

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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).

Water Right No(s)	Adjudication Claim No(s)	Split(s)
25-2151		✓
25-14275		

SUPPORT DATA

IN FILE # 25-14275

RECEIVED
JUL 22 2010
Department of Water Resources
Eastern Region

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) Lee M McDaniel

4. New Owner/Claimant(s) Brent Kennedy & Amy Michele Kennedy
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address 2335 Ptarmigan Way

City, State and ZIP Code Idaho Falls ID 83401

New Telephone Number (208) 552-5661 Email: brent.kennedy2@me.com

5. Date you acquired the property 30 Dec 2003
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) Brent Kern
A. Michele Kern (title if applicable)
 (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]
 Receipted by [Signature]
 Processed by AJ

Date 7/22/2010
 Date 7/22/2010
 Date 7/22/2010

Receipt Amt. \$100. -
 Receipt No. E035990
 WR Date

1124973

FILE No. 00026978

BONNEVILLE COUNTY RECORDER
1124973 AUG18'03 PM 3:53
INSTRUMENT NO.

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED HILLPOINT PROPERTIES LLC, an Idaho Limited Liability Company Grantor(s), do hereby grant, bargain, sell and convey unto BRENT KENNEDY and MICHELE KENNEDY, Husband and Wife Grantee(s), whose current address is 2829 Rollandet St, Idaho Falls ID 83402, the following described real estate situated in BONNEVILLE County, State of Idaho, to wit:

LOT 7, BLOCK 2, QUAIL RIDGE ESTATES, DIVISION NO. 4, TO THE COUNTY OF BONNEVILLE, STATE OF IDAHO, ACCORDING TO THE PLAT RECORDED MAY 24, 2000 UNDER INSTRUMENT NO. 1023139.

TO HAVE AND TO HOLD the described premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the Grantee, his/her/it successors and assigns forever, Grantor does hereby covenant to and with the Grantee that he/she is the owner in fee simple of said premises and that he/she will warrant and defend the same from all lawful claims whatsoever.

DATED: July 7, 2003

HILLPOINT PROPERTIES

George Z. McDaniel
by George Z. McDaniel, Manager

STATE OF IDAHO

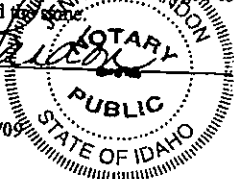
COUNTY OF BONNEVILLE

On this 7th day of July, 2003, before me, the undersigned, a Notary Public in and for the State, personally appeared GEORGE Z. MCDANIEL, known or identified to me to be the managing member of the limited liability company that executed the within instrument and acknowledged to me that such company executed the same.

Annifer Jackson
Notary Public

Residing at: Menan ID

My Commission Expires: 5/12/09



THIS SPACE FOR COUNTY RECORDERS USE ONLY

INSTRUMENT NO.	1124973
DATE	8-18-03
INST. CODE	205
IMAGED PGS	36
FEE	3.00
STATE OF IDAHO COUNTY OF BONNEVILLE } ss I hereby certify that the within instrument was recorded. Ronald Longmore, County Recorder By: <u>R. Longmore</u> Deputy Request of <u>HT</u>	

IDAHO TITLE & TRUST
P.O. BOX 50367
IDAHO FALLS, ID 83405

Idaho Title & Trust
400 Memorial Drive, PO BOX 50367, Idaho Falls, ID 83402

WARRANTY DEED

WARRANTY DEED made this 7th day of October, 1998, between the following grantors

Name	Address	Interest
George Z. McDaniel	2425 S 60 E Idaho Falls ID 83406	28%
Karen Judy	1677 S Foothill Road Idaho Falls ID 83401	24%
Kristine Robison	2205 Barchette Drive Las Vegas NV 89134	24%
Jennette Nielsen	160 Birch Ave. Rexburg ID 83440	24%

each a married person dealing with his or her separate property, each acting as to the stated undivided interest in the hereinafter described property, and **Hillpoint Properties, LLC**, whose mailing address is 2425 S 60 E, Idaho Falls ID 83406, herein referred to as Grantee, witnesseth:

That Grantors, for and in consideration of the sum of TEN Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and do, by these presents, grant, bargain, sell, convey, and confirm unto Grantee and to its successors and assigns forever, all the following described real estate located in the County of Bonneville, State of Idaho:

SECTION 30:

Beginning at the Northeast Corner of Section 30, Township 2 North, Range 39, East of the Boise Meridian; running thence S00°13'46"W along the Section line 2637.85 feet to the East 1/4 corner of said Section 30; thence N89°49'04"W 655.00 feet to the Southwest Corner of Lot 23, Block 1 of Quail Ridge Estates, Division No. 2, Bonneville County, Idaho, being the TRUE POINT OF BEGINNING; Running thence N06°07'17"E along the West Boundary of said Division No. 2 a Distance of 268.55 feet; thence N84°53'26"W along said West boundary 90.00 feet; thence N05°06'34"E along said West boundary 1116.58 feet to the Northwest corner of said Division No. 2; thence S89°43'11"W 1494.04 feet to the Northeast corner of Qual Ridge Estates, Division No. 1, Bonneville County, Idaho; thence S01°53'50"W 787.83 feet to the Southeast Corner of Lot 4, Block 1 of said Division No. 1; thence S02°28'26"E 588.39 feet to the Southeast corner of Lot 7 of said Division No. 1; thence S89°49'04"E 1456.29 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBE
PROPERTY:

DEED - 1

Idaho Title & Trust
P.O. Box 50367
Idaho Falls, ID 83404

That certain property conveyed to Bonneville County for roadway purposes by that certain Quit Claim Deed recorded as Instrument No. 448371 , records of Bonneville County, Idaho.

Section 20:

Beginning at the Southwest corner of Section 20, Township 2 North, Range 39, East of The Boise Meridian an running thence N0°38'E 376.14 feet along the section line; thence S89°22'E 580.03 feet; thence S6°23'W 378.00 feet, more or less, to the South line of said section 20; thence N89°22'W 542.60 feet along said South line to the Point of Beginning.

Lots 1 & 4, Block 1, Quail Ridge Estates, Division No. 1, Bonneville County, Idaho, according to the recorded plat thereof.

Lot 23, Block 1, an Lots 1, 2, 3, 4 an 5, Block 2, an Lots 1, 2, 3 an 4, Block 3, Quail Ridge Estates, Division No. 2, Bonneville County, Idaho, according to the recorded plat thereof.

Together with the water rights, tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining.

SUBJECT TO:

1. Taxes and assessments for the year 1998 and all subsequent years.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof.
4. All reservations, restrictions, easements, road and road rights of way, ditch and ditch rights of way, zoning restrictions, governmental regulations and protective covenants of record.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

TOGETHER WITH WATER LICENSE No A25-02151; _____ Shares of water in the _____ Progressive Irrigation District, and all other water rights in any way appertaining.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances there unto belonging or in anywise appertaining, specifically including the water rights reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD, all and singular the above-described premises together with the appurtenances unto Grantee and to its successors and assigns forever.

And Grantors and Grantors heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee and Grantee's successors and assigns against Grantors and Grantors heirs and against all and every person and persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantors have hereunto signed this deed on the day and year first above written.

George Z. McDaniel
George Z. McDaniel

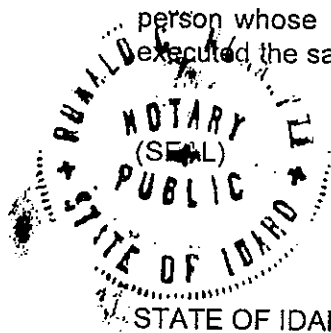
Karen Judy
Karen Judy

Jeannette Nielsen
Jeannette Nielsen

Kristine Robison
Kristine Robison

STATE OF IDAHO)
) ss.
County of Madison)

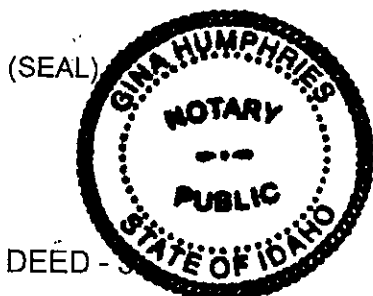
On the 7th day of October, 1998, before me, Ron Murray, the undersigned Notary Public in and for the State of Idaho, personally appeared **GEORGE MCDANIEL**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Ronald C. Murray
Notary Public for State of Idaho
Residing at: Rexburg ID
My Commission Expires: 8/31/00

STATE OF IDAHO)
) ss.
County of Madison)

On the 8th day of October, 1998, before me, ^{gh}~~Ron Murray~~ Gina Humphries, the undersigned Notary Public in and for the State of Idaho, personally appeared **KAREN JUDY**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

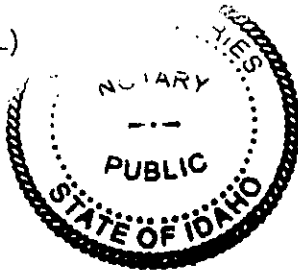


Gina Humphries
Notary Public for State of Idaho
Residing at: St. Anthony, Id.
My Commission Expires: 6/28/04

STATE OF IDAHO)
) ss.
County of Madison)

On the 8th day of October, 1998, before me, ^{sh}~~Ron Murray~~ Gina Humphries, the undersigned Notary Public in and for the State of Idaho, personally appeared **JENNETTE NIELSEN**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

(SEAL)

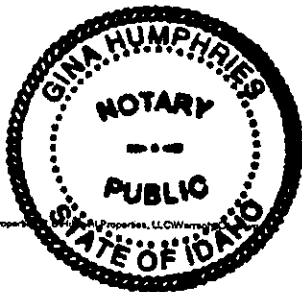


Gina Humphries
Notary Public for State of Idaho
Residing at: St. Anthony, Id.
My Commission Expires: 2/26/04

STATE OF IDAHO)
) ss.
County of Madison)

On the 8th day of October, 1998, before me, ^{sh}~~Ron Murray~~ Gina Humphries, the undersigned Notary Public in and for the State of Idaho, personally appeared **KRISTINE ROBISON**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

(SEAL)



Gina Humphries
Notary Public for State of Idaho
Residing at: St. Anthony, Id.
My Commission Expires: 2/26/04

DEED - 4

INSTRUMENT NO.	<u>99 0577</u>
DATE	<u>3-3-99</u>
INST. CODE	<u>205</u>
IMAGED PGS	<u>4</u>
FEE	<u>12-</u>
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss. I hereby certify that the within instrument was recorded.	
By <u>Christal</u> Deputy Request of	

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by KENDRA McDANIEL, as Grantor and Personal Representative of the estate of Zee Miller McDaniel, deceased, to Karen Judy, whose address is 1677 South Foothill Road, Idaho Falls, Idaho 83401; Jennette Nielsen, whose address is 176 N. 4 West, Rexburg, Idaho 83440; Kristine Robison, whose address is 2205 Barchetta Drive, Las Vegas, Nevada 89134; and George Z. McDaniel, whose address is 2199 S. 60 E., Idaho Falls, Idaho 83406; as married persons dealing with their sole and separate property.

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Case No. SP-96-1296, in Bonneville County, Idaho; and

WHEREAS, Grantees are entitled to the hereinafter described real property, pursuant to the Last Will and Testament of Zee Miller McDaniel, as co-tenants with the following interests: George Z. McDaniel, with a 28% individual interest, Karen Judy, with a 24% individual interest, Jennette Nielsen, with a 24% individual interest and Kristine Robison, with a 24% individual interest;

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantees, their respective individual and undivided interest in the following described real property in Bonneville County, Idaho:

Beginning at the Northeast Corner of Section 30, Township 2 North, Range 39 East of the Boise Meridian; running thence S.00°13'46"W. along the Section line 2637.85 feet to the East 1/4 corner of said Section 30; thence N.89°49'04"W. 655.00 feet to the Southwest Corner of Lot 23, Block 1 of Quail Ridge Estates, Division No. 2, Bonneville County, Idaho, being the TRUE POINT OF BEGINNING; running thence N.06°07'17"E. along the West boundary of said Division No. 2 a distance of 268.55 feet; thence N.84°53'26"W. along said West boundary 90.00 feet; thence N.05°06'34"E. along said West boundary 1116.58 feet to the Northwest Corner of said Division No. 2; thence S.89°43'11"W. 1494.04 feet to the Northeast Corner of Quail Ridge Estates, Division No. 1, Bonneville County, Idaho; thence S.01°53'50"W. 787.83 feet to the Southeast Corner of Lot 4, Block 1 of said Division No. 1; thence S.02°28'26"E. 588.39 feet to the Southeast Corner of Lot 7 of said Division No. 1; thence S.89°49'04"E. 1456.29 feet to the TRUE POINT OF BEGINNING. LESS: County road Right-of-Way along the North side of the above described tract.

Beginning at the SW Corner of Section 20, T. 2 N., R. 39 E.B.M. and running thence N. 0°38' E. 376.14 feet along the section line; thence S. 89°22' E. 580.03 feet; thence S. 6°23' W. 378.00 feet more or less to the south line of said Section 20; thence N. 89°22' W. 542.60 feet along said south line to the point of beginning containing 4.847 acres;

BLOCK 1, LOTS 1, 4, 5, QUAIL RIDGE ESTATES, Division No. 1, Bonneville County, Idaho, according to the recorded plat thereof;

BLOCK 1, LOT 23, QUAIL RIDGE ESTATES, Division No. 2, Bonneville County, Idaho, according to the recorded plat thereof;

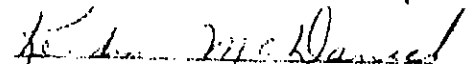
BLOCK 2, LOTS 1, 2, 3, 4, 5, QUAIL RIDGE ESTATES, Division No. 2, Bonneville County, Idaho, according to the recorded plat thereof;

BLOCK 3, LOTS 1, 2, 3, 4, QUAIL RIDGE ESTATES, Division No. 2 Bonneville County, Idaho, according to the recorded plat thereof;

Together with the water rights, tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining.

SUBJECT TO: All liens, easements, assessments, encumbrances, rights of way, covenants, restrictions, patent reservations, applicable building and zoning ordinances and use regulations and accruing taxes all of record or existing upon or relating to said property.

EXECUTED this 22nd day of July, 1997.



KENDRA McDANIEL,

Personal Representative of the estate of
Zee Miller McDaniel, deceased

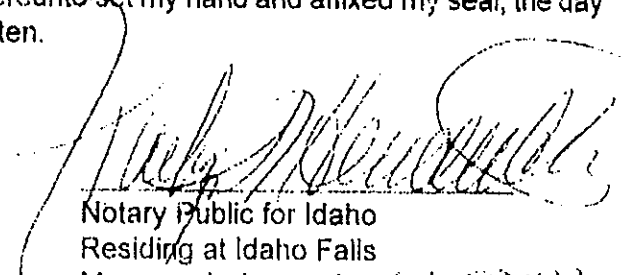
STATE OF IDAHO

County of Bonneville

)
) ss
)

On this 31st day of July, 1997, before me, the undersigned Notary Public, personally appeared KENDRA McDANIEL, known to me to be the person whose name is subscribed to the within and foregoing instrument as Personal Representative of the estate of Zee Miller McDaniel and acknowledged to me that she executed the same as such Personal Representative.

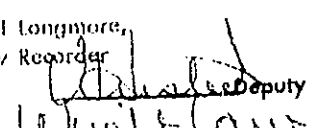
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Idaho Falls
My commission expires: 01-08-03

37 SEP 3 PM 4 13

BONNEVILLE COUNTY
RECORDER

550087

INSTRUMENT NO.	950087
DATE	7-31-97
INST. CODE	270
FICHE NO.	12560-B
FEE	9.00
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within instrument was recorded.	
Donald Longmore, County Recorder	
 Deputy	
Wright Law Office	