

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Ron Folsom

City Administrator, City of Ammon

2135 South Ammon Road

Ammon, ID 83406

Instrument # 1484558

IDAHO FALLS, BONNEVILLE, IDAHO

10-30-2014 08:07:19 AM No. of Pages: 4

Recorded for : HOLDEN KIDWELL

RONALD LONGMORE

Fee: 19.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Company LLC, an Idaho limited liability company, whose address is 1135 Valley Road South, Eden, Idaho 83325, ("**Grantor**") does hereby grant, bargain, sell, assign, and convey unto the **City of Ammon**, an Idaho municipal corporation, whose address is 2135 South Ammon Road, Ammon, Idaho 83406 ("**Grantee**") and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in the Water Right Nos. 25-14381 as described in **Exhibit A** hereto (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. Only the Water Right is conveyed herein. **No land is conveyed pursuant to this deed.**

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

DATED this 26th day of September, 2014.

IDAHO WATER COMPANY, LLC

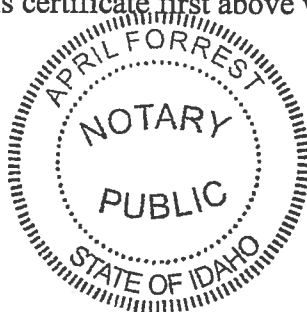
By: [Signature]

Delbert G. Kohtz, Member

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 26th day of September, 2014, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Bonneville County, Idaho
My commission expires: 8/29/17

EXHIBIT A WATER RIGHT DESCRIPTION

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WATER RIGHT NO. 25-14381

As Modified by Transfer No. 79468

In accordance with the approval of Transfer No. 79468, Water Right No. 25-14381 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 7/19/1973

Source: GROUND WATER

BENEFICIAL USE

MUNICIPAL

From
04/01

To
10/31

Diversion Rate
0.190 cfs
0.190 cfs

Diversion Volume
51.2 af
51.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESENW	Sec 22 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SESWSE	Sec 22 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SEENENW	Sec 25 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NWSENW	Sec 26 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SWSWNE	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NWENENW	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NESENW	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NWSESE	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SWNWWSW	Sec 34 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NESENW	Sec 30 Twp 02N Rge 38E	BONNEVILLE County

CONDITIONS OF APPROVAL

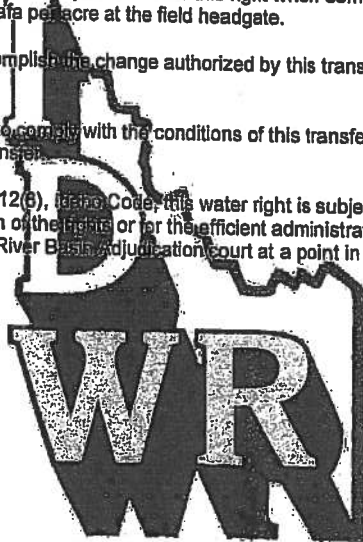
1. Prior to diversion and use of water under Transfer approval 79468, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
2. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Place of use is within the service area of the City of Ammon municipal water supply system as provided for under Idaho Law.

Transfer No. 79468

WATER RIGHT NO. 25-14381
As Modified by Transfer No. 79468

CONDITIONS OF APPROVAL

6. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
7. Municipal use is for irrigation of 12.8 acres within the authorized place of use in a single irrigation season.
8. The irrigation component of municipal use under this right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(3), 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 may be determined by the Snake River Basin adjudication court at a point in time no later than the entry of the final unified decree.



Transfer No. 79468