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OCT 28 2011

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

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>36-11558</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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 usually attached to your deed or on file with the county).

OR

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 **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) Edward W. Miller
1133 Westside Dr., Rupert, ID 83350
4. New Owner/Claimant(s) Robert D. Miller
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 39 East Baseline, Rupert, ID 83350
- City, State and ZIP Code _____
- New Telephone Number (208) 431-8665
5. Date you acquired the property October 24, 2011

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Robert D. Miller
(include title if applicable) _____

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.

For Office Use Only

Received by [Signature] Date 10/28/11 Fee \$2500
 Received by [Signature] Date 10/28/11 Receipt No. 8032203
 Processed by AJ Date _____ WR _____ Date _____

DEED OF PERSONAL REPRESENTATIVE

THIS DEED made the 24th day of October, 2011, by Robert D. Miller, Personal Representative of the Estate of Edward W. Miller, deceased, herein called the First Party, Grantor, and Robert D. Miller, herein called the Second Party, Grantee, whose present address is 39 East Baseline, Rupert, Idaho 83350.

W I T N E S S E T H:

That the First Party, by virtue of the power and authority to him given and vested and by reason thereof and for value received, has granted, conveyed and confirmed, and by these presents does grant, remise, convey and confirm, unto the Second Party, Grantee, and his heirs forever, all of the following described real property located in Minidoka County, Idaho, to wit:

The real property described on Exhibit "A" attached hereto and made a part hereof.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and the reversion, remainder and remainders, rents, issues and profits thereof, and also all the estate, right, title and interest, property, possession, claim and demand whatsoever, which the said Edward W. Miller, deceased, had in his lifetime, and at the time of his decease, and which the First Party has, by virtue of his appointment as Personal Representative of the Estate of Edward W. Miller, deceased, in and to the above-described premises, with appurtenances.

TO HAVE AND TO HOLD all and singular the above-granted premises, together with appurtenances, and every part thereof, unto the Second party, his heirs and assigns forever.

IN WITNESS WHEREOF, the First Party has hereunto set my hand the day and year first above written.

ESTATE OF EDWARD W. MILLER

By: Robert D. Miller
Robert D. Miller
Personal Representative

STATE OF IDAHO)
) ss.
County of Minidoka.)

On this 24th day of October, 2011, before me the undersigned notary public in and for said state, personally appeared Robert D. Miller, known to me to be the person whose name is subscribed to the within instrument as Personal Representative of the estate of Edward W. Miller, and acknowledged to me that he executed the same as such Personal Representative.

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

(SEAL)

WILLIAM T. GOODMAN
NOTARY PUBLIC
STATE OF IDAHO

 Notary Public
 Residing at _____
 My Commission expires _____

EXHIBIT "A"

PARCEL #1

A part of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Twenty-One (21), Township Nine (9) South of Range Twenty-Four (24) East, Boise Meridian, described as follows:

Beginning at a point in said Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) located as follows:

From the Southwest corner of Section 21, Township 9 South, Range 24, East Boise Meridian:

Thence East 1320 feet, more or less, to the East boundary of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 21;

Thence North 1000 feet, more or less, to the South boundary of the Minidoka and Southwestern Railroad right-of-way;

Thence North 45°22' East along said right-of-way a distance of 450 feet to the South boundary of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section 21;

Thence continuing along said right-of-way 258.3 feet to the TRUE POINT OF BEGINNING.

Thence North 45°22' East a distance of 140.20 feet;

Thence South 0°08' East a distance of 98.27 feet;

Thence South 89°52' West a distance of 100 feet to the TRUE POINT OF BEGINNING, containing 0.113 acres, more or less and

Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) and that part of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section 21, Township 9 South, Range 24, East, Boise Meridian, lying South and East of the Minidoka and Southwestern Railroad right-of-way. Also easement for private line running from County road to South line of above premises. EXCEPT a part of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section 21, Township 9 South, Range 24, East, Boise Meridian, described as follows:

Beginning at a point in said Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) located as follows: From the Southwest Corner of Section 21, Township 9 South, Range 24, East, Boise Meridian,

Thence East 1320 feet, more or less, to the East boundary of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 21;

Thence North 1000 feet: more or less. to the South boundary of the Minidoka and Southwestern Railroad right-of-way; Thence

North 45°22' East along said right-of-way a distance of 450 feet to the South boundary of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of said Section 21; Thence continuing along said

right-of-way 258.3 feet to the TRUE POINT OF BEGINNING; Thence North 45°22' East a distance of 140.20 feet; Thence South 0°08' East a distance of 98.27 feet; Thence South 89°52' West a distance of 100 feet to the TRUE POINT OF BEGINNING, containing 1.113 acres, more or less, and

The Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section 21, Township 9 South, Range 24, East, Boise Meridian, together with all and singular the tenements, hereditaments and appurtenances thereunder to belonging or in anywise appertaining.

SAVE AND EXCEPTING therefrom the following parcel:

Part of the Southeast Quarter of Section 21, Township 9 South, Range 24 East Boise Meridian, Minidoka County, Idaho, more particularly described as follows:

The POINT OF BEGINNING marked by a 5/8" iron peg w/L.S. No. 3623 attached is located South 89°45'52" West (Record South 89°54' West 2635.15 feet (Record 2638.35 feet) of the Southeast corner of Section 21, Township 9 South, Range 24 East, Boise Meridian. Said 5/8" iron peg is also the South 1/4 corner of Section 21. The Southeast Section Corner is marked with a Brass Cap. The POINT OF BEGINNING referenced by a 1/2" IRON PEG w/L.S. No. attached which bears North 0°07'18" West 40.00 feet. This reference peg lies on the North right-of-way line of State Highway 30 N.; Thence North 0°07'18" West 276.00 feet to a 1/2" iron peg; Thence North 89°45'52" East 157.83 feet to a 1/2" iron peg; Thence South 0°07'18" East 276.00 feet to a PK Nail in the centerline of the State Highway 30 N. referenced by a 1/2" iron peg which lies on the North right-of-way line of said State Highway and bears North 0°07'18" West 40.00 feet; Thence South 89°45'52" West 157.83 feet to the POINT OF BEGINNING.

SUBJECT TO a road easement over the West 10 feet of said tract of land.

ALSO SAVE AND EXCEPTING the following parcel:

A portion of SE1/4SW1/4, of Section 21, Township 9 South, 24 East, Boise Meridian, designated as Parcel No. 4, Id. No. 38239 on the right-of-way Plat of Project No. STP-7802 (101) filed for record in the office of the County Recorder of Minidoka County on the 18th day of September 1997 as Instrument No. 431445.

Station Reference 145+89.872 to 148+17.904. The area above described contains approximately 0.323 acres, of which 0.126 acres is acknowledged to be public right-of-way.

PARCEL #2

East Half of the Northeast Quarter of the Northwest Quarter (E1/2NE1/4NW1/4) of Section Twenty-eight (28), Township Nine (9) South, Range Twenty-four (24) East, Boise Meridian, Minidoka County, Idaho SAVE AND EXCEPT Part of the Northwest Quarter of Section 28, Township 9 South, Range 24 East, Boise Meridian, Minidoka County, Idaho, more particularly described as follows:

The POINT OF BEGINNING marked by a PK Nail in the State Highway pavement is located North 89°59'43" East (Record North 89°54' East) 1987.92 feet of the Northwest Corner of Section 28, Township 9 South, Range 24 East, Boise Meridian. Said corner is marked with a Brass Cap. The POINT OF BEGINNING is referenced by a 1/2" iron peg w/L.S. No. attached which bears South 0°11'24" East 40.00 feet. This reference peg lies on the South right-of-way line of State Highway 30 No.;

Thence South 0°11'24" East 238.00 feet to a 1/2" iron peg;
Thence North 89°59'43" East 202.00 feet to a 1/2" iron peg;
Thence North 0°11'24" West for 238.00 feet to a PK Nail in the centerline of State Highway 30 N. referenced by a 1/2" iron peg which lies on the South right-of-way line of said State Highway and bears - South 0°11'24" East 40.00 feet;
Thence South 89°59'43" West 202.00 feet to the TRUE POINT OF BEGINNING.

SAVE AND EXCEPTING the following parcel:

A portion of NE1/4NW1/4. of Section 28, Township 9 South, 24 East, Boise Meridian, designated as Parcel No.5, Id. No. 38240 on the right-of-way Plat of Project No. STP-7802 (101) filed for

record in the office of the County Recorder of Minidoka County
on the 18th day of September 1997 as Instrument No.431445.

Station Reference: 146+77.56 to 148+17.97. The area above
described contains approximately 0.552 acres, acres of which
0.423 acres is acknowledged to be public right-of-way.

WILLIAM T. GOODMAN
ALAN GOODMAN

Goodman Law Office

CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350-0020

TELEPHONE NO.
(208) 436-4774
FAX
(208) 436-4837

October 26, 2011

RECEIVED
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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301

Re: Edward W. Miller - Water Right No. 36-11558

Dear Sir or Madam:

Enclosed is a Notice of Change in Water Right Ownership together with a copy of the Personal Representative recorded deed and our check for \$25.00. Please process the transfer to Robert D. Miller as indicated on the form.

Very truly yours,

GOODMAN LAW OFFICE

William T. Goodman
William T. Goodman (TJ)

WTG/tj
Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

October 28, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ROBERT D MILLER
39 E BASELINE
RUPERT ID 83350

RE: Change of Ownership for Water Right 36-11558

Dear Water Right Holders:

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

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Carrie Hahn
Clerk

Enclosure