

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 12 2013

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.

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

2. Previous Owner's Name: Kenneth 3/0r Benny L. 3/0r Merle Kendall
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Oxford Peak Enterprises, LLC
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/or

8795 N. Westside Hwy. Clifton Idaho 83228
Mailing address City State ZIP

208-747-3704 _____
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: March 26, 1996

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: [Signature] Owner/Manager Aug. 8, 2013
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

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

IN FILE # 13-4126

259185 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 2:09 P Amount \$ 1600

AUG 07 2013

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

QUITCLAIM DEED

Rex S. Kendall and Dixie S. Kendall, for Ten Dollars and other good and valuable consideration, hereby Quitclaims to Oxford Peak Enterprises, LLC, an Idaho Limited Liability Company, 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.

Rex S. Kendall
Rex S. Kendall

Dixie S. Kendall
Dixie S. Kendall

STATE OF IDAHO)

: SS

COUNTY OF FRANKLIN)

On this 6 day of August, 2013^{38m}, before me personally appeared Rex S., Kendall, AND DIXIE 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 he signed it voluntarily for its stated purpose.

Jennifer Mariscal
NOTARY PUBLIC

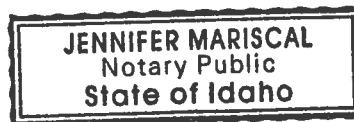


Exhibit A

7

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Name of Claimant)

(Mailing Address)

(Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) April 15, 1961

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

·(cfs, gpd, AFA)

(Both dates inclusive)

(Mo., Day) (Mo., Day)

Use Irrigation

Period of Use From Apr. 1 To Nov. 1

Use _____

Period of Use From _____ To _____

Use _____

Period of Use From _____ To _____

Use _____

Period of Use From _____ To _____

Use _____

Period of Use From _____ To _____

{cfs, gpd, AFA}

SE ¼ NW ¼, Sec. 33 Twp. 13S Rge. 38E B.M., County of Franklin

Well, 50 HP pump, mainline and sprinkler system (120 nozzels)

[illegible]

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

195844 1-4

Recorded at the request of
STEVEN R. FULLER

a.m. APR 22 1996 ^{2:35} p.m.

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

QUITCLAIM DEED

FOR VALUE RECEIVED

BENNY L. KENDALL and MARCIA M. KENDALL, husband and wife,

do hereby convey, release, remise and forever quit claim unto

OXFORD PEAK ENTERPRISES, L.L.C., an Idaho Limited Liability Company,

whose current address is: 8795 North West Side Hwy, Clifton, ID 83228

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

SEE EXHIBIT 'A' ATTACHED HERETO

DATED: March 26, 1996.

Benny L. Kendall
BENNY L. KENDALL

Marcia M. Kendall
MARCIA M. KENDALL

STATE OF IDAHO)
)
County of Franklin)

On this 26th day of March, 1996, before me, the undersigned a Notary Public in and for said State, personally appeared **BENNY L. KENDALL and MARCIA M. 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.

Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at: Preston, Idaho
Comm. Exp.: 2/19/99

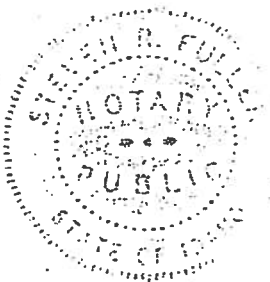


EXHIBIT "A"

Commencing at the Northeast corner of the Northwest quarter of Section 33, Township 13 South, Range 38 East of the Boise Meridian, and running thence West 2640 feet, more or less, to the Northwest corner of said Section; thence South at right angles 1980 feet, more or less; thence East at right angles 1320 feet more or less; thence North at right angles 660 feet, more or less; thence East at right angles 231 feet, more or less, to an intersection with the West line of Oxford Cemetery; thence North 32 degrees East on the Westerly line of Oxford Cemetery 643 feet, more or less; thence North 40°38' East 462 feet, thence South 63° East 462 feet, to the West line of the county Road; thence North 27° East 99 feet, more or less, to an intersection of the West line of said County Road with the North and South center line of Section 33; thence North on said center line of said Section 33 a distance of 561 feet, more or less, to the point of beginning, containing 84.75 acres, more or less;

ALSO: Commencing at the Northeast corner of the Northwest quarter of said Section 33, Township 13 South, Range 38 East of the Boise Meridian, and running South on the center line of said Section, 10 rods; thence East at right angles 10 rods; thence Northeasterly on the West Boundary line of the County Road 10.3 rods, more or less, to an intersection with the North line of said Section 33; thence West on said line 204 feet to the point of beginning, containing 0.70 acres, more or less;

ALSO: Commencing at the Northeast corner of the Northwest quarter of Section 33, Township 13 South, Range 38 East of the Boise Meridian, and running thence South on the center line of said Section, 10 rods, to the real point of beginning; thence East 72 rods; thence South $24\frac{1}{2}$ rods; thence West at right angles $5\frac{3}{4}$ rods; thence South at right angles 18 rods; thence West at right angles $77\frac{1}{4}$ rods; thence Northeasterly on the East boundary line of the County Road 21 rods, more or less, to an intersection of said line with the North and South center line of said Section 33; thence North on said line 31 rods, more or less, to point of beginning, containing exclusive of the County Road, 22.56 acres;

EXCEPTING THEREFROM from the above described land the land taken for rights-of-way for roads and highways.

ALSO EXCEPTING THEREFROM: All of Lot seven, in Block four, of Oxford Townsite, located in the Southeast quarter of Section 28, Township 13 South, Range 38 East of the Boise Meridian, containing 0.77 acres, as shown on the Plat of Oxford Townsite recorded February 4, 1913, at 4:35 p.m. in Bannock County, Idaho;

(continued)

Exhibit "A" Continued:

ALSO: Commencing at a point $69\frac{1}{2}$ rods East and $52\frac{1}{2}$ rods South of the Northeast corner of the Northwest quarter of Section 33, Township 13 South, Range 38 East of the Boise Meridian, running thence South 69 rods; thence West $107\frac{1}{2}$ rods to the East line of the County Road; thence Northeasterly along the East boundary line of said County Road to a point 21 rods, more or less, Southwesterly from the intersection of the East boundary line of said County Road with the North and South center line of said Section 33; thence Easterly $80\frac{1}{2}$ rods, more or less, to the place of beginning;

Excepting from the above described land rights-of-way for roads and highways.

Together with all water rights appertaining thereto, and specifically $41\frac{1}{2}$ shares plow land water, 34 shares of meadow water, and 2 shares of town lot water; and

Forty-four and One-half ($44\frac{1}{2}$) shares of Capital Stock in the Oxford Irrigation Company.

Beginning at the Southeast corner of the Northeast quarter of the Northwest quarter of Section 33, Township 13 South, Range 38 East of the Boise Meridian, running thence West 22 rods; thence Northeasterly 17 rods to the Northeast corner of Oxford Cemetery for the place of beginning; running thence Northeasterly 28 rods to a point six rods West of the line between the Northeast quarter and Northwest quarter of said Section; thence in a Northwesterly direction to point 28 rods in a Northeasterly direction from Northeast side line of Oxford Cemetery; thence in a Southwesterly direction to point on said Northeasterly line of said cemetery 36 rods distance from the place of beginning; thence Southeasterly along said cemetery line to place of beginning, containing 5.6 acres, together with one share of water in the Oxford Irrigation Company, and culinary water used on said place.

Township 13 South, Range 38 East of the Boise Meridian, located in Bannock County, Idaho

Section 15: Beginning at the Southwest corner of Section 15, and running thence North along the West boundary line of said Section 15, 720 feet to the North side of the county road and the true point of beginning, thence North 3240 feet, more or less to the Northwest corner of the $SW\frac{1}{4}SW\frac{1}{4}$ of said Section 15; thence East 1320 feet; thence South 3280 feet, more or less, to the County road, thence Northwesterly along County road to place of beginning.

ALSO, together with $53\frac{3}{4}$ shares of Oxford Reservoir and Irrigation Company water.

Cannot
plot

LESS AND EXCEPTING THEREFROM: Township 13 South, Range 38 East of the Boise Meridian

Section 15: Beginning at the Southwest Corner of Section 15, and running thence North along the West boundary line of said Section 15, 720 feet to the North side of the County road; thence running Southeasterly along the North side of said County road 710 feet to the TRUE POINT OF BEGINNING; thence North 175 feet; thence Easterly parallel to said County road 737.36 feet; thence South 175 feet to the County road; thence Northwesterly along said road 373.36 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO ALL easements and rights of way appearing upon the premises by observation or as of record.

182799 1-2

QUIT CLAIM DEED

KENNETH B. KENDALL and RENELL A. KENDALL,

grantor s of Blackfoot

, County of

, State of ID hereby

QUIT CLAIM to

BENNY L. KENDALL and MARCIA M. KENDALL,

grantee s of

for the sum of TEN DOLLARS and other good and valuable consideration

the following described tract s of land in Franklin

County, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

WITNESS, the hand of said grantor s , this

25th

day of

July

A.D. 1987

Signed in the presence of

Kenneth B. Kendall
KENNETH B. KENDALL

Renell A. Kendall
RENELL A. KENDALL

STATE OF IDAHO

County Franklin

} ss

On the 25th day of July
A.D. 1987 personally appeared before me, Ronald E. Munford
Public, Notary
KENNETH B. KENDALL and RENELL A.
KENDALL,
the signer s of the within instrument, who duly
acknowledged to me that they executed the same.

Ronald E. Munford
Notary Public

Commission expires: 3-27-93

Residing in Clifton, Ida.

RECORDING DATA

Recorded at the request of

McKee & Munford

a.m. DEC 07 1990 p.m.

LARAE E JOHNSON, RECORDER

by Ruth K. B. Johnson
FRANKLIN COUNTY, IDAHO

EXHIBIT A

Commencing at the Northeast corner of the Northwest quarter of Section 33, Township 13 South, Range 38 East of Boise Meridian, and running thence West 2640 feet, more or less, to the Northwest corner of said Section; thence South at right angles 1980 feet, more or less; thence East at right angles 1320 feet more or less; thence North at right angles 660 feet, more or less; thence East at right angles 231 feet, more or less, to an intersection with the West line of Oxford Cemetery; thence North 32 degrees East on the Westerly line of Oxford Cemetery 643 feet, more or less; thence North 40°38' East 462 feet, thence South 63° East 462 feet, to the West line of the County Road; thence North 27° East 99 feet, more or less, to an intersection of the West line of said County Road with the North and South center line of Section 33; thence North on said center line of said Section 33 a distance of 561 feet, more or less, to the point of beginning, containing 84.75 acres, more or less;

ALSO: Commencing at the Northeast corner of the Northwest quarter of said Section 33, Township 13 South, Range 38 East of Boise Meridian, and running South on the center line of said Section, 10 rods; thence East at right angles 10 rods; thence Northeasterly on the West Boundary line of the County Road 10.3 rods, more or less, to an intersection with the North line of said Section 33; thence West on said line 204 feet to the point of beginning, containing 0.70 acres, more or less;

ALSO: Commencing at the Northeast corner of the Northwest quarter of Section 33, Township 13 South, Range 38 East of the Boise Meridian, and running thence South on the center line of said Section, 10 rods, to the real point of beginning; thence East 72 rods; thence South 24 1/2 rods; thence West at right angles 5 3/4 rods; thence South at right angles 18 rods; thence West at right angles 77 1/4 rods; thence Northeasterly on the East boundary line of the County Road 21 rods, more or less, to an intersection of said line with the North and South center line of said Section 33; thence North on said line 31 rods, more or less, to point of beginning, containing exclusive of the County Road, 22.56 acres;

ALSO: All of Lot seven, in Block four, of Oxford Townsite, located in the Southeast quarter of Section 28, Township 13 South, Range 38 East of Boise Meridian, containing 0.77 acres, as shown on the Plat of Oxford Townsite recorded February 4, 1913, at 4:35 p.m. in Bannock County, Idaho;

Excepting from the above described land the land taken for rights-of-way for roads and highways;

ALSO: Commencing at a point 69 1/4 rods East and 52 1/2 rods South of the Northeast corner of the Northwest quarter of Section 33, Township 13 South, Range 38 East of Boise Meridian, running thence South 69 rods; thence West 107 1/4 rods to the East line of the County Road; thence Northeasterly along the East boundary line of said County Road to a point 21 rods, more or less, Southwesterly from the intersection of the East boundary line of said County Road with the North and South center line of said Section 33; thence Easterly 80 1/4 rods, more or less, to the place of beginning;

Excepting from the above described land rights-of-way for roads and highways.

Together with all water rights appertaining thereto, and specifically 41 1/2 shares plow land water, 34 shares of meadow water, and 2 shares of town lot water; and

Forty-four and One-half (44 1/2) shares of Capital Stock in the Oxford Irrigation Company.

Beginning at the Southeast corner of Northeast quarter of Northwest quarter of Section 33, Township 13 South, Range 38 East of the Boise Meridian, running thence West 22 rods; thence Northeasterly 17 rods to Northeast corner of Oxford Cemetery for place of beginning; running thence Northeasterly 20 rods to point six rods West of line between Northeast quarter and Northwest quarter of said Section; thence in a Northwesterly direction to point 28 rods in a Northeasterly direction from Northeast side line of Oxford Cemetery; thence in a Southwesterly direction to point on said Northeasterly line of said cemetery 36 rods distant from the place of beginning; thence Southeasterly along said cemetery line to place of beginning, containing 5.6 acres, together with one share of water in the Oxford Irrigation Company, and culinary water used on said place

182797 / 3

Recorded at the request of

McKangie - Mumford

a.m. DEC 07 1990 2:30 p.m.

LARAE E. JOHNSON, RECORDER

By B. K. Raulin Deputy
FRANKLIN COUNTY, IDAHO

WARRANTY DEED

FOR VALUE RECEIVED, D. LAVERN KENDALL and LAVERLE KENDALL, Husband and Wife, the Grantors, do hereby grant, bargain, sell and convey unto KENNETH B. KENDALL and RENELL A. KENDALL, Husband and Wife, and BENNY L. KENDALL and MARCIA M. KENDALL, Husband and Wife, of Clifton, Idaho, the Grantees, the following described premises, in Franklin County, Idaho, to-wit:

Commencing at the Northeast corner of the Northwest quarter of Section 33, Township 13 South, Range 38 East of Boise Meridian, and running thence West 2640 feet, more or less, to the Northwest corner of said Section; thence South at right angles 1980 feet, more or less; thence East at right angles 1320 feet more or less; thence North at right angles 660 feet, more or less; thence East at right angles 231 feet, more or less, to an intersection with the West line of Oxford Cemetery; thence North 32 degrees East on the Westerly line of Oxford Cemetery 643 feet, more or less; thence North 40°38' East 462 feet, thence South 63° East 462 feet, to the West line of the County Road; thence North 27° East 99 feet, more or less, to an intersection of the West line of said County Road with the North and South center line of Section 33; thence North on said center line of said Section 33 a distance of 561 feet, more or less, to the point of beginning, containing 84.75 acres, more or less;

ALSO: Commencing at the Northeast corner of the Northwest quarter of said Section 33, Township 13 South, Range 38 East of Boise Meridian, and running South on the center line of said Section, 10 rods; thence East at right angles 10 rods; thence Northeasterly on the West Boundary line of the County Road 10.3 rods, more or less, to an intersection with the North line of said Section 33; thence West on said line 204 feet to the point of beginning, containing 0.70 acres, more or less;

ALSO: Commencing at the Northeast corner of the Northwest quarter of Section 33, Township 13 South, Range 38 East of the Boise Meridian, and running thence South on the center line of said Section, 10 rods, to the real point of beginning; thence East 72 rods; thence South 24 1/2 rods; thence West at right angles 5 3/4 rods; thence South at right angles 18 rods; thence West at right angles 77 1/4 rods; thence Northeasterly on the East boundary line of the County Road 21 rods, more or less, to an intersection of said line with the North and South center line of said Section 33; thence North on said line 31 rods, more or less, to point of beginning, containing exclusive of the County Road, 22.56 acres;

ALSO: All of Lot seven, in Block four, of Oxford Townsite, located in the Southeast quarter of Section 28, Township 13 South, Range 38 East of Boise Meridian, containing 0.77 acres, as shown on the Plat of Oxford Townsite recorded February 2, 1913, at 4:35 p.m. in Bannock County, Idaho.

Excepting from the above described land the land taken for rights-of-way for roads and highways;

ALSO: Commencing at a point 69 1/4 rods East and 52 1/2 rods South of the Northeast corner of the Northwest quarter of Section 33, Township 13 South, Range 38 East of Boise Meridian, running thence South 69 rods; thence West 107 1/4 rods to the East line of the County Road; thence Northeasterly along the East boundary line of said County Road to a point 21 rods, more or less, Southwesterly from the intersection of the East boundary line of said County Road with the North and South center line of said Section 33; thence Easterly 80 1/4 rods, more or less, to the place of beginning;

Excepting from the above described land rights-of-way for roads and highways.

Together with all water rights appertaining thereto, and specifically 41 1/2 shares plow land water, 34 shares of meadow water, and 2 shares of town lot water.

Beginning at the Southeast corner of Northeast quarter of Northwest quarter of Section 33, Township 13 South, Range 38 East of the Boise Meridian, running thence West 22 rods; thence Northeasterly 17 rods to Northeast corner of Oxford Cemetery for place of beginning; running thence Northeasterly 28 rods to point six rods West of line between Northeast quarter and Northwest quarter of said Section; thence in a Northwesterly direction to point 28 rods in a Northeasterly direction from Northeast side line of Oxford Cemetery; thence in a Southwesterly direction to point on said Northeasterly line of said cemetery 36 rods distant from the place of beginning; thence Southeasterly along said cemetery line to place of beginning, containing 5.6 acres, together with one share of water in the Oxford Irrigation Company, and culinary water used on said place.

The Northeast quarter of the Northwest quarter of Section 22, Township 13 South, Range 38 East of the Boise Meridian, in Idaho.

Situated in Bannock County, State of Idaho.

The East half of the Southwest quarter, and the Southeast quarter of the Northwest quarter of Section 15, in Township 13 South, Range 38 East of the Boise Meridian, in Idaho.

TOGETHER WITH the following described water rights:

Seventy-three and Three-fourths (73 3/4) shares of Capital Stock in the Oxford Reservoir and Irrigation Company.

Forty-four and One-half (44 1/2) shares of Capital Stock in the Oxford Irrigation Company.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners of the same.

of said premises; that they are free from all incumbrances
and that they will warrant and defend the same from all lawful
claims whatsoever.

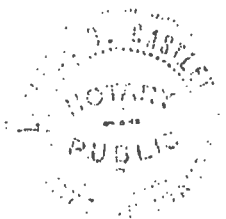
DATED: October 4, 1976

D. Lavern Kendall
D. LAVERN KENDALL

Laverle Kendall
LAVERLE KENDALL

State of Idaho }
County of Franklin }

On the 4th day of June, 1976, personally appeared
before me D. LAVERN KENDALL and LAVERLE KENDALL, Husband and
Wife, the signers of the within instrument, who duly acknowledged
to me that they executed the same.



D. Lavern Kendall
NOTARY PUBLIC for State of Idaho
Residing at Preston, Idaho