

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
<u>13-4126</u>	Yes ☒		Yes ☐		Yes ☐
<u>13-4126 13-7900 13-7901</u>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Kenneth &/or Benny L. &/or Merle Kendall
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Rex S. &/or Dixie S. Kendall
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or

8585 No. Westside Hwy. Clifton Idaho 83228
Mailing address City State ZIP

208-852-6709 dkendall23@gmail.com
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: July 31, 2010 ; Sept. 3, 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.

8. Signature: Rex S. Kendall Owner Aug. 8, 2013
Signature of new owner/claimant Title, if applicable Date

Signature: Dixie S. Kendall Owner Aug. 8, 2013
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 8/13/2013 Receipt No. E038985 Receipt Amt. \$100. -
Approved by JB Processed by JB Date 10/9/2013

IN FILE # 13-4126

259186 1-3

WHEN RECORDED, MAIL TO:
Atkin Law Offices, P.C.
7579 North Westside Highway
Clifton, Idaho 83228

Recorded at the request of
Dixie Kendall
Time 2:11 P Amount \$ 16⁰⁰

AUG 07 2013

SHAUNA T. GEBDES, RECORDER
By [Signature] Deputy
Franklin County, Idaho

QUITCLAIM DEED

Oxford Peak Enterprises, LLC, an Idaho Limited Liability Company, for Ten Dollars and other good and valuable consideration, hereby Quitclaims to Rex S. Kendall and Dixie S. Kendall, One Half (1/2) interest in the well located at the legal description attached as exhibit "A" in Franklin County, State of Idaho.

WITNESS the hand of grantor, this 6 day of August, 2013.

Oxford Peak Enterprises, LLC

By: [Signature]

Its: Owner/Manager

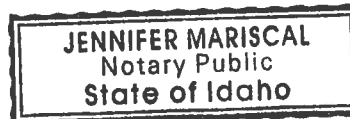
STATE OF IDAHO)

: SS

COUNTY OF FRANKLIN)

On this 6 day of August, 201^{3pm}, before me personally appeared, Benny S. Kendall personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is signed on the preceding document, and acknowledged before me that with full authority from Oxford Peak Enterprises, LLC, he signed it voluntarily on behalf of Oxford Peak Enterprises, LLC for its stated purpose.

Jennifer Mariscal
NOTARY PUBLIC



259186 2-3

Exhibit A

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WARRANTY DEED

Joan Kendall, grantee, of West Haven, Utah, grantor, hereby conveys and warrants to: Rex S Kendall or Dixie S. Kendall, grantees, of Clifton, Idaho for valuable consideration, the following described tracts of land in Franklin County, Idaho as set forth in Exhibit "A" attached hereto together with 15 plowed shares and 30 meadow shares in the Oxford Creek Water District 13-R.

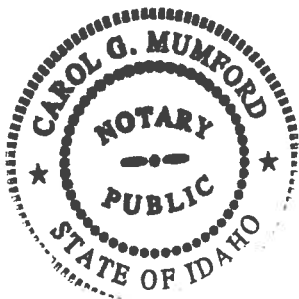
WITNESS the hand of said grantor, through its trustees, this 3rd day of September, 2010.

Joan Kendall
Joan Kendall

STATE OF Idaho)
: SS
COUNTY OF Franklin)

On this the 3rd day of September, 2010, personally appeared before me, Joan Kendall, either personally known to me or shown by proper identification to be Joan Kendall, who acknowledged to me that she executed this deed.

Carol G. Mumford
Notary Public
Commission expires 10-22-2013



Recorded at the request of

Rex Kendall

___ a.m. SEP 03 2010 p.m. 4:45

J. ELLIOTT LARSEN, RECORDER
By Shawna Geddes Deput
FRANKLIN COUNTY IDAHO

Parcel 8

Township 13 South, Range 38 East of the Boise Meridian, Franklin County Idaho.

Section 33: Beginning at the Southwest corner of the SE1/4NW1/4 of Section 33, and running thence North 32 rods; thence East 240 rods to the East line of said Section 33; thence South along said East line 32 rods to the Southeast corner of the Northeast quarter of said Section 33; thence West 80 rods; thence South 26 rods; thence Northwesterly 163 rods, more or less, to the place of beginning.

EXCEPTING therefrom any portion of the above described parcel lying west of the east right of way line of the Westside Highway (F.A.P. S-1739(1));

ALSO EXCEPTING therefrom the following described parcel:

A parcel of land located in Section 33, Township 13 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the East quarter corner of said Section 33, from which the Southeast corner of Section 33 bears South 00° 25' 37" East;

Thence South 89° 44' 30" West 1324.00 feet to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at the Northeast corner of the Northwest quarter of the Southeast quarter (NW1/4SE1/4);

Thence South 00° 14' 59" East 166.63 feet along the east boundary line of said NW1/4SE1/4 to a 5/8" rebar and cap, the Point of Beginning.

Thence South 00° 14' 59" East 262.97 feet along the east boundary line of said NW1/4SE1/4 to a 5/8" rebar and cap at a fence corner, said point being on the south boundary line of the parcel of land described in instrument number 163424;

Thence North 81° 37' 30" West 1344.98 feet along said south boundary line (fence line) to a 5/8" rebar and cap at the northeast corner of the parcel of land described in instrument number 172748;

Thence North 80° 03' 00" West 1046.24 feet to a 5/8" rebar and cap at the east right of way line of the Westside Highway (F.A.P. S-1739(1)), said point being on a 10078.00 foot radius non-tangent curve concave to the Southeast, whose center bears South 68° 11' 10" East;

Thence northeasterly along said curve (right of way line) through a central angle of 01° 30' 53" a distance of 266.45 feet to a 5/8" rebar and cap (chord = North 22° 34' 16" East 266.44 feet);

Thence South 80° 56' 49" East 2286.20 feet to the Point of Beginning.

P.O. Box 322
Roy, UT, 84067

249476 1-2

WARRANTY DEED

The Kendall Family Living Trust dated July 11, 1983, grantor, Oxford, Idaho hereby conveys and warrants to: Joan Kendall, grantee, of West Haven, Utah for valuable consideration, the following described tracts of land in Franklin County, Idaho as set forth in Exhibit "A" attached hereto together with 15 plowed shares and 30 meadow shares in the Oxford Creek Water District 13-R.

WITNESS the hand of said grantor, through its trustees, this 31st day of July, 2010.

Recorded at the request of
Ronnie Kendall

11:07 a.m. AUG 02 2010 p.m.

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY IDAHO

Dirk S. Kendall
Dirk S Kendall, Trustee

Ronnie S. Kendall
Ronnie S Kendall, Trustee

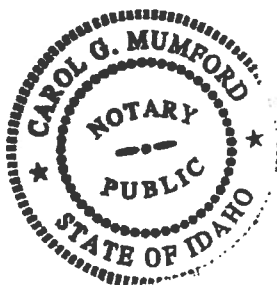
Joan Kendall
Joan Kendall, Trustee

Rex S. Kendall
Rex S Kendall, Trustee

Beth Kendall McCombs
Beth Kendall McCombs, Trustee

STATE OF Idaho)
: SS
COUNTY OF Franklin)

On this the 31st day of July, 2010, personally appeared before me, Dirk S Kendall, Ronnie S Kendall, Joan Kendall, Rex S Kendall and Beth McCombs Kendall, the signers of this Warranty Deed, who acknowledged to me that they are the trustees of the above named trust and that they executed this deed as trustees of the trust.



Carol G. Mumford
Notary Public
Commission expires 10-22-2013

Exhibit AParcel 8

Township 13 South, Range 38 East of the Boise Meridian, Franklin County Idaho.

Section 33: Beginning at the Southwest corner of the SE1/4NW1/4 of Section 33, and running thence North 32 rods; thence East 240 rods to the East line of said Section 33; thence South along said East line 32 rods to the Southeast corner of the Northeast quarter of said Section 33; thence West 80 rods; thence South 26 rods; thence Northwesterly 163 rods, more or less, to the place of beginning.

EXCEPTING therefrom any portion of the above described parcel lying west of the east right of way line of the Westside Highway (F.A.P. S-1739(1));

ALSO EXCEPTING therefrom the following described parcel:

A parcel of land located in Section 33, Township 13 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the East quarter corner of said Section 33, from which the Southeast corner of Section 33 bears South 00° 25' 37" East;
Thence South 89° 44' 30" West 1324.00 feet to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at the Northeast corner of the Northwest quarter of the Southeast quarter (NW1/4SE1/4);
Thence South 00° 14' 59" East 166.63 feet along the east boundary line of said NW1/4SE1/4 to a 5/8" rebar and cap, the Point of Beginning.
Thence South 00° 14' 59" East 262.97 feet along the east boundary line of said NW1/4SE1/4 to a 5/8" rebar and cap at a fence corner, said point being on the south boundary line of the parcel of land described in instrument number 163424;
Thence North 81° 37' 30" West 1344.98 feet along said south boundary line (fence line) to a 5/8" rebar and cap at the northeast corner of the parcel of land described in instrument number 172748;
Thence North 80° 03' 00" West 1046.24 feet to a 5/8" rebar and cap at the east right of way line of the Westside Highway (F.A.P. S-1739(1)), said point being on a 10078.00 foot radius non-tangent curve concave to the Southeast, whose center bears South 68° 11' 10" East;
Thence northeasterly along said curve (right of way line) through a central angle of 01° 30' 53" a distance of 266.45 feet to a 5/8" rebar and cap (chord = North 22° 34' 16" East 266.44 feet);
Thence South 80° 56' 49" East 2286.20 feet to the Point of Beginning.

8585 N. Westside Hwy.
Clifton, ID. 83228

249477 1-2

WARRANTY DEED

The Kendall Family Living Trust dated July 11, 1983, grantor, Oxford, Idaho hereby conveys and warrants to: Rex S Kendall or Dixie S. Kendall, grantees, of Clifton, Idaho for valuable consideration, the following described tracts of land in Franklin County, Idaho as set forth in Exhibit "A" attached hereto together with 5 plowed shares and 10 meadow shares in the Oxford Creek Water District 13-R.

WITNESS the hand of said grantor, through its trustees, this 31st day of July, 2010.

Recorded at the request of
Ronnie Kendall

11:09 a.m. AUG 02 2010 p.m.

V. ELLIOTT LARSEN, RECORDER
By Shauna Giddes Deputy
FRANKLIN COUNTY IDAHO

Dirk S Kendall
Dirk S Kendall, Trustee

Ronnie S Kendall
Ronnie S Kendall, Trustee

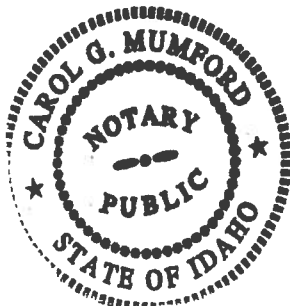
Joan Kendall
Joan Kendall, Trustee

Rex S Kendall
Rex S Kendall, Trustee

Beth Kendall McCombs
Beth Kendall McCombs, Trustee

STATE OF Idaho)
: SS
COUNTY OF Franklin)

On this the 31st day of July, 2010, personally appeared before me, Dirk S Kendall, Ronnie S Kendall, Joan Kendall, Rex S Kendall and Beth McCombs Kendall, the signers of this Warranty Deed, who acknowledged to me that they are the trustees of the above named trust and that they executed this deed as trustees of the trust.



Carol G Mumford
Notary Public
Commission expires 10-22-2013

Exhibit A

Parcel 4

A parcel of land located in the Northeast quarter of Section 32, Township 13 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Beginning at the Northeast corner of said Section 32, from which the East quarter corner of said Section 32 bears South 00° 02' 05" East;
 Thence South 00° 02' 05" East 1981.13 feet along the east boundary line of the Northeast quarter of Section 32 to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at a fence line;
 Thence North 75° 19' 00" West 146.32 feet along a fence line to a 5/8" rebar and cap at a fence corner;
 Thence South 28° 00' 00" West 843.00 feet along a fence line, more or less, to a 5/8" rebar and cap at a fence line;
 Thence North 89° 48' 00" West 1398.50 feet along a fence line to a 5/8" rebar and cap;
 Thence North 16° 14' 23" East 2751.10 feet to a 5/8" rebar and cap at the north boundary line of Section 32;
 Thence North 87° 55' 43" East 1166.00 feet along said north boundary line to the Point of Beginning.
 Containing approximately 89.0 acres

Parcel 7

A parcel of land located in Section 33, Township 13 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the East quarter corner of said Section 33, from which the Southeast corner of Section 33 bears South 00° 25' 37" East;
 Thence South 89° 44' 30" West 1324.00 feet to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at the Northeast corner of the Northwest quarter of the Southeast quarter (NW1/4SE1/4);
 Thence South 00° 14' 59" East 166.63 feet along the east boundary line of said NW1/4SE1/4 to a 5/8" rebar and cap, the Point of Beginning.
 Thence South 00° 14' 59" East 262.97 feet along the east boundary line of said NW1/4SE1/4 to a 5/8" rebar and cap at a fence corner, said point being on the south boundary line of the parcel of land described in instrument number 163424;
 Thence North 81° 37' 30" West 1344.98 feet along said south boundary line (fence line) to a 5/8" rebar and cap at the northeast corner of the parcel of land described in instrument number 172748;
 Thence North 80° 03' 00" West 1046.24 feet to a 5/8" rebar and cap at the east right of way line of the Westside Highway (F.A.P. S-1739(1)), said point being on a 10078.00 foot radius non-tangent curve concave to the Southeast, whose center bears South 68° 11' 10" East;
 Thence northeasterly along said curve (right of way line) through a central angle of 01° 30' 53" a distance of 266.45 feet to a 5/8" rebar and cap (chord = North 22° 34' 16" East 266.44 feet);
 Thence South 80° 56' 49" East 2286.20 feet to the Point of Beginning.
 Containing approximately 14.4 acres

WARRANTY DEED

For Value Received

W. MERL KENDALL and DONNA S. KENDALL
Husband and Wife
the grantor do hereby grant, bargain, sell and convey unto

W. MERL KENDALL and DONNA S. KENDALL
as Trustees of the KENDALL FAMILY LIVING TRUST
whose current address is

Clifton, Idaho 83228

the grantee, the following described premises, in Franklin County Idaho, to wit:

See Attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated:

July 11, 1983W. Merl KendallDonna S. Kendall

STATE OF IDAHO, COUNTY OF

On this 11th day of July, 1983,
before me, a notary public in and for said State, personally
appeared W. MERL KENDALL and
DONNA S. KENDALL

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]
Notary Public
Residing at Idaho
Comm. Expires Lifetime

Recorded at the request of

Robin Phillips7:30 a.m. JUL 12 1983 2:30 p.m.

MICHAEL D. KUNZ, RECORDER

By Judy Miller Deputy
FRANKLIN COUNTY, IDAHO

163424 22

EXHIBIT "A"

Township 13 South, Range 38 East of the Boise Meridian, Franklin County,
Idaho.

Section 32: N1/2, N1/2SW1/4

Section 33: Beginning at the Southwest corner of the SE1/4NW1/4 of Section 33, and running thence North 32 rods; thence East 240 rods to the East line of said Section 33, thence South along said East line 32 rods to Southeast corner of NE1/4 of said Section 33, thence West 80 rods; thence South 26 rods; thence Northwesterly 163 rods, more or less, to the place of beginning.

ALSO, Commencing at the Southwest corner of the SW1/4NW1/4 of said Section 33, and running thence North 40 rods; thence East 80 rods; thence South 40 rods; thence West 80 rods to the place of beginning.

EXCEPTING THEREFROM: Beginning at a point on the Westerly right of way line of the State Highway; said point being approximately 50 feet South and 1527 feet East of the West Quarter corner of said Section 33, said point being on the property ownership line between W. MERL KENDALL and JAMES D. BOYCE, thence in a Northwesterly direction 215 feet, more or less, to the Southwest corner of the SE1/4NW1/4 of said Section 33; thence West 1385 feet; thence North 250 feet; thence East 1385 feet; more or less, to the West line of the SE1/4NW1/4; thence Southeasterly 215 feet, more or less, to the Westerly right of way line of the State Highway; thence Southwesterly along the State Highway 250 feet to the point beginning.

ALSO EXCEPTING THEREFROM: Those portions previously deeded for Highway purposes under Book 47 of Deeds, page 332, records of Franklin County, Idaho.