

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

RECEIVED
 OCT 09 2008
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 43-7020C					
PD ~~43-10041~~	*not processed*				
PD 43-10042					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)	Anthony B. Wheeler Leasing, L.L.C., an Idaho limited liability company 2151 East 100 South, Declo, ID 83323
4. New Owner/Claimant(s)	ADTD Farms, LLC, an Idaho limited liability company
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	246 East 300 South
City, State and ZIP Code	Burley, ID 83318
New Telephone Number	(208) 678-4820

SUPPORT DATA

5. Date you acquired the property October, 2008

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

ADTD Farms, LLC, an Idaho limited liability company

7. Signature(s) of New Owner(s) or Claimant(s) Todd Gerratt (title if applicable)
Todd Gerratt, member (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature] Date 10/15/08
 Received by B Walker Date 10/16/08
 Processed by AJ Date _____

Receipt Amt. \$75
 Receipt No. 5030478
 WR TF Date 12/3/08

Per tracking ↑

WARRANTY DEED

#45406

For Value Received

Anthony B. Wheeler Leasing, L.L.C., an Idaho limited liability company

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

ADTD Farms, LLC, an Idaho limited liability company

**Address: 246 East 300 South
Burley, ID 83318**

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
2:30:32 pm 10-07-2008
2008-005629
NO. PAGES: 3 FEE: \$9.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

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

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26: S½

EXCEPTING THEREFROM, the following described tracts:

Tract No. 1:

Beginning at the Southeast corner of said Section 26, said corner marked by a U.S. General Land Office Pipe with brass cap which shall be the Point of Beginning;
Thence North 0°27'21" West for 96.21 feet (rec as 96.22 feet);
Thence South 89°58'05" West for 401.24 feet;
Thence South 00°01'55" East for 6.82 feet;
Thence South 89°49'54" West for 27.65 feet;
Thence South 00°24'19" East for 89.36 feet
Thence North 89°57'52" East for 429.02 feet (rec as 428.94 feet)

EXCEPTING THEREFROM, that portion deeded to the Burley Highway District.

Tract No. 2:

Beginning at the Southwest corner of Section 26, Station 29+52.189, 7.541 meters (24.74 feet) left of said Project centerline;
Thence North 89°57'50" East along the South boundary of SW¼ of said Section 26 for a distance of 803.758 meters (2637.00 feet) to the S¼ corner of said Section 26, Station 37+55.978, 9.462 meters (31.04 feet) left of said Project centerline;
Thence North 89°57'50" East along the South boundary of the SE¼ for a distance of 672.739 meters (2207.14 feet), Station 44+28.716, 8.721 meters (28.61 feet) left of said Project centerline;
Thence North 00°24'19" West for a distance of 3.471 meters (11.39 feet), Station 44+28.698, 12.192 meters (40.00 feet) left of said Project centerline;
Thence South 89°54'03" West and being parallel with the centerline of said Project for a distance of 672.737 meters (2207.14 feet) to a point on the West boundary of the SE¼ of said Section 26, Station 37+55.919, 12.192 meters (40.00 feet) left of said Project centerline;
Thence North 89°53'57" West and being parallel with the centerline of said Project for a distance of 803.776 meters (2637.06 feet) to a point on the West boundary of the SW¼ of said Section 26, Station 29+52.144, 12.192 meters (40.00 feet) left of said Project centerline;
Thence South 00°27'00" East along the West boundary of the SW¼ of said Section 26 for a distance of 4.651 meters (15.26 feet) to the Point of Beginning.

Tract No. 3:

Commencing at the Southeast section corner (monumented by a G.L.O. brass cap); Thence South 89°57'52" West along the South section boundary for 429.02 feet to a ½ inch rebar (recorded as North 89°34'28" West for 428.94 feet); Thence North 00°24'19" East for 11.39, which shall be the True Point of Beginning;

Thence continuing South 89°54'05" West along the South section boundary for 329.85 feet to a ½ inch rebar;
Thence North 55°29'13" East for 433.07 feet to a ½ inch rebar;
Thence South 0°01'55" East for 166.76 feet to a ½ inch rebar;
Thence South 89°49'54" West for 27.65 feet to a ½ inch rebar;
Thence South 0°24'19" East for 77.97 feet to the True Point of Beginning

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26: N¼, EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

Beginning at the Northeast corner of the NW¼NW¼ of said Section 26;
Thence West 300 feet;
Thence South 300 feet;
Thence East 700 feet;
Thence North 300 feet;
Thence West 400 feet to the Point of Beginning.

Tract No. 2:

Commencing at the Northeast section corner (Monumented by a G.L.O. Brass Cap), Thence South 0°26'11" East (Recorded as South) along the East section boundary for 640.25 feet to a ½ inch rebar and the True Point Of Beginning;
Thence continuing South 0°26'11" East along the East section line for 1457.51 feet to a ½ inch rebar;
Thence South 89°32'15" West for 796.23 feet to a ½ inch rebar;
Thence North 02°20'11" West for 457.51 feet to a ½ inch rebar;
Thence South 89°49'57" West for 557.55 feet to a ½ inch rebar;
Thence North 0°48'35" West for 403.40 feet to a ½ inch rebar;
Thence South 88°42'21" West for 479.10 feet to a ½ inch rebar;
Thence North 0°43'46" West for 605.18 feet to a ½ inch rebar;
Thence North 89°40'06" East for 1853.73 feet to the True Point Of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Resources Water Right No. 43-7020C, 43-10041 and 43-10042.

SUBJECT TO:

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

Taxes for 2008 and subsequent years.

Agreement For Electric Service (Irrigation) between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Phil and Dorothy Wheeler, Consumer, dated April 1, 1989 and recorded May 4, 1989 as Instrument No. 201679 on Film No. 206, records of Cassia County, Idaho, covering the SE¼ of Section 26, Township 10 South, Range 26 East, Boise Meridian.

ASSUMPTION OF AGREEMENT FOR ELECTRIC SERVICE CONSUMER'S INTEREST between Raft River Rural Electric Service, Seller and Anthony Wheeler, Assuming Consumer, dated September 13, 2007 and recorded October 2, 2007 as Instrument No. 2007-318560, records of Cassia County, Idaho, covering the SE¼ of Section 26, Township 10 South, Range 26 East, Boise Meridian.

Agreement For Electric Service (Irrigation) between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Phil and Dorothy Wheeler, Consumer, dated April 1, 1989 and recorded May 4, 1989 as Instrument No. 201680 on Film No. 206, records of Cassia County, Idaho, covering the SW¼ of Section 26, Township 10 South, Range 26 East, Boise Meridian.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors 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: **October 7, 2008**

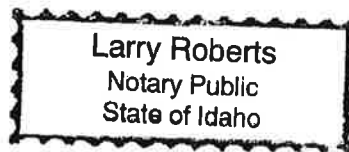
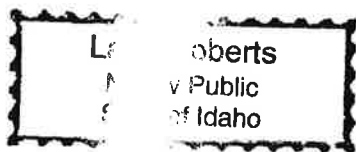
Anthony B. Wheeler Leasing, L.L.C.,
an Idaho limited liability company

BY: Anthony B. Wheeler
Anthony B. Wheeler, manager

STATE OF IDAHO)
)ss.
COUNTY OF CASSIA)

On this 7th day of October, 2008, before me, the undersigned, a Notary Public, personally appeared Anthony B. Wheeler known or identified to me to be the manager of Anthony B. Wheeler Leasing, L.L.C. the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

[Signature]
Notary Public
Residing at: Burley, Idaho
My Commission Expires: 06-30-2009



Land Title and Escrow, Inc.

A Full Service Title Company Since 1957

October 8, 2008

Trish Fawcett
ID Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83303

RECEIVED
OCT 09 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

RE: File No. 45406 - ADTD Farms, LLC

Dear Trish:

Enclosed with this letter please find the following documents:

1. The original executed Notice of Change In Water Right Ownership from Anthony B. Wheeler Leasing, L.L.C. to ADTD Farms, LLC.
2. A copy of the recorded Warranty Deed.
3. Land Title and Escrow's trust account check no. 21542 in the amount of \$75.00 for the water transfer fee.

Would you please make the necessary changes in the records to indicate ADTD Farms, LLC as the new owner for future water assessments and notices. Please send a receipted copy to this office.

Should you have any questions concerning this letter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

Nancy Garrett
Administrative Assistant

/nrg
enc.

Serving: Cassia ~ Minidoka ~ Jerome ~ Lincoln ~ Gooding ~ Twin Falls Counties

Box 177 ~ Burley, Idaho 83318
Phone: 878-3524 ~ Fax: 878-4435
lteb@pmt.org

Box 349 ~ Jerome, Idaho 83338
Phone: 324-3357 ~ Fax: 324-8961
ltej@pmt.org

Box 473 ~ Gooding, Idaho 83330
Phone: 934-8477 ~ Fax: 934-5890
lteg@pmt.org

Box 111 ~ Rupert, Idaho 83350
Phone: 436-0606 ~ Fax: 436-1199
lter@pmt.org

Box 5375 ~ Twin Falls, Idaho 83301-5375
Phone: 933-2650 ~ Fax 933-2655
ltetf@pmt.org