

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

RECEIVED
JAN 25 2010
 Department of Water Resources
 Eastern Region

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 IDWR will produce new water right number(s) for the split(s).

DEV ✓

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
WR 2107385					

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 on file with the county Planning and Zoning or Recorder's Office).

OR

- D. 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 or equivalent **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)

Roger ferguson
 PO Box 519
 Rexburg ID 83440

4. New Owner/Claimant(s)

KINGSTON PROPERTIES L.P.

Name Connector (Check one): ☐ and, ☐ or, ☐ and or

New Mailing Address

477 Shoup Ave, Suite 207

City, State and ZIP Code

Idaho Falls ID 83402

New Telephone Number

(208) 522-2365 Email: dkingston@kingstoncorp.com

5. Date you acquired the property

9.6.2002

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Kingston Properties LPBy Karl Camps

(title if applicable)

its secretary

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:
 Received by [Signature]
 Received by [Signature]
 Processed by AJ

 Date 1-25-10
 Date 1-26-10
 Date _____

 Receipt Amt. \$25.00
 Receipt No. E0355100
 WR _____ Date _____

WARRANTY DEED

ROGER N. FERGUSON and SYBIL C. FERGUSON, husband and wife, whose mailing address is P.O. Box 519, Rexburg, Idaho 83440, as GRANTORS, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey effective July 1, 2002 unto KINGSTON PROPERTIES L. P., an Idaho limited partnership, and DAVID O. KINGSTON, an unmarried man, of 477 Shoup Avenue, Suite 207, Idaho Falls, Idaho 83402, as GRANTEES, and to GRANTEES' heirs, successors and assigns forever, all of the property situated in Madison County, Idaho described on the attached Exhibit A.

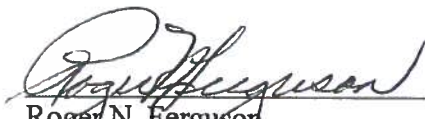
TOGETHER with all improvements, easements, hereditaments and appurtenances thereto.

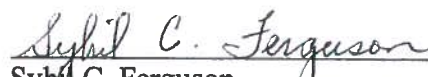
SUBJECT to easements, rights of way, patent reservations, protective covenants, zoning ordinances and building codes, laws and regulations of record.

GRANTORS, for themselves, their heirs and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the GRANTEES, their heirs, successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their names to this instrument.

GRANTORS:


Roger N. Ferguson


Sybil C. Ferguson

Instrument # 297996

REXBURG, MADISON, IDAHO

2002-09-06

12:29:00 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

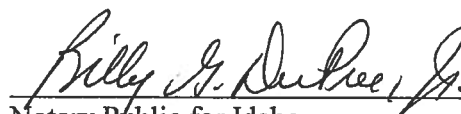
MARILYN R. RASMUSSEN

Fee: 9.00

Ex-Officio Recorder Deputy

STATE OF IDAHO)
 ss:
County of Madison)

On this 1st day of August, in the year 2002, before me, a Notary Public in and for said State, personally appeared Roger N. Ferguson and Sybil C. Ferguson, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 12/4/04

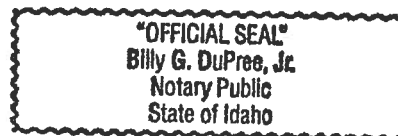


EXHIBIT A

TRACT I:

Township 6 North, Range 39 E.B.M., Madison County, Idaho. Section 17: N1/2NW1/4; Also that portion of the following described property lying within Lots 2 and 3: Commencing at the SW corner of Lot 3 (said lot being further identified as part of the SE1/4NW1/4) and running thence East 300 feet, more or less, to the West bank of the Snake River; thence running Northerly and Northeasterly along the bank of said river and following the meanderings thereof for a distance of approximately 2970 feet to a point 700 feet, more or less, East of the SE corner of the N1/2NW1/4; thence continuing along said river bank in a Northwesterly and Northeasterly meandering course a distance of approximately 1470 feet to a point 400 feet, more or less, East of the NE corner of the N1/2NW1/4; thence West 400 feet, more or less; thence South 1320 feet; thence West 1320; thence South 1320 feet to the point of beginning. Same being more particularly described as all that part of Lot 2 and 3 as originally surveyed lying West of the Snake River as now located after changes in its original course subsequently to the aforementioned survey. LESS: Beginning at the SW corner of the NW1/4NW1/4 of Section 17, and running thence North 660 feet; thence East 165 feet; thence South 660 feet; thence West 165 feet to the point of beginning.

TRACT II:

The following described real property situated in Madison County, Idaho:

Beginning at the Southwest corner of Section 8, Township 6 North, Range 39 East of the Boise Baseline and Meridian and running thence North 364.21 feet along the section line; thence S 88°33'06" E 385.75 feet; thence N 74°43'25" E 104.47 feet; thence N 88°45'25" E 54.29 feet to the center of a gate; thence N 00°56'50" E 16.02 feet; thence N 89°32'07" E 93.53 feet; thence S 89°12'27" E 88.63 feet; thence N 43°07'01" E 425.57 feet; thence N 34°30'37" E 227.59 feet; thence N 20°24'26" E 204.24 feet; thence N 47°03'41" W 242.02 feet; thence N 38°27'02" E 163.18 feet to a fence line; thence S 48°33'15" E 46.35 feet along said fence line; thence N 42°46'04" E 20.42 feet along said fence line; thence S 67°10'25" E 392.27 feet along said fence line; thence S 60°43'31" E 213.32 feet along said fence line; thence N 78°49'00" E 873.21 along said fence line to the center section line; thence S 00°21'05" E 1255.18 feet along said center section line to the south ¼ corner of said Section 8; thence S 89°29'35" W 2599.07 feet to the point of beginning.

TRACT III:

Beginning at a point 560 feet, more or less, East of the NW corner of the SW1/4NW1/4 of Section 17, Township 6 North, Range 39 E.B.M., Madison County, Idaho, said point being on the West bank of a slough, thence Southwesterly and Southeasterly along the West bank of said slough, approximately 1550.00 feet to a point 130 feet North of the SE corner of the said SW1/4NW1/4, thence North 1190.00 feet, more or less, to the NE corner of said SW1/4NW1/4, thence West 760 feet, more or less, to the point of beginning.