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OCT 29 2004

DEPARTMENT OF
WATER RESOURCES

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 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
~~35-10647~~ ERROR					
35-10647					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **\$25⁰⁰**
- 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)

GARY D GRIMMETT
BLACKFOOT ID. 208-684-3169

4. New Owner/Claimant(s)

KYLE J. WHEATLEY AND SHIRLEY A. WHEATLEY
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

744 W. 100 N.

City, State and ZIP Code

BLACKFOOT ID 83221

New Telephone Number

(208) 684-9101

5. Date you acquired the property

JUNE 1, 2004

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) _____
(include title if applicable)

Kyle W. Heatley
Shirley D. Wheatley

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 <u><i>MM</i></u>	Date <u>10-29-04</u>	Fee <u>\$2500</u>
Received by <u><i>MM</i></u>	Date <u>10-29-04</u>	Receipt No. <u>CD75613</u>
Processed by _____	AJ Date _____	WR _____ Date _____

COPY

RECEIVED
DEC 13 2004
DEPARTMENT OF
WATER RESOURCES

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 3 DEP C

2004 JUN -1 PM 4:49

RECORDED AT THE REQUEST OF

541529

WARRANTY DEED

For Value Received **Flora A. Sandberg, an unmarried person**

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

Kyle Wheatley and Shirley A. Wheatley, husband and wife

whose address is: **744 West 100 north, Blackfoot, ID 83221**

FIRST AMERICAN TITLE COMPANY

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

A portion of the SW¹/₄SE¹/₄ of Section 26, and the NW¹/₄NE¹/₄ of Section 35, Township 2 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at a point that is S. 176.85 feet to the centerline of and east-west County road, and S. 89°46'48" W. along said centerline 2000.8 feet to the intersection of the centerline of the north-south road to Moreland, and S. 89°48'36" W. 210 feet and N. 00°03'24" W. 25 feet to the N. line of a county road from the NE corner of said Section 35; and running thence S. 89°48'36" W. along the N. line 180 feet; thence N. 00°03'24" W. 360 feet; thence N. 89°48'36" E. 180 feet; thence S. 00°03'24" E. along a fence line 360 feet to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

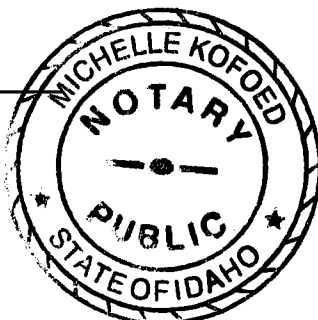
Dated: May 28, 2004

Flora A. Sandberg
Flora A. Sandberg

STATE OF Idaho)
)ss.
COUNTY OF BINGHAM)

On this 28th day of May, 2004, before me Michelle Kofoed, personally appeared Flora A. Sandberg, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

Michelle Kofoed
Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 04/14/06



541529