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APR - 7 2003

Department of Water Resources

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, 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
	35-2576B		PD ISSUED 1/02	2500	
	35-2895C		PD ISSUED 1/02	2500	

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) are 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)

Kingston Properties LLC

4. New Owner/Claimant(s)

NATURAL Guardian

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

New Mailing Address

2880 N 55 West

City, State and ZIP Code

Idaho Falls, Idaho 83402

New Telephone Number

(208) 528-6635

5. Date you acquired the property

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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 _____

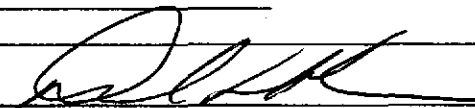
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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)
(include title if applicable)


Secretary

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.

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For Office Use Only

Received by <u>JC</u>	Date <u>3/27/03</u>	Fee <u>\$50</u>
Receipted by <u>JC</u>	Date <u>3/27/03</u>	Receipt No. <u>E028609</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

MAY 21 2003

314209

WARRANTY DEED

Order No.: 3060212927

FOR VALUE RECEIVED

Kingston Properties L.P., an Idaho limited partnership

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

Natural Guardian, a limited partnership

whose current address is

320 Memorial Dr Idaho Falls, ID 83402

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

See Attached Exhibit "A"

ALSO SUBJECT to all water rights appurtenant to property.

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: 4/16/2002

Kingston Properties Limited Partnership

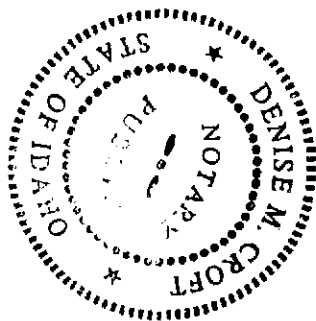
By: *[Signature]*

State of Idaho

County of Bonneville } ss.

On this 16th day of April 2002, before me, a Notary Public in and for said state, personally appeared *Richard Stacey*, known or identified to me to be the partner(s) that executed the foregoing instrument, and acknowledged to me that *he* executed the same in said Partnership 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.

*[Signature]*
Notary Public for the State of

Residing at:

Commission Expires:

Residing in Bonneville County
Commission Expires: 2-27-04

Instrument # 314209

RIGBY, JEFFERSON, IDAHO

2002-04-18

04:18:00 No. of Pages: 2

Recorded for: ALLIANCE TITLE & ESCROW

CONNIE M. KELLER

Fee: 8.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

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MAY 21 2003

RECEIVED BY
ASSESSOR

For PLATTING

Date 4/16/02 Time 4:16

EXHIBIT "A"

Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho.

Section 34: Beginning at the Southeast corner of said Section 34; thence North $88^{\circ}45'38''$ West along the Section line 930.00 feet to the True Point of Beginning; thence North $00^{\circ}00'00''$ East 300.00 feet; thence South $88^{\circ}45'38''$ East 215.96 feet; thence North $01^{\circ}14'35''$ East 2319.10 feet to the Southwest Right of Way of the Interstate 15 Highway; thence along said highway right of way North $29^{\circ}52'03''$ West 373.61 feet to a right of way monument; thence North $29^{\circ}03'23''$ West 299.02 feet to a right of way monument; thence North $29^{\circ}52'37''$ West 2367.23 feet to the right of way monument; thence North $88^{\circ}31'33''$ West along the Section line 3079.00 feet said point is the Northwest Section Corner; thence S $00^{\circ}39'19''$ West along the Section line 5246.50 feet to the Southwest Section Corner; thence South $88^{\circ}45'38''$ East along the Section line 4364.68 feet to the True Point of Beginning.

Excepting Therefrom: That portion conveyed to Jefferson County by Quitclaim Deed recorded December 28, 1979, as Instrument No. 201636, records of Jefferson County.

Also Exception Therefrom: That portion conveyed to State of Idaho, Idaho Transportation Department, by and through the Idaho Transportation Board, by Warranty Deed recorded November 3, 1994, as Instrument No. 274603, records of Jefferson County.

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TOTAL P.02

DISTRICT COURT-SRBA
TWINFALLS CO., IDAHO
FILED _____

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 35-02576B

On November 28, 2001, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order I*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-02576B is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 31, 2002.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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MAY 21 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 35-02576B

2002 JAN 31 PM 3:38
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: KINGSTON PROPERTIES LP
AN IDAHO LIMITED PARTNERSHIP
477 SHOUP AVE STE 207
IDAHO FALLS, ID 83402

SOURCE: GROUNDWATER

QUANTITY: 3.59 CFS
940.00 AFY

PRIORITY DATE: 04/15/1959

POINT OF DIVERSION: T04N R37E S34 NESENW Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.59 CFS 940.00 AFY

PLACE OF USE:	Irrigation	Within Jefferson County
	T04N R37E S34	NWNE 25.0 SENE 10.0 NWNW 40.0 SENE 40.0
		SWNE 40.0 NENW 40.0 SWNW 40.0
	235.0 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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MAY 21 2000

2002 JAN 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 35-02576B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-02576B was mailed
on January 31, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ABERDEEN-AMERICAN FALLS GROUND
BINGHAM GROUND WATER DIST.
BINGHAM GROUND WATER DISTRICT
KINGSTON PROPERTIES LP
UPPER VALLEY IRRIGATORS ASSOC
UPPER VALLEY IRRIGATORS ASSOC.

Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

FREMONT-MADISON IRR DIST

Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

CERTIFICATE OF MAILING

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NOV 21 2003

PAGE 1
01/31/02

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

DIANA DELANEY
Chief Deputy Clerk

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MAY 21 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 13, 2003

NATURAL GUARDIAN
2880 N 55 W
IDAHO FALLS ID 83402

RE: Change of Ownership for Water Rights 35-2576B and 35-2895C

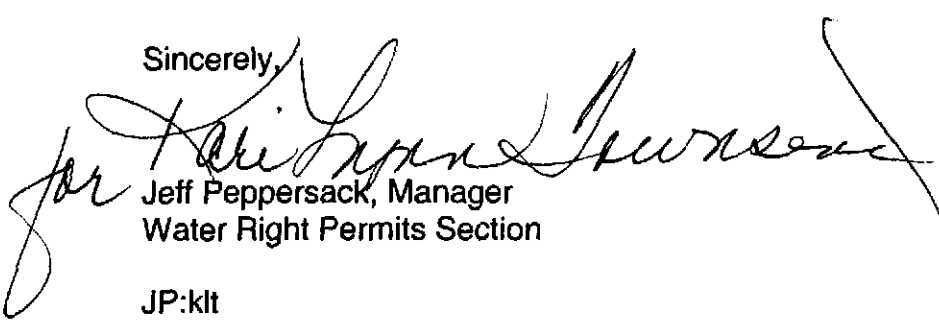
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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MAY 21 2003