

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 10 2017

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-7457 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Dean T Freeman
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Roy C. Klingler & Danielle S. Klingler
New owner(s) as listed on the conveyance document
- 7925 S 1800 W Rexburg Name connector ☒ and ☐ or ☐ and/or
Mailing address City ID 83440
208-709-4020 State ZIP
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 06-14-2016

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

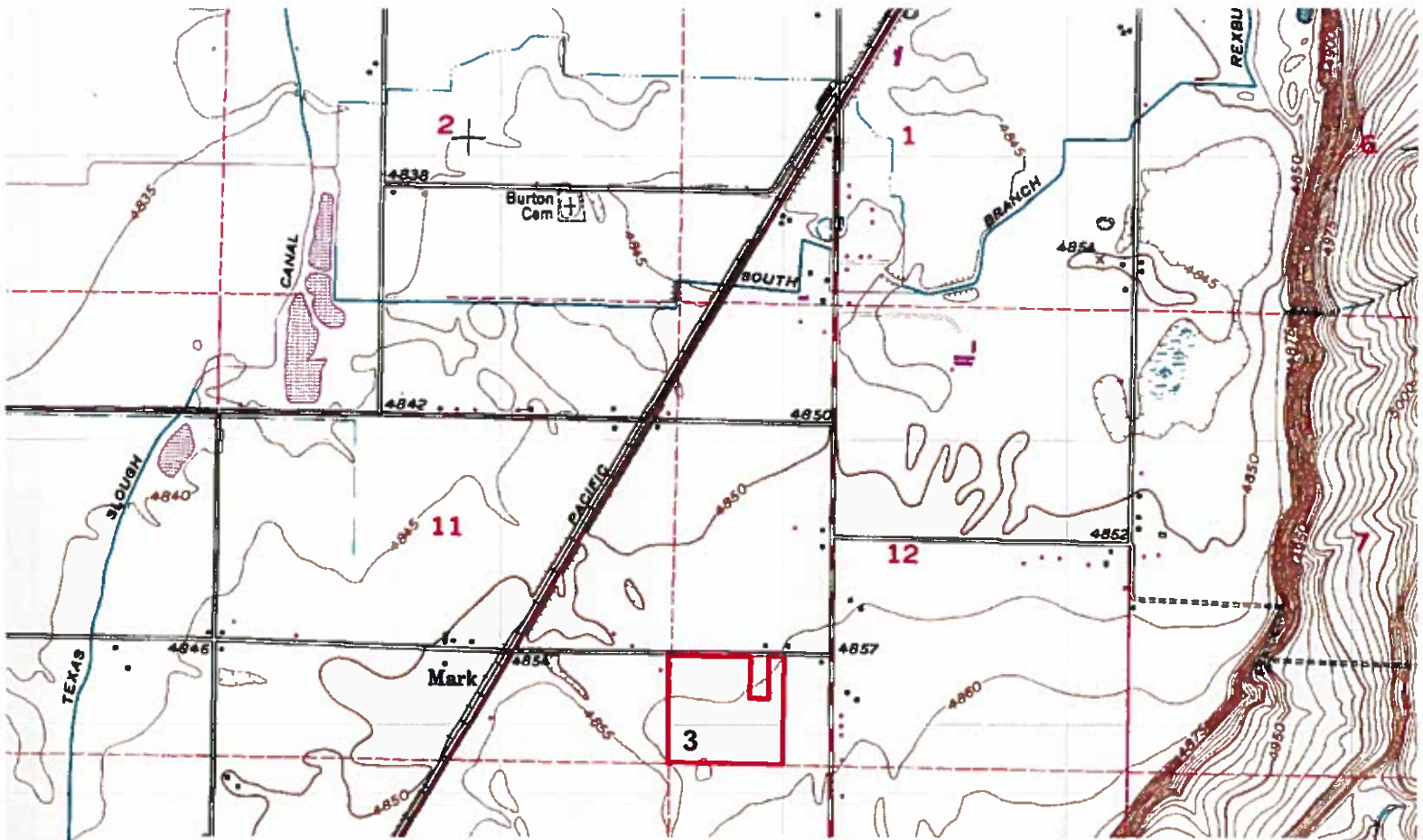
8. Signature: *Roy C. Klingler* Title, if applicable _____ Date 6-1-17
Signature of new owner/claimant
- Signature: *Danielle S. Klingler* Title, if applicable _____ Date 6/1/17
Signature of new owner/claimant

For IDWR Office Use Only:

Received by *JB* Date 7/10/2017 Receipt No. E043177 Receipt Amt. \$25. -

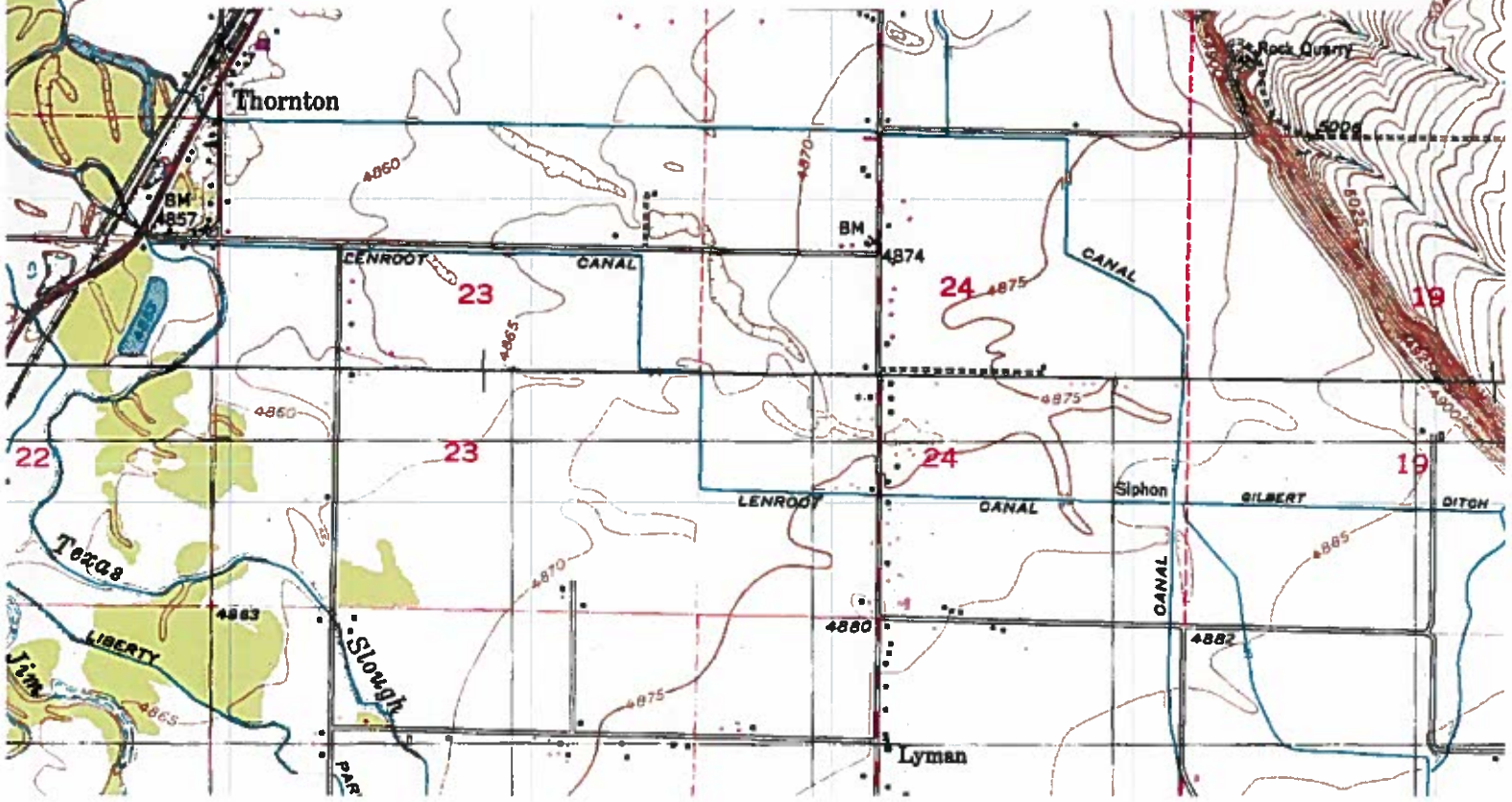
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by *JB* Processed by *JB* Date 7/17/2017



WR	PRIORITY	BASIS	CFS	ACRES	GPM/ACRE
22-7457	08/04/1983	License	0.09	3.0	13.5

Irrigation water may also be available through Reid Canal Co.



CHAIN SHEET Arb. 122 025)		Page <u>1</u> Of <u>2</u>		Order No.: <u>RX 442190</u>	
Legal Desc.: <u>Pat. SWSW Sec. 12-5N 37E</u>		- Taxt - Pat/1 - Wd/10 - Eas/11 (6. Rd.) - Sur/116 (247237) - Sur 10/ 30,000		- Est/2 (361379) - Est/11 (Una Freeman)	
Prior Policy: <u>NONE</u> Date: <u>11/7/12</u> Vesting: _____		GI: (F-655) Grant ✓ Freeman, Clea ✓ (F-622) Ferguson, R. duty ✓ (H-4a) ✓ Hill, D. 2. Ky. 12 ✓		LID: ☒ STL: ☒ SDN: ☒ Clerks: ☒ Access: ☒ Rel. Docs: ☒ Ultima/Surveys: ☒	
Searched by <u>Karen Smith</u> Date Searched <u>11/6/12</u> Plant Date <u>11/10/12 @ 7:20</u>					
GRANTOR	GRANTEE	DOC.	REC.	INST. #	REMARKS
U.S.A.	JOHN R. Ingleby	Patent	5/6/66	40/390	Sec 11 - SESE Sec. 12 - SWSW
John R. Ingleby & Ann Ingleby, n/w	HENRY FREEMAN	WD	7/25/61	37/66	↓
HENRY FREEMAN & Mary M. FREEMAN, n/w	William FREEMAN (32R X 100R)	WD	4/5/20	90/481	(E 32 R (52B) SWSW) + add'l Land in Sec 13
William & Hazel J. FREEMAN, n/w	MARY M. FREEMAN	QED	5/6/31	17/665	↓
HENRY & MARY M. FREEMAN, n/w	JARVIS J. FREEMAN	WD	11/25/38	136/216	Sec. 12. N 1/2 SWSW
	LIONEL FREEMAN	WD		158/311	Sec. 12. S 1/2 SWSW
LIONEL FREEMAN & LOURA DIXON FREEMAN, n/w	DEAN T. FREEMAN	WD	6/9/50	142/280	Sec. 12: S 1/2 SWSW
JARVIS J. FREEMAN & MABEL FREEMAN, n/w	DEAN T. FREEMAN & CLER FREEMAN, n/w	WD	5/22/50	165/367	Sec. 12. N 1/2 SWSW
Requirements: <u>STR/2</u>		Total Fees: \$672.00 Underwriter: 104.04 Agent Fees: 767.34		Premiums: C - 670.00 L - 203.00 Credit:	

CHAIN SHEET		Page 2 Of 2		Order No.: RX 442190		
GRANTOR	GRANTEE	DOC.	REC.	INST. #	REMARKS	Code
Estate of Thomas Dean Freeman, deceased	Clea Freeman, surviving spouse	Abstract Deed	11/1/62	297401	N ¹ / ₂ SWSW; S ¹ / ₂ SWSW A/K/A 2113 W. 3000 S.	
Clea Freeman (1/2 status)	Rodney Ferguson (No status)	QCD	7/11/62	296893		
Clea Freeman		Amend QCD	9/24/62	298423	RE. 296893 N ¹ / ₂ SWSW; S ¹ / ₂ SWSW	
		2nd Amend QCD	11/22/62	299733	AMENDS 296893 (MUTUALS SURVEY 297837)	
Rodney Ferguson, single man	Clea Freeman	WD	9/25/63	307005	N ¹ / ₂ SWSW S ¹ / ₂ SWSW	
Clea Freeman by Michael Freeman as conservator & Guardian	Steve Faler & Linda n/w	WD.	2/24/64	310299	At B. 90 in SWSW	Less out
Est. Clea Freeman, an incapacitated person	Michael Freeman appt. as conservator & guardian	Order Appoint Conserv.	2/11/64	310173	CASE NO. 00-2003-278	
Est. Clea Freeman, decedent	Michael R. Freeman & Richard D. Freeman - CO PRs	Letters Admin	5/20/60	361379	(unsupervised Admin) CASE NO. 00-2010-366 in Madison Co.	Case closed 5/24/10
Mountain Hawk Engin	Rod Ferguson	Rec'd Survey	9/21/62	297837	12-SN-39	SUR/16
Dyer Group Engineering	Steve Faler	Rec'd Survey	10/2/03	307666	12-SN-39	SUR/14

WARRANTY DEED RECORD No. 165, MADISON COUNTY, IDAHO

INSTRUMENT No. 72377

WARRANTY DEED

THIS INSTRUMENT, made this 20th day of May in the year of our Lord One Thousand Nine Hundred and 50 between Jarvis J. Freeman and Mabel Freeman, his wife, of Salt Lake City, County of Salt Lake, State of Utah the parties of the first part, and Dean F. Freeman, and Cles Freeman, his wife of Thornton, County of Madison, State of Idaho the party of the second part:

WITNESSETH; That the said parties of the first part, for and in consideration of the sum of TWO THOUSAND AND 50/100 - (\$2,000) - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged

do hereby sell and convey and confirm unto said parties of the second part, and to their heirs and assigns forever all that certain lot, piece or parcel of land situate, lying and being in the County of Madison, State of Idaho, bounded and more particularly described as follows, to wit:

The North half of the Southeast quarter of the Southwest quarter (1/2 x 1/4) of Section 17, Township 3 North, Range 37 East, Boise Meridian, in Madison County, Idaho, \$2.20 in United States revenue stamp attached and cancelled.

Together with all and singular, the covenants, benefits and appurtenances thereto 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 thereto incident unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part and their heirs and against all and every person or persons whatsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal the day and year first above written.
Signed, Sealed and Delivered in the Presence of

Jarvis J. Freeman (SEAL)
Mabel Freeman (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO, County of Madison } On this 20th day of May in the year 1950 before me, William B. Kennedy, Notary Public in and for said County and State, personally appeared Jarvis J. Freeman and Mabel Freeman, his wife

known to me to be the parties who 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) William B. Kennedy Notary Public

Residence: Burdette, Idaho.
Commission Expires March 1, 1954.

Filed for record at the request of ABSTRACT COMPANY at 5 minutes past, 1 o'clock P. M. this 22nd day of May 1950.
P. L. Davis, Recorder.

Fee, \$1.50

County.

WARRANTY DEED

THIS INSTRUMENT, Made this day of March in the year of our Lord one thousand nine hundred and forty-eight between Lionel Freeman and his wife, Laura Dixon Freeman of Logan City County of Cache State of Utah the parties of the first part, and Dean T. Freeman of Rexburg County of Madison State of Idaho the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of TWO THOUSAND AND NO/100- - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, survey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate situated in County of Madison State of Idaho, to-wit:

The South half of the Southwest quarter of the Southwest quarter of Section Twelve (12) Township Five (5) North of Range Thirty-nine (39) East of Boise-Meridian, containing Twenty (20) acres.

\$2.20 in United States Revenue stamps attached and cancelled.

TOGETHER, With all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEMYND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal the day and year first above written.

Signed, sealed and delivered in presence of

Lionel Freeman (SEAL)

Laura D. Freeman (SEAL)

(SEAL)

(SEAL)

STATE OF Utah, }
County of Cache } ss.

On this 8th day of June in the year 1950, before me, Wardell Black, a Notary Public in and for said State, personally appeared Lionel Freeman and his wife, Laura Dixon Freeman 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)

Wardell Black
Notary Public for the State
of Utah,
Residing at Logan, Utah.

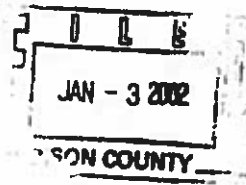
Recorded at the Request of REXBURG ABSTRACT COMPANY at 3:35 P.M., June 9, 1950.

F.L. Davis
Recorder

Fee \$1.50

John G. St. Clair
Idaho State Bar Number 1300
Beard St. Clair Gaffney McNamara Calder PA
2105 Coronado
Idaho Falls, ID 83404-7495

Phone (208) 523-5171
Facsimile (208) 529-9732
Attorneys for Clea Freeman



**DISTRICT COURT SEVENTH JUDICIAL DISTRICT
MADISON COUNTY IDAHO
MAGISTRATES DIVISION**

In the Matter of the Estate of
THOMAS DEAN FREEMAN
Decedent,

Case No.: CV-02-02-1
ABSTRACT OF DECREE

On January 3, 2002, an order was entered by the court vesting the interest of the Decedent, Thomas Dean Freeman, in Clea Freeman, the decedent's surviving spouse.

Interests transferred included all the decedent's interest in and to the real property located in Madison County, Idaho more particularly described as follows:

Street Address:

The address assigned to the residence on the property is 2113 W. 3800 South, Rexburg, ID 83440

Legal Description:

The North half of the Southwest Quarter of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, Township 5 North, Range 39, E.B.M., Madison County, Idaho
And

The South half of the Southwest Quarter of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, Township 5 North, Range 39, E.B.M., Madison County, Idaho

Dated: January 3, 2002
MARILYN R. RASMUSSEN

Clerk of the District Court

By [Signature]
Deputy Clerk



Instrument # 293401

REXBURG, MADISON, IDAHO

2002-01-11

11:31:00 No. of Pages 1

Recorded for JOHN G. ST. CLAIR

MARILYN R. RASMUSSEN

Ex-Office Recorder Deputy

Fee: 3.00

WARRANTY DEED

THIS INDENTURE is made this 18th day of September, 2003, by Rodney Ferguson, a single man, the Grantor, and Clea Freeman, a single woman, the Grantee, whose mailing address is c/o Michael Freeman, 6367 South 45 East, Idaho Falls, Idaho, 83406.

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Madison, State of Idaho, to-wit:

The North Half of the Southwest Quarter of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, Township 5 North, Range 39 E.B.M., Madison County, Idaho,
And
The South Half of the Southwest Quarter of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, Township 5 North, Range 39 E. B.M., Madison County, Idaho.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Rodney Ferguson
Rodney Ferguson

STATE OF IDAHO)
)ss.
County of Madison)

On this 18th day of September, 2003, before me the undersigned, a Notary Public, in and for said State, personally appeared Rodney Ferguson known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.



Joann Prerman
Notary Public for Idaho
Residing at: Idaho Falls ID
My Commission Expires: 2-3-06

Instrument # 307005
REXBURG, MADISON, IDAHO
2003-09-26 10:58:00 No. of Pages: 2
Recorded for: HOLDEN KIDWELL HAHN CRAPO
MARILYN R. RASMUSSEN Fee: \$ 00
Ex-OMelo Recorder Deputy

QUITCLAIM DEED

Clea Freeman, Madison County, Idaho, The Grantor, does HEREBY QUITCLAIM unto the Rodney Ferguson, 2113 W 3800 S, Madison County, Idaho, the Grantee, the following described premises in Madison County, Idaho.

The North half of the Southwest Quarter of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, Township 5 North, Range 39, E.B.M., Madison County, Idaho
 And
 The South half of the Southwest Quarter of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, Township 5 North, Range 39, E.B.M., Madison County, Idaho

TO HAVE AND TO HOLD all rights, interests, and title of the Grantor in the property described above.

DATED this 11 day of July, 2002

Clea Freeman
 Clea Freeman

STATE OF IDAHO }
 County of Madison } ss.

On this 11 day of July, 2002, before me, the undersigned notary public, personally appeared Clea Freeman, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Debra Holman
 Notary Public for Idaho
 Commission expires: 9-1-06

Instrument # 296893

REXBURG, MADISON, IDAHO
 2002-07-11 04:08:53 No. of Pages: 1
 Recorded for: RODNEY FERGUSON
 MARILYN R RASMUSSEN Fee: 3.00
 Ex-Officio Recorder Deputy

AMENDED
QUITCLAIM DEED

Clea Freeman, Madison County, Idaho, The Grantor, does hereby amend the Quit Claim Deed recorded in the County of Madison, Rexburg, Idaho on the 11th day of July, 2002 as instrument number 296893 to correct the legal description in instrument number 296893 to provide the correct legal description and does HEREBY QUITCLAIM unto Rodney Ferguson, 2113 W 3800 S, Madison County, Idaho, the Grantee, the following correctly described premises in Madison County, Idaho.

Beginning at a point that is South along the Section line 1325.88 feet and N.89°43'39"E. 1127.77 feet from the West 1/4 Corner of Section 12, Township 5 North, Range 39 East of Southwest 1/4 of the Southwest 1/4 of said Section 12; running thence N.89°43'39"E along said North line of the Southwest 1/4 of the Southwest 1/4 a distance of 194.91 feet to the Northeast corner of said Southwest 1/4 of the Southwest 1/4; thence S.00°03'50"E. along the East line of said Southwest 1/4 of the Southwest 1/4 a distance of 158.19 feet; thence N.88°49'56"W. 187.91 feet; thence N.02°41'34"W. 153.60 feet to the POINT OF BEGINNING.

SUBJECT TO: existing County Road Right-of-Way and easements of record.

TO HAVE AND TO HOLD all rights, interests, and title of the Grantor in the property described above.

DATED this 24 day of Sept, 2002.

Instrument # 298423

REXBURG, MADISON, IDAHO

2002-09-24

03:30:00 No. of Pages: 1

Recorded for: RODNEY FERGUSON

MARILYN R. RASMUSSEN

Fee: 3.00

Ex-Officio Recorder Deputy

Clea Freeman
Clea Freeman

STATE OF IDAHO)
County of Madison) ss.

On this 24 day of Sept, 2002, before me, the undersigned notary public, personally appeared Clea Freeman known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.



Elaine Summers
Notary Public for Idaho
Commission expires: 7 - 27 - 05

SECOND AMENDED QUITCLAIM DEED

Clea Freeman, Madison County, Idaho, The Grantor, does hereby amend the Quit Claim Deed recorded in the County of Madison, Rexburg, Idaho on the 11th day of July, 2002 as instrument number 296893 to correct the legal description in instrument number 296893 to provide the correct legal description and does HEREBY QUITCLAIM unto Rodney Ferguson, 2113 W 3800 S, Madison County, Idaho, the Grantee, the following correctly described premises in Madison County, Idaho.

Beginning at a point that is South along the Section line 1325.88 feet and N 89°43'39"E 1127.77 feet from the West 1/4 Corner of Section 12, Township 5 North, Range 39 East of the Boise Meridian, said POINT OF BEGINNING being on the North line of the Southwest 1/4 of the Southwest 1/4 of said Section 12; running thence N 89°43'39"E along said North line of the Southwest 1/4 of the Southwest 1/4 a distance of 194.91 feet to the Northeast corner of said Southwest 1/4 of the Southwest 1/4; thence S 00°03'50"E along the East line of said Southwest 1/4 of the Southwest 1/4 a distance of 158.19 feet; thence N 88°49'36"W 187.91 feet; thence N 02°41'34"W 153.60 feet to the POINT OF BEGINNING.

SUBJECT TO: existing County Road Right-of-Way and easements of record

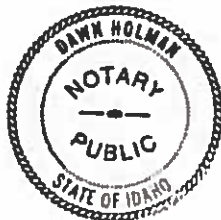
TO HAVE AND TO HOLD all rights, interests, and title of the Grantor in the property described above.

DATED this 22 day of Nov, 2002.

Clea Freeman
Clea Freeman

STATE OF IDAHO)
) ss.
County of Madison)

On this 22 day of November, 2002, before me, the undersigned notary public, personally appeared Clea Freeman known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Dawn Holman
Notary Public for Idaho
Commission expires: 9-1-06

Instrument # 299733

REXBURG, MADISON, IDAHO

2002-11-22

11.20.00 No. of Pages: 1

Recorded for: RODNEY FERGUSON

MARILYN R. RASMUSSEN

Fee: 3.00

Ex-Officio Recorder Deputy

WARRANTY DEED

THIS INDENTURE is made this 18 day of September, 2003, by Rodney Ferguson, a single man, the Grantor, and Clea Freeman, a single woman, the Grantee, whose mailing address is c/o Michael Freeman, 6367 South 45 East, Idaho Falls, Idaho, 83406.

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Madison, State of Idaho, to-wit:

The North Half of the Southwest Quarter of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, Township 5 North, Range 39 E.B.M., Madison County, Idaho,
And

The South Half of the Southwest Quarter of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, Township 5 North, Range 39 E. B.M., Madison County, Idaho.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Rodney Ferguson
Rodney Ferguson

STATE OF IDAHO)
)ss.
County of Madison)

On this 18th day of September, 2003, before me the undersigned, a Notary Public, in and for said State, personally appeared Rodney Ferguson known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.



John Freeman
Notary Public for Idaho
Residing at: Idaho Falls, ID
My Commission Expires: 2-3-06

Instrument # 307005
REXBURG, MADISON, IDAHO
2003-09-25 12:00:00 No. of Pages: 2
Recorded for: HOLDEN KIDWELL, MARY CRAPO
MARILYN R. RASMUSSEN Fee: 6.00
Ex-Officio Recorder Deputy

John G. St. Clair
Idaho State Bar Number 1300
Beard St. Clair Gaffney PA
2105 Coronado
Idaho Falls, ID 83404-7495

Phone: (208) 557-5202
Facsimile (208) 529-9732
E-Mail John@BeardStClair.com

Attorneys for Personal Representatives

DISTRICT COURT SEVENTH JUDICIAL DISTRICT
MADISON COUNTY IDAHO
MAGISTRATES DIVISION

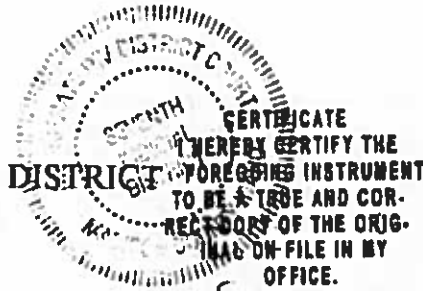
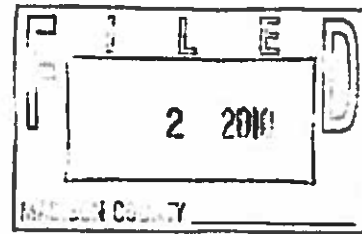
In the Matter of the Estate of

CLEA FREEMAN,

Decedent,

Case No.: CV-2010- 366

Letters of Administration



DATED May 24, 10
Marilyn R. Rasmussen
Madison County Clerk,
Auditor and Recorder,
Clerk of the District Court
By [Signature] Deputy

1. Micheal R. Freeman and Richard D. Freeman were duly appointed and qualified as Co-Personal Representatives.

2. Administration of the estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of the said personal representative.

WITNESS, my signature and the Seal of this Court, this 20 day of May 2010.

[Signature]
Magistrate

Instrument # 361379
REXBURG, MADISON, IDAHO
5-27-2010 11:07:26 No. of Pages: 1
Recorded for: BEARD ST. CLAIR GAFFNEY
MARILYN R. RASMUSSEN Fee: 3.00
Ex-Officio Recorder Deputy [Signature]

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
535 First American Circle
Rexburg, ID 83440

Microfile No. 378767
21 DAY Nov 2012
At 03 O'Clock 34 PM
KIM H. MUIR
MADISON CO RECORDER
Fee \$13.00
NChandler Deputy
Recorded at Request of
FIRST AMERICAN TITLE - REXBURG

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **442190-RX (Im)**

Date: **November 21, 2012**

For Value Received, **Michael R. Freeman and Richard D. Freeman, Co-Personal Representatives of the Estate of Clea Freeman**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Dillon Hill and Kylie Hill, husband and wife**, hereinafter called the Grantee, whose current address is **2113 West 3800 South, Rexburg, ID 83440**, the following described premises, situated in **Madison County, Idaho**, to-wit:

COMMENCING AT THE W $\frac{1}{4}$ CORNER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 39 E.B.M., MADISON COUNTY, IDAHO AND RUNNING THENCE SOUTH ALONG THE SECTION LINE A DISTANCE OF 1325.88 FEET TO THE S1/16 CORNER; THENCE N. 89°43'39" E. A DISTANCE OF 1155.68 FEET ALONG THE NORTH LINE OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SAID SECTION 12 TO THE TRUE POINT OF BEGINNING; THENCE N. 89°43'39" E. A DISTANCE OF 167.00 FEET ALONG SAID LINE TO THE NE CORNER OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$; THENCE S. 0°03'50" E. A DISTANCE OF 700.68 FEET TO A FENCE LINE; THENCE N. 89°40'04" W. A DISTANCE OF 379.01 FEET ALONG SAID FENCE LINE; THENCE N. 0°03'50" W. A DISTANCE OF 175.00 FEET TO A FENCE LINE; THENCE N. 89°43'39" E. A DISTANCE OF 212.00 FEET ALONG SAID FENCE LINE; THENCE N. 0°03'50" W. A DISTANCE OF 521.68 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

COMMENCING AT THE W $\frac{1}{4}$ CORNER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 39 E.B.M., MADISON COUNTY, IDAHO AND RUNNING THENCE SOUTH ALONG THE SECTION LINE A DISTANCE OF 1325.88 FEET TO THE S1/16 CORNER; THENCE N. 89°43'39" E. A DISTANCE OF 1155.68 FEET ALONG THE NORTH LINE OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SAID SECTION 12, TO THE TRUE POINT OF BEGINNING; THENCE S. 0°03'50" E. A DISTANCE OF 521.68 FEET; THENCE N. 89°43'39" E. A DISTANCE OF 7.50 FEET; THENCE N. 0°53'15" W. A DISTANCE OF 521.71 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.

Date: 11/21/2012

Warranty Deed
- continued

File No.: 442190-RX (lm)

Clea Freeman Estate



By: Michael R. Freeman, Co-Personal
Representative

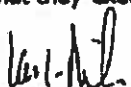


By: Richard D. Freeman, Co-Personal
Representative

STATE OF Idaho)
SS.
COUNTY OF Madison)

On this 21 day of November, 2012, before me, a Notary Public in and for said State, personally appeared **Michael R. Freeman and Richard D. Freeman**, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument as Co-Personal Representative of the Estate of **Clea Freeman**, and acknowledged to me that they executed the same as such Co-Personal Representative.





Notary Public of Idaho
Residing at: Rexburg
Commission Expires:

8/19/2017

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
535 First American Circle
Rexburg, ID 83440

Microfile No. 378767
21 DAY Nov 2012
At 03 O'Clock 34 PM
KIM H. MUIR
MADISON CO RECORDER
Fee \$13.00
NChandler Deputy
Recorded at Request of
FIRST AMERICAN TITLE - REXBURG

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 442190-RX (1m)

Date: November 21, 2012

For Value Received, **Michael R. Freeman and Richard D. Freeman, Co-Personal Representatives of the Estate of Clea Freeman**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Dillon Hill and Kylie Hill, husband and wife**, hereinafter called the Grantee, whose current address is **2113 West 3800 South, Rexburg, ID 83440**, the following described premises, situated in **Madison County, Idaho**, to-wit:

COMMENCING AT THE W $\frac{1}{4}$ CORNER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 39 E.B.M., MADISON COUNTY, IDAHO AND RUNNING THENCE SOUTH ALONG THE SECTION LINE A DISTANCE OF 1325.88 FEET TO THE S $\frac{1}{16}$ CORNER; THENCE N. 89°43'39" E. A DISTANCE OF 1155.68 FEET ALONG THE NORTH LINE OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SAID SECTION 12 TO THE TRUE POINT OF BEGINNING; THENCE N. 89°43'39" E. A DISTANCE OF 167.00 FEET ALONG SAID LINE TO THE NE CORNER OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$; THENCE S. 0°03'50" E. A DISTANCE OF 700.68 FEET TO A FENCE LINE; THENCE N. 89°40'04" W. A DISTANCE OF 379.01 FEET ALONG SAID FENCE LINE; THENCE N. 0°03'50" W. A DISTANCE OF 175.00 FEET TO A FENCE LINE; THENCE N. 89°43'39" E. A DISTANCE OF 212.00 FEET ALONG SAID FENCE LINE; THENCE N. 0°03'50" W. A DISTANCE OF 521.68 FEET TO THE POINT OF BEGINNING.

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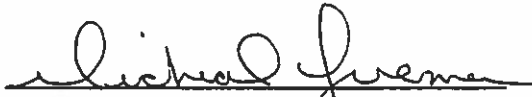
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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.

Date: 11/21/2012

Warranty Deed
- continued

File No.: 442190-RX (lm)

Clea Freeman Estate



By: Michael R. Freeman, Co-Personal
Representative

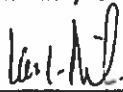


By: Richard D. Freeman, Co-Personal
Representative

STATE OF Idaho)
ss.
COUNTY OF Madison)

On this 21 day of November, 2012, before me, a Notary Public in and for said State, personally appeared **Michael R. Freeman and Richard D. Freeman**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Co-Personal Representative of the Estate of **Clea Freeman**, and acknowledged to me that they executed the same as such Co-Personal Representative.





Notary Public of Idaho
Residing at: Rexburg
Commission Expires:

8/19/2017

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:First American Title Company
535 First American Circle
Rexburg, ID 83440

First American Title Company

Microfile No. 402800

14 DAY Jun 2016

At 02 O'Clock 28 PM

KIM H. MUIR

MADISON CO RECORDER

Fee \$13.00

Deputy

Recorded at Request of

FIRST AMERICAN TITLE - REXBURG

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 591790-RX (jb)

Date: June 07, 2016

For Value Received, **Dillon Hill and Kylie Hill, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Roy C. Klingler and Danielle Klingler**, hereinafter called the Grantee, whose current address is **7925 S 1800 W, Rexburg, ID 83440**, the following described premises, situated in **Madison County, Idaho**, to-wit:

PARCEL 1

COMMENCING AT THE W $\frac{1}{4}$ CORNER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 39 E.B.M., MADISON COUNTY, IDAHO AND RUNNING THENCE SOUTH ALONG THE SECTION LINE A DISTANCE OF 1325.88 FEET TO THE S $\frac{1}{16}$ CORNER; THENCE N. 89°43'39" E. A DISTANCE OF 1155.68 FEET ALONG THE NORTH LINE OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SAID SECTION 12 TO THE TRUE POINT OF BEGINNING; THENCE N. 89°43'39" E. A DISTANCE OF 167.00 FEET ALONG SAID LINE TO THE NE CORNER OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$; THENCE S. 0°03'50" E. A DISTANCE OF 700.68 FEET TO A FENCE LINE; THENCE N. 89°40'04" W. A DISTANCE OF 379.01 FEET ALONG SAID FENCE LINE; THENCE N. 0°03'50" W. A DISTANCE OF 175.00 FEET TO A FENCE LINE; THENCE N. 89°43'39" E. A DISTANCE OF 212.00 FEET ALONG SAID FENCE LINE; THENCE N. 0°03'50" W. A DISTANCE OF 521.68 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

COMMENCING AT THE W $\frac{1}{4}$ CORNER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 39 E.B.M., MADISON COUNTY, IDAHO AND RUNNING THENCE SOUTH ALONG THE SECTION LINE A DISTANCE OF 1325.88 FEET TO THE S $\frac{1}{16}$ CORNER; THENCE N. 89°43'39" E. A DISTANCE OF 1155.68 FEET ALONG THE NORTH LINE OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SAID SECTION 12, TO THE TRUE POINT OF BEGINNING; THENCE S. 0°03'50" E. A DISTANCE OF 521.68 FEET; THENCE N. 89°43'39" E. A DISTANCE OF 7.50 FEET; THENCE N. 0°53'15" W. A DISTANCE OF 521.71 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.

402800

Date: 06/07/2016

Warranty Deed
- continued

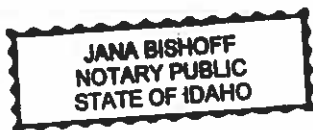
File No.: 591790-RX (jb)

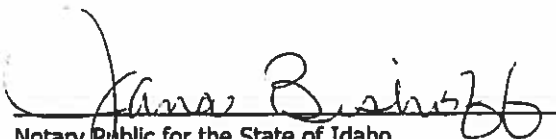

Dillon Hill


Kylie Hill

STATE OF Idaho)
COUNTY OF Madison)
ss.

On this 13th day of June, 2016, before me, a Notary Public in and for said State, personally appeared **Dillon Hill and Kylie Hill**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of Idaho
Residing at:
My Commission Expires:

Residing in Fremont County
Commission Expires 6-23-2017

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/6/2016

WATER RIGHT NO. 22-7457

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEAN T FREEMAN 2113 W 3800 S REXBURG, ID 83440 (208)356-6575

Priority Date: 08/04/1983

Basis: License

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	4/15	10/15	0.09 CFS	
Total Diversion			0.09 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSW|Sec. 12|Township 05N|Range 39E|MADISON County

Licensed Diversion Capacity: 0.22

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON 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	39E	12		SWSW	3									

Total Acres: 3

Conditions of Approval:

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual diversion volume of 10.5 af for the lands above.
- 2.079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
- 3.R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- 4.R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
- 5.052 Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
- 6.065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

Dates:

Licensed Date: 12/12/1997

Decreed Date:

Permit Proof Due Date: 6/1/1994

Permit Proof Made Date: 3/7/1994

Permit Approved Date: 5/21/1990

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 08/04/1983

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 100

Generic Max Rate per Acre:

Generic Max Volume per Acre:

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

July 21, 2017

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Roy Klingler
Danielle Klingler
7925 S 1800 W
Rexburg ID 83440

RE: Change of Ownership for Water Right No(s). 22-7457

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 100
Northwest Farm Credit Services



PO Box 157
Rexburg, ID 83440-0157
Voice: 208.656.2100 Toll-Free: 800.464.6812 Fax: 208.656.2100

RECEIVED
JUL 10 2017
Department of Water Resources
Eastern Region

June 1, 2017

Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402

RE: Roy and Danielle Klingler

Dear Dept. of Water Resources:

Enclosed you will find the following documents necessary to transfer the ownership of water right #22-7457. You can send documentation of this change directly to the Klinglers.

- Form 42-248/42-1409(6)
- Chain of Deeds
- Check for \$25 Transfer Fee

We appreciate your help getting this water right transferred on behalf of the Klinglers. If you have any questions concerning this transfer, feel free to contact myself or Dustin Orr at 208-656-2100. Thank you!!

Sincerely,

A handwritten signature in black ink that reads "Leah Hayes". The signature is written in a cursive, flowing style.

Leah Hayes
Financial Specialist

enclosures

Here to Help You Grow