

ATE - 158391 OLD FORM
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Form 42-248/42-1409(6) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

NOV 05 2012
Department of Water Resources
Eastern Region

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Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
21-85 OK					
21-107	Superceded by decree				
21-10401 OK					
21-10400 OK					

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
 - B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Merkola Properties LLC
4. New Owner/Claimant(s) RT Kandler LLC
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address PO Box 50618
- City, State and ZIP Code Idaho Falls, Id. 83405
- New Telephone Number () 208-522-7771
5. Date you acquired the property 11-1-12

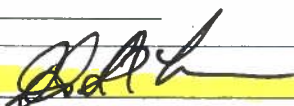
SUPPORT DATA

IN FILE # 21-85

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)  CFO
(include title if applicable) R T Kandler LLC

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>JB</u>	Date <u>1/28/2013</u>	Fee <u>\$100.-</u>	
Received by <u>JB</u>	Date <u>1/28/2013</u>	Receipt No. <u>ED38362</u>	
Processed by <u>AJ</u>	Date <u>2/11/2013</u>	WR <u>JB</u>	Date <u>2/11/2013</u>

Request \$25.- refund

Instrument No. 541140
01 Day Nov 2012
At 02 O'Clock 59 M
ABBIE MACE
FREMONT CO RECORDER
Fee \$10.00
JF Deputy
Recorded at Request of
Alliance Title - Rexburg Office

ALLIANCE TITLE & ESCROW CORP
130 E. MAIN STREET
REXBURG, ID 83440

WARRANTY DEED

ATEC Order No.:158391

FOR VALUE RECEIVED

Merkola Properties, LLC, a Idaho Limited Liability Company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

RT Kandler LLC

whose current address is

PO Box 50618
Idaho Falls, ID 83405

the grantee(s), the following described premises, in Fremont County, Idaho, TO WIT:

Township 8 North, Range 44 East, Boise Meridinn, Fremont County, Idaho.
Section 20: South Half Southeast Quarter
Section 28: Northwest Quarter
Section 29: East Half; South Half Northwest Quarter; North Half Southwest
Quarter

The water rights include 5.2 cfs of stream rights in Conant Creek and include, but are limited to
IDWR Water Right Number 21-85; 21-107; 21-10400; 21-10401 and 230 acre feet of storage rights
from Island Park Reservoir.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
heirs and assigns forever. And the said Grantor does hereby covenant to and with the said
Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from
all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations,
easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

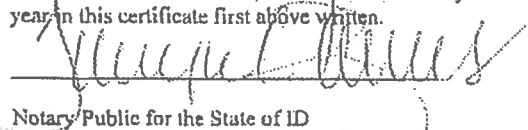
Dated: October 4, 2012


James C. Merkle, Manager of Merkola Properties LLC

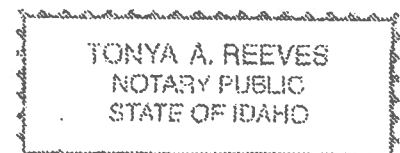
State of ID, ss
County of Ada

On this 5th day of October, 2012, before me, , a Notary Public in and for said state,
personally appeared James C. Merkle known or identified to me to be the Managing Member in
the Limited Liability Company known as Merkola Properties, LLC who executed the foregoing
instrument, and acknowledged to me that he/she executed the same in said LLC 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.


Notary Public for the State of ID

Residing in Meridian, Idaho
My Commission Expires 4/20/2016



541140