

RECEIVED
OCT 09 2015

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

APR 24 2014

Department of Water Resources
Eastern Region

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
22-7009 OK	Yes ☒		Yes ☐		Yes ☐
22-7009 22-14166	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Joyce Ranklev
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Hard Way LP
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 4371 S. 5500 W. Rexburg ID 83440
Mailing address City State ZIP
- 208-390-4348
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: April 21, 2010
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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.

SUPPORT DATA

IN FILE # 22-7009

8. Signature: [Signature] Partner/President 4/23/14
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 4/24/2014 Receipt No. E041526 Receipt Amt. \$100.-
Approved by [Signature] Processed by [Signature] Date 11/4/2015 E039758 \$25.-

WARRANTY DEED

FOR VALUE RECEIVED, **JOYCE RANDKLEV**, a married person, dealing with her sole and separate property, of 5458 S. 5700 W., ID 83440, hereinafter called "Grantor", hereby remise, release, and forever warrants unto **HARD WAY, LP**, an Idaho Limited Partnership, of 4371 S. 5500 W., Rexburg, Idaho 83440, hereinafter called "Grantee", the following real property located in Madison County, State of Idaho, to-wit:

See Attached Exhibit "A"

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, unto the said Grantees, their successors and assigns forever. Grantor does hereby covenant to and with the said Grantees, that she is the owners in fee simple of said premises; that she is free from all encumbrances, and that she will warrant and defend the same from all lawful claims whatsoever, except as noted.

It is understood that Grantor, Joyce Randklev, spouse has joined in the execution of this Warranty Deed in order to convey any doubtful community interest in order to clear title to Grantor's interest.

DATED This 21st day of April, 2010.

Joyce Randklev
Joyce Randklev

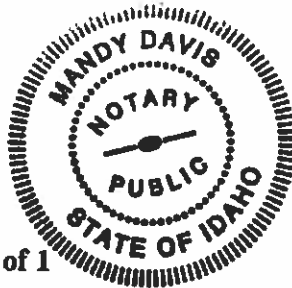
George David Olson
George David Olson

STATE OF IDAHO)

ss.

County of Madison)

On this 21st day of April, in the year of 2010, before me, the undersigned, a Notary Public, personally appeared **Joyce Randklev and George David Olson**, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.



Mandy Davis
Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011

Warranty Deed - Page 1 of 1
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Instrument # **360667**
REXBURG, MADISON, IDAHO
4-22-2010 10:02:26 No. of Pages: 3
Recorded for: RIGBY THATCHER ANDRUS
MARILYN R. RASMUSSEN Fee: 9.00
Ex-Officio Recorder Deputy ML

Tract 1:

**Section 20: Township 5 North Range 39, East Boise Meridian
East Half Northeast Quarter, EXCEPTING THEREFROM that portion lying North and East of the
Bannock Jim Slough**

LESS AND EXCEPTING:

A parcel of land situated in Madison County, Idaho, Township 5 North, Range 39 East, Boise Meridian, Section 20, more particularly described as follows: Beginning at the Northeast corner of Section 20, Township 5 North, Range 39 East Boise Meridian, Madison County, Idaho, thence South $00^{\circ}00'15''$ along the East line of Section 20 for a distance of 2580.09 feet to the East Quarter corner of Section 20; thence South $89^{\circ}54'46''$ West along the East/West centerline of said section 20 for a distance of 965.08 feet to the True Point of Beginning; thence South $89^{\circ}54'46''$ West along said centerline for a distance of 352.35 feet to the Southwest corner of the Southeast Quarter Northeast Quarter of Section 20 for a distance of 260.00 feet; thence South $86^{\circ}34'00''$ East for a distance of 353.00 feet; thence South $00^{\circ}03'22''$ East for a distance of 238.32 feet to the True Point of Beginning.

Tract 2:

Section 21: Township 5 North, Range 39 East, Boise Meridian

That part of the South 58 rods of the North Half Northwest Quarter lying West of the Warm Slough (Daniels Slough), SAVING AND EXCEPTING THEREFROM the following: All the property lying East of the thread of the Slough.

LESS AND EXCEPTING THE FOLLOWING:

Part of the North Half of the Northwest Quarter of Section 21, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho, described as: Beginning at a point that is North $00^{\circ}00'51''$ East 1311.03 feet along the Section line, and North $89^{\circ}51'51''$ West 3255.62 feet along the South line of the North Half of the Northwest Quarter of said Section 21, from the East Quarter corner of said Section 21, and running thence North $89^{\circ}51'51''$ West along said South line 250.00 feet; thence North $00^{\circ}08'09''$ East 143.24 feet to the Southerly bank of an existing irrigation ditch; thence South $89^{\circ}56'02''$ East along said Southerly bank, 250.00 feet; thence South $00^{\circ}08'09''$ West 143.54 feet to the point of beginning.

Part of the North Half of the Northwest Quarter of Section 21, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho, described as: Beginning at a point that is North $00^{\circ}00'51''$ East 1311.03 feet along the Section line, and North $89^{\circ}51'51''$ West 3505.62 feet along the South line of the North Half of the Northwest Quarter of said Section 21, from the East Quarter corner of said Section 21, and running thence North $89^{\circ}51'51''$ West along said South line 250.00 feet; thence North $00^{\circ}08'09''$ East 142.93 feet to the Southerly bank of an existing irrigation ditch; thence South $89^{\circ}56'02''$ East along said Southerly bank, 250.00 feet; thence South $00^{\circ}08'09''$ West 143.24 feet to the point of beginning.

Part of the North Half of the Northwest Quarter of Section 21, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho, described as: Beginning at a point that is North $00^{\circ}00'51''$ East 1311.03 feet along the Section line, and North $89^{\circ}51'51''$ West 3755.62 feet along the South line of the North Half of the Northwest Quarter of said Section 21, from the East Quarter corner of said Section 21, and running thence along said South line the following two (2) courses: (1) North $89^{\circ}51'51''$ West 166.18 feet to a recovered iron rod; (2) North $89^{\circ}13'22''$ West 83.83 feet; thence North $00^{\circ}08'09''$ East 141.69 feet to the Southerly bank of an existing irrigation ditch; thence South $89^{\circ}56'02''$ East along said Southerly bank, 250.00 feet; thence South $00^{\circ}08'09''$ West 142.93 feet to the point of beginning.



Part of the North Half of the Northwest Quarter of Section 21, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho, described as: Beginning at a point that is North $00^{\circ}00'51''$ East 1311.03 feet along the Section line, and North $89^{\circ}51'51''$ West 3022.62 feet along the South line of the North half of the Northwest Quarter of said Section 21, from the East Quarter corner of said Section 21, said point coincident with the thread of stream and Daniels Slough, and running thence North $89^{\circ}51'51''$ West along said South line 233.00 feet; thence North $00^{\circ}08'09''$ East 136.00 feet; thence South $89^{\circ}51'51''$ East 279.27 feet to the thread of stream of Daniels Slough; thence South $18^{\circ}55'25''$ West 143.65 feet along said thread of stream to the point of beginning.

QUITCLAIM DEED

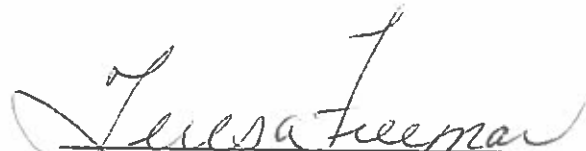
FOR VALUE RECEIVED, **Robert D. Freeman and Teresa Freeman**, husband and wife, of 4702 S. 5200 S., Rexburg, ID 83440, "Grantors" do hereby remise, release and forever QUITCLAIM unto, **Hard Way, LP**, an Idaho limited partnership with its principal place of business located at 4371 S. 5500 W., Rexburg, ID 83440, their interest held, in and to the following described water rights in the State of Idaho:

Water Right No. 22-7009 (See Attached Exhibit "A")

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining.

DATED This 30 day of May, 2015.

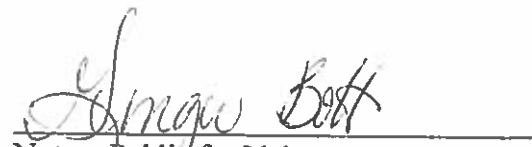

Robert D. Freeman


Teresa Freeman

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 30 day of May, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared **Robert D. Freeman and Teresa Freeman**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.




Notary Public for Idaho
Residing at Rexburg
My Commission Expires: 10-06-2018

Quitclaim Deed

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Instrument # 395799

REXBURG, MADISON, IDAHO

6-3-2015 03:38:43 PM No. of Pages: 2

Recorded for: RIGBY, ANDRUS & RIGBY LAW

KIM H. MUIR

Fee: 13.00

Ex-Officio Recorder Deputy



IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 22-7009

Owner Type	Name and Address
Current Owner	JOYCE RANDKLEV 201 E CHAPEL DOWNS DR SOUTHLAKE, TX 76092 (817) 488-9922
Original Owner	GEORGE H WARD
Original Owner	MARJORIE M WARD 201 E CHAPEL DOWNS DR SOUTHLAKE, TX 76092 (208)356-6404

Priority Date: 05/15/1968

Basis: Decreed

Status: Active

Source Tributary
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	2 CFS 406 AFA	
Total Diversion			2 CFS	

Location of Point(s) of Diversion:

GROUND WATER SENENW Sec. 21 Township 05N Range 39E MADISON County
GROUND WATER Injection SENWNW Sec. 21 Township 05N Range 39E MADISON
County

Place(s) of use:

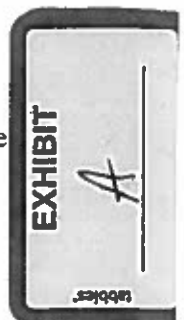
Place of Use Legal Description: IRRIGATION MADISON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	39E	20		NENE	31		SENE	37						
		21		NENW	21		NWNW	27						

Total Acres: 116

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code
2. The water diverted from the well described above will be exchanged for water from Bannock Jim Slough through multiple points of redirection along the slough and ditch with a portable pumping system.
3. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.



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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 22-7009

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Current Owner	JOYCE RANDKLEV 201 E CHAPEL DOWNS DR SOUTHLAKE, TX 76092 (817) 488-9922
Original Owner	GEORGE H WARD
Original Owner	MARJORIE M WARD 201 E CHAPEL DOWNS DR SOUTHLAKE, TX 76092 (208)356-6404

Priority Date: 05/15/1968
Basis: Decreed
Status: Active

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GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	2 CFS 406 AFA	
Total Diversion			2 CFS	

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GROUND WATER SENENW Sec. 21 Township 05N Range 39E MADISON County
GROUND WATER Injection SENWNW Sec. 21 Township 05N Range 39E MADISON
County

Place(s) of use:

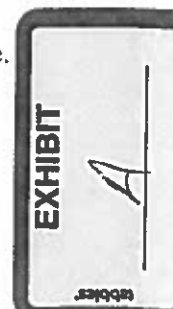
Place of Use Legal Description: IRRIGATION MADISON County

Township	Range	Section	Lot	Tract Acres	Lot	Tract Acres	Lot	Tract Acres	Lot	Tract Acres
05N	39E	20	NENE	31	SENE	37				
		21	NENW	21	NWNW	27				

Total Acres: 116

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2. The water diverted from the well described above will be exchanged for water from Bannock Jim Slough through multiple points of redirection along the slough and ditch with a portable pumping system.
3. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.



QUITCLAIM DEED

FOR VALUE RECEIVED, Joshua Beseres, a single person, of 4892 W. 5200 S.,
Rexburg, ID 83440, “Grantor” does hereby remise, release and forever QUITCLAIM unto, Hard
Way, LP, an Idaho limited partnership with its principal place of business located at 4371 S.
5500 W., Rexburg, ID 83440, his interest held, in and to the following described water rights in
the State of Idaho:

Water Right No. 22-7009 (See Attached Exhibit "A")

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining.

DATED This 30 day of May, 2015.


Joshua Beseres

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 30 day of May, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared **Joshua Beseres**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

GINGER BOTT
Notary Public
State of Idaho

Lina B. H.
Notary Public for Idaho
Residing at *Rexburg*
My Commission Expires: *10-06-2018*

Quitclaim Deed

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Instrument # 395801

REXBURG, MADISON, IDAHO

6-3-2015 03:43:36 PM No. of Pages: 2

Recorded for : RIGBY, ANDRUS & RIGBY

KIM H. MUIR Fee: 13.00

Ex-Officio Recorder Deputy

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 22-7009

Owner Type	Name and Address
Current Owner	JOYCE RANDKLEV 201 E CHAPEL DOWNS DR SOUTHLAKE, TX 76092 (817) 488-9922
Original Owner	GEORGE H WARD
Original Owner	MARJORIE M WARD 201 E CHAPEL DOWNS DR SOUTHLAKE, TX 76092 (208)356-6404

Priority Date: 05/15/1968

Basis: Decreed

Status: Active

Source Tributary
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	2 CFS 406 AFA	
Total Diversion			2 CFS	

Location of Point(s) of Diversion:

GROUND WATER SENENW Sec. 21 Township 05N Range 39E MADISON County
GROUND WATER Injection SENWNW Sec. 21 Township 05N Range 39E MADISON
County

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	39E	20		NENE	31		SENE	37						
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Total Acres: 116

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. The water diverted from the well described above will be exchanged for water from Bannock Jim Slough through multiple points of redirection along the slough and ditch with a portable pumping system.
3. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.



QUITCLAIM DEED

FOR VALUE RECEIVED, Rigoberto Guzman Calderon and Angelica Maria

Lopez, husband and wife, of 4938 W. 5200 S., Rexburg, ID 83440, “Grantors” do hereby remise, release and forever QUITCLAIM unto, **Hard Way, LP**, an Idaho limited partnership with its principal place of business located at 4371 S. 5500 W., Rexburg, ID 83440, their interest held, in and to the following described water rights in the State of Idaho:

Water Right No. 22-7009 (See Attached Exhibit "A")

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining.

DATED This 07 day of June, 2015.

Rigoberto Guzman
Rigoberto Guzman Calderon

Angelica Maria Lopez
Angelica Maria Lopez Cazarez

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 1 day of June, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared **Rigoberto Guzman Calderon and Angelica Maria Lopez Cazarez**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.



Angie Beth

 Notary Public for Idaho
 Residing at *Rexburg, ID*
 My Commission Expires:
10-06-2018

Quitclaim Deed

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Instrument # 395802

REXBURG, MADISON, IDAHO

6-3-2015 03:45:23 PM No. of Pages: 2

Recorded for : RIGBY, ANDRUS & RIGBY

KIM H. MUIR

Ex-Officio Recorder Deputy.

Fee: 13.00

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 22-7009

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Basis: Decreed

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Source Tributary
GROUND WATER

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Location of Point(s) of Diversion:

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GROUND WATER Injection SENWNW Sec. 21 Township 05N Range 39E MADISON
County

Place(s) of use:

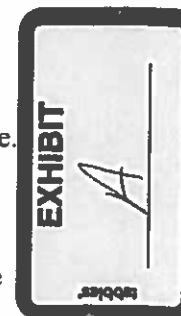
Place of Use Legal Description: IRRIGATION MADISON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
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3. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.





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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 2, 2015

Hard Way LP
4371 S 5500 W
Rexburg ID 83440

RE: Change of Ownership for Water Rights 22-7009 (Split into 22-7009 & 22-14166)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

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.

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

Enclosures

cc: Joyce Randklev
Water District 100