

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 15 2015

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?
37-1191	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-619B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10404	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10405	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jerry or Susan Westendorf
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Nicholas and Jennifer Westendorf
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☒ and/or
- 439 N 700W Shoshone ID 83352
Mailing address City State ZIP
- 208-490-0997 nick@41farms.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: 12/30/13
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: N Westendorf owner/operator 6/15/15
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 DM Date 6-15-2015 Receipt No. 5034843 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 SUPPORT DATA

IN FILE # 37-619B

LINCOLN COUNTY
Recorded for:
SUSAN K. WESTENDORF
9:16:26 am 12-31-2013
0000-194370
No. Pages: 4 Fee: \$19.00
SUZANNE MCCONNELL
County Clerk
Deputy: CAROLE

WARRANTY DEED

JERRY L. WESTENDORF and SUSAN K. WESTENDORF, husband and wife, Grantors, does hereby convey, grant, and warrant to NICHOLAS K. WESTENDORF and JENNIFER L. WESTENDORF, husband and wife, Grantees, whose address is 439 North 700 West, Shoshone, ID 83352, for good and valuable consideration, the following described real property, to-wit:

See Exhibit "A" attached hereto and by this reference made apart hereof. (This deed is subject to a division of proceeds on any resale of the real estate by the Grantees "or their successors and interest" to any third party. This division of proceeds on any resale expires on its own terms on June 1, 2023.)

SUBJECT TO taxes and assessments for the year 2013 and all subsequent years, and SUBJECT TO any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

SUBJECT TO a first right of refusal as set forth in that certain Agreement of Purchase and Sale dated the 30 day of December, 2013. The first right of refusal expires on its own terms on June 1, 2023.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantors covenant to the Grantees that Grantors are the owners in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record or apparent, and that Grantors will warrant and defend the same from all lawful claims.

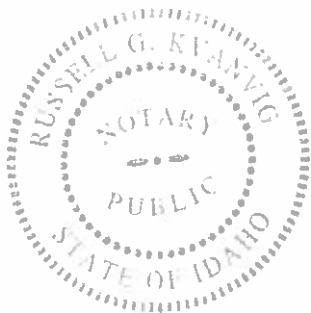
IN WITNESS WHEREOF, the Grantors have executed this instrument on this 30
day of December, 2013.

Jerry Westendorf
JERRY L. WESTENDORF

Susan K Westendorf
SUSAN K. WESTENDORF

STATE OF IDAHO)
) : ss.
COUNTY OF TWIN FALLS)

On this 30 day of December, 2013, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared **JERRY L. WESTENDORF** and **SUSAN K. WESTENDORF**, husband and wife, personally known or proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Russell Kvanvig
Notary Public for Idaho
My Commission Expires on 3-12-17

EXHIBIT "A"

PARCEL 1:

E½SE¼, Section 9; and N½SW¼, Section 10; All in Township 5 South, Range 16 E.B.M. Lincoln County, Idaho.

Together With 120 Shares of stock of the Big Wood Canal Company and 39 shares of water in the American Falls Reservoir District represented by card # 179.

PARCEL 2:

TOWNSHIP 5 SOUTH, RANGE 16 E.B.M.

Section 10: S½/SW¼

Section 15: N½/NW¼

Together with all water and water rights appurtenant thereto including all supplemental rights in Big Wood Canal Company and rights to American Falls Reservoir District No. 2 appurtenant to said property, situated in Lincoln County, state of Idaho.

Together with Idaho Water Right # 37-00619B and Idaho Water Right # 37-01191 and together with American Falls Reservoir District No. 2 supplemental water # 309.

PARCEL 3:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Part of the South ½ of the Southwest ¼ of Section 10, described as follows:

Commencing at a 5/8-inch rebar with an aluminum cap stamped PLS 9858 marking the southeast corner of the south ½ of the southwest ¼ of Section 10, being also the **POINT OF BEGINNING:**

Thence along the south line of the South ½ of the Southwest ¼ of said Section 10, North 89 Degrees 35 Minutes 04 Seconds West, a distance of 2685.73 feet to a brass cap marking the southwest corner of the South ½ of the Southwest ¼ of said Section 10;

Thence along the west line of the South ½ of the Southwest ¼ of said Section 10, North 00 Degrees 40 Minutes 43 Seconds East, a distance of 1323.86 feet to a ½-inch rebar with cap stamped PLS 9858 marking the northwest corner of the South ½ of the Southwest ¼ of Section 10;

Thence along the north line of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of said Section 10, South 89 Degrees 47 Minutes 29 Seconds East, a distance of 2227.81 feet to a $\frac{1}{2}$ -inch rebar with cap stamped PLS 9858;

Thence South 22 Degrees 54 Minutes 27 Seconds East, a distance of 725.80 feet to a $\frac{1}{2}$ -inch rebar with cap stamped PLS 9858;

Thence South 35 Degrees 21 Minutes 50 Seconds East, a distance of 232.26 feet to a $\frac{1}{2}$ -inch rebar with cap stamped PLS 9858;

Thence perpendicular to the east line of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of said Section 10, North 89 Degrees 58 Minutes 14 Seconds East, a distance of 25.00 feet to a $\frac{1}{2}$ -inch rebar with cap stamped PLS 9858;

Thence along the east line of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of said Section 10, South 00 Degrees 01 Minutes 46 Seconds East, a distance of 477.18 feet to the **POINT OF BEGINNING**;

According to a survey by GradeTek, PLLC, Gooding, Idaho and containing 76.666 ACRES, more or less.

Headgates



United States Department of Agriculture
Farm Service Agency

December 13, 2010

Lincoln County FSA

TRACT 6813



Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-025 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.