

RECEIVED

AUG 04 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
	45-11168				
	45-13606				
	45-13607				

2. The following **REQUIRED** information must be submitted with this form:

NAX 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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

4. New Owner/Claimant(s)

Winecup, Inc.

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 283

City, State and ZIP Code

Oakley, ID 83346

New Telephone Number

(208) 862-3619

Email: bedke@pmt.org

862-3252
431-3618

5. Date you acquired the property _____
6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) Winecup, Inc. by Scott Bedke
 Vice President (title if applicable)
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____	Date _____	Receipt Amt. _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

3

WARRANTY DEED

#45647

For Value Received

Dennis K. Smith also known as Dennis Kay Smith, a single person

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Winecup, Inc. an Idaho corporation
Address: P.O. Box 283
Oakley, ID 83338

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
11:32:17 am 10-06-2008
2008-005567
NO. PAGES: 3 FEE: \$9.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

Hereinafter called the Grantee, the following described premises situated in **Cassia** County, Idaho, to-wit:

PARCEL NO 1:

TOWNSHIP 14 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5:

Beginning at a point 720 feet North of the Southeast corner of the NE¼ of said Section 5;
Thence running North 230 feet;
Thence West 1485 feet;
Thence North 400 feet, more or less to the North line of the S½NE¼ of said Section 5;
Thence West to the East bank of Goose Creek;
Thence Southerly along Goose Creek to the Northwest corner of Tax
No. 6741 (formerly known as Tax No. 491);
Thence East to a point which is West at right angles 165 feet from the West side of Tax No. 487;
Thence South 400 feet;
Thence East 1650 feet to the Point of Beginning.

EXCEPTING THEREFROM the following described tract:

Beginning at the E¼ section corner of said Section 5, said corner marked by a 5/8 inch rebar; thence North
00°21'13" West for a distance of 816.64 feet to the Point of Beginning;
Thence North 89°16'05" West for a distance of 35.75 feet to a ½ inch rebar;
Thence North 89°16'05" West for a distance of 149.25 feet to a ½ inch rebar;
Thence North 00°21'13" West for a distance of 133.36 feet to a ½ inch rebar;
Thence South 89°16'05" East for a distance of 149.58 feet to a ½ inch rebar;
Thence South 89°16'05" East for a distance of 35.42 feet to the East line of Section 5;
Thence South 00°21'13" East along the East line of Section 5 for a distance of 133.36 feet to the Point of
Beginning.

PARCEL NO. 2:

TOWNSHIP 14 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5:

Five parcels of land located in the E½ of said Section 5, more particularly described as follows:

PARCEL NO. 2A:

Beginning at the Northwest corner of the NE¼;
Thence running South 160 rods;
Thence East to the West bank of the channel of Goose Creek;
Thence in a Northerly direction along the West bank of the channel of Goose Creek to the North line of said Section 5;
Thence West along said North line of said Section, to the Place of Beginning.

PARCEL NO. 2B:

Beginning at a point 2 rods South of the Northwest corner of the SE¼ of said Section 5;
Thence South 38 rods;
Thence East at right angles 80 rods;
Thence North at right angles 38 rods;
Thence West at right angles 80 rods to the Place of Beginning.

PARCEL NO. 2C:

Beginning 116 rods South from the Northeast corner of said Section 5;
Thence running West 100 rods;
Thence North 24 rods;
Thence West 20 rods;
Thence South along the meander line of the West bank of Goose Creek about 37 rods;
Thence East 123 rods, more or less;
Thence North 13 rods to the Place of Beginning.

PARCEL NO. 2D:

Beginning 129 rods South of the Northeast corner of said Section 5;
Thence West 140 rods;
Thence South 33 rods;
Thence East 140 rods;
Thence North 33 rods to the Place of Beginning.

PARCEL NO. 2E:

N¼NE¼SE¼

EXCEPTING from said Parcel No. 2C, Parcel No. 2D and Parcel No. 2E as described above, the following described tract of land, known as Whittle Subdivision:

Beginning at a point on the West right-of-way of College Avenue 49.5 feet North 89°27' West from the Southeast corner of N¼NE¼SE¼ of Section 5, Township 14 South, Range 22 East of the Boise Meridian, which shall be the True Point of Beginning;
Thence North 89°27' West for 330.0 feet along the South line of the N¼NE¼SE¼ of Section 5 to a point;
Thence North 0°38' West for 697.0 feet to a point;
Thence South 89°27' East for 117.5 feet to a point;
Thence North 0°38' West for 689.0 feet to a point;
Thence South 89°27' East for 212.5 feet to a point on the West right-of-way of College Avenue;
Thence South 0°38' East for 1386.0 feet along said right-of-way to the True Point of Beginning.

ALSO EXCEPTING from said Parcel No. 2C, Parcel No. 2D and Parcel No. 2E as described above, the existing roadway known as College Avenue which runs along the East boundary of said parcels.

ALSO EXCEPTING from said Parcel No. 2D and Parcel No. 2E as described above, the following described tract of land:

Beginning at the Southeast corner of the N¼NE¼SE¼ of said Section 5, thence North 89°27' West for 379.50 feet to the Point of Beginning;
Thence North 89°27' West along the South boundary line of the N¼NE¼SE¼ for 900.00 feet to a point;
Thence North 44°57'30" East for 1259.58 feet;
Thence South 0°38' East for 900.00 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 125 Shares of Stock in Oakley Canal Company and appurtenant water rights pursuant to the Whittle Decree

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2008 and subsequent years.

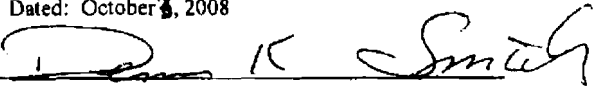
Any assessments levied, or to be levied, by the Oakley Canal Company.

Power Line Easement between Elden Whittle and Elsie Whittle, husband and wife, and Idaho Power Company, a corporation, dated May 22, 1956 and recorded July 11, 1957 as Instrument No. 194119, Page 495, Book 15 of Easements, records of Cassia County, Idaho, over and across the SE¼SE¼NE¼ of Section 5 Township 14 South, Range 22 East of the Boise Meridian.

Power Line Easement between L.E. Whittle and Marion A. Whittle, and Idaho Power Company, a corporation, dated January 4, 1975 and recorded April 10, 1975 as Instrument No. 82431 on Film No. 94, records of Cassia County, Idaho, over and across the South 150 feet of the SE¼SE¼NE¼ of Section 5, Township 14 South, Range 22 East of the Boise Meridian.

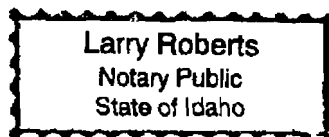
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all Incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

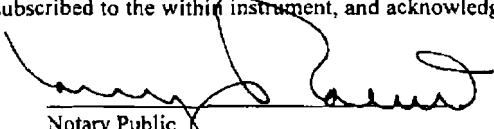
Dated: October 3, 2008


Dennis K. Smith

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 3rd day of October, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis K. Smith, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.




Notary Public
Residing at: Burley, Idaho
My Commission expires: 06-30-2009

QUITCLAIM DEED

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW #45647
3:15:09 pm 09-30-2010
2010-004654
NO. PAGES: 1 FEE: \$10.00
DEE YEAMAN
COUNTY CLERK
DEPUTY: VIKI

For Value Received

Dennis K. Smith, also known as Dennis Kay Smith, a single person

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

Winecup, Inc., an Idaho corporation

ADDRESS: P. O. Box 283

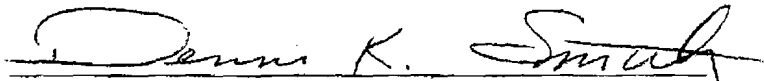
Oakley, ID 83338

Hereinafter called the grantee, the following described water rights situated in **Cassia** County, Idaho to-wit:

State of Idaho, Department of Water Resources Water Adjudication Nos. 45-1168, 45-13606 and 45-13607

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's successors or assigns forever.

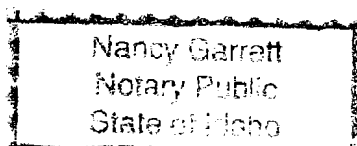
Dated: September 29, 2010

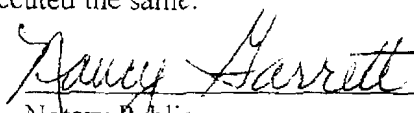


Dennis K. Smith, also known as Dennis Kay Smith

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 29th day of September, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared **Dennis K. Smith**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.




Notary Public
Residing at: Burley, ID
My Commission expires: 2-5-2014