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SEP 2 1998

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

Department of Water Resources
Eastern Region

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SEP 25 1998

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

*SEE FILE 13-00621 FOR SUPPORT DOCUMENTATION.

Department of Water Resources

1. Water Right Number(s) 13-00621, 13-00681, 13-00682, 13-00683
Adjudication Claim Number(s) _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Dean & Dorothy Nogan - individually and as trustees for Dean S. Nogan Trust
327 River Rd, Grace, Idaho 83241

4. New Owner/Claimant(s) Janet M. Wheeler & Wheeler Family Trust
New Mailing Address 336 River Rd

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

City, State and ZIP Code Grace, Idaho 83241
New Telephone Number (208) 427 - 6646

5. Date you acquired the property Oct. 1, 1991

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Janet M. Wheeler Date Aug. 27, 1998
Janet M. Wheeler, Trustee for Wheeler Family Trust. Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

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STATE OF IDAHO
County of Caribou
I hereby certify that this instrument was filed at the request of Caribou Title
at 7:40 o'clock P on this 9 day of Dec 1991 in my office and duly
recorded in Microfilm Records
Rebecca A. Jenkins
Stephanie Lunsberry
Ex-Officio Recorder Deputy 16 00

WARRANTY DEED

THIS INDENTURE, Made this 1st day of October, 1991, between DEAN S. HOGAN AND DOROTHY A. HOGAN, husband and wife, and DEAN S. HOGAN AND DOROTHY A. HOGAN, Trustees of the Dean S. Hogan Family Revocable Trust, dated June 9, 1976, of Grace, Caribou County, Idaho, hereinafter called First Party, and KENNETH R. WHEELER AND JANET M. WHEELER, husband and wife, of Kremmling, Grand County, Colorado 80459, hereinafter called Second Party:

WITNESSETH: That the said First Party, for and in consideration of the sum of TWO HUNDRED TWENTY FIVE THOUSAND DOLLARS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows, to-wit:

Township 11 South, Range 40 East of the Boise Meridian:

Tract I:

Section 15: Beginning at the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 15, and running
thence East 560 feet;
thence South 340 feet;
thence East 120 feet;
thence South 850 feet;
thence in a Southeasterly direction 1038 feet, more or less, to an intersection with the West 1/16th line of said Section 15, at a point which is 650 feet, more or less, North of the Southeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;
thence South 150 feet, more or less, to the center of the Bear River;
thence following the meanderings of the Bear River along the center line thereof, in a Westerly, Southerly, and Southwesterly direction, to an intersection with the West line of said Section 15;
thence North along the West line of said Section 15, to the point of beginning.

Section 16: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
ALSO, all that portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying East of the Bear River.

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ALSO, Beginning at a point North 19°11'15" East 2795.3 feet from the Southwest corner of said Section 16, said point being on the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, and running

thence East along said South line 410.7 feet to the East line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North along said East line 353 feet;

thence North 61°17' West 140 feet;

thence South 69°57' West 366 feet;

thence South 10°45' East 300 feet,

to the point of beginning.

EXCEPT THEREFROM, Beginning at the Northwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16, and running

thence South 200 feet; thence East 300 feet;

thence North 200 feet; thence West 300 feet,

to the point of beginning.

ALSO, EXCEPT THEREFROM, Beginning at a point on the North line of the S $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16, said point being North 16°14'40" East 4124.3 feet from the

Southwest corner of said Section 16, and running

thence East along said North line 439.8 feet, more or less, to the West right of way line of River Road;

thence Southwesterly along said right of way to a point which is South 9°30' West 322.3 feet;

thence South 84°41' West 367.8 feet;

thence North 3°18'30" West 352.5 feet,

TO THE POINT OF BEGINNING.

TRACT II:

Section 16: All that portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying Northerly of the centerline of a County Road, said centerline being fully described as follows:

Beginning at a point North 89°34' West 1329.37 feet and North 875.24 feet along the East boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 16, and running

thence South 77°42' West 348.65 feet;

thence South 69°27' West 678.55 feet;

thence Westerly 49.83 feet around a curve to the right having a radius of 300 feet;

thence South 78°58' West 374.13 feet;

thence Westerly 87.62 feet around a curve to the right having a radius of 300 feet;

thence North 84°14' West 122.14 feet;

thence Westerly 54.11 feet around a curve to the right having a radius of 300 feet;

thence North 73°58' West 128.39 feet;

thence North 78°41' West 899.86 feet to a point on the West boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16, the terminus of said centerline.

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EXCEPT THEREFROM, the following described tract of land lying in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, and the W $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 16, described as follows:

Beginning at the intersection of the North right of way line of Roper Road and the West line of said Section 16, said point being 443.8 feet North of the Southwest corner of said Section 16, and running
thence North along said West line 541.6 feet;
thence North 73°06' East 528.5 feet;
thence North 62°46' East 372.5 feet;
thence North 87°01' East 201.1 feet;
thence South 84°13' East 659.2 feet;
thence South 67°51' East 390 feet;
thence North 89°12'30" East 377.45 feet;
thence North 0°47'20" East 116.27 feet;
thence North 76°00' East 855.57 feet to the Westerly right of way line of River Road;
thence South 21°27' East along said line 162.6 feet to the point of curvature of a 500.41 foot radius curve to the right;
thence Southeasterly along said curve 402.34 feet (Chord = South 44°29' East 391.59 feet);
thence South 67°31' East 362.37 feet to the intersection with the Northerly right of way line of Roper Road;
thence South 77°42' West along said line 300.67 feet;
thence South 69°27' West 680.71 feet to the point of curvature of a 270 foot radius curve to the right;
thence Southwesterly along said curve 44.85 feet (Chord = South 74°12'30" West 44.79 feet);
thence South 78°58' West 374.13 feet to the point of curvature of a 270 foot radius curve to the right;
thence Westerly along said curve 79.17 feet (Chord = South 87°22' West 78.88 feet);
thence North 84°14' West 122.14 feet to the point of curvature of a 270 foot radius curve to the right;
thence Northwesterly along said curve 48.69 feet (Chord = North 79°08' West 48.63 feet);
thence North 73°58' West 129.63 feet;
thence North 78°41' West 1289.92 feet to the point of curvature of a 230 foot radius curve to the left;
thence Westerly along said curve 87.71 feet (Chord = North 89°36'30" West 87.18 feet);
thence South 79°28' West 580.68 feet to the point of curvature of a 343.39 foot radius curve to the left;
thence Southwesterly along said curve 244.63 feet (Chord = South 59°03'30" West 239.49 feet);
thence South 38°39' West 144.87 feet,
to the point of beginning.

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ALSO EXCEPT THEREFROM, any portion thereof lying within the rights of way of County Roads as presently located.

INCLUDING, BUT NOT LIMITED TO THE FOLLOWING WATER RIGHTS:
90 Shares of Stock of Gentile Valley Irrigation Company and
2.8 cfs. of the water of Bear River.

SUBJECT TO A MORTGAGE executed by the undersigned, to West One Bank, Idaho. N.A., dated May 30, 1990, recorded June 7, 1990, under recorder's instrument No. 139119, in the microfilm records of Caribou County, Idaho.

SUBJECT TO A STATE LAND SALE CONTRACT, Certificate No. 25480, covering the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, township and range aforesaid, dated October 7, 1983.

SUBJECT to all easements, rights of way, and public roads or highways adjoining or crossing said property, and further subject to retention or reservation of mineral, oil and gas rights by prior owners of said real property or by the United States of America or the State of Idaho.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said First Party, and said First Party's heirs, the said premises in the quiet and peaceable possession of said Second Party, said Second Party's heirs and assigns against the said First Party, First Party's heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said First Party has hereunto set their hands and seals, the day and year first above written.

DEAN S. HOGAN FAMILY REVOCABLE
TRUST, dated June 9, 1976

Dean S. Hogan
DEAN S. HOGAN, Trustee

Dorothy A. Hogan
DOROTHY A. HOGAN, Trustee

Dean S. Hogan
DEAN S. HOGAN, Individually

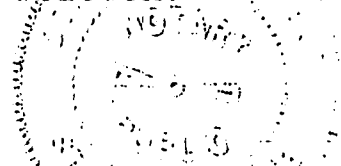
Dorothy A. Hogan
DOROTHY A. HOGAN, Individually

142634

STATE OF IDAHO)
: ss.
County of Caribou)

On this 27th day of November, 1991, before me the undersigned, a Notary Public in and for said County and State, personally appeared DEAN S. HOGAN AND DOROTHY A. HOGAN, 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.

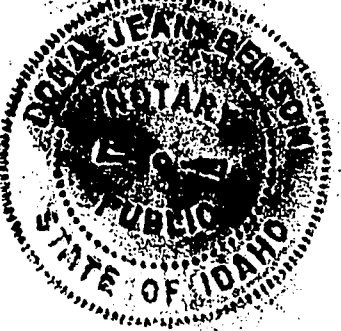


Donald Jean Benson
NOTARY PUBLIC for the State of Idaho
Residing at: Soda Springs, Idaho
Commission expires: 8/15/97.

STATE OF IDAHO)
: ss.
County of Caribou)

On this 27th day of November, 1991, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DEAN S. HOGAN AND DOROTHY A. HOGAN, as Trustees of the Dean S. Hogan Family Revocable Trust, dated June 9, 1976, known to me to be the persons who subscribed their names as Trustees of said Dean S. Hogan Family Revocable Trust, dated June 9, 1976, and known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for and on behalf of said Trust.

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



Donald Jean Benson
NOTARY PUBLIC for the State of Idaho
Residing at Soda Springs, Idaho.
Commission expires: 8/15/97.

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

CERTIFICATION OF FACTS OF DEATH

DATE FILED: DECEMBER 05, 1996 STATE FILE NUMBER: 96-07485

DECEDENT: KENNETH RICHARD WHEELER

DATE OF DEATH: NOV. 27, 1996 PLACE OF DEATH: SODA SPRINGS, IDAHO

DATE OF BIRTH: MAY 21, 1939 PLACE OF BIRTH: KANSAS

AGE: 57 YEARS SEX: MALE VETERAN? NO

MARITAL STATUS: MARRIED SPOUSE (MAIDEN): JANET M. BROWN

SOCIAL SECURITY NUMBER: 510-38-1754 RESIDENCE: GRACE, IDAHO

FATHER: KENNETH WHEELER

FATHERS BIRTHPLACE: KANSAS

MOTHER (MAIDEN): WILMA BUCK

MOTHERS BIRTHPLACE: KANSAS

MORTUARY: ALLEN-SIMS FUNERAL HOME

SODA SPRINGS, IDAHO

This is a true and correct reproduction of the document officially registered and placed
on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: JUNE 18, 1997

This copy is not valid unless prepared on engraved border
displaying state seal and signature of the Registrar.

Jane S. Smith

JANE S. SMITH
STATE REGISTRAR



TRUSTEES' INVENTORY AND DIVISION OF TRUST ESTATE

The undersigned, JANET M. WHEELER, KENNA CATHERINE WHEELER and KEVIN PATTERSON WHEELER, Co-Trustees of the KENNETH R. AND JANET M. WHEELER FAMILY TRUST established by Trust Agreement dated September 26, 1996, hereby state and represent as follows:

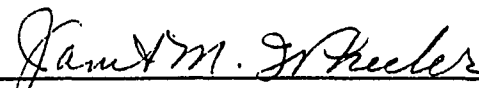
1. Kenneth R. Wheeler died on November 27, 1996. The original of his Last Will and Testament dated September 26, 1996, was probated in Caribou County, Idaho, Probate Case No. SP-97-01160. The decedent did not leave a Memorandum for the purpose of disposing of personal and household effects pursuant to Article 3 of his Will. Article 4 of his Will makes a pour-over gift to the Trustees of all of the decedent's assets.

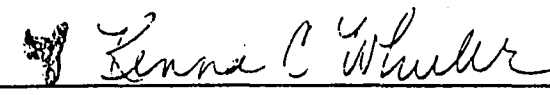
2. Pursuant to Article 9 of the Trust Agreement, Kenna Catherine Wheeler and Kevin Patterson Wheeler are the named successor trustees to the decedent Kenneth R. Wheeler and have accepted their appointment as successor trustee and agreed to hold, manage, administer and distribute the trust assets in accordance with the provisions set forth in the Trust Agreement. Kenna Catherine Wheeler and Kevin Patterson Wheeler have been the acting co-trustees of the Trust since the death of Kenneth R. Wheeler on November 27, 1996.

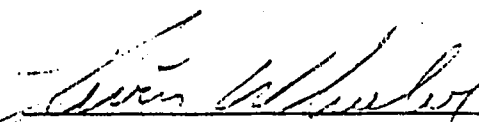
3. The Co-Trustees have prepared an Inventory and Appraisal setting forth all trust assets and their value as set forth in Exhibit 1. The Inventory is true and correct to the best of the Co-Trustees' knowledge, information and belief.

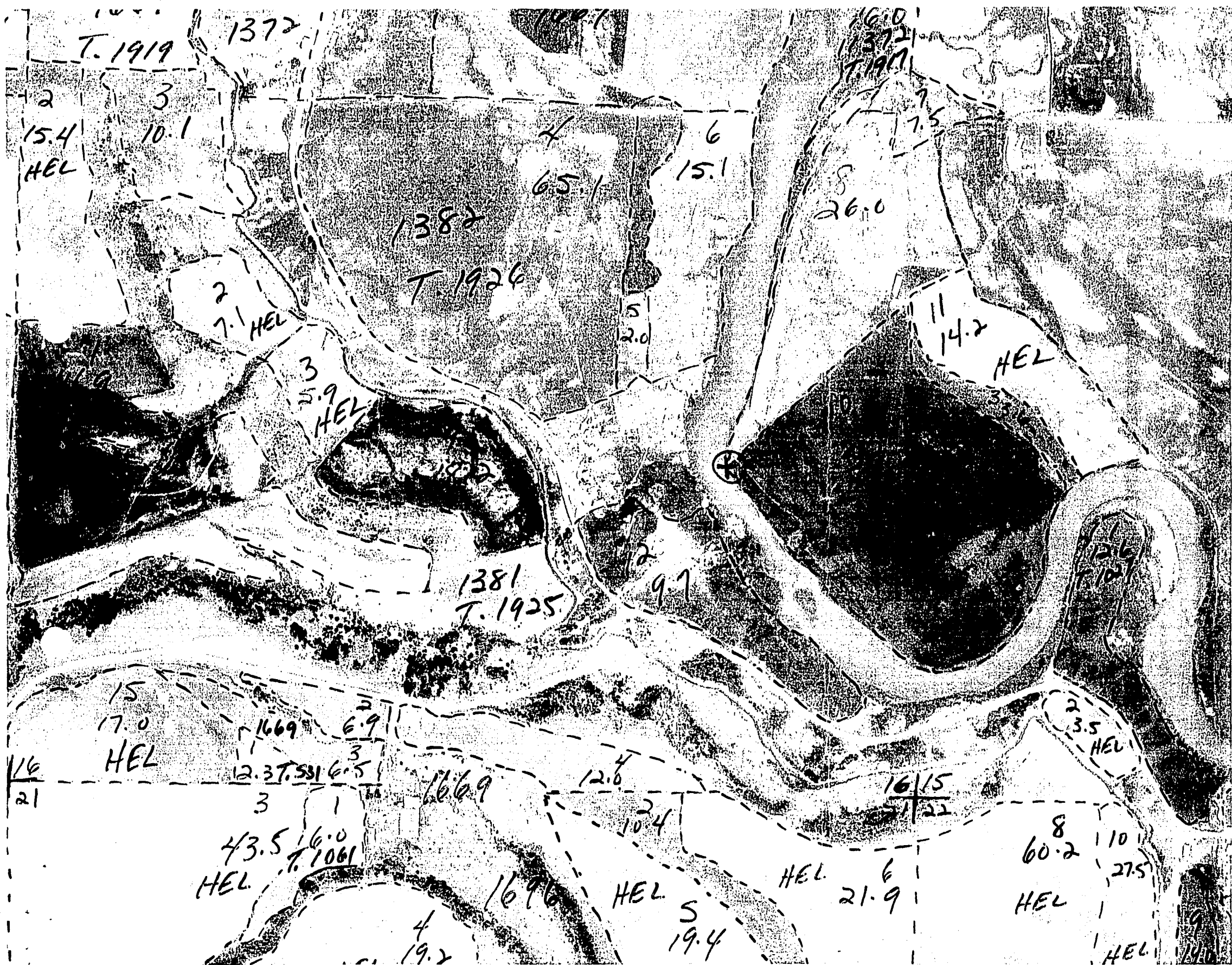
4. Article 6 of the Trust Agreement requires that the assets of the Trust be divided and allocated between Trust A and Trust B. The Co-Trustees have completed the allocation of the Trust assets to Trust A and Trust B pursuant to Article 6 of the Trust Agreement. Exhibit 2 attached reflects the Trust assets allocated to Trust A and Exhibit 3 attached reflects the assets allocated to Trust B.

DATED this 1st day of May, 1997.


JANET M. WHEELER


KENNA CATHERINE WHEELER


KEVIN PATTERSON WHEELER



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SEP 22 1998

Department of Water Resources
Eastern Region

August 26, 1998

Please find enclosed the
papers required to transfer
the water rights from the
Dean Hogan Family Trust to
James M. Wheeler and the Wheeler
Family Trust.

If there is information which
is required and not provided or
the paperwork filled out incorrectly,
please notify me. I would also
appreciate any verification which
might be provided indicating the
transfer has been perfected.

Thank you for your assistance

James M. Wheeler
336 River Rd

Maize, Md. 83241 (208) 427-6646

RECEIVED

SEP 22 1998

Department of Water Resources
Eastern Region

August 26, 1998

Please find enclosed the papers required to transfer the water rights from the Dean Hogan Family Trust to Janet M. Wheeler and the Wheeler Family Trust.

If there is information which is required and not provided or the paperwork filled out incorrectly, please notify me. I would also appreciate any verification which might be provided indicating the transfer has been perfected.

Thank you for your assistance

Janet M. Wheeler
336 River Rd

Grace, Id. 83241 (208) 427-6646



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

June 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JANET M WHEELER
WHEELER FAMILY TRUST
336 RIVER RD
GRACE ID 83241

RE: Decreed Water Rights 13-00621/13-00681B/13-00682B/13-00683

Dear Ms. Wheeler:

The department acknowledges receipt of correspondence changing ownership of the above referenced claims to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports 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 the department if you have questions.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

cc: IDWR-Eastern Region