

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-17D <i>OK</i>	Yes ☒	Yes ☐	34-12417 <i>OK</i>	Yes ☒	Yes ☐
34-168F <i>OK</i>	Yes ☒	Yes ☐	34-17D (Split into 34-17D & 34-14724)		
34-654A <i>OK</i>	Yes ☒	Yes ☐	34-168F (Split into 34-168F & 34-14725)		
34-13575 <i>OK</i>	Yes ☒	Yes ☐	34-654A (Split into 34-654A & 34-14726)		
34-7164 <i>OK</i>	Yes ☒	Yes ☐	34-7164 (Split into 34-7164 & 34-14727)		
			34-12417 (Split into 34-12417 & 34-14728)		
			34-13575 (Split into 34-13575 & 34-14729)		

2. Previous Owner's Name: Eric Aikele and Janet Aikele

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): SPWF Holdings, LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

22349 Kimberly Road, Suite E

Kimberly

ID 83341

Mailing address

City

State

ZIP

208-825-5117

dustandlee@standleeeforage.com

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: February 11, 2019
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature]
Signature of new owner/claimant

Manager
Title, if applicable

3/19/19
Date

Signature: _____
Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by AI Date 3/20/19 Receipt No. 5037225 Receipt Amt. \$600

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by [Signature] Processed by [Signature] Date 10/26/2019

SUPPORT DATA
IN FILE # 34-17D

BUTTE COUNTY

Recorded for:

TITLEONE ARCO

1:25:13 PM 02-15-2019

0000-056935

No. Pages: 5 Fee: \$ 15.00

SHELLY BLACKNER

County Clerk

Deputy: KIM

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Order 5555

(Space Above for Recorder's Use)

WARRANTY DEED

THIS INDENTURE, made this 11th day of February, 2019, by and between **Eric Aikele and Janet Aikele**, husband and wife, whose address is 3477 W. 2700 N., Moore, Idaho 83255 (collectively "Grantor"), and **SPWF Holdings, LLC**, an Idaho limited liability company, whose address is 22349 Kimberly Rd., Suite E, Kimberly, Idaho 83341 ("Grantee").

W I T N E S S E T H:

That the Grantor, 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 Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Butte, State of Idaho, to-wit:

See property described in **Exhibit 1** attached hereto and the appurtenant water rights described in **Exhibit 2** attached hereto

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the water rights described in **Exhibit 2**, 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 Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever, specifically excluding any water rights, no matter how evidenced, appurtenant to the Property. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's 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 construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

[SIGNATURES AND NOTARY BLOCKS ON FOLLOWING PAGE]

"GRANTOR"

Eric Aikele

Eric Aikele

Janet Aikele

Janet Aikele

^{Utah}
STATE OF IDAHO)

^{Cache}
County of BUTTE)

)

) ss.

)

This record was acknowledged before me on the 11 day of February, 2019, by **ERIC AIKELE.**



Keleene Schofield

NOTARY PUBLIC FOR IDAHO

My commission expires: 09/04/2022

^{Utah}
STATE OF IDAHO)

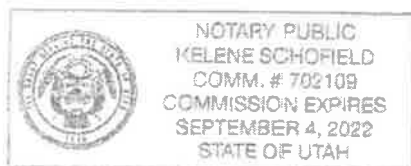
^{Cache}
County of BUTTE)

)

) ss.

)

This record was acknowledged before me on the 11 day of February, 2019, by **JANET AIKELE.**



Keleene Schofield

NOTARY PUBLIC FOR IDAHO

My commission expires: 09/04/2022

Exhibit 1 to Warranty Deed

PARCEL I:

Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 7: NE1/4, EXCEPT the West 454 feet;

ALSO EXCEPT: Two Parcels of land in Section 7, Township 3 North, Range 26 East of the Boise Meridian, being:

Parcel I: That portion of the NE1/4, Section 7, which is not irrigated by a certain 10 Tower, 1560 feet long Valley Center Pivot Sprinkler System, being in the Northwestern corner of said NE1/4, EXCEPT that portion lying in the West 454 feet of said NE1/4.

Parcel II: That portion of the NE1/4, Section 7, which is not irrigated by a certain 10 Tower, 1560 feet long Valley Center Pivot Sprinkler System, being in the Southwestern corner of said NE1/4, EXCEPT that portion lying in the West 454 feet of said NE1/4.

Note: The center of said center pivot irrigation system is located approximately 1120 feet South and 520 feet West of the SE corner of Section 6, Township 3 North, Range 26 East of the Boise Meridian.

Section 8: S1/2NW1/4, NW1/4NW1/4

PARCEL II:

A Parcel of land in Sections 5 and 6, Township 3 North, Range 26 East of the Boise Meridian;

Being that portion of the South one-half of the SE1/4, Section 6 and that portion of the SW1/4SW1/4, Section 5 which are irrigated by a certain 10 Tower, 1560 feet long Valley Center Pivot Irrigation System, which pivot has its center point in the NE1/4, Section 7, said center point being located approximately 1120 feet South and 520 feet West of the SE corner of Section 6.

SUBJECT TO: all easements, rights of way, covenants, restrictions, patent reservations, applicable building and zoning ordinances and use regulations and restrictions, and accruing taxes, of record.

Exhibit 2 to Warranty Deed

ERIC AIKELE AND JANET AIKELE WATER RIGHTS - SPLIT TO SPWF HOLDINGS, LLC

WATER RIGHT ACRES PURCHASED BY SPWF	215.7
TOTAL WATER RIGHT ACRES	394.7
PERCENTAGE OF WATER RIGHT ACRES PURCHASED BY SPWF	54.65%
PERCENTAGE OF WATER RIGHT ACRES RETAINED BY AIKELE	45.35%

ORIGINAL WATER RIGHTS													
Type	Basin	Sequence	Suffix	Basis	Source	Priority Date	Individual Div. Rate (cfs)	Combined Div. Rate (cfs)	Individual Div. Volume (AF)	Combined Div. Volume (AF)	Individual Acres	Combined Acres	Water Use
WR	34	17	D	Decreed	BIG LOST RIVER	5/20/1884	1.714	2.77			128	394.7	IRRIGATION
WR	34	168	F	Decreed	BIG LOST RIVER	6/1/1883	0.6				30		IRRIGATION
WR	34	654	A	Decreed	BIG LOST RIVER	3/27/1899	0.46				23		IRRIGATION
WR	34	13575		Decreed	BIG LOST RIVER	5/1/1981	1.8				213.7		IRRIGATION
WR	34	7164		Decreed	GROUND WATER	12/14/1976	3.95	3.95	691.3	1381.5	197.5		IRRIGATION
WR	34	12417		Decreed	GROUND WATER	5/1/1981	1.02				197.2		IRRIGATION
TOTALS							9.54	6.72	691.3	1381.5	789.4	394.7	

WATER RIGHTS PORTIONS SPLIT TO SPWF HOLDINGS, LLC													
Type	Basin	Sequence	Suffix	Basis	Source	Priority Date	Individual Div. Rate (cfs)	Combined Div. Rate (cfs)	Individual Div. Volume (AF)	Combined Div. Volume (AF)	Individual Acres	Combined Acres	Water Use
WR	34	17	D	Decreed	BIG LOST RIVER	5/20/1884	0.9	1.5			70.0	215.7	IRRIGATION
WR	34	168	F	Decreed	BIG LOST RIVER	6/1/1883	0.3				16.4		IRRIGATION
WR	34	654	A	Decreed	BIG LOST RIVER	3/27/1899	0.3				12.6		IRRIGATION
WR	34	13575		Decreed	BIG LOST RIVER	5/1/1981	1.0				116.8		IRRIGATION
WR	34	7164		Decreed	GROUND WATER	12/14/1976	2.2	2.2	377.8	755.0	107.9		IRRIGATION
WR	34	12417		Decreed	GROUND WATER	5/1/1981	0.6				107.8		IRRIGATION
TOTALS							5.22	3.67	377.8	755.0	431.4	215.7	

WATER RIGHTS PORTIONS RETAINED BY ERIC AND JANET AIKELE													
Type	Basin	Sequence	Suffix	Basis	Source	Priority Date	Individual Div. Rate (cfs)	Combined Div. Rate (cfs)	Individual Div. Volume (AF)	Combined Div. Volume (AF)	Individual Acres	Combined Acres	Water Use
WR	34	17	D	Decreed	BIG LOST RIVER	5/20/1884	0.8	1.3			58.0	179.0	IRRIGATION
WR	34	168	F	Decreed	BIG LOST RIVER	6/1/1883	0.3				13.6		IRRIGATION
WR	34	654	A	Decreed	BIG LOST RIVER	3/27/1899	0.2				10.4		IRRIGATION
WR	34	13575		Decreed	BIG LOST RIVER	5/1/1981	0.8				96.9		IRRIGATION
WR	34	7164		Decreed	GROUND WATER	12/14/1976	1.8	1.8	313.5	626.5	89.6		IRRIGATION
WR	34	12417		Decreed	GROUND WATER	5/1/1981	0.5				89.4		IRRIGATION
TOTALS							4.33	3.05	313.5	626.5	358.0	179.0	

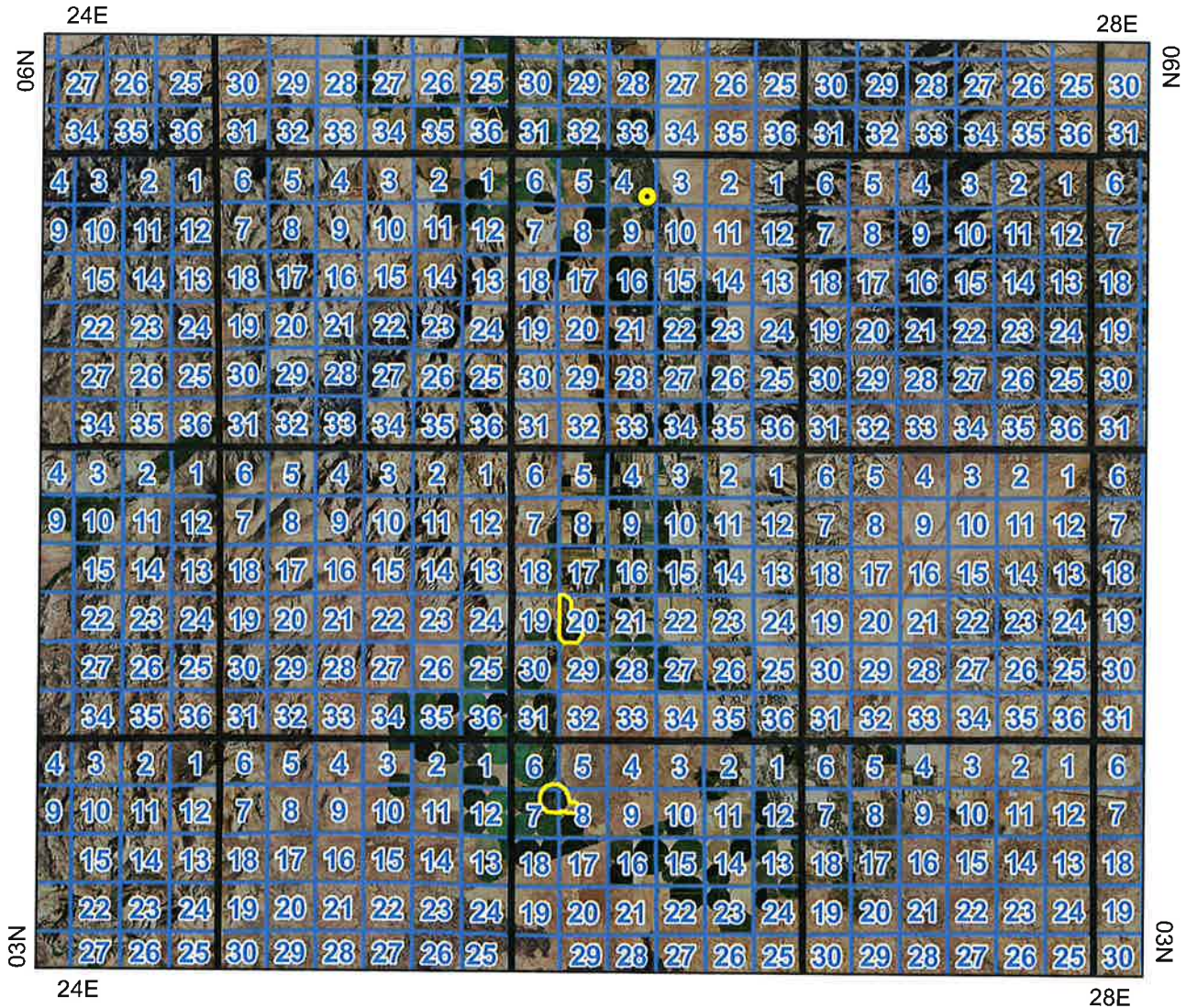
ACCURACY CHECK (SUM OF SPLIT PORTIONS COMPARED WITH ORIGINAL VALUES)	9.54	6.72	691.3	1381.5	789.4	394.7
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State of Idaho
Department of Water Resources

Water Right 34-17D

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 2.25 4.5 9 Miles



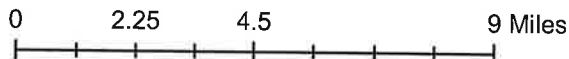
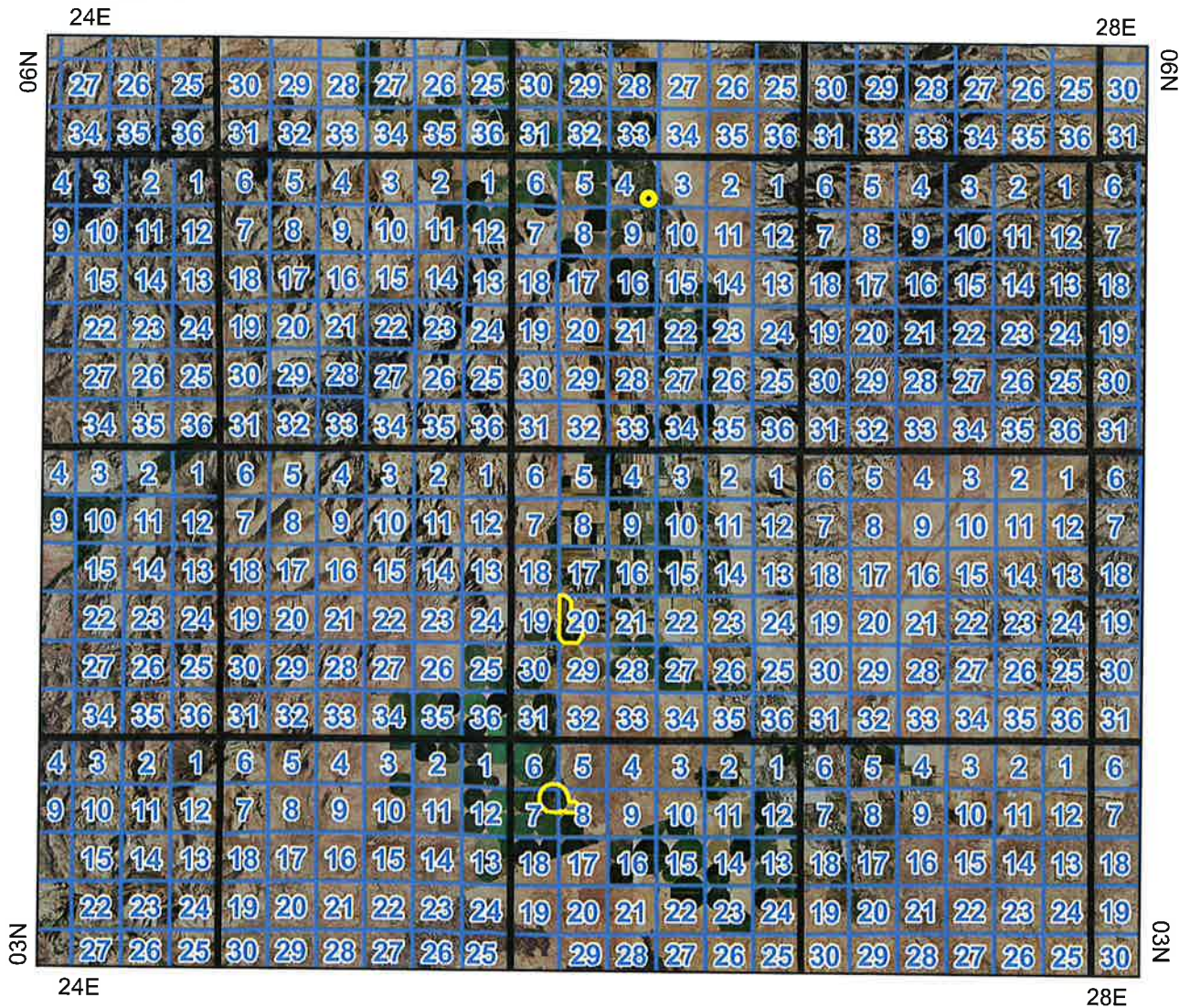
State of Idaho
Department of Water Resources

Water Right

34-168F

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



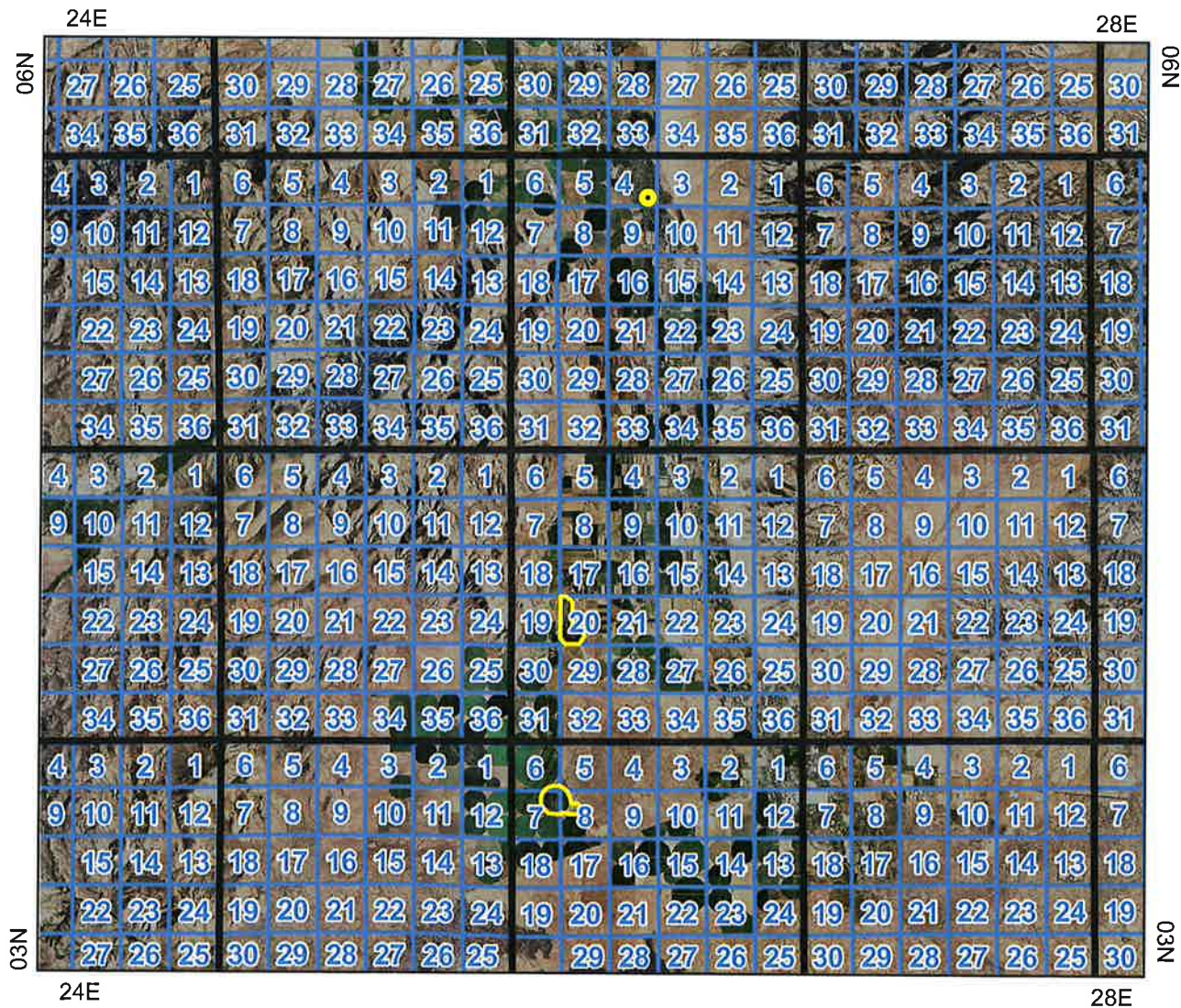
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



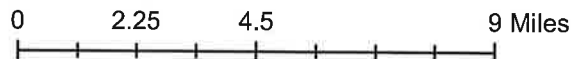
34-654A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections



State of Idaho
Department of Water Resources

Water Right

34-7164

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.75 1.5 3 Miles

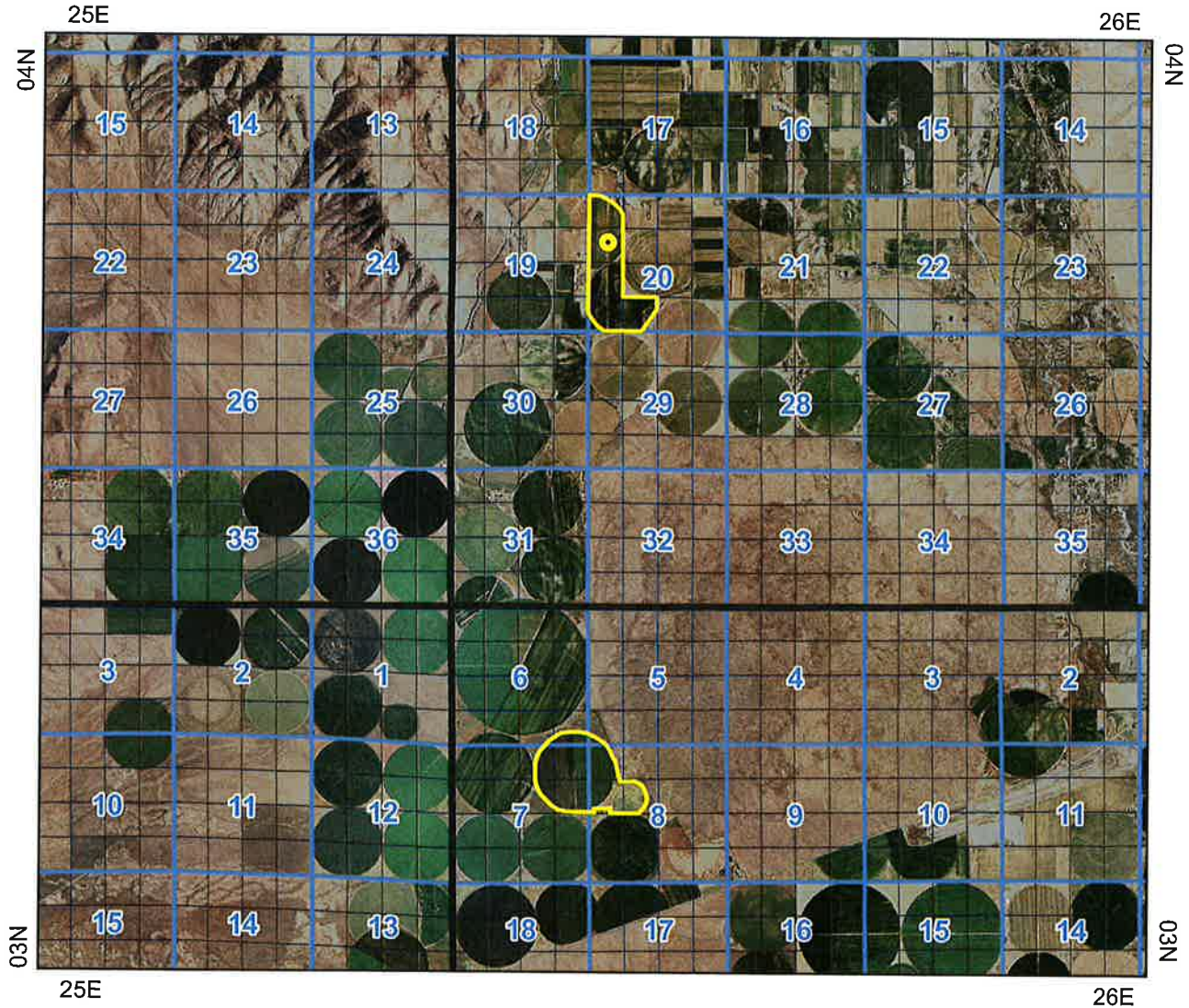


State of Idaho
Department of Water Resources

Water Right 34-12417

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



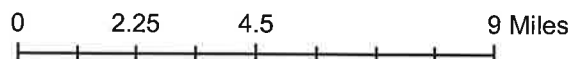
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.75 1.5 3 Miles



34-13575

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 28, 2019

Worst Fitzgerald & Stover PLLC
PO Box 1428
Twin Falls ID 83303-1428

SPWF Holdings LLC
22349 Kimberly Rd Ste E
Kimberly ID 83341

RE: Change of Ownership for Water Rights 34-17D (Split into 34-17D & 34-14724), 34-168F (Split into 34-168F & 34-14725), 34-654A (Split into 34-654A & 34-14726), 34-7164 (Split into 34-7164 & 34-14727), 34-12417 (Split into 34-12417 & 34-14728) and 34-13575 (Split into 34-13575 & 34-14729)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Eric Aikele
Janet Aikele
Water District 34

**WORST, FITZGERALD &
STOVER, P.L.L.C.**

RECEIVED

MAR 20 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

Richard J. "Tug" Worst
John O. Fitzgerald, II
Timothy J. Stover
David W. Gadd
Louis V. Spiker
Janine P. Reynard
David M. Taylor
Kelly H. Andersen

Attorneys At Law

WILSON & McCOLL
Jeffrey M. Wilson
Brian F. McColl

Of Counsel

March 20, 2019
Hand Delivered

IDWR Southern Region
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858

Re: SPWF Holdings, LLC / Aikele

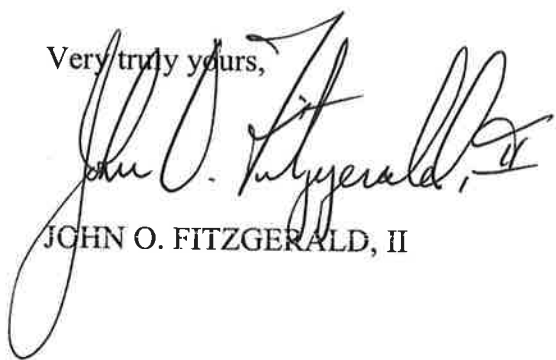
Dear Clerk:

Enclosed please find a Notice of Change of Water Right Ownership, together with a copy of the Warranty Deed and aerial photographs for each water right.

A check in the amount of \$600.00 is enclosed for the filing fees.

Thank you.

Very truly yours,


JOHN O. FITZGERALD, II

JOFII:clh
Enclosures
cc: Client

Robert Harris; Holden, Kidwell, Hahn & Crapo, PLLC

Please direct all correspondence to our Twin Falls office at the address noted below

Twin Falls Office:

905 Shoshone Street North, Twin Falls, ID 83301
P.O. Box 1428, Twin Falls, ID 83303-1428
Phone: (208) 736-9900 / Facsimile: (208) 736-9929
www.magicvalleylaw.com

Boise Office:

3858 North Garden Center Way, Suite 200, Boise, ID 83703
P.O. Box 1544, Boise, ID 83701
Phone: (208) 345-9100 / Facsimile: (208) 384-0442