

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris

Holden, Kidwell, Hahn & Crapo, P.L.L.C.

PO Box 50130

Idaho Falls, ID 83405

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

Gary Summers and Shannon Summers, husband and wife, whose address is 1177 E. 9th N., Rexburg, Idaho 83440 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto **RAGS, LLC**, an Idaho limited liability company, whose address is 3869 Westminister Place, Idaho Falls, Idaho 83404 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in Water Right No. 22-14307 as described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

[SIGNATURES ON FOLLOWING PAGE]

DATED this 16 day of April, 2018.

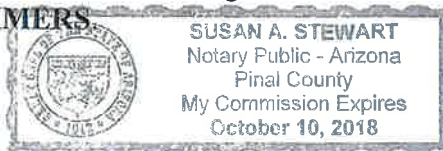
"GRANTOR"

Gary Summers
Gary Summers

Shannon Summers
Shannon Summers

STATE OF ~~IDAHO~~ ARIZONA)
County of PINAL)ss.

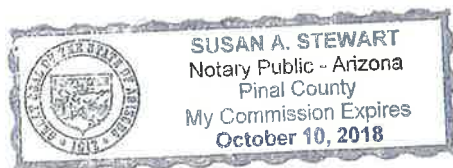
This record was acknowledged before me on the 16 day of April, 2018,
by **GARY SUMMERS**



Susan A. Stewart
Notary Public for Idaho ARIZONA
My Commission Expires: _____

STATE OF ~~IDAHO~~ ARIZONA)
County of PINAL)ss.

This record was acknowledged before me on the 16 day of April, 2018,
by **SHANNON SUMMERS**.



Susan A. Stewart
Notary Public for Idaho ARIZONA
My Commission Expires: 10-10-18

EXHIBIT A
WATER RIGHT DESCRIPTION

4/12/2018

Water Right Report

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/12/2018

WATER RIGHT NO. 22-14307

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARY SUMMERS
Current Owner	SHANNON SUMMERS
	1177 E 9TH N
	REXBURG, ID 83440
	2083510077

Priority Date: 06/19/1961
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.09 CFS	21 AFA
Total Diversion			0.09 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENW|Sec. 07|Township 05N|Range 46E|TETON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	46E	7		NENW 7										

Total Acres: 7

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?BasinNumber=22&SequenceNumber=14307&SplitSuffix=%20%20&TypeWaterRight=True>

Conditions of Approval:

1. S37 The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than November 24, 2008.
2. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

Decreed Date: 11/24/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?BasinNumber=22&SequenceNumber=14307&SplitSuffix=%20%20&TypeWaterRight=True>



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

June 22, 2018

RAGS LLC
3869 WESTMINISTER PL
IDAHO FALLS ID 83404-7974

Re: Change in Ownership for Water Right No(s): 22-14307

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 525-7161.

Sincerely,

Jonie Barg
Technical Records Spec I

Enclosure(s)

cc: Water District 01



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

RECEIVED
JUN 13 2018
Department of Water Resources
Eastern Region

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

Email: rharris@holdenlegal.com

June 8, 2018

Jonie Barg
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Re: Notice of Change in Water Right Ownership for Water Right No. 22-14307.

Dear Jonie:

Enclosed for processing is a *Notice of Change in Water Right Ownership* for Water Right No. 22-14307. The water right is currently in the name of Gary and Shannon Summers, and the water right was previously transferred to property that is owned by my clients, RAGS, LLC. Enclosed is the *Special Warranty Deed for Water Right* conveying the water right to my clients, which was the final step in the purchase and sale process. We have included the required \$25 filing fee as well. Please let me know if you have any questions or concerns.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

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