

NOV 21 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
25-7429 <i>OK</i>	Yes ☐	Yes ☐	25-10049 <i>OK</i>	Yes ☐	Yes ☐
25-10045 <i>OK</i>	Yes ☐	Yes ☐	25-10050 <i>OK</i>	Yes ☐	Yes ☐
~~25-10046~~	Yes ☐	Yes ☐	25-10051 <i>OK</i>	Yes ☐	Yes ☐
25-10047 <i>OK</i>	Yes ☐	Yes ☐	27-10050 <i>OK</i>	Yes ☐	Yes ☐
25-10048 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Neil Schoenenberger
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): NGW Ranch L.C
New owner(s) as listed on the conveyance document
- PO BOX 3285
Mailing address
801 721 0418
Telephone
- Ogden
City
khughesut@gmail.com
Email
- Name connector ☐ and ☐ or
Ut 84409
State Zip
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: _____
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☐ Filing fee (see instructions for further explanation):
 o \$25 per undivided water right.
 o \$100 per split water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 25-7429

8. Signature: *Neil Schoenenberger* manager 11/21/22
 Signature of new owner/claimant Title, if applicable Date
 Print name

Signature: _____
 Signature of new owner/claimant Title, if applicable Date
 Print name

Received by M. Pettit Date 11-21-22 For IDWR Office Use Only: \$200. - for this app.
 Active in the Water Supply Bank? Yes ☐ No ☐ Receipt No. E048741 Receipt Amt. 350.00
 Name on W-9 _____ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Approved by JB Processed by JB Date 11/22/2022

889925

DEED

FOR VALUE RECEIVED, WAYNE B. FRECKLETON and AILEEN FOWLER FRECKLETON, TRUSTEES OF THE WAYNE B. FRECKLETON FAMILY LIVING TRUST and AILEEN FOWLER FRECKLETON and WAYNE B. FRECKLETON, TUSTEES OF THE AILEEN FOWLER FRECKLETON FAMILY LIVING TRUST, General Partners of WE FIVE, a Limiced Partnership, do by these presents GRANT, BARGAIN, SELL and CONVEY unto NEIL SCHOENENBERGER, a single man, 695 West 1100 North, North Salt Lake City, UT, 84054, the Grantee, the following described real property situated in the County of Bonneville, State of Idaho, to-wit:

Township 3 South, Range 42 East, Boise Meridian:
 Section 12: E $\frac{1}{2}$; N $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$
 Section 13: E $\frac{1}{2}$

Township 3 South, Range 43 East, Boise Meridian:
 Section 7: S $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO an easement in and to Jack Christensen, his heirs and/or assigns, for the right to drive cattle and/or access to check on said cattle over and across the above-described premises to his premises located to the East thereof. Said rights are for pickup use only with no large trucks or other vehicles to be used across said right-of-way.

SUBJECT TO reservations as to mineral rights as evidenced by Corporation Warranty Deed recorded as Recorder's No. 409556; and Patent recorded in Book 1 of Deeds, Page 595, records of Bonneville County, Idaho

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto the said Grantee and to his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: November 15, 1994.

WE FIVE, a Limited Partnership

BY: Wayne B. Freckleton
 WAYNE B. FRECKLETON, Trustee of the
 Wayne B. Freckleton Family Living
 Trust

BY: Aileen Fowler Freckleton
 AILEEN FOWLER FRECKLETON, Trustee of
 the Wayne B. Freckleton Family
 Living Trust

BY: Aileen Fowler Freckleton
 AILEEN FOWLER FRECKLETON, Trustee of
 the Aileen Fowler Freckleton Family
 Living Trust

BY: Wayne B. Freckleton
 WAYNE B. FRECKLETON, Trustee of the
 Aileen Fowler Freckleton Family
 Living Trust

889925

BOONEVILLE COUNTY
RECORDER

'94 NOV 22 PM 4 17

L 35598

RP035425-130002
 RP035425-120002
 RP035425-074201

897713

897713

BOONEVILLE COUNTY
RECORDER

95 APR 21 AM 9 51

WHEN RECORDED, MAIL TO:

Douglas K. Cummings
CALLISTER, NEBEKER & MCCULLOUGH
Suite 800 Kennecott Building
Salt Lake City, Utah 84133

SPECIAL WARRANTY DEED

Neil R. Schoenenberger, of 695 West 1100 North, North Salt Lake, Utah 84054-0279, hereby CONVEYS and WARRANTS against all claiming by, through or under him to NGW Ranch, L.C., a Utah limited liability company, of 695 West 1100 North, North Salt Lake, Utah 84054-0279, for the sum of TEN and 00/100 (\$10.00) DOLLARS, and for other good and valuable consideration, the below described tract of land and the improvements located thereon, which is situated in Bonneville County, State of Idaho:

Township 3 South, Range 42 East, Boise Meridian:
Section 12: E $\frac{1}{2}$; N $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 13: E $\frac{1}{2}$

Township 3 South, Range 43 East, Boise Meridian:
Section 7: S $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO an easement in and to Jack Christensen, his heirs and/or assigns, for the right to drive cattle and/or access to check on said cattle over and across the above-described premises to his premises located to the east thereof. Said rights are for pickup use only with no large trucks or other vehicles to be used across said right-of-way.

SUBJECT TO reservations as to mineral rights as evidence by Corporation Warranty Deed recorded as Recorder's No. 409556; and Patent recorded in Book 1 of Deeds, Page 595, records of Bonneville County, Idaho.

WITNESS, the hand of said grantor this 16 day of February, 1995.

INSTRUMENT NO.	897713
DATE	4-21-95
INST. CODE	205
FICHE NO.	10554-21
FEE	300

STATE OF UTAH
COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me this 16 day of February, 1995, by Neil R. Schoenenberger.

Ronald Longmore,
County Recorder

By Callister, Nebeker & McCulloch NOTARY PUBLIC
Residing At:

My Commission Expires: 3/7/97

Notary Public
LELAND S. MCCULLOUGH, JR.
10 East South Temple
Salt Lake City, Utah 84133
My Commission Expires
March 7, 1997
State of Utah

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Fuller & Fuller, PLLC
24 N. State Street
Preston, Idaho 83263
208-852-2680

(Space Above For Recorder's Use)

WARRANTY DEED

For value received, NGW Ranch, L.C., a Utah limited liability company ("Grantor"), does hereby GRANT, BARGAIN, SELL, and CONVEY unto Neil R. Schoenenberger, as Trustee, or his successors in trust, under the Amended and Restated Declaration to the Neil R. Schoenenberger Trust, by Trust Agreement dated the 6th day of October 2020, ("Grantee"), and any amendments thereto, whose address is 11577 South Old Hwy 191, Malad, Idaho, 83252, the following described real property situated in the County of Bonneville, State of Idaho, including any water rights thereon, to-wit:

Township 3 South, Range 42 East, Boise Meridian:

Section 12: E 1/2; N 1/2 NW 1/4; N 1/2 SW 1/4

Section 13: E 1/2

Township 3 South, Range 43 East, Boise Meridian

Section 7: S 1/2, NW 1/4

Subject to all easements, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

To have and to hold the said premises, with its appurtenances, unto the said Grantee(s), and to the Grantee(s)' heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years' taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Witness the hand of said Grantor this 20th day of April, 2022.

Together with appurtenances.

The Trustees shall have all rights to transfer the property herein set forth pursuant to the trust agreement. The successor or change of trustee may be evidenced by deed or amendment to trust agreement or affidavit of death.

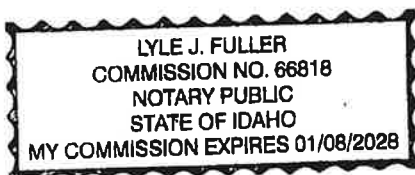

NGW Ranch, L.C., Grantor

By: 
Neil R. Schoenenberger, Manager

STATE OF IDAHO)
) ss.
County of Franklin)

On this 20th day of April, 2022, before me, a Notary Public in and for the State, personally appeared **Neil R. Schoenenberger**, known or identified to me to be the Manager of **NGW Ranch, L.C.**, a Utah limited liability company, that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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




Notary Public of Idaho

*RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:*

*NGW Ranch, L.C.
P.O. Box 3285
Ogden, UT 84409*

(Space Above For Recorder's Use)

SPECIAL WARRANTY DEED

For the consideration of ten dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, NEIL R. SCHOENENBERGER, Trustee of the Amended and Restated Declaration to the Neil R. Schoenenberger Trust, by Trust Agreement dated the 6th day of October, 2020 ("Grantor"), conveys and specially warrants to NGW Ranch, L.C., a Utah limited liability company ("Grantee"), whose address is 11577 South Old Hwy 191, Malad, Idaho 83252, the following described real property situated in the County of Bonneville, State of Idaho, including any water rights thereon, to-wit:

Township 3 South, Range 42 East, Boise Meridian:
Section 12: E ½; N ½ NW ¼; N ½ SW ¼
Section 13: E ½

Township 3 South, Range 43 East, Boise Meridian:
Section 7: S ½, NW ¼

SUBJECT TO taxes and assessments for the current year and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described as well in law as in equity.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said premises; that the premises are free from encumbrances created or suffered by the Grantor, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims of or through Grantor, but none other.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this
7th day of September, 2022.

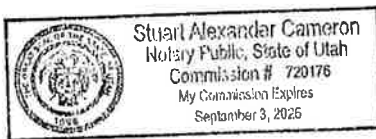
AMENDED AND RESTATED
DECLARATION TO THE
NEIL R. SCHOENENBERGER TRUST


By: NEIL R. SCHOENENBERGER, Trustee

STATE OF Utah)
) ss.
County of Cache)

On this 7th day of September, 2022, before me Stuart Alexander Cameron
personally appeared NEIL R. SCHOENENBERGER, Trustee of the Amended and Restated
Declaration to the Neil R. Schoenenberger Trust, by Trust Agreement dated the 6th day of
October, 2020, known or identified to me (or proved to me on the oath of
_____), to be the person whose name is subscribed to the within
instrument, and acknowledged to me that he executed the same.

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
Residing at Logan, UT 84321
My Commission Expires September 3, 2025

10/31/2022

Water Right 25-10050

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEIL SCHOENENBERGER PO BOX 3285 OGDEN, UT 83285 (801) 298-2999

Priority Date: 1/1/1900

Basis: Decreed

Status: Active

Source
SHIRLEY CREEK

Tributary
BROCKMAN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.020 CFS	
	Total Diversion		0.020 CFS	

Source and Point(s) of Diversion:
SHIRLEY CREEK L1(NENE) Sec. 12, Twp 03S, Rge 42E, BONNEVILLE County

Place Of Use:

STOCKWATER within BONNEVILLE County

[illegible]

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 2. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |
| 3. | | PARCEL NO. RP03S42E120001 STOCKWATER, 400 CATTLE |

Dates and Other Information:

Decreed Date: 3/26/1999

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND

Water District Number: TBD

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/31/2022

Combined Use Limits:
N/A

Verification Log

SubCase:
N/A

Water Supply Bank:
N/A

10/31/2022

Water Right 25-10049

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEIL SCHOENENBERGER PO BOX 3285 OGDEN, UT 83285 (801) 298-2999

Priority Date: 1/1/1900

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.090 CFS	
	Total Diversion		0.090 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SWNE
GROUND WATER	NWSE

Sec. 12, Twp 03S, Rge 42E, BONNEVILLE County
Sec. 12, Twp 03S, Rge 42E, BONNEVILLE County

Place Of Use:

STOCKWATER within BONNEVILLE County

STOCKWATER WITHIN BONNEVILLE County																			
			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03S	42E	12			X												X		

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 2. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |
| 3. | | PARCEL NO. RP03S42E120001 STOCKWATER, 400 CATTLE |

Dates and Other Information:

Decreed Date: 3/26/1999

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND

Water District Number: TBD

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/31/2022

Combined Use Limits:
N/A

Verification Log

SubCase:
N/A

Water Supply Bank:
N/A

10/31/2022

Water Right 25-10051

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEIL SCHOENENBERGER PO BOX 3285 OGDEN, UT 83285 (801) 298-2999

Priority Date: 1/1/1900

Basis: Decreed

Status: Active

Source
SPRINGS

Tributary SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.020 CFS	
	Total Diversion		0.020 CFS	

Source and Point(s) of Diversion:

SPRINGS SENW

Sec. 7, Twp 03S, Rge 43E, BONNEVILLE County

Place Of Use:

STOCKWATER within BONNEVILLE County

[illegible]

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 2. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |
| 3. | | PARCEL NO. RP03S43E074201 STOCKWATER, 400 CATTLE |

Dates and Other Information:

Decreed Date: 3/26/1999

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND

Water District Number: TBD

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/31/2022

Combined Use Limits:

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/31/2022

Water Right 25-10045

Owner Type **Name and Address**
Current Owner NEIL SCHOENENBERGER
 PO BOX 3285
 OGDEN, UT 83285
 (801) 298-2999

Priority Date: 5/1/1965

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.040 CFS	
	Total Diversion		0.040 CFS	

Source and Point(s) of Diversion:

GROUND WATER

L1(NENE)

Sec. 13, Twp 03S, Rge 42E, BONNEVILLE County

Place Of Use:

STOCKWATER within BONNEVILLE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	42E	13	X L1			X													

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP03S42130001 STOCKWATER, 400 CATTLE

Dates and Other Information:

Decreed Date: 3/26/1999

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND

Water District Number: TBD

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/31/2022

Combined Use Limits:

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

10/31/2022

Water Right 25-10047

Owner Type **Name and Address**
Current Owner NEIL SCHOENENBERGER
 PO BOX 3285
 OGDEN, UT 83285
 (801) 298-2999

Priority Date: 1/1/1900

Basis: Decreed

Status: Active

Source
SPRING

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.020 CFS	

Source and Point(s) of Diversion:
SPRING NWNWNW Sec. 12, Twp 03S, Rge 42E, BONNEVILLE County

Place Of Use:

STOCKWATER within BONNEVILLE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	42E	12							X										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP03S42E120001 STOCKWATER, 400 CATTLE

Dates and Other Information:

Decreed Date: 3/26/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: TBD
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/31/2022

Combined Use Limits:

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/31/2022

Water Right 25-10048

Owner Type **Name and Address**
Current Owner NEIL SCHOENENBERGER
 PO BOX 3285
 OGDEN, UT 83285
 (801) 298-2999

Priority Date: 1/1/1900

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.090 CFS	
	Total Diversion		0.090 CFS	

Source and Point(s) of Diversion:

GROUND WATER

SWNE

Sec. 12, Twp 03S, Rge 42E, BONNEVILLE County

Place Of Use:

STOCKWATER within BONNEVILLE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	42E	12			X														

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP03S42E12SWNE STOCKWATER, 400 CATTLE

Dates and Other Information:

Decreed Date: 3/26/1999

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND

Water District Number: TBD

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/31/2022

Combined Use Limits:
N/A

Verification Log

SubCase:
N/A

Water Supply Bank:
N/A

10/31/2022

Water Right 27-10050

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEIL SCHOENENBERGER PO BOX 3285 OGDEN, UT 83285 (801) 298-2999

Priority Date: 1/1/1900

Basis: Decreed

Status: Active

Source
SHIRLEY CREEK

Tributary
BROCKMAN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.090 CFS	
	Total Diversion		0.090 CFS	

Source and Point(s) of Diversion:
SHIRLEY CREEK L1(NENE) Sec. 12, Twp 03S, Rge 42E, BONNEVILLE County

Place Of Use:
STOCKWATER within BONNEVILLE County

[illegible]

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.		400 CATTLE. PR 0539300

Decreed Date: 4/23/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: TBD
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/31/2022

Combined Use Limits:

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

10/31/2022

Water Right 25-7429

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEIL SCHOENENBERGER 11577 S OLD HWY 191 MALAD, ID 83252 (801) 725-5596

Priority Date: 6/29/1988

Basis: License

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.020 CFS	5.4 AF
	Total Diversion		0.020 CFS	5.4 AF

Source and Point(s) of Diversion:

GROUND WATER NWNE

Sec. 13, Twp 03S, Rge 42E, BONNEVILLE County

Place Of Use:

STOCKWATER within BONNEVILLE County

[illegible]

Conditions of Approval:

Comments:

1	mciscell	6/10/2013	POD
Bulk Generate Shape From PLS			

2	jcefal	4/16/2014	Field Exam
Field exam completed in 2001. Examiner found well to single stock trough. Old well, identified on the quad map, is located next to the existing well but has been abandoned (filled in with sand). Amendment needed to correct point of diversion and place of use. Current owner of place of use is NGW Ranch (Neil Schoenenberger).			

3 jcefalo 4/16/2014 POD
Updated Shape

4 jcefalo 4/16/2014 POU

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/31/2022

Updated Shape

Dates and Other Information:

Licensed Date: 7/8/2014

Water District Number: TBD

Mitigation Plan: False

Combined Use Limits:

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

897713

097713

BOONEVILLE COUNTY
RECORDER

35 APR 21 AM 9 51

WHEN RECORDED, MAIL TO:

Douglas K. Cummings
CALLISTER, NEBEKER & MCCULLOUGH
Suite 800 Kennecott Building
Salt Lake City, Utah 84133

SPECIAL WARRANTY DEED

Neil R. Schoenenberger, of 695 West 1100 North, North Salt Lake, Utah 84054-0279, hereby CONVEYS and WARRANTS against all claiming by, through or under him to NGW Ranch, L.C., a Utah limited liability company, of 695 West 1100 North, North Salt Lake, Utah 84054-0279, for the sum of TEN and 00/100 (\$10.00) DOLLARS, and for other good and valuable consideration, the below described tract of land and the improvements located thereon, which is situated in Bonneville County, State of Idaho:

Township 3 South, Range 42 East, Boise Meridian:
Section 12: EX; N3/4NW3; N3/4SW3
Section 13: EX

Township 3 South, Range 43 East, Boise Meridian:
Section 7: S3/4NW3

SUBJECT TO an easement in and to Jack Christensen, his heirs and/or assigns, for the right to drive cattle and/or access to check on said cattle over and across the above-described premises to his premises located to the east thereof. Said rights are for pickup use only with no large trucks or other vehicles to be used across said right-of-way.

SUBJECT TO reservations as to mineral rights as evidence by Corporation Warranty Deed recorded as Recorder's No. 409556; and Patent recorded in Book 1 of Deeds, Page 595, records of Bonneville County, Idaho.

WITNESS, the hand of said grantor this 16 day of February, 1996.

STATE OF UTAH
COUNTY OF SALT LAKE

INSTRUMENT NO.	897713
DATE	4-21-96
INST. CODE	303
FICHE NO.	10554-21
FEE	300

Neil R. Schoenenberger

The foregoing instrument was acknowledged before me this 16 day of February, 1996 by Neil R. Schoenenberger.

Notary Public
 By Callister, Nebeker & McCullough
 Residing At: 3542

My Commission Expires: 3/17/97

Notary Public
 ELIARD S. MCCULLOUGH, JR.
 10 East South Temple
 Salt Lake City, Utah 84111
 My Commission Expires
 March 7, 1997
 State of Utah

STATE OF IDAHO)
COUNTY OF ONEIDA)

On this 15th day of November, 1994, personally appeared before me, a notary public in and for the State of Idaho, WAYNE B. FRECKLETON and AILEEN FOWLER FRECKLETON, known to me to be the Trustees of the Wayne B. Freckleton Family Living Trust and AILEEN FOWLER FRECKLETON and WAYNE B. FRECKLETON, Trustees of the Aileen Fowler Freckleton Family Living Trust, the general partners of We Five, a Limited Partnership, and the partners whose names are subscribed to the within instrument and acknowledged to me that they executed the same in said partnership name.

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



Juan Williams
Notary Public for Idaho
Residing at Malad City, Idaho
My Commission Expires: 5-6-97

INSTRUMENT NO.	884925
DATE	11-22-94
INST. CODE	200
FICHE NO.	10260-14
FEE	6.00
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within Instrument was recorded.	
Ronald Langmore, County Recorder	
By	<u>Rushley</u> Clerk
Received at	

DEED

FOR VALUE RECEIVED, WAYNE B. FRECKLETON and AILEEN FOWLER FRECKLETON, TRUSTEES OF THE WAYNE B. FRECKLETON FAMILY LIVING TRUST and AILEEN FOWLER FRECKLETON and WAYNE B. FRECKLETON, TUSTEES OF THE AILEEN FOWLER FRECKLETON FAMILY LIVING TRUST, General Partners of WE FIVE, a Limited Partnership, do by these presents GRANT, BARGAIN, SELL and CONVEY unto NEIL SCHOENENBERGER, a single man, 695 West 1100 North, North Salt Lake City, UT, 84054, the Grantee, the following described real property situated in the County of Bonneville, State of Idaho, to-wit:

Township 3 South, Range 42 East, Boise Meridian:
 Section 12: E4; N4NW4; N4SW4
 Section 13: E4

Township 3 South, Range 43 East, Boise Meridian:
 Section 7: S4NW4

SUBJECT TO an easement in and to Jack Christensen, his heirs and/or assigns, for the right to drive cattle and/or access to check on said cattle over and across the above-described premises to his premises locat 1 to the East thereof. Said rights are for pickup use only with no large trucks or other vehicles to be used across said right-of-way.

SUBJECT TO reservations as to mineral rights as evidenced by Corporation Warranty Deed recorded as Recorder's No. 409556; and Patent recorded in Book 1 of Deeds, Page 595, records of Bonneville County, Idaho

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto the said Grantee and to his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: November 15, 1994.

WE FIVE, a Limited Partnership

BY: [Signature]
 WAYNE B. FRECKLETON, Trustee of the
 Wayne B. Freckleton Family Living
 Trust

BY: [Signature]
 AILEEN FOWLER FRECKLETON, Trustee of
 the Wayne B. Freckleton Family
 Living Trust

BY: [Signature]
 AILEEN FOWLER FRECKLETON, Trustee of
 the Aileen Fowler Freckleton Family
 Living Trust

BY: [Signature]
 WAYNE B. FRECKLETON, Trustee of the
 Aileen Fowler Freckleton Family
 Living Trust

FIRST AMERICAN TITLE CO.
 Box 3432
 Idaho Falls, Idaho 83403

L 35598

8033325

BONNEVILLE COUNTY
 RECORDER

NOV 22 PM 4 17

STATE OF IDAHO)
COUNTY OF ONEIDA)

On this 15th day of November, 1994, personally appeared before me, a notary public in and for the State of Idaho, WAYNE B. FRECKLETON and AILEEN FOWLER FRECKLETON, known to me to be the Trustees of the Wayne B. Freckleton Family Living Trust and AILEEN FOWLER FRECKLETON and WAYNE B. FRECKLETON, Trustees of the Aileen Fowler Freckleton Family Living Trust, the general partners of We Five, a Limited Partnership, and the partners whose names are subscribed to the within instrument and acknowledged to me that they executed the same in said partnership name.

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



John Williams
Notary Public for Idaho
Residing at Malad City, Idaho
My Commission Expires: 5-6-97

INSTRUMENT NO.	889925
DATE	11-22-94
INST. CODE	200
FICHE NO.	10260-14
FEE	6.00
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<u>Rushley</u> Danahy
Recorder	

Declaration No. 116217
 Date 21 Day June 19 96
 At 135 Block 3 in
Pay to the order of
Charles C. Decker
 Fee \$ 9.00 Deputy
 Recorded at the cost of
E. H. Scott

12\DJC\15383.001\W-Deed.3

The land referred to herein is situated in Oneida County, Idaho.

PARCEL 1:

Township 16 South, Range 35 East, Boise Meridian:

Section 21: E $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 22: S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 26: S $\frac{1}{2}$ SW $\frac{1}{4}$
 Section 27: S $\frac{1}{2}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$

PARCEL 2:

Township 16 South, Range 35 East, Boise Meridian:

Section 27: W $\frac{1}{2}$

Section 28: ALL, EXCEPTING THEREFROM THE FOLLOWING:

Beginning at a point North 89°58' East along Section line 766.4 feet from the Southwest Corner of Section 28 and running North 57°49' East 1157.2 feet; thence North 40°40' East 1170 feet; thence North 55°00' East 1081 feet; thence South 44°40' East 390 feet; thence South 55°00' West 1260 feet; thence South 46°55' West 1645 feet; thence South 89°58' West 668 feet to the point of beginning.

Township 16 South, Range 36 East, Boise Meridian:

Section 23: Commencing at a point where the West right-of-way line of the State Highway (designated as the Malad Valley PI 1031 (1) Highway Survey of the State of Idaho), intersects with the North line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23; thence running West 80 feet; thence South 820 feet; thence East 80 feet; thence North 820 feet to the point of beginning.

Section 24: S $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; All that part of the S $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 lying East of the U.S. Highway 191.

Section 25: NE $\frac{1}{4}$; SE $\frac{1}{4}$; All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 25 lying East of the U.S. Highway 191; ALSO, all that part of the North 60 rods of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 25 lying West of the U.S. Highway 191; ALSO, all that part of the NW $\frac{1}{4}$ of Sec. 25 lying East of the U.S. Highway 191.

Section 26: All that part of Sec. 26 lying East of the center line of the Malad River and North of "Well's Lane".

Township 16 South, Range 37 East, Boise Meridian:

Section 19: SW $\frac{1}{4}$; The South 30 rods of Lots 9 and 10 (being the S $\frac{1}{4}$ NW $\frac{1}{4}$) of Sec. 19.

PARCEL 3:

Commencing at a point or stake situate between the Southwest Corner of Section 25 and the Southeast Corner of Section 26, Township 16 South, Range 36 East, Boise Meridian; and thence running West 80 rods; thence North 72 rods; thence East 129.5 rods; thence South 72 rods; thence West 49.5 rods to the place of beginning.

PARCEL 4:

Township 16 South, Range 36 East, Boise Meridian:

Section 23: S $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 23 lying West of the center line of the Malad River.

Section 23: S $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND: Commencing at a point where the West right-of-way line of the State Highway (designated as the Malad Valley PI 1031 (1) Highway Survey of the State of Idaho) intersects with the North line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23; thence running West 80 feet; thence South 820 feet; thence East 480 feet to the West line of the State Highway; thence North 26°14' West along the West line of said Highway 915 feet, more or less, to the point of beginning.

Section 24: All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 24 lying West of the U.S. Highway 191.

Section 26: Beginning at a point 80 rods West of the Southeast Corner of Sec. 26; thence West along the South line of Sec. 26 1835 feet, more or less, to a point on the East bank of the Malad River; thence following said River in a Northeasterly direction 2950 feet, more or less, to the point of crossing (ford) of the J. S. Wells lane; thence along the South boundary line of said lane in a Northeasterly direction 2640 feet, more or less; thence North 90° East 1250 feet, more or less, to the point of intersection with the West boundary line of U.S. Highway 191; thence in a Southeasterly direction along the West boundary line of said Highway 4350 feet, more or less, to a point of intersection with the South boundary line of Sec. 25, Twp. 16 S., R. 36 E.B.M.; thence West along said South section line 1150 feet, more or less, to a point 49.5 rods East of the Southeast Corner of Sec. 26; thence North 72 rods; thence West 129.5 rods; thence South 72 rods to the point of beginning.

EXCEPTING FROM THE ABOVE-DESCRIBED PROPERTIES, rights-of-way evidenced by deeds to the State of Idaho found of record in Book 25 of Deeds, Pages 591 and 592 as relinquished to local jurisdiction by the State of Idaho by Official Minutes dated December 2, 1976, found of record in the office of the Idaho Transportation Board. Also excepting right-of-way evidenced by Warranty Deed to the State of Idaho dated August 20, 1974, for approximately 54.01 acres located in the E $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 25 and the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 24, Twp. 16 S., R. 36 E.B.M., found of record on film as Instrument No. 92947, records of Oneida County, Idaho.



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 22, 2022

NGW RANCH LLC
PO BOX 3285
OGDEN UT 84409-1285

Re: Change in Ownership for Water Right No(s): 25-7429, 25-10045, 25-10047, 25-10048, 25-10049, 25-10050, 25-10051, 27-10050

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)