

MEMORANDUM

DATE: April 4, 2016

RE: Change of Ownership: 35-8005

Corrected Ownership Change

On March 7, 2016 the department received an ownership change application for water right number 35-8005 and 35-8006 for Kevin and Tracy Johns. During the review the department found that the deed received for water right 35-8005 only deeded 57% of the property listed.

The department contacted the applicant to ask if the seller and the Johns should all be listed on the water right and the applicant said yes. The ownership change was processed and mailed. The ownership was processed listing the current owner as follows:

- Kevin Johns
- Tracy Johns
- Lynn Kendell
- Tamara Kendell

On March 29, 2016 Skyler Johns contacted the department and indicated that it was an error to list all four on the water rights. After his research we found a missing deed that showed that Kevin and Tracy Johns did own 100% of the property vested, they had receive the additional 43% prior to the deed the department received. Deed number 507829 was submitted.

On April 4, 2016 the ownership change has been corrected to reflect the ownership. A corrected acknowledgement letter was mailed to the applicant. The ownership was processed listing the current owner as follows:

- Kevin Johns
- Tracy Johns

Please find attached all the evidence supporting the change.

507829

Thomas Holmes
P.O. Box 967 Pa. ID 83204

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE 9.00 SEP 2001

WARRANTY DEED 2002 JAN -8 PM 3:46

RECORDED AT THE REQUEST OF

FOR VALUE RECEIVED Wayne Kendell Farms, an Idaho limited partnership, hereinafter referred to as "Grantor," whether one or more, does hereby grant, bargain, sell and convey unto Kevin Johns and Traci Johns, husband and wife, hereinafter referred to as Grantee, whether one or more, whose current address is 2674 W. 1200 S., Aberdeen, ID 83210, an undivided 43% of the following described real estate in Bingham County, Idaho, to wit:

See Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 31 day of December, 2001.

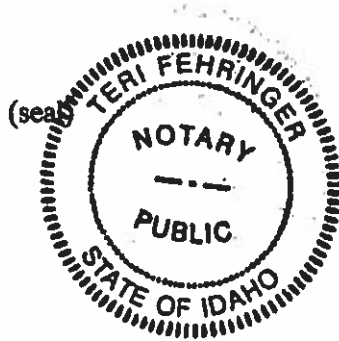

Wayne Kendell, General Partner


Shirley Kendell, General Partner

STATE OF IDAHO)
 :SS
County of Bannock)

On this 31 day of December, 2001, before me, the undersigned Notary Public, in and for said State, personally appeared Wayne Kendell and Shirley Kendell, known to me to be general partners of the partnership that executed the instrument or the persons who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

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



Teri Fehringir
NOTARY PUBLIC - STATE OF IDAHO
Commission Expires: 12-10-05

EXHIBIT A

Parcel 1:

The East half of the Northwest quarter (E1/2 NW1/4) of Section Thirty-four (34), Township Four (4) South, Range Thirty-one (31), East of the Boise Meridian. Together with ninety (90) shares of Capital Stock of the Aberdeen-Springfield Canal Co., and all water and water rights appurtenant thereto, including all water rights of the American Falls Reservoir District No. 1.

Parcel 2:

Part of the Southwest quarter (SW1/4), Section 34, Township 4 South, Range 31, E.B.M., Bingham County, Idaho, described as:

Beginning at a point on the North line of a county road that is East 1827.38 feet along the Section line and North 0° 05' 55" West 25.00 feet from the SW corner of said Section 34 and running thence North 400 feet; thence East 400 feet; thence South 400 feet; thence West 400 feet along the North line of said county road to the point of beginning.

Parcel 3:

Part of the Southwest quarter (SW1/4), Section 34, Township 4 South, Range 31, E.B.M., Bingham County, Idaho, described as:

Beginning at a point on the North line of a county road that is East 1048.11 feet along the Section line and North 0° 05' 55" West 25.00 feet from the SW corner of said Section 34 and running thence North 124.76 feet; thence West 56.13 feet; thence North 42.96 feet; thence West 157.25 feet; thence North 332.11 feet; thence East 497.91 feet; thence South 300.34 feet; thence West 167.10 feet; thence South 199.66 feet; thence West 117.17 feet along the North line of said county road to the point of beginning.

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