

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)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
WR 29-385 OK		No			
WR 29-386 OK		No			
WR 29-412 OK		No			
WR 29-413 OK		No			
WR 29-8018 OK		No			

2. The following **REQUIRED** information must be submitted with this form:

SUPPORT DATA

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **IN FILE # 29-385**
- 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)

DIAMOND T RANCH LLC
1705 N. HWY 38 BRIGHAM CITY UT 84302
MEADOWBROOK RANCH 10053 S.

4. New Owner/Claimant(s)

MARSH CREEK RD 83250

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

New Mailing Address

KAP PROPERTIES LLC

City, State and ZIP Code

700 W. GLOVER RD. ARIMO ID. 83214

New Telephone Number

(208) 254-9269 Email: N/A

5. Date you acquired the property

4/5/2010

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)

[Signature]
[Signature]

MANAGER
 (title if applicable)
MEMBER
 (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 4/21/10
 Date 4/21/10
 Date 4/21/10

Receipt Amt. \$125.00
 Receipt No. E035758
 WR Date

ALLIANCE TITLE - POCATELLO

21005602

2010 APR 08 AM 09:25:00

Electronically Recorded by Simplifile



WARRANTY DEED

Order No.:3011017956KF

FOR VALUE RECEIVED

Diamond T Ranch, LLC

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

KAP Properties, LLC

whose current address is

700 W. Glover Rd Arimo, ID 83214

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

See attached Exhibit "A"

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: 4/05/2010

Diamond T Ranch, LLC,

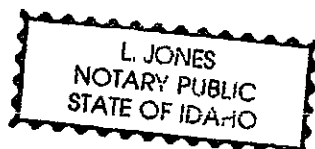
By: J. Phillip Adams, Manager

State of Idaho

County of Bannock

On this 7th day of April, 2010, before me, a Notary Public in and for said state, personally appeared J. Phillip Adams known or identified to me to be the Manager in the Limited Liability Company known as Diamond T Ranch, LLC who executed the foregoing instrument, and acknowledged to me that he 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 Idaho
Residing at Pocatello

Commission Expires: 06-01-13

Order No.: 3011017956KF

**LEGAL DESCRIPTION
EXHIBIT 'A'**

Parcel 2:

The Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; and the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 5, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho.

Parcel 4:

A parcel of land in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 5, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho, described as follows:

BEGINNING at the Northwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 5;
Thence East 50 feet;
Thence South 517.27 feet to the North boundary line of the Robin Road;
Thence South $62^{\circ}47'$ West along said road to the West line of said Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$;
Thence North along said West line 545 feet, more or less, to the **POINT OF BEGINNING**.

Parcel 5:

The Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 5, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho.

Except:

COMMENCING at a point on the North boundary line of the Robin Road, which point is 136 feet, more or less, North of the South $\frac{1}{4}$ corner of Section 5, and running;
Thence South $67^{\circ}34'$ West 116.9 feet along said road to the **TRUE POINT OF BEGINNING** and running;
Thence North 432.9 feet to a ditch;
Thence South $79^{\circ}40'$ West 342.2 feet along said ditch;
Thence South $53^{\circ}57'$ West along said ditch 244.7 feet;
Thence South 286 feet to the North boundary line of said Robin Road;
Thence East along said road 392.93 feet;
Thence North $67^{\circ}34'$ East along said Road 153.10 feet to the **TRUE POINT OF BEGINNING**.

Also Except:

BEGINNING at the Southwest corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 5, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho;
Thence North 238 feet;
Thence East 592 feet;
Thence South 238 feet;
Thence West 592 feet to the **POINT OF BEGINNING**.

Also Except:

A parcel of land located in the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 5, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho.

BEGINNING at the Southeast corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 5, said point being the **TRUE POINT OF BEGINNING**.

Thence North along the East line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, 100 feet, more or less, to the South right of way of Robin Road;

Thence South $67^{\circ}34'$ West along the south right of way of Robin Road 250 feet, more or less, to a point where it intersects the South line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$;

Thence along the South line in an Easterly direction 210 feet, more or less, to the **TRUE POINT OF BEGINNING**.

Also Except:

A parcel of land in the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 5, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho.

COMMENCING at a point on the North boundary line of Robin Road, said point being 136 feet, more or less, North of the South $\frac{1}{4}$ corner of Section 5, said point being the **TRUE POINT OF BEGINNING**;

Thence following along the North right of way of Robin Road South $69^{\circ}34'$ West 116.90 feet, more or less, to the Southeast corner of the Bruce H. Wheatley property (Deed 572718);

Thence North 432.90 feet, more or less, to a ditch, said point being the Northeast corner of the Bruce H. Wheatley property;

Thence following the ditch North $79^{\circ}40'$ East 120 feet, more or less, to the East line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$;

Thence South along the East line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, 415 feet, more or less, to the North right of way of Robin Road, said point being the **TRUE POINT OF BEGINNING**.

Also Except:

A 66.0 foot strip of ground, 33.0 feet on each side of the following described center line:

COMMENCING at the South $\frac{1}{4}$ corner of Section 5, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho;

Thence North along the meridional center line of said Section 5, 103.0 feet, to the intersection with the center line of Road (FAP-S-231 (3)), the station of which is 116+80, the **POINT OF BEGINNING**;

Thence in a Southwesterly direction along a 3° curve to the right having a radius of 1909.9 feet for a distance of 370.0 feet to the intersection with the North right of way boundary of the present county road.

