

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

RECEIVED  
AUG 08 2018  
Department of Water Resources  
Eastern Region

**APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION**

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s)    ☒ Add diversion point(s)    ☐ Ownership change    ☐ Ownership split  
☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Ralph and Vauna Wheatley Phone (208) 251-1243  
2. **MAILING ADDRESS** PO Box 116 City McCammon  
State ID Zip 83250 Email upb4u@yahoo.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.  
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.  
☒ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ 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.  
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 29-7221, 29-13498, 29-14190

- ☐ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 1.64 cubic feet per second and/or 556.5 acre-feet per annum.  

(diversion rate)
(storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

| New? | Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County  | Source       | Local name or tag # |
|------|-----|---|----|----|-----|-----|-----|---------|--------------|---------------------|
| N    |     |   | NE | NE | 9   | 10S | 36E | Bannock | Ground Water |                     |
| Y    |     |   | SW | NE | 9   | 10S | 36E | Bannock | Ground Water |                     |
|      |     |   |    |    |     |     |     |         |              |                     |
|      |     |   |    |    |     |     |     |         |              |                     |
|      |     |   |    |    |     |     |     |         |              |                     |
|      |     |   |    |    |     |     |     |         |              |                     |
|      |     |   |    |    |     |     |     |         |              |                     |
|      |     |   |    |    |     |     |     |         |              |                     |
|      |     |   |    |    |     |     |     |         |              |                     |
|      |     |   |    |    |     |     |     |         |              |                     |

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## 6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Two wells will be interconnected into single mainline. Proposed new well was drilled in the 1970s, but was damaged during construction. We will rehabilitate the well and tie it into our existing system.

- b. Who owns the property at the point(s) of diversion? Applicants

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☒ ☐ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

Ground was in CRP until 2014.

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.  
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.  
**(Disregard if these items are on file and ownership has not changed.)**

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and  $\frac{1}{4}$   $\frac{1}{4}$  of section information. You may create a map at [idwr.idaho.gov](http://idwr.idaho.gov), Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Ralph Whistley  
Signature of applicant or authorized agent

Owner  
Print name and title if applicable

8-1-2018  
Date

Nauna Whistley  
Signature of applicant or authorized agent

Owner  
Print name and title if applicable

8-1-2018  
Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8, require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

## FOR DEPARTMENT USE ONLY

Transfer includes 580<sup>00</sup> pages of attachments.

Received by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid 580<sup>00</sup> Date 8/8/18

Received by SC

Receipt # B044279

Preliminary review by \_\_\_\_\_

Date \_\_\_\_\_

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 \_\_\_\_\_

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

plus \$425<sup>00</sup> for C/O

SWSW SESE NWNE NENE SWNE SENE

Additional POD

10S36E

9

10

USDA FSA, ISU GIS TRcC

-  **Water Right POD**
-  **Water Right POU**
-  **Township/Range**
-  **Sections**
-  **Quarter Quarters**

0      500      1,000 Feet



**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/1/2018

**Water Right 29-7221**

**Owner Type**      **Name and Address**  
Current Owner      CECIL E ARMSTRONG  
849 W GLOVER RD  
ARIMO, ID 83214

Current Owner      NORMA M ARMSTRONG  
849 W GLOVER RD  
ARIMO, ID 83214

**Priority Date:** 8/5/1974

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 03/15                         | 11/15            | 1.180 CFS                    | 490.0 AF             |
|                              | <b><u>Total Diversion</u></b> |                  | 1.180 CFS                    | 490.0 AF             |

**Source and Point(s) of Diversion**

GROUND WATER      NENE      Sec. 9, Twp 10S, Rge 36E,    BANNOCK County

**Place Of Use**

IRRIGATION within BANNOCK County

|     |     |     | NE   |      |      |      | NW   |    |    |     | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|----|----|-----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW | SW | SE  | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 36E | 9   | 33.0 | 33.0 | 33.0 | 33.0 | 20.0 |    |    | 7.0 |    |    |    |    |    |    |    |    | 159.0  |

Right Acre Limit: 140.0

POU Total Acres: 159.0

**Conditions of Approval:**

1.      X27      This right is limited to the irrigation of 140.0 acres within the authorized place of use in a single irrigation season.
2.      X35      Rights 29-7221 and 29-13498 when combined shall not exceed a total diversion rate of 1.18 cfs, a total annual maximum diversion volume of 501.0 af at the field headgate, and the irrigation of 159.0 acres.
3.      X35      Rights 29-7221, 29-13498, and 29-14190 when combined shall not exceed a total diversion rate of 1.64 cfs, a total annual maximum diversion volume of 556.5 af at the field headgate, and the irrigation of 159 acres.
4.      X35      Rights 29-367A, 29-421, 29-7221, 29-11415, 29-13498, 29-14190, 29-14191, and 29-14192 when combined shall not exceed the irrigation of 174.0 acres.
5.      01M      After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/1/2018

6. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. K01 Right No. 29-13498 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 3/22/2004

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/1/2018

**Water Right 29-13498**

**Owner Type**      **Name and Address**  
Current Owner      CECIL E ARMSTRONG  
849 W GLOVER RD  
ARIMO, ID 83214

Current Owner      NORMA M ARMSTRONG  
849 W GLOVER RD  
ARIMO, ID 83214

**Priority Date:** 4/1/1985

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 04/01                         | 10/31            | 0.230 CFS                    | 97.6 AF              |
|                              | <b><u>Total Diversion</u></b> |                  | 0.230 CFS                    | 97.6 AF              |

**Source and Point(s) of Diversion**

GROUND WATER      NENE      Sec. 9, Twp 10S, Rge 36E,    BANNOCK County

**Place Of Use**

IRRIGATION within BANNOCK County

|     |     |     | NE   |      |      |      | NW   |    |    |     | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|----|----|-----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW | SW | SE  | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 36E | 9   | 33.0 | 33.0 | 33.0 | 33.0 | 20.0 |    |    | 7.0 |    |    |    |    |    |    |    |    | 159.0  |

Right Acre Limit: 34.0

POU Total Acres: 159.0

**Conditions of Approval:**

1.      K09      This right is for an enlargement of 34.0 acres within the place of use described for this right.
2.      X35      Rights 29-7221 and 29-13498 when combined shall not exceed a total diversion rate of 1.18 cfs, a total annual maximum diversion volume of 501.0 af at the field headgate, and the irrigation of 159.0 acres.
3.      X35      Rights 29-7221, 29-13498, and 29-14190 when combined shall not exceed a total diversion rate of 1.64 cfs, a total annual maximum diversion volume of 556.5 af at the field headgate, and the irrigation of 159.0 acres.
4.      X35      Rights 29-367A, 29-421, 29-7221, 29-11415, 29-13498, 29-14190, 29-14191, and 29-14192 when combined shall not exceed the irrigation of 174.0 acres.
5.      01M      After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/1/2018

6. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. K02 This right is based upon an enlargement of Right No. 29-7221 pursuant to Section 42-1426, Idaho Code.
8. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 3/22/2004

**IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report**

8/1/2018

**Water Right 29-14190**

**Owner Type**      **Name and Address**  
Current Owner      SCOTT CHRISTENSEN  
939 E 2180 N  
LEHI, UT 84097

Current Owner      RENEE CHRISTENSEN  
939 E 2180 N  
LEHI, UT 84097

**Priority Date:** 10/12/1973

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 03/15                         | 11/15            | 0.460 CFS                    | 115.5 AF             |
|                              | <b><u>Total Diversion</u></b> |                  | 0.460 CFS                    | 115.5 AF             |

**Source and Point(s) of Diversion**

GROUND WATER      NENE      Sec. 9, Twp 10S, Rge 36E,    BANNOCK County

**Place Of Use**

IRRIGATION within BANNOCK County

| Twp | Rng | Sec | NE   |      |      |      | NW   |    |    |     | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|----|----|-----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW | SW | SE  | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 36E | 9   | 33.0 | 33.0 | 33.0 | 33.0 | 20.0 |    |    | 7.0 |    |    |    |    |    |    |    |    | 159.0  |

Right Acre Limit: 33.0

POU Total Acres: 159.0

**Conditions of Approval:**

1.      X27      This right is limited to the irrigation of 33.0 acres within the authorized place of use in a single irrigation season.
2.      X35      Rights 29-14190, 29-14191, and 29-14192 when combined shall not exceed a total diversion rate of 0.66 cfs and the irrigation of 33.0 acres.
3.      X35      Rights 29-7221, 29-13498, and 29-14190 when combined shall not exceed a total diversion rate of 1.64 cfs, a total annual maximum diversion volume of 556.5 af at the field headgate, and the irrigation of 159.0 acres.
4.      X35      Rights 29-367A, 29-421, 29-7221, 29-11415, 29-13498, 29-14190, 29-14191, and 29-14192 when combined shall not exceed the irrigation of 174.0 acres.
5.      01M      After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6.      R59      This right when combined with all other rights shall provide no more than 3.5 afa per

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/1/2018

- acre at the field headgate for irrigation of the place of use.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
  8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
  9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 3/22/2004

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 08 2018

Department of Water Resources  
Eastern Region

## 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? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|-----------------------------------------|------------------------------|
| 29-7221               | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 29-367A               | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |
| 29-13498              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 29-421                | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |
| 29-14190              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> | 29-11415              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |
| 29-14191              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |
| 29-14192              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Cecil Armstrong / Scott Christensen  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Ralph O. Wheatley and Vauna B Wheatley  
New owner(s) as listed on the conveyance document      Name connector ☒ and ☐ or ☐ and/or
- PO Box 116      McCammon      ID      83250  
Mailing address      City      State      ZIP  
(208) 251-1243      upb4u@yahoo.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: 2014 & 2016
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: Ralph Wheatley      Owner      8-1-2018  
Signature of new owner/claimant      Title, if applicable      Date

Signature: \_\_\_\_\_  
Signature of new owner/claimant      Title, if applicable

**For IDWR Office Use Only:**

Received by: SC      Date: 8/8/18      Receipt No. ED44279      Receipt Amt. plus \$580.00 for Transfer 425.00

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 \_\_\_\_\_      Processed by \_\_\_\_\_      Date \_\_\_\_\_

82616

**WARRANTY DEED**



Alliance Title & Escrow Corp. Order No.:249264

**FOR VALUE RECEIVED**

**Cecil E. Armstrong and Norma Armstrong, husband and wife**  
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Ralph O. Wheatley and Vanna B. Wheatley, husband and wife**  
whose current address is

**PO Box 116  
McCammon, ID 83250**

the grantee(s), the following described premises, in Bannock County, Idaho, TO WIT:

**The Southeast ¼ of the Northwest ¼ and the South ½ of the Northeast ¼ of the Northwest ¼ of Section 9, Township 10 South, Range 36 East of the Boise Meridian in Bannock County, Idaho.**

**Also:**

**The Northeast quarter of Section 9, Township 10 South, Range 36 East of the Boise Meridian, Bannock County, Idaho, according to the official plat thereof, save and except therefrom the following tract of land.**

**Beginning at a point two rods West of the Northeast corner of Section 9, Township 10 South, Range 36 East of the Boise Meridian, running thence South two rods, running thence East One Hundred fifty-eight rods, running thence North 2 rods, running thence East 158 rods, to the place of beginning.**

**TO HAVE AND TO HOLD** the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

**And that (s)he will warrant and defend the same from all lawful claims whatsoever.**

**Dated: November 12, 2014**

21703070

When recorded return to:

### SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Company LLC (Grantor) does hereby grant, bargain, sell, assign, and convey unto Ralph and Vauna Wheatley of McCammon, Idaho (Grantee) and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the Water Right #s 29-14190 (Groundwater), 29-14191 and 29-14192 (Garden Creek Water) hereto (collectively the "Water Rights"). Grantor retains no residual or reversionary interest in the portions of Water Right(s) listed in the exhibits attached.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner of the Water Rights
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other covenants or warranties as to the Water Rights. Legal description of land the Water Rights are appurtenant to in Water Right Reports attached to this deed

Special Warranty Deed For Water Rights – 1

SPECIAL RECORD BKA 1013  
BLAINE COUNTY IDAHO

RECORDED AT REQUEST OF  
FEE 13 DEPUTY *Rm*

*Ralph Wheatley*

21703070

2011 MAR -8 A 10:01

82616

21703070

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor:

Dated:

By:

Exhibits: Exhibit 1: Water Right Report for 33 acre portion of 29-7159

**STATE OF IDAHO**

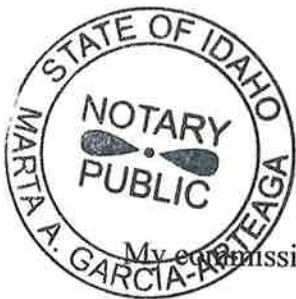
County of

Jerome

) S.  
)

On this 13 day of January 2017, before me the undersigned Notary Public in and for said state, personally appeared Delbert C. Montz, and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



My commission expires

9/13/19

Notary public for

Marta A. Garcia-Arteaga  
Jerome County

Residing at

Jerome, Id

SPECIAL WARRANTY DEED FOR WATER RIGHTS - 2

82616