

DEW

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

RECEIVED

MAR 22 2010

WATER RESOURCES
WESTERN 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
15-667		NO			

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) State of Idaho Dept of Lands
4. New Owner/Claimant(s) Richard Miller
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 7817 Sagebrush
- City, State and ZIP Code Boise, Idaho 83709
- New Telephone Number () None
5. Date you acquired the property 5-30-2001

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	Description
	(cubic feet per second or acre-feet per annum)	(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	Description
	(cubic feet per second or acre-feet per annum)	(acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

6. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Richard Miller

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 _____	Date _____	Fee <u>25</u>
Receipted by <i>gph</i>	Date <u>3-22-10</u>	Receipt No. <u>W038197</u>
Processed by _____	AJ Date _____	WR <i>gph</i> Date <u>3-24-10</u>

CORPORATE GRANT DEED

LAND EXCHANGE INC., an Idaho Corporation, with its principal place of business located at McCall, Idaho 83638, (the "Grantor"), grants unto: RICHARD M. MILLER, AN UNMARRIED MAN whose address is: 7817 Sagebrush Boise, Idaho 83709 (the Grantee), the following described real property ("Property") situated in County of Valley, State of Idaho:

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE IN VALLEY COUNTY, IDAHO AND SHOWN AS LOT 2, BLOCK 6, CEDAR KNOLL ACRES, AMENDED PAYETTE LAKE COTTAGE SITES, A PLAT WHICH IS RECORDED IN THE OFFICE OF THE RECORDER OF VALLEY COUNTY, IDAHO.

together with all easements and rights of way, all tenements, hereditaments and appurtenances and all rights to the common areas, parks, ,beaches, reserves, roads, sewer systems, water systems and all other common facilities conveyed ~~xxxxxxx~~ by State of Idaho Deed dated the 31st day of May, 2001.

Grantor claims no interest in or to the improvements owned by the Grantee, if any, located under, on or above the subject property. Nevertheless, to the extent the Grantor does, or may, have any interest in such improvements, if any, Grantor hereby assigns, transfers and conveys such interest, if any, to Grantee without warranty.

WITNESS my hand this 30 day of May, 2001.

LAND EXCHANGE, INC.

Donald M. Clark
by: Donald M. Clark, President

We hereby certify we have read and approved of this document

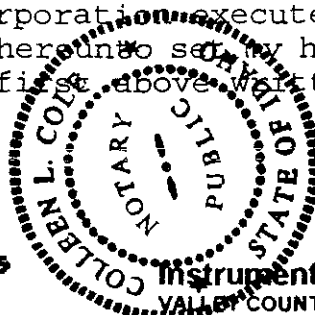
Richard M. Miller

STATE OF IDAHO)
) ss
COUNTY OF VALLEY)

On this 30 day of May, 2001, before me, Colleen L. Cole the undersigned, a Notary Public in and for said State, personally appeared Donald M. Clark, known to me to be the President of Land Exchange Inc. and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and acknowledged to me that such corporation executed the same.

In Witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

Colleen L. Cole
Notary Public for Idaho
Residing at: Cascade.
My Commission Expires: 6/10/2005



Instrument # 254717

VALLEY COUNTY, CASCADE, IDAHO

2001-06-07

11:15:45 No. of Pages: 1

Recorded for : AMERITITLE

LELAND G. HEINRICH

Ex-Officio Recorder Deputy

Index to: DEEDS

Fee: 3.00

[Signature]

State of Idaho is the owner and situated within the NE 1/4, Section 33, particularly described

Page 311a, as recorded Valley County Records, to do hereon

acres, alleys, commons and areas from the ge sites, as recorded Valley County Records, 1/4, Lot 1, Section 33, and containing 18.177 acres

nor of the State of Idaho, Great Seal of the State of Commissioners to be

State

to me, a Notary, sponsored J. C. Price, Edward Woodley, in State of Idaho, and acknowledged the hand and at above

11-5-47

I, Edward Woodley, Secretary of the State Board of Land Commissioners, State of Idaho, do hereby certify that
Lots 77 to 93 inclusive
Lots 101 to 140 inclusive
Lots 148 to 189 inclusive
as shown on the Amended Plat of State Land - Payette Lake Cottage Sites, as recorded October 27th, 1932, Book 15 of Deeds, Page 220, Valley County Records, State of Idaho, are not leased, contracted for sale, or otherwise encumbered in their present form and that no resolution of intention of the State Board of Land Commissioners is in effect which would prevent the alteration of any boundary or description thereof. Witness my hand this 24 day of October, 1947.
Edward Woodley
Secretary, State Board of Land Commissioners
State of Idaho

CERTIFICATE OF ACCEPTANCE

This Dedication, Plat, and Description of Cedar Knoll Acres, a subdivision of State Land near McCall, is hereby approved by the Board of County Commissioners, Valley County, Idaho, this 24 day of October, 1947.

Commissioner *Chairman* *Commissioner*

owner and proprietor of that certain tract of land situated within the County of Valley, State of Idaho, in Lot 4, Section 28, Lot 1, Section 33, and in the NE 1/4 NE 1/4 Section 32, T.19N., R.3E., B.M. more particularly described as follows:-

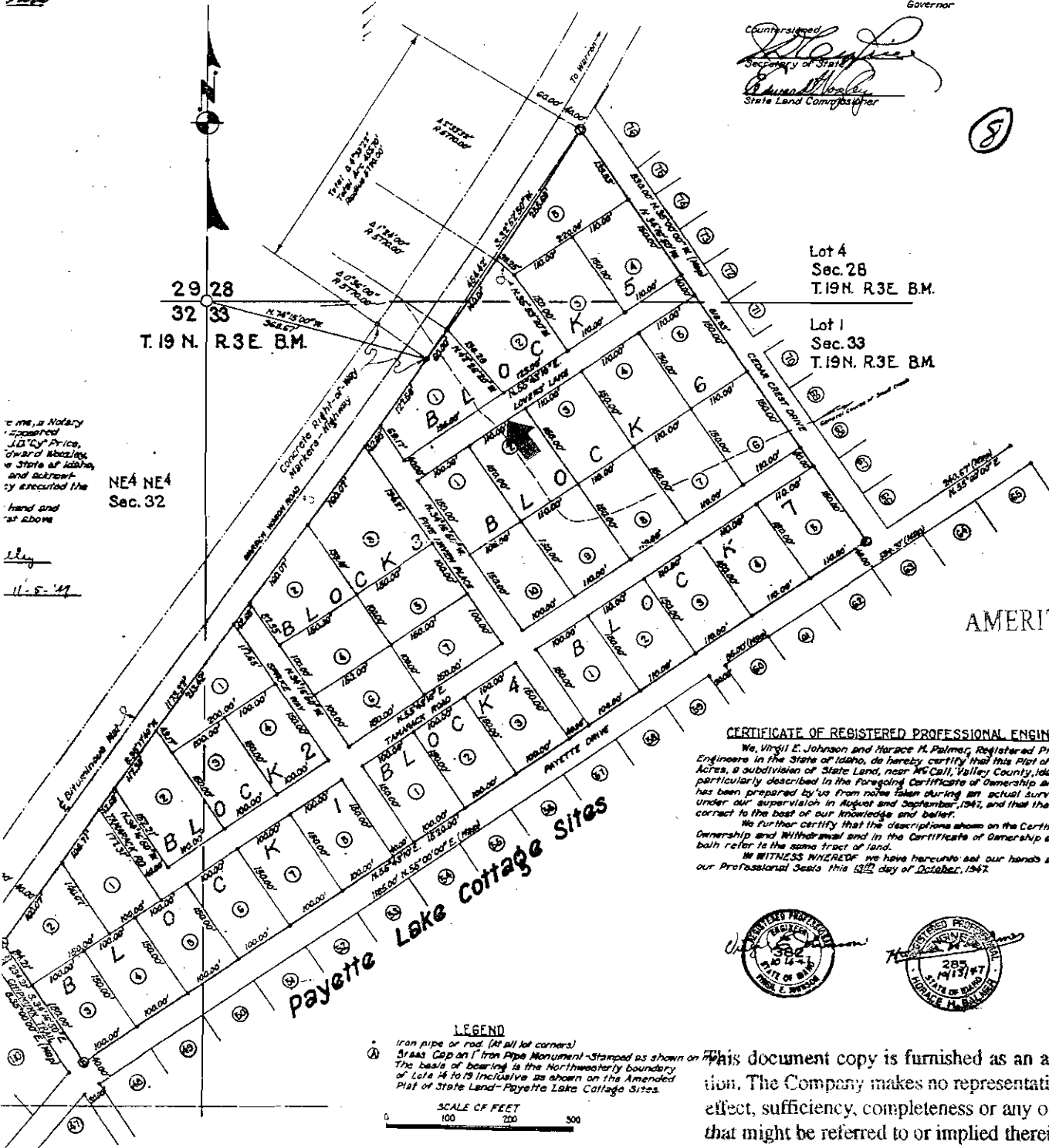
From the corner common to Sections 28, 29, 32, and 33, T.19N., R.3E., B.M. S. 74°15'00"E. 362.67 feet to the point of beginning
Thence - S. 35°17'40"W. 1173.32 feet
Thence - S. 34°16'50"E. 234.21 feet
Thence - N. 55°43'10"E. 1520.00 feet
Thence - N. 34°16'50"W. 879.33 feet
Thence along a curve to the right 455.70 feet having a radius of 5710.00 feet, the long chord of which bears S. 32°32'50"W. 454.42 feet to the point of beginning, and contains 14.17 acres more or less.
And that it is the intention of the State of Idaho to, and it does hereby, subdivide and lay out in lots as shown on this plat and dedicate the streets, roads, or alleys as shown on this plat to the use of the public forever.

That the State of Idaho does hereby accept and adopt the said plat.
In witness whereof I, C.A. Robins, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed this 24 day of October, 1947.

C.A. Robins
Governor

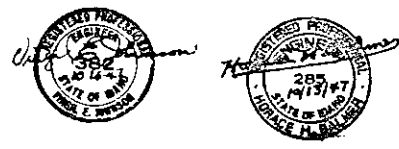
Countersigned
Secretary of State
Edward Woodley
State Land Commissioner

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CERTIFICATE OF REGISTERED PROFESSIONAL ENGINEERS

We, Virgil E. Johnson and Horace H. Palmer, Registered Professional Engineers in the State of Idaho, do hereby certify that this Plat of Cedar Knoll Acres, a subdivision of State Land, near McCall, Valley County, Idaho, as more particularly described in the foregoing Certificate of Ownership and Dedication, has been prepared by us from notes taken during an actual survey made under our supervision in August and September, 1947, and that the same is correct to the best of our knowledge and belief.
We further certify that the descriptions shown on the Certificate of Ownership and Withdrawal and in the Certificate of Ownership and Dedication both refer to the same tract of land.
WE WITNESS WHEREOF, we have hereunto set our hands and affixed our Professional Seals this 24th day of October, 1947.



This document copy is furnished as an accommodation. The Company makes no representations as to its effect, sufficiency, completeness or any other matters that might be referred to or implied therein.

COUNTY RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed for record at the request of Edward Woodley, Land Commissioner of the State of Idaho at 7 minutes past 2 o'clock P.M. this 24 day of October, 1947, in my office and duly recorded in Book 15 of Deeds of Page 220.

County Recorder
Filing Fee Paid \$ 1.00

JOHNSON & PALMER ENGINEERS
CIVIL-HYDRAULIC-STRUCTURAL-SANITARY-MINING
408 M. Carey Bldg. Phone 6110 Boise, Idaho
Date: 10-13-47 Survey No. 36-018
OFFICIAL PLAT
CEDAR KNOLL ACRES

AGREEMENT FOR CANCELLATION OF
STATE LEASE DUE TO LAND
EXCHANGE
(Miller Lease
Lease No. 5238)

Instrument # 254690

VALLEY COUNTY, CASCADE, IDAHO

2001-06-07 09:42:55 No. of Pages: 3

Recorded for : AMERITITLE

LELAND G. HEINRICH

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: LEASE

FOR RECORDER'S USE

The undersigned Lessee of lands owned by the State of Idaho more particularly described below, hereby agrees with the State of Idaho that State of Idaho Lease Number 5238 of the below described real property currently in force and effect between Lessee and the State of Idaho is terminated and of no further force and effect by reason of the land exchange transaction between the State of Idaho and Banock 800 LLC and the contemporaneous purchase of such property by Lessee.

The State and the Lessee hereby waive, each as against the other, and for their respective successors and assigns any and all claims, causes of action related to the lease, if any, and further do hereby release the other from any and all obligations or duties under and pursuant to the terms of the lease.

This agreement shall become effective contemporaneously with the closing of the land exchange between the State of Idaho and Banock 800 LLC and the contemporaneous purchase of such property by Lessee. In the event that the below described real property is not exchanged and sold as referenced above, this agreement shall be null and of no force and effect.

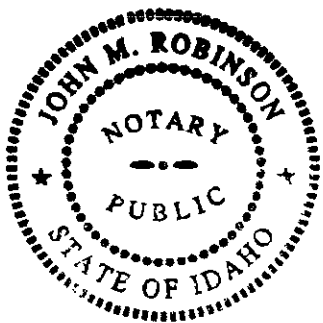
Real Property Description - See Exhibit A attached hereto.

LESSEE: <u>Richard M. Miller</u> _____ Date: <u>5-22-2001</u>	STATE OF IDAHO DEPARTMENT OF LANDS By: <u>Jay S. Bilsadeau</u> Winston A. Wiggins, Acting Director Jay S. Bilsadeau, Assistant Director Date: <u>6/05/01</u>
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STATE OF IDAHO)
) ss.
County of Ada)

On this 22 day of May 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard M. Miller, known to me to be the person[s] whose name is subscribed to the within instrument and acknowledged to me that [s]he executed the same.

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

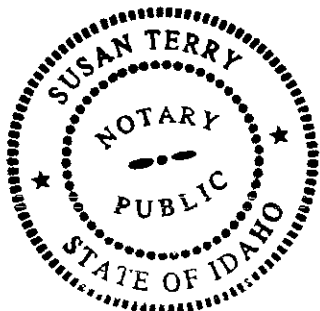


John M. Robinson
NOTARY PUBLIC
Residing at: Boise Idaho
Commission expires: 11-5-4

STATE OF IDAHO)
) ss.
County of Ada)

On this 5th day of ~~May~~ June 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared WINSTON A. WIGGINS, known to me to be the ~~ACTING~~ Assistant DIRECTOR of the Department of Lands of the State of Idaho, the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same in his capacity as Acting Director.

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



Susan Terry
NOTARY PUBLIC
Residing at: Hampton ID
Commission expires: 8.30.05

Exhibit A
to
Lease Cancellation Agreement

In Valley County, Idaho, to-wit:

Lot 2 of Block 6 of Cedar Knoll Acres of Amended Payette Lakes
Cottage Sites Subdivision, being a portion of Government Lot 1 of
Section 33, Township 19 North, Range 3 East, Boise Meridian.