

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 12 2011
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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-4047B OK	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Myrna & Richard Winberg
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Eagle Creek Northwest LLC
Name of each new owner as listed on the conveyance document
c/o Charles W. Bryan, V.P.
New owner continued Name connector ☐ and ☐ or ☒ and/or
PO Box 53
Mailing address
Nampa ID 83653
City State ZIP
(208) 466-0419 charles.bryan@ubs.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: December 3, 2007
6. 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.

7. Signature: [Signature] Vice President November 29, 2011
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 12/12/2011 Receipt No. E037187 Receipt Amt. \$25.-
Approved by [Signature] Processed by [Signature] Date 12/12/2011

233737

Instrument 588537
 BINGHAM COUNTY
 2007-12-03 03:50:03 No. of Pages: 2
 Recorded for : FIRST AMERICAN TITLE COMPANY
 SARA J. STAUB
 Ex-Officio Recorder Deputy Fee: 6.00

WARRANTY DEED

For Value Received, RICHARD WINBERG and MYRNA WINBERG, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto EAGLE CREEK NORTHWEST LLC, the Grantee, whose address is c/o UBS AgriVest, LLC, 242 Trumbull Street, Hartford, Connecticut, 06103, the following described premises, in Bingham County, Idaho, to-wit:

Parcel I:

Township 4 South, Range 32 E.B.M, Bingham County, Idaho
 Section 8: NE ¼

Parcel II:

Township 5 South, Range 30 E.B.M., Bingham County, Idaho
 Section 3: Lots 1 and 2, S ½ NE ¼

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's successors and assigns forever. And the said Grantors do 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 3rd day of December, 2007.

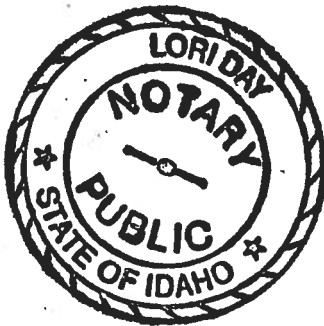
Richard Winberg
 RICHARD WINBERG

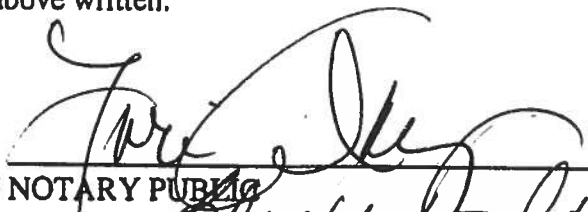
Myrna Winberg
 MYRNA WINBERG

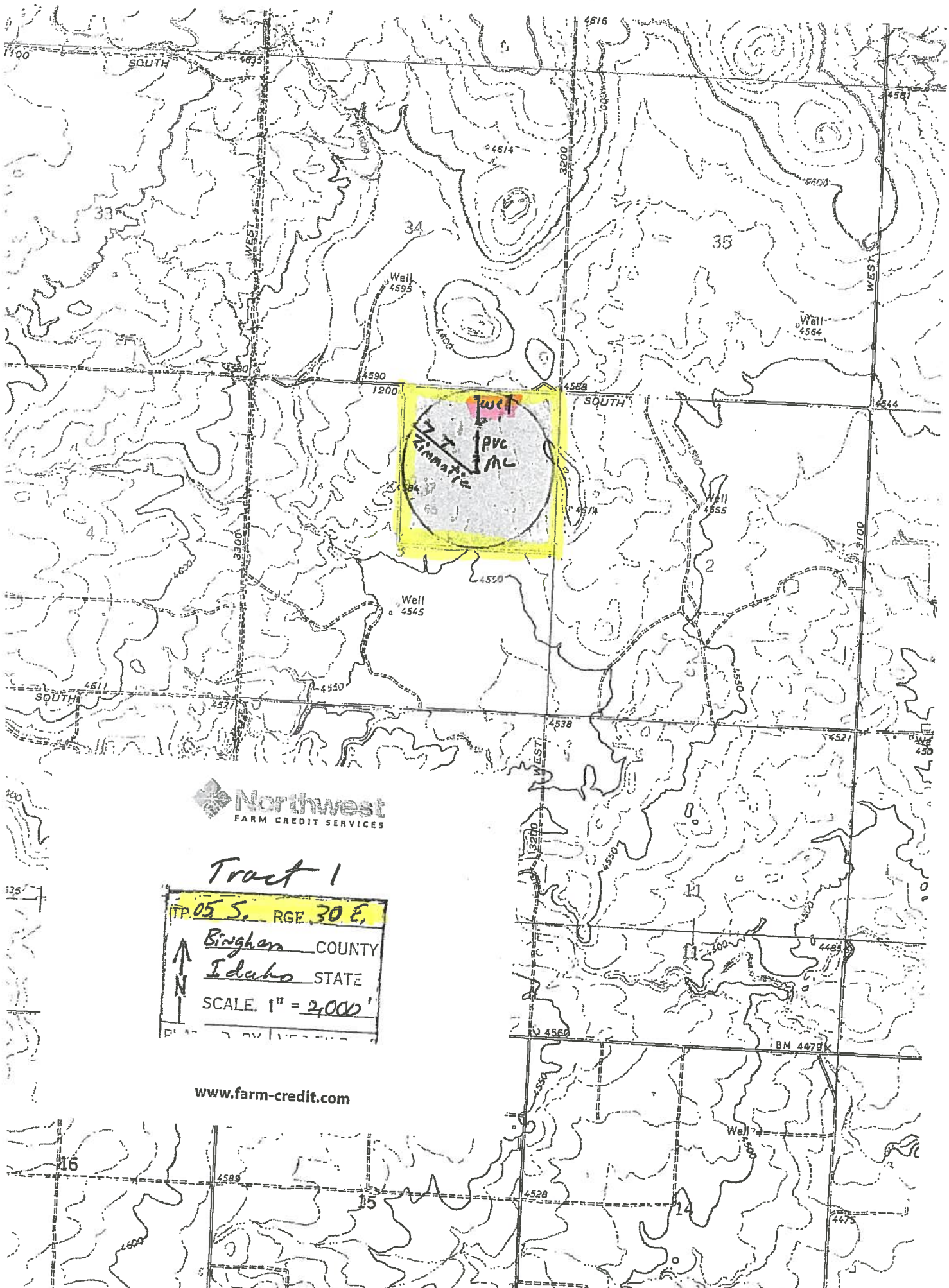
STATE OF IDAHO)
) ss.
County of Bingham)

On this 3rd day of December, 2007, before me, the undersigned, a Notary Public in and for said County and State, personally appeared RICHARD WINBERG and MYRNA WINBERG, ~~husband and wife~~, known to be the persons who executed the forgoing instrument and acknowledged to me that they executed the same.

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




NOTARY PUBLIC
Residing at: Blackfoot Idaho
My Commission Expires: 10/21/2009



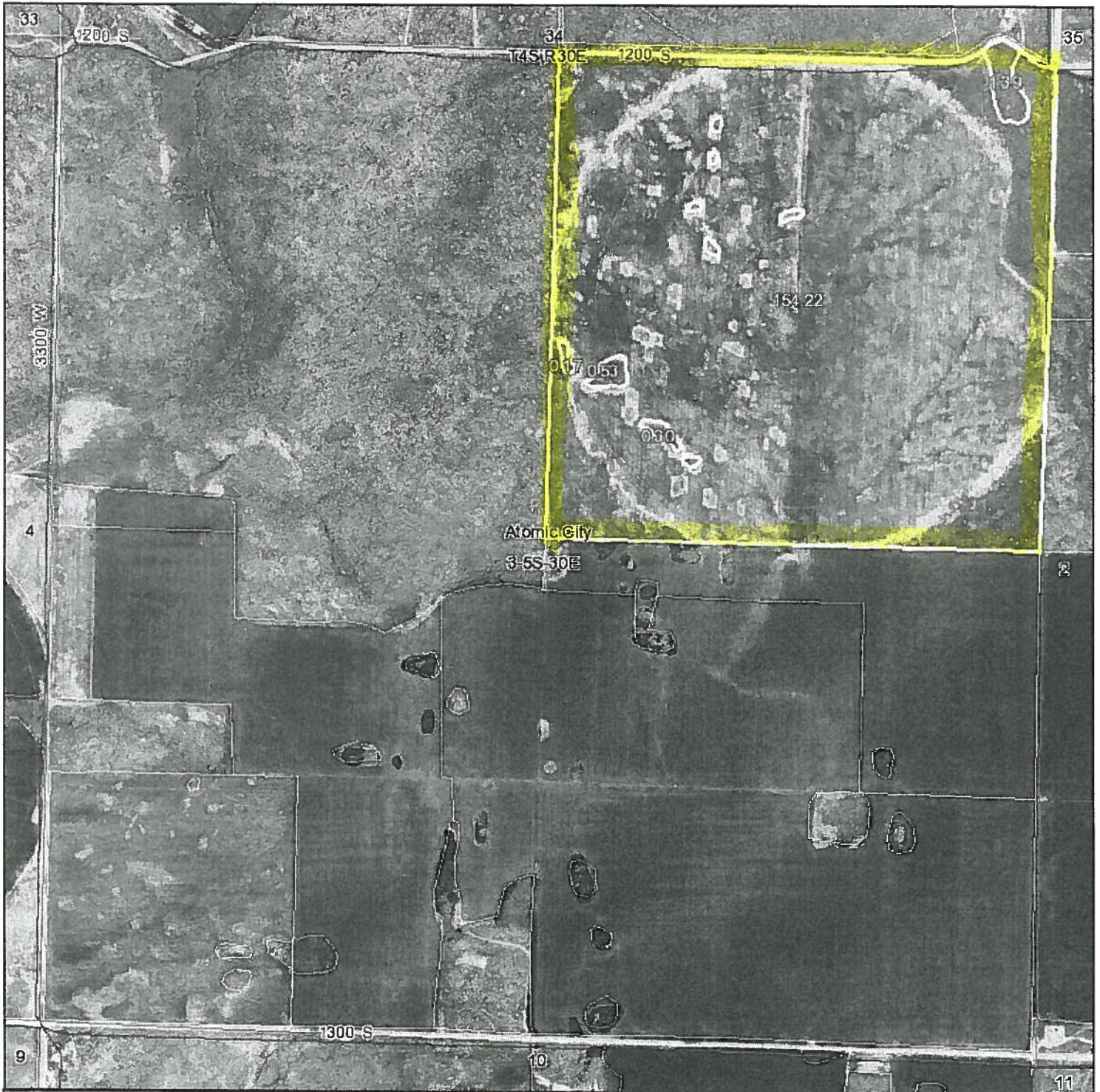
 **Northwest**
FARM CREDIT SERVICES

Tract 1

TP 05 S. RGE 30 E.
Bingham COUNTY
Idaho STATE
SCALE 1" = 2,000'
P.M. 2 BY 1/2

www.farm-credit.com

Aerial Map



map center: 43° 0' 59.02, 112° 56' 14.83

scale: 10072

3-5S-30E
Bingham County
Idaho

Maps provided by:



©AgriData, Inc. 2010

www.AgriDataInc.com



11/17/2010

Field borders provided by Farm Service Agency as of 5/21/2008. Aerial photography provided by Aerial Photography Field Office.

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/28/2011

WATER RIGHT NO. 35-4047B

Owner Type	Name and Address
Current Owner	MYRNA WINBERG
Current Owner	RICHARD WINBERG
	1027 S 2600 W
	ABERDEEN, ID 83210
	(208)397-4416

Priority Date: 06/18/1954

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.16 CFS	32 AFA
Total Diversion			0.16 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENE Lt 1	Sec. 03	Township 05S	Range 30E	BINGHAM County
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IRRIGATION Use:

Acre Limit: 8

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	30E	3	1	NENE	33		SENE	30						

Total Acres: 63

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 8 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 35-2209B, 35-4047B and 35-13589 when combined shall not exceed the irrigation of 63 acres.
3.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4.	131	Prior to the diversion and use of water under Transfer approval 73325, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5.	R02	A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6.	R64	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one year(s) 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 04/01/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 63

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)