

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 03 2017

DEPT OF WATER RESOURCES
SOUTHERN 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?
41-04016	Yes ☐	Yes ☐		Yes ☐	Yes ☐
41-04017	Yes ☐	Yes ☐		Yes ☐	Yes ☐
41-04018	Yes ☐	Yes ☐		Yes ☐	Yes ☐
41-10103	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: VERNON C. MILLER and ELAINE MILLER
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): WINDY WHEAT, LLC (CRAIG MILLER, MANAGER)
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3006 ALBERTS LN AMERICAN FALLS ID 83211
Mailing address City State ZIP
- (208) 226-5065 Windywheat17@gmail.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: 09/30/2016
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):
 o \$25 per undivided water right.
 o \$100 per split water right.
 o 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.

SUPPORT DATA

IN FILE # 41-4016

8. Signature: Craig Miller Manager of Windy Wheat LLC 10/26/2017
 Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by AM Date 11-3-2017 Receipt No. 5036449 Receipt Amt. \$100-

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 _____

CASSIA COUNTY

Recorded for:

CURRY ANDREWS

3:28:26 pm 09-30-2016

2016-004139

No. Pages: 4

Fee: \$19.00

JOSEPH W. LARSEN

County Clerk

Deputy: CVELASQUEZ

AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews, Attorney at Law
ELIASSEN & ANDREWS, PLLC
202 Idaho St., American Falls, ID 83211
(208) 226-5138

Send Tax Statements to:

Windy Wheat, LLC
Craig Miller, Manager
3006 Alberts Lane
American Falls, ID 83211
(208) 226-5065

GRANTORS: VERNON MILLER and ELAINE MILLER, Husband and Wife
GRANTEE: WINDY WHEAT, LLC
PARCEL NUMBERS: POWER COUNTY - RPD1982-02, RPD1987-00, RPD1985-00, RPD2016-00,
RPD1989-01; CASSIA COUNTY - RP10S29E010600 A, RP10S29E124800 A,
RP10S29E130600 A

WARRANTY DEED

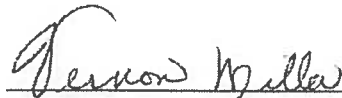
THE UNDERSIGNED Grantor(s), Vernon Miller and Elaine Miller, husband and wife, for value received do hereby grant, bargain, sell and convey to Grantee, WINDY WHEAT, LLC, whose address is 3006 Alberts Lane, American Falls, Idaho 83211, all of their interest in the following described real estate, situated in the County of Power, State of Idaho, together with all after acquired title of the grantors therein, legally described as:

SEE EXHIBIT A

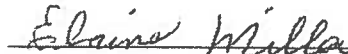
with all appurtenances.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises; that the premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: September 29, 2016



Vernon Miller, Grantor

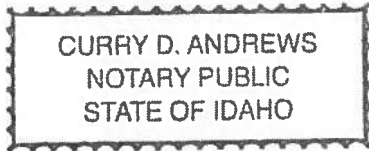


Elaine Miller, Grantor

STATE OF IDAHO)
) ss.
County of POWER)

On this day personally appeared before me Vernon Miller and Elaine Miller, to me known to be the individual(s) described herein and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 29 day of September, 2016.



A handwritten signature in cursive script, appearing to read "Curry D. Andrews".

NOTARY PUBLIC in and for the State of IDAHO.
Residing in American Falls, Idaho.
My Commission Expires: 06/23/2021

EXHIBIT A

CASSIA COUNTY

Lots Two (2), Three (3), Four (4) and the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$) of Section One (1), Township Ten (10) South, Range Twenty-nine (29), East of the Boise Meridian.....

Lots 5 and 6; the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}NE\frac{1}{4}$); the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}SE\frac{1}{4}$); the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4}NW\frac{1}{4}$) and the North Half of the Southwest Quarter ($N\frac{1}{2}SW\frac{1}{4}$) of Section 1, and the ~~Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}SE\frac{1}{4}$) of Section 2~~, all in Township 10 South, Range 29.....

Southwest Quarter ($SW\frac{1}{4}$); West half of Southeast Quarter ($W\frac{1}{2}SE\frac{1}{4}$) of Section Twelve (12); West Half of Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$) of Section Thirteen (13), Township Ten (10) South, Range Twenty-nine (29) E.B.M.....

POWER COUNTY

The Southwest quarter of Section Four (4) Township Ten (10) South, Range Thirty (30) East of the Boise Meridian.....

The West Half of the Northwest Quarter ($W\frac{1}{2}NW\frac{1}{4}$) of Section Ten (10), the North Half of the North East Quarter ($N\frac{1}{2}NE\frac{1}{4}$) of Section Nine (9), and the West Half of the Southeast Quarter ($W\frac{1}{2}SE\frac{1}{4}$) of Section Four (4) in Township Ten (10) South, Range Thirty E.B.M., Idaho containing 240 acres more or less, according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General.

Also the North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$) of Section Nine (9) in Township Ten (10) South, Range Thirty E.B.M., Idaho, containing 80 acres according to the United States Survey thereof.....

Page 2

Southeast Quarter of the Southwest Quarter and Southwest Quarter of the Southeast Quarter and West Half of the Southwest Quarter of Section Eight (8); Northeast Quarter of the Northwest Quarter and Northwest Quarter of the Northeast Quarter and West Half of the Northwest Quarter of Section Seventeen (17), all in Township Ten (10) South, Range Thirty (30) E.B.M. EXCEPTING THEREFROM any and all highway right-of-ways and pole line easements now in use or in anywise affecting said premises.....

One-half (1/2) interest in and to the following:

SE $\frac{1}{4}$ Section 7, South Half of SW $\frac{1}{4}$ of Section 8, North Half of NW $\frac{1}{4}$, Section 17, all in Township 11 South, Range 32 East of the Boise Meridian.....

SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$, Section 17;
E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ E $\frac{1}{4}$, Sec. 18;
NE $\frac{1}{4}$ Sec. 19,
W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 20, all in Township 11 S, Range 32, E.B.M., excepting therefrom the following described tract:

Beginning at a point 1,099 feet South of the Northeast corner of the Northwest Quarter of the Northeast Quarter of Section 18, Township 11, SR32, E.B.M., thence South three hundred and eighty (380) feet; thence West 500 feet; thence North 380 feet; thence East 500 feet to point of beginning; Containing 4 and 37/100ths acres.....

Together with the buildings, well, water rights and all other tenements, hereditaments and appurtenances thereunto appertaining.....

State of Idaho
Department of Water Resources

Water Right 41-4016

STOCKWATER

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.

32E



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

0 0.0475 0.095 0.19 Miles

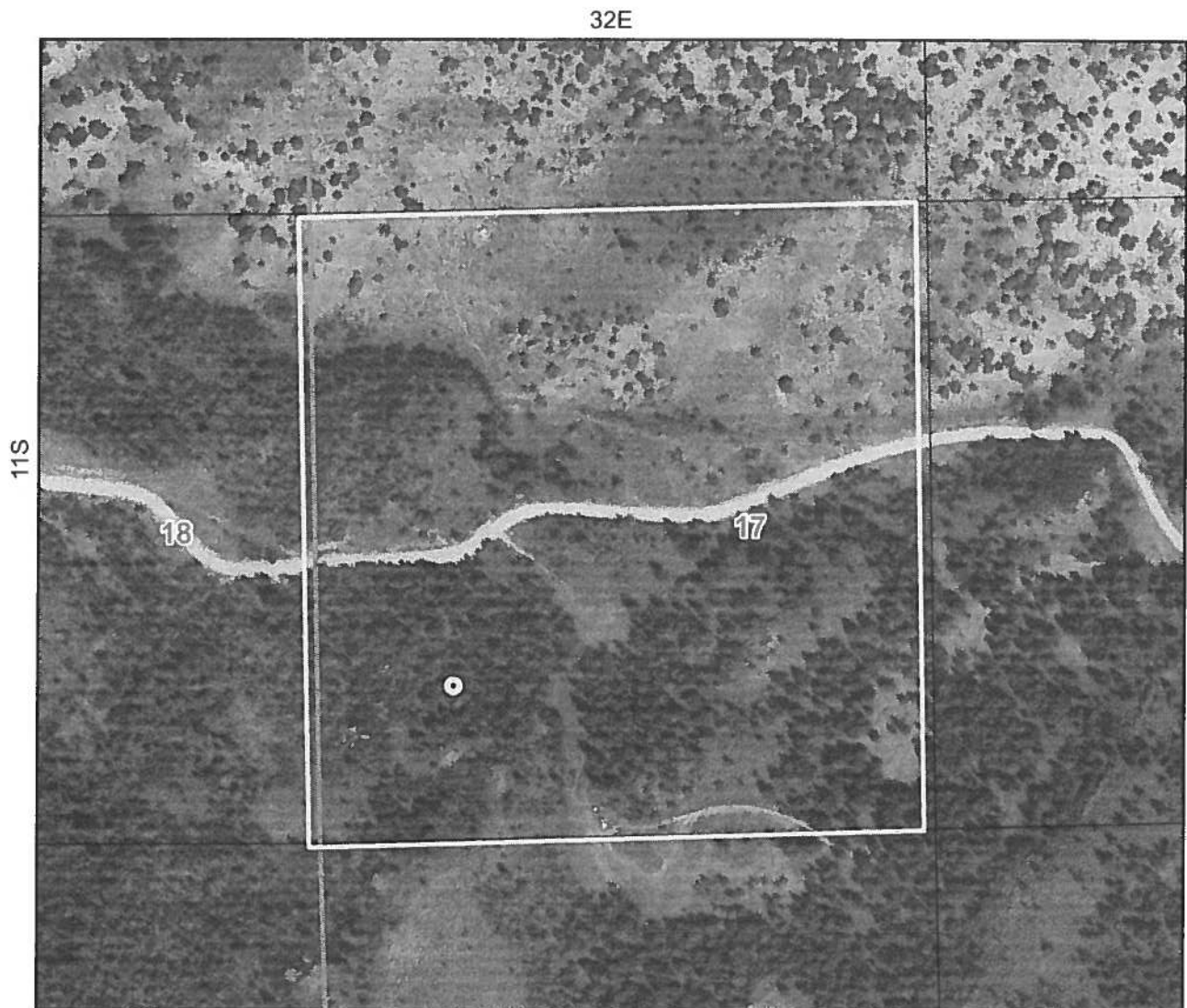


State of Idaho
Department of Water Resources

Water Right
41-4017

STOCKWATER

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 0.0475 0.095 0.19 Miles

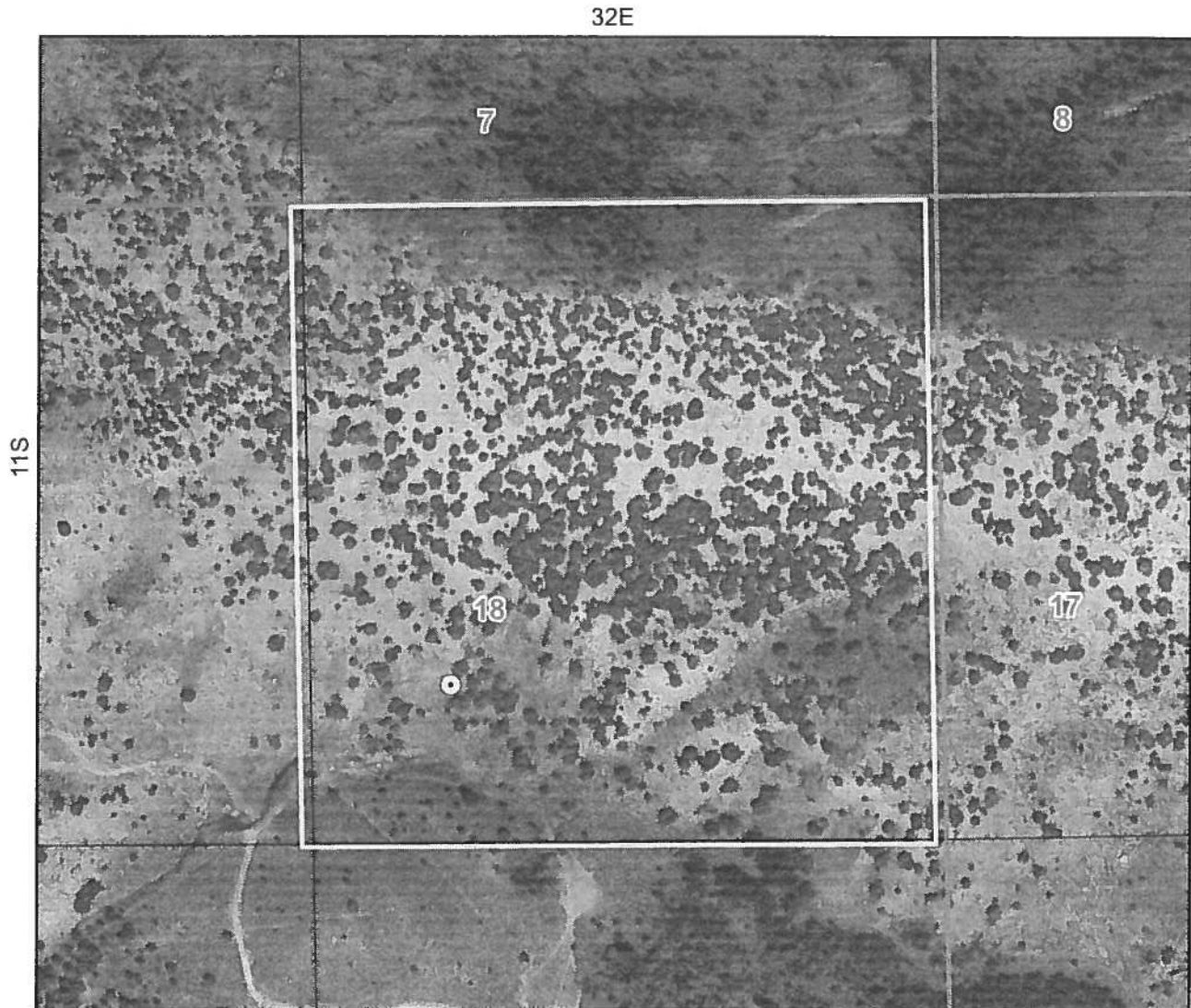


State of Idaho
Department of Water Resources

Water Right
41-4018

STOCKWATER

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 0.045 0.09 0.18 Miles

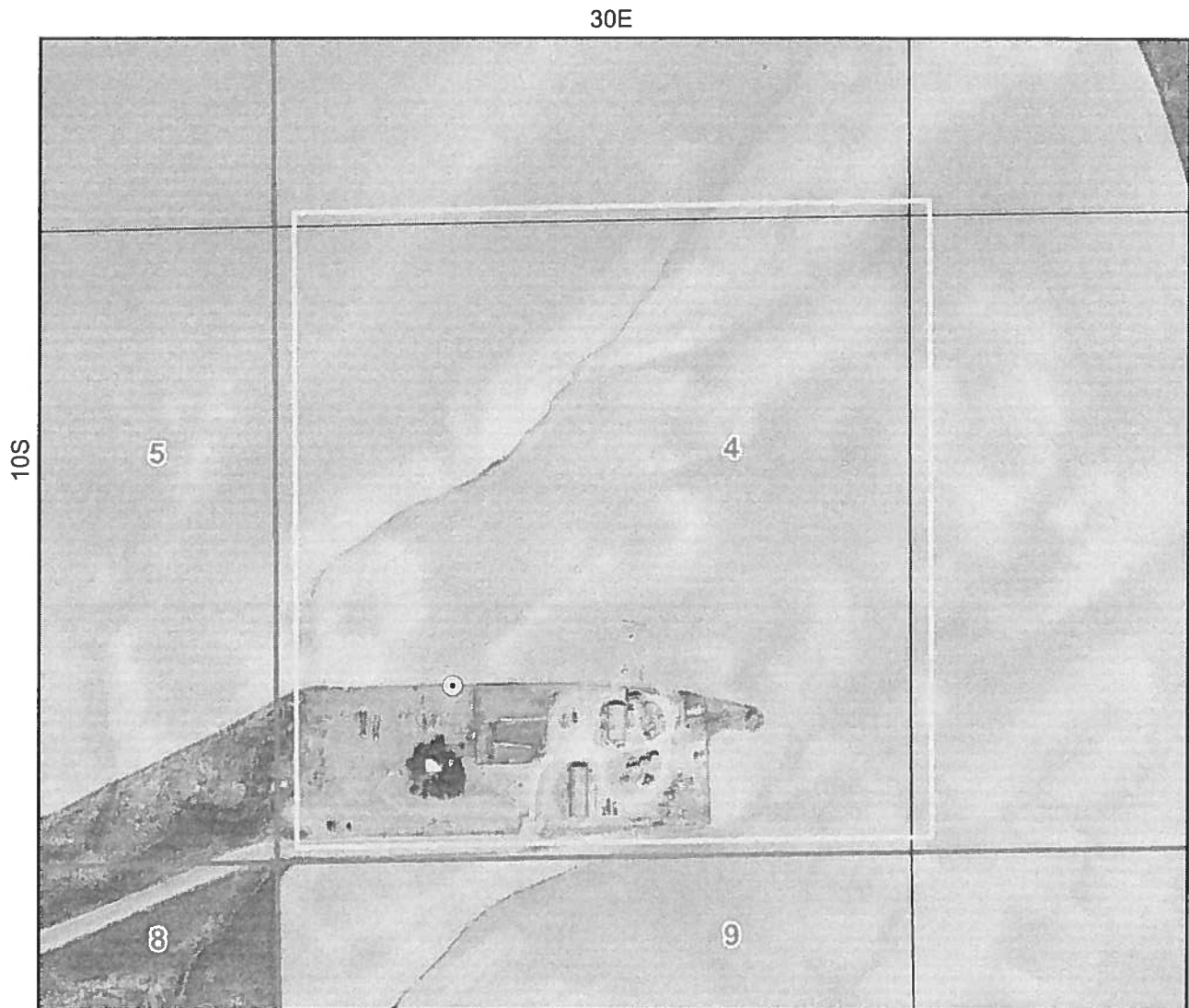


State of Idaho
Department of Water Resources

Water Right
41-10103

DOMESTIC

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 0.045 0.09 0.18 Miles

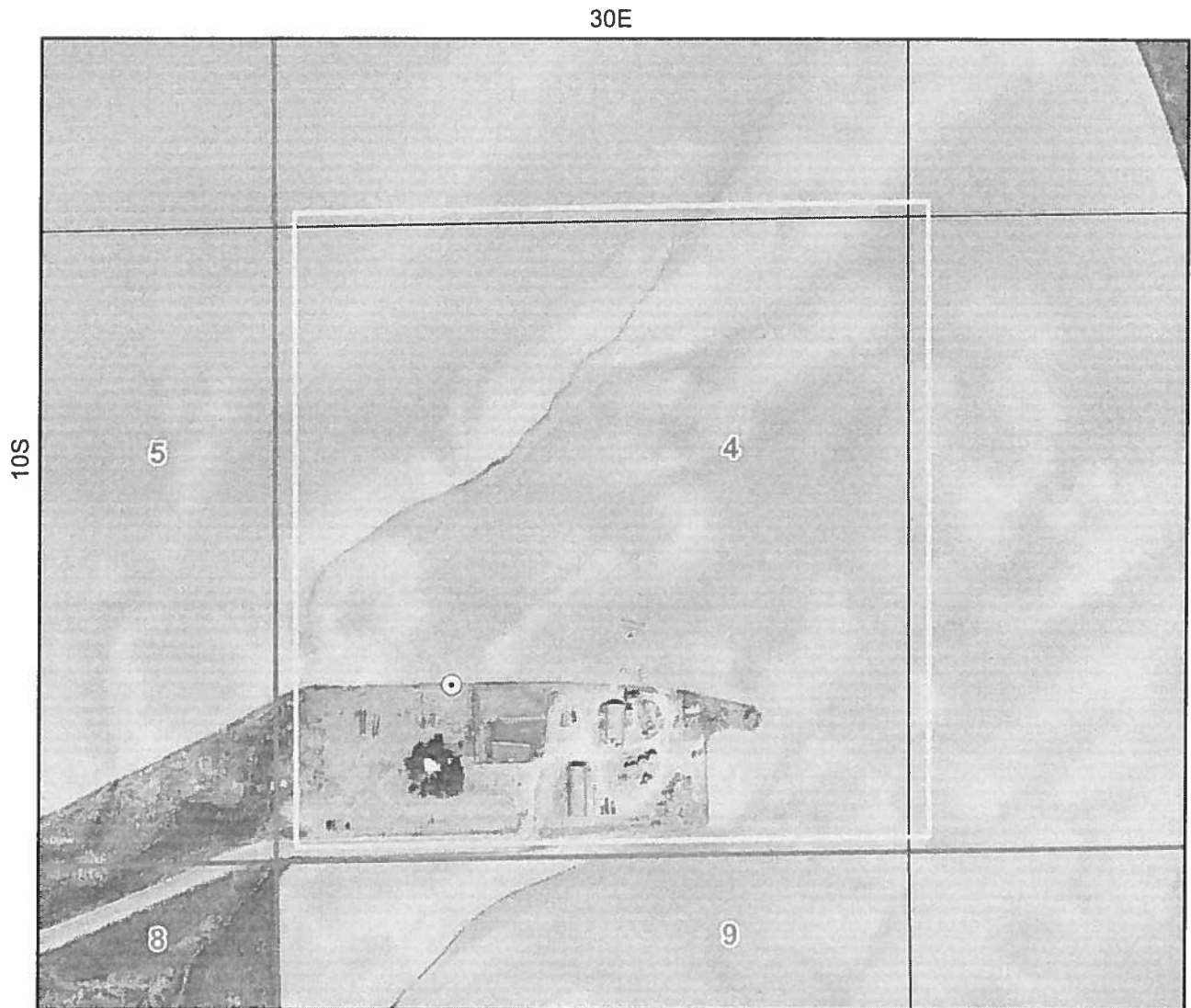


State of Idaho
Department of Water Resources

Water Right
41-10103

STOCKWATER

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 0.045 0.09 0.18 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 6, 2017

WINDY WHEAT LLC
3006 ALBERTS LN
AMERICAN FALLS ID 83211

RE: Change of Ownership for Water Right Nos. 41-4016, 41-4017, 41-4018 and 41-10103

Dear Water Right Holder(s):

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

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 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.

Also, 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,

A handwritten signature in cursive script, appearing to read "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: Curry D. Andrews Esq.