tracts C and D as defined below:

Tract C:

All that part of Lot 4 of Section 15 lying West of the existing public road, in T.5N., R.4W., B.M., Canyon County, Idaho;

and

Tract D:

A part of Government Lot 3 and 4, Section 15, T.5N., R.4W., B.M., Canyon County, Idaho.

COMMENCING at the Section corner common to Sections 21 and 22, said corner monumented with a 5/8-inch diameter iron pin; thence North 89°59'56" East a distance of 305.89 feet along the southerly boundary of said Government Lot 4 to the POINT OF BEGINNING said point monumented with a 5/8-inch diameter iron pin; thence continuing North 89°59'56" East a distance of 887.82 feet along the southerly boundary of said Government Lots 3 and 4 to a 5/8-inch diameter iron pin; thence North 0°43'31" West a distance of 599.43 feet to a point on the centerline of Sand Run Gulch;

thence along the centerline of said Sand Run Gulch the following courses and distances:

South 87°36'18" West a distance of 53.07 feet; thence

North 89°20'54" West a distance of 320.07 feet; thence

South 53°09'43" West a distance of 306.84 feet; thence

South 32°06'35" West a distance of 492.14 feet to the POINT OF BEGINNING.

and

Parcel Four

U.S. Government Lots 2 and 3 and the NW-SE- of Section 15, T.5N., R.4W., B.M., Canyon County, Idaho, EXCEPTING THEREFROM Tract E as defined below:

Tract E:

A part of Government Lot 3, Section 15, T.5N., R.4W., B.M., Canyon County, Idaho.

COMMENCING at the Section corner common to Sections 21 and 22 said corner monumented with a 5/8-inch diameter iron pin; thence

North 89°59'56" East a distance of 1193.71 feet along the southerly boundaries of said Government Lot 3 and Government Lot 4 to the POINT OF BEGINNING; thence continuing

North 89°59'56" East a distance of 963.97 feet along the southerly boundary of said Government Lot 3 to a 5/8-inch diameter iron pin; thence

North 8°56'12" West a distance of 378.46 feet to a point on the centerline of Sand Run Gulch;

thence along the centerline of said Sand Run Gulch the following courses and distances:

North 86°02'27" West a distance of 128.07 feet;

North 38°29'22" West a distance of 153.02 feet;

North 35°01'59" West a distance of 92.89 feet;

North 78°30'57" West a distance of 30.06 feet;

North 87°29'17" West a distance of 288.17 feet;

North 88°36'28" West a distance of 235.22 feet;

South 87°36'18" West a distance of 84.02 feet; thence

leaving the centerline of said Sand Run Gulch South 0°43'31" East a distance of 599.43 feet to the POINT OF BEGINNING.

and

Parcel Five

That part of the SW-NE- and NW-NE- of Section 15, T.5N., R.4W., B.M., Canyon County, Idaho, more particularly described as follows:

BEGINNING at the SW corner of said SW-NE-;

MICRO

thence N 0°01'15" E, along the westerly boundary of said SW-NE-, a distance of 180.06 feet to a point on the centerline of an existing irrigation canal known as Sand Run Gulch;

thence traversing the centerline of said Sand Run Gulch as follows:

N 56°53'14" E, a distance of 108.09 feet;

thence N 27°01'44" E, a distance of 99.12 feet;

thence N 7°33'16" W, a distance of 286.73 feet;

thence N 17°59'31" W, a distance of 301.86 feet;

thence N 10°22'59" E, a distance of 147.48 feet;

thence N 24°40'19" E, a distance of 85.29 feet;

thence N 82°34'19" E, a distance of 68.00 feet;

thence S 89°49'33" E, a distance of 786.62 feet;

thence N 53°07'27" E, a distance of 498.69 feet to a point on the East boundary of said NW-NE-, which point is 105.62 feet North of the NE corner of said SW-NE-;

thence leaving the centerline of said Sand Run Gulch irrigation canal and running S 0°03'07" W, along the east boundary of said NW-NE- and SW-NE-, a distance of 1427.77 feet to the SE corner of said SW-NE-;

thence N 89°57'57" W, along the south boundary of said SW-NE-, a distance of 1318.56 feet to the POINT OF BEGINNING.

and

Parcel Six

The SE-NE- of Section 15, T.5N., R.4W., B.M., Canyon County, Idaho.

EXCEPTING THEREFROM Tracts F, G and H as defined below:

Tract F:

A portion of the SE-NE- of Section 15, T.5N., R.4W., B.M., Canyon County, Idaho, more particularly described as follows:

COMMENCING at the NE corner of the SE-NE- of Section 15, T.5N., R.4W., B.M., Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING; thence

South 89°59'40" West 147 feet along the northerly boundary of said SE-NE- of Section 15 to an iron pin; thence

South 00°00'00" West 300 feet along a line parallel with the easterly boundary of the said SE-NE- to an iron pin; thence

North 89°59'40" East 147 feet along a line parallel with the said northerly boundary of the SE-NE- to a PK nail on the said easterly boundary of the SE-NE- of Section 15; thence

North 00°00'00" East 300 feet along the easterly boundary of said SE-NE- of Section 15 to the POINT OF BEGINNING.

and

Tract G:

A portion of the SE-NE- of Section 15, T.5N., R.4W., B.M., Canyon County, Idaho, more particularly described as follows:

COMMENCING at the NE corner of the SE-NE- of Section 15 T.5N., R.4W., B.M., Canyon County, Idaho; thence

South 89°59'40" West a distance of 147 feet along the northerly boundary of said SE-NE- of Section 15 to an iron pin, said point being the TRUE POINT OF BEGINNING; thence continuing

South 89°59'40" West a distance of 88.50 feet along the northerly boundary of said SE-NE- of Section 15; thence

South 00°00'00" West a distance of 925 feet along a line parallel with the easterly boundary of the said SE-NE-; thence

North 89°59'40" East a distance of 235.50 feet along a line parallel with the said northerly boundary of the SE-NE- to a point on the said easterly boundary of the SE-NE- of Section 15; thence

North 00°00'00" East a distance of 625 feet along the easterly boundary of said SE-NE- of Section 15; thence

South 89°59'40" West a distance of 147 feet along a line parallel with the said northerly boundary of the SE-NE-; thence

North 00°00'00" East a distance of 300 feet on a line parallel with the easterly boundary of the SE-NE- of Section 15 to the TRUE POINT OF BEGINNING.

and

Tract H:

A part of the SE-NE- of Section 15, T.5N., R.4W., B.M., Canyon County, Idaho.

BEGINNING at the SE corner of said SE-NE- (one quarter section corner for Sections 14 and 15) said corner monumented with a 3-inch diameter brass disk; thence

North 0°12'16" East a distance of 324.97 feet along the easterly boundary of said SE-NE- to a point on the centerline of Sand Run Gulch, said point monumented with a 5/8-inch diameter iron pin;

thence along the centerline of said Sand Run Gulch the following courses and distances:

North 89°05'24" West a distance of 322.28 feet; thence

North 78°58'19" West a distance of 296.99 feet; thence

South 89°52'47" West a distance of 587.52 feet; thence

South 81°11'18" West a distance of 69.78 feet; thence leaving the centerline of said Sand Run Gulch

South 48°15'43" West a distance of 63.60 feet to a point on the westerly boundary of said SE-NE-, said point monumented with a 5/8-inch diameter

iron pin; thence
South 00°09'46" West a distance of 328.48 feet along the westerly boundary of
said SE-NE- to the SW corner of said SE-NE- (CE 1/16 corner) said corner
monumented with a 5/8-inch diameter iron pin; thence
South 89°49'09" East a distance of 1317.46 feet along the southerly boundary of
said SE-NE- to the POINT OF BEGINNING.

TOGETHER with all water, water rights, ditches and rights-of-way for ditches
appurtenant to the foregoing parcels of real property including without limitation:

Water right under Water Right License No. 63-10576, to groundwater for
irrigation purposes with a priority of January 25, 1990 to 3.0 cfs.

Water right under Water Right License No. 63-10577 to groundwater for
irrigation purposes with a priority of January 25, 1990 to 1.38 cfs.

Water Right Claim Nos. A63-26651 and 63-25802 filed with the District Court
of the Fifth Judicial District of the State of Idaho, in and for the County of Twin
Falls, Case No. 39576 to groundwater for domestic use both with a priority date
of June 30, 1920 and each to 0.04 cfs.

SUBJECT to:

- (1) easements, roads, ditches, canals, laterals, reservations, and restrictions of record or
apparent;
- (2) taxes and assessments for the years 2002 and thereafter;
- (3) reservations in federal patents or state grants or in acts authorizing the
issuance thereof;
- (4) all repayment contracts between any irrigation districts within which the
premises are situated and any government or agency;
- (5) the bonded debt of all taxing units within which the premises are located;
- (6) restrictions imposed by law, ordinance, or regulation imposed by any
governmental entity, department or agency;
- (7) restrictions of record or apparent affecting the premises;
- (8) all rights-of-way or easement affecting the premises regardless of how
evidenced or acquired and whether the same appear of record or not;
- (9) questions of location, boundary, area; overlaps and encroachments; and
- (10) all reservations affecting the premises and of record or apparent.

SUBJECT TO easements, reservations and restrictions of record or apparent and real
property taxes and assessments for the year 2002 and thereafter.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances
thereunto belonging or in anyway appertaining, the reversion and reversions, remainder and
remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the
property, as well in law as in equity.

TO HAVE AND TO HOLD all and singular the property, together with the appurtenances,

unto the Grantee, Grantee's successors, heirs and assigns forever.

AND Grantor shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, Grantee's successors, heirs and assigns against Grantor and Grantor's successors, heirs and assigns and against all and every person and persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has hereunto executed this Deed the 30th day of October, 2002.

M&W FARMS, INC.

W. H. Truesdell, Jr. Pres
W. H. Truesdell, President

Mary F. Truesdell, Secy
Mary F. Truesdell, Secretary

STATE OF IDAHO)
County of Canyon : ss.

On this 30th day of October, 2002, before me, the undersigned Notary Public in and for said State, personally appeared W.H. TRUESDELL and MARY F. TRUESDELL, known or identified to me to be the President and Secretary respectively of M&W Farms, Inc., the corporation that executed the within instrument and the persons who executed the instrument on behalf of the corporation, and acknowledged to me that such corporation 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.



Vicki Hunsperger
Notary Public for State of Idaho
Residing at: Caldwell
My Commission Expires: 12/2/2004

T5n R4w S28 S1/2 of NE
63-10577

FEB 10 2006

T1600

T5911

T5948

2
37.2

4

3.1
43.5

1

3
16.5

1
14.5

2
18.0

10

T1413

T1904

N/NW

N/NW

N/NW

15

WA # 63-26651

N/NW

3
19.7

T5912

37.0

2
43.0

1
40.0

1
15.0

63-10576
P.O.D.
(Irrigation)

T5934

N/NW

N/NW

3
14.0

2
19.7

3
34.0

2
7.1

N/NW

T1091

1
9.1

2
15.3

7
8.6

6
16.4

5
33.3

4
12.4
63-25802
P.O.D.
(Domestic)

3
45.8

63-26651
P.O.D.
(Domestic)

20.1

8
22.1

T5932

9
9.7

12
13.7

11
6.3

2
22.7

T1085

3
11.2

15