

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

RECEIVED
1R 22 2010
 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 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)
43-70200					
43-10041					
43-7319					

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 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 4. New Owner/Claimant(s)

MICHAEL P. and DIANA M. WHEELER
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2155 E. 100 S.

City, State and ZIP Code

DEERLO, IDAHO 83323

New Telephone Number

SUPPORT DATA

(208) 349-5761

Email:

flyingswforms@hotmail.com

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) _____
 _____ (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 [Signature] Date 3-22-2010
 Received by [Signature] Date 3/22/10
 Processed by _____ AJ Date _____

Receipt Amt. \$75
 Receipt No. 5031330
 WR _____ Date _____

After Recording Send-To:

STEPHEN A. STOKES
Idaho State Bar No. 7180
Meyers Law Office, PLLC
300 N. 7th, Avenue
P.O. Box 4747
Pocatello, Idaho 83205
Telephone: (208) 233-4121

Attorney For: Plaintiff Anthony Wheeler

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
4:27:28 pm 11-30-2007
2007-319654
NO. PAGES: 4 FEE: \$12.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

Recording Information:

③ 43932

WARRANTY DEED

FOR VALUE RECEIVED, ANTHONY B. WHEELER LEASING, LLC, by and through ANTHONY B. WHEELER, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto MICHAEL P. WHEELER and DIANA M. WHEELER, husband and wife, whose address is 2155 East 100 South, Declo, Idaho 83323, hereinafter referred to as Grantees, Grantor's undivided one-half interest in the following **described** premises, to-wit:

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 27: SE1/4

SAVE AND EXCEPT the following **described** parcel:

SEE ATTACHED EXHIBIT "A"

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 27: NE1/4 and E½W½

together with all appurtenances thereto, including one (1) pump, one (1) panel and one (1) 280-acre pivot attached thereto and made a part thereof, and Water Right Nos. 43-07319, 43-07020D and 43-10041.

SUBJECT TO one-half of all 2007 taxes and assessments levied on the above-described property conveyed to Grantees, which shall be assumed and paid by Grantee; and reserving to Grantor and Grantees, in equal shares, all Conservation Reserve Program, crop subsidies, and other payments accruing to the subject property and crops grown thereon in 2007 pursuant to federal farm programs in which said property has been enrolled for the year 2007 by the Grantor and the Grantees.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said Grantees, and to their heirs and assigns forever, and the said Grantor shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

DATED this 30 day of November, 2007.



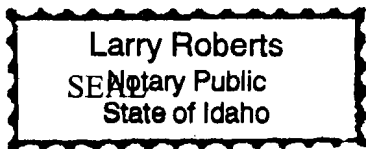
ANTHONY B. WHEELER LEASING, LLC
By ANTHONY B. WHEELER

ACKNOWLEDGMENT

STATE OF IDAHO)
 :SS
County of Cassia)

On this 30th day of November, 2007, before me, a notary public in and for said State, personally appeared ANTHONY B. WHEELER, known or identified to me to be the manager of Anthony B. Wheeler Leasing, L.L.C., and the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same individually and as Member Manager on behalf of the Limited Liability Company.

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



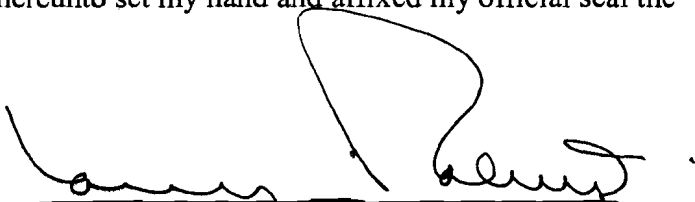

Notary Public for Idaho
Residing at: Burley, ID
My Commission Expires: 6-30-09

EXHIBIT "A"

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27:

Beginning at the Southeast corner of said Section 27, Station 29+52.189, 7.541 meters (24.74 feet) left of said Project centerline;
Thence South 89°58'01" West along the South boundary of Section 27 for a distance of 806.640 meters (2646.45 feet) to the S¼ corner of said Section 27, Station 21+45.551, 5.655 meters (18.55 feet) left of said Project centerline;
Thence South 89°57'01" West along the South boundary of the SE¼SW¼ for a distance of 403.003 meters (1322.18 feet) to the Southwest corner of the SE¼SW¼ of said Section 27, Station 17+42.552, 4.826 meters (15.83 feet) left of said Project centerline;
Thence North 00°23'50" West along the West boundary of the SE¼SW¼ of said Section 27 for a distance of 7.366 meters (24.17 feet), Station 17+42.492, 12.192 meters (40.00 feet) left of said Project centerline;
Thence South 89°55'55" East and being parallel with the centerline of said Project for a distance of 403.005 meters (1322.19 feet) to a point on the West boundary of the SE¼ of said Section 27, Station 21+45.497, 12.192 meters (40.00 feet) left of said Project centerline;
Thence South 89°53'57" East and being parallel with the centerline of said Project for a distance of 806.653 meters (2646.49 feet) to a point on the East boundary of the SE¼ of said Section 27, Station 29+52.144, 12.192 meters (40.00 feet) left of said Project centerline;
Thence South 00°27'00" East along the East boundary of the SE¼ of said Section 27 for a distance of 4.651 meters (15.26 feet) to the Point of Beginning.

AW

-Continued-



224000

QUITCLAIM DEED

FOR VALUE RECEIVED, PHILIP F. WHEELER and DOROTHY WHEELER, husband and wife, of Star Route, Box 77, Declo, Idaho 83323 do hereby release, remise, grant, bargain, sell, convey and forever quit claim unto MICHAEL P. WHEELER and DIANA M. WHEELER, husband and wife, of Star Route, Box 78, Declo, Idaho 83323, and ANTHONY B. WHEELER, of Star Route, Box 78A, Declo, Idaho 83323, the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY
THIS REFERENCE MADE A PART HEREOF AS
THOUGH FULLY SET FORTH HEREIN

together with their appurtenances.

DATED this 9th day of April, 1993.

Philip F. Wheeler
Philip F. Wheeler

Dorothy Wheeler
Dorothy Wheeler

STATE OF IDAHO)
County of Cassia) ss.

On this 9th day of April, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared PHILIP F. WHEELER and DOROTHY WHEELER, husband and wife, known to me to be the persons whose names are subscribed to the within 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.

(SEAL)

Hein R. Rasmussen
Notary Public for Idaho
Residing at: Burley
My Commission Expires: 8-18-94

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: SE¼

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26: S¼

SAVE AND EXCEPT:

Part of the SE¼SE¼ of Section 26 of Township 10 South, Range 26 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the SE corner of Section 26 of T. 10 S., R. 26 E., B.M. said corner marked by a U.S. General Land Office Pipe with brass cap which shall be the Point of Beginning;

Thence N 89°34'28" W along section line for 428.94 feet to a ½" rebar;

Thence N 0°00'00" E for 96.22 feet to a ½" rebar;

Thence S 89°34'28" E for 428.94 feet to a ½" rebar on section line;

Thence S 0°00'00" E along section line for 96.22 feet to the Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26: N¼, EXCEPTING THEREFROM the following described parcel, to-wit:

Beginning at the Northeast corner of the NW¼NW¼ of said Section 26; Thence West 300 feet; Thence South 300 feet; Thence East 700 feet; Thence North 300 feet; Thence West 400 feet to the Point of Beginning.

PARCEL NO. 4:

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 27: NE¼ and E¼W¼

RECORDED AT THE REQUEST OF
Abstracting Charles
FILM *243*

1993 APR 12 P 3:49 22400001

CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER

FEE *1.00* DEPUTY *48*

Stacy R. B. 77
Rec'd, Tel. 83323