

# 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split             | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split       |
|-----------------------|------------------------------|-------------------|-----------------------|------------------------------|-------------|
|                       | <u>A29-07609</u>             | <u>(Permit)</u>   |                       |                              |             |
|                       | <u>A29-02044E</u>            |                   |                       |                              |             |
|                       | <u>29-11907</u>              | <u>(PDissued)</u> |                       | <u>#25<sup>00</sup></u>      | <u>PAID</u> |
|                       |                              |                   |                       |                              |             |
|                       |                              |                   |                       |                              |             |

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

☒ 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**.

☒ 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)

4. New Owner/Claimant(s)

Barbara Smith

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

57315 Old Hwy 91

City, State and ZIP Code

McLammon ID

New Telephone Number

208 254-9319

5. Date you acquired the property

*NOTE: SEE 29-7609 FILES FOR KYAM NOTES.*

98125

2-1  
QUITCLAIM DEED

98007249

THIS INDENTURE, Made this 25<sup>th</sup> day of July, 1997, by and between JOSEPH CHARLES BURGESS, a single man, Grantor, and BARBARA ANN SMITH, a single woman, of 5731 S. Highway 91, McCammon, ID 83250, Grantee, WITNESSETH:

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration, to him in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does demise, release and forever quitclaim unto the said Grantee and to her heirs and assigns forever, all the following described real property, situate in the County of Bannock, State of Idaho, to-wit:

A parcel of land situated in the Northeast Quarter of the Southeast Quarter of Section 35 and the Northwest Quarter of the Southwest Quarter of Section 36, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Commencing at the East Quarter corner of Section 35, said point being marked by a Bannock County brass cap stamped L.S. 968; thence North 89°50'44" West along the latitudinal centerline of said Section 35, 350.00 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 0°13'12" West, 350.97 feet to the true point of beginning, said point being marked by a ½ inch iron pin tagged L.S. 968; thence continuing South 3°06'15" West, 144.93 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 28°52'00" East, 321.72 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 11°25'29" East, 316.48 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 8°10'08" West, 63.21 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 89°50'44" East, 199.39 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 8°51'21" East, 178.78 feet to the South 1/16th line of said section, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 89°56'09" East along said South 1/16th line, 285.19 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence North 16°54'44" West, 240.18 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence North 83°50'08" West, 132.39 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence North 1°44'50" West 43.79 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence North 23°23'21" West 81.09 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence North 3°48'54" East 116.83 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 72°25'52" East 146.48 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence North 1°52'30" East 316.51 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 89°20'10" West 286.93 feet to the East line of Section 35, said point being marked by a ½ inch iron pin tagged L.S. 968; thence North 0°13'12" East along said East line 228.22 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence North 89°50'44" West 350.00 feet to the true point of beginning.

Excepting therefrom the following described parcel:

A parcel of land situated in the Northeast Quarter of the Southeast Quarter of Section 35 and the Northwest Quarter of the Southwest Quarter of Section 36, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Commencing at the East Quarter corner of Section 35, said point being marked by a Bannock County brass cap stamped L.S. 968; thence North 89°50'44" West along the latitudinal centerline of said Section 35, 350.00 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 0°13'12" West 350.97 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence continuing South 3°06'15" West, 144.93 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 28°52'00" East, 321.72 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 11°25'29" East, 316.48 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 8°10'08" West, 63.21 feet, said point being marked by a ½ inch iron pin tagged L.S. 968; thence South 89°50'44" East, 199.39 feet; thence South 8°51'22" East, 94.00 feet to true point beginning of exception; thence

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98007249

continuing South 8°51'22" East 19.87 feet; thence North 31°57'34" East 118.22 feet; thence North 21°26'00" East 85.15 feet; thence North 1°44'50" West 43.79 feet; thence North 23°23'21" West 81.09 feet; thence North 3°48'54" East 116.83 feet; thence South 88°17'36" West 24.15 feet; thence South 1°54'50" East 115.88 feet; thence South 20°57'29" East 99.38 feet; thence South 21°26'00" West 99.53 feet; thence South 28°17'28" West 105.28 feet to the true point of beginning of the exception.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the Grantee, and to her heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set his hand and seal the day and year first above written.

*Joseph Charles Burgess*  
Joseph Charles Burgess

STATE OF IDAHO )  
County of Bonneville )ss.  
)

On this 25<sup>th</sup> day of July, 1997, before me, a Notary Public in and for the State of Idaho, personally appeared JOSEPH CHARLES BURGESS, known to me 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 written.

*[Signature]*  
Notary Public for Idaho  
Residing at Idaho Falls, Idaho  
My Commission Expires: 25 June 2003

NOTARY SEAL

qcdced.bur

OF IDAHO }  
of Bannock }  
certify that the foregoing is a full true and correct  
instrument as the same now remains on file and  
in my office.  
WITNESS my hand and official seal hereto affixed  
this 30<sup>th</sup> day of October, A.D. 2001  
V. GHAN, CLERK OF THE DISTRICT COURT  
CLERK AUDITOR AND RECORDER  
By Deputy B. Perkins

NO 98007249  
RECORDED AT REQUEST OF  
Barbara Smith  
'98 APR 17 PM 12 35  
OFFICIAL RECORD BOOK NO 709  
BANNOCK COUNTY IDAHO  
LAND RECORDS RECORDER  
FEE 6.00 DEPUTY [Signature]

1-31546-N

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WARRANTY DEED

637273

For Value Received

GEORGE DENNIS GOODENOUGH, a single man, dealing with his sole and seperate property the grantor , do hereby grant, bargain, sell and convey unto

JOSEPH CHARLES BURGESS and BARBARA ANN SMITH, Husband and Wife

whose current address is

Rural Rt. 1, McCammon, Idaho 83250

the grantee , the following described premises, in Bannock County Idaho, to wit:

See Exhibit "A", attached and incorporated by reference herein.

Including, but not limited to, all water, water rights, ditch rights and irrigation ditches belonging or in anywise appertaining thereto and all right, title and interest in and to that portion of the water systems, if any, situated on the immediately described real property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee s, that he is the owner in fee simple of said premises; that they are free from all incumbrances except those set out in Exhibit "B", which is attached and incorporated by reference herein.

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 25, 1979

George Dennis Goodenough

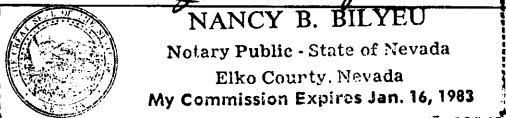
STATE OF Nevada, COUNTY OF Elko On this 25th day of July, 19 79, before me, a notary public in and for said State, personally appeared

GEORGE DENNIS GOODENOUGH

NOTARY SEAL

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Nancy B. Bilyeu Notary Public Residing at Elko, Nevada Comm. Expires January 16, 1983



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## EXHIBIT "A"

A parcel of land situated in the Northeast quarter of the Southeast quarter of section 35 and the Northwest quarter of the Southwest quarter of section 36, township 8 South; range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Commencing at the East quarter corner of section 35, said point being marked by a Bannock County brass cap stamped L.S. 968; thence North  $89^{\circ}50'44''$  West along the latitudinal centerline of said section 35, 350.00 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South  $0^{\circ}13'12''$  West, 350.97 feet to the true point of beginning, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence continuing South  $3^{\circ}06'15''$  West, 144.93 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South  $28^{\circ}52'00''$  East, 321.72 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South  $11^{\circ}25'29''$  East, 316.48 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South  $8^{\circ}10'08''$  West, 63.21 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South  $89^{\circ}50'44''$  East, 199.39 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South  $8^{\circ}51'21''$  East, 178.78 feet to the South 1/16th line of said section, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South  $89^{\circ}56'09''$  East along said South 1/16th line, 285.19 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence North  $16^{\circ}54'44''$  West, 240.18 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence North  $83^{\circ}50'08''$  West, 132.39 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence North  $1^{\circ}44'50''$  West 43.79 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence North  $23^{\circ}23'21''$  West 81.09 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence North  $3^{\circ}48'54''$  East 116.83 feet, said point marked by a 1/2 inch iron pin tagged L.S. 968; thence South  $72^{\circ}25'52''$  East 146.48 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence North  $1^{\circ}52'30''$  East 316.51 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South  $89^{\circ}20'10''$  West 286.93 feet to the East line of Section 35, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence North  $0^{\circ}13'12''$  East along said East line 228.22 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence North  $89^{\circ}50'44''$  West 350.00 feet to the true point of beginning.

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L.S. 968; thence North 89°50'44" West along the latitudinal centerline of said section 35, 350.00 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South 0°13'12" West 350.97 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence continuing South 3°06'15" West, 144.93 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South 28°52'00" East, 321.72 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South 11°25'29" East, 316.48 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South 8°10'08" West, 63.21 feet, said point being marked by a 1/2 inch iron pin tagged L.S. 968; thence South 89°50'44" East, 199.39 feet; thence South 8°51'22" East, 94.00 feet to true point beginning of exception; thence continuing South 8°51'22" East 19.87 feet; thence North 31°57'34" East 118.22 feet; thence North 21°26'00" East 85.15 feet; thence North 1°44'50" West 43.79 feet; thence North 23°23'21" West 81.09 feet; thence North 3°48'54" East 116.83 feet; thence South 88°17'36" West 24.15 feet; thence South 1°54'50" East 115.88 feet; thence South 20°57'29" East 99.38 feet; thence South 21°26'00" West 99.53 feet; thence South 28° 17'28" West 105.28 feet to the true point of beginning of the exception.

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EXHIBIT "B"

ENCUMBRANCES

Taxes for 1979 and subsequent years;

Easement to Utah Power and Light Company, for pole lines,  
recorded February 18, 1942, in Book 85, No. 126, Records of  
Bannock County, Idaho (NW 1/4 SW 1/4, SEC. 36 -8-36).

NO. **637273**  
RECORDED AT REQUEST OF  
American Land Title Co.

'79 NOV 19 P1:49

OFFICIAL RECORD BK NO. **346**  
BANNOCK COUNTY IDAHO  
S. NEIL ANDERSON RECORDER  
FEE **8.00** DEPUTY **h**

# Idaho Department of Water Resources Receipt

Receipt ID E027253

Payment Amount  Date Received  Region  Status   
Payment Type  Check Number

Payer   
Comment

## Fee Detail

| Amount  | Description                          | Fund | FD | PCA   | SO   |
|---------|--------------------------------------|------|----|-------|------|
| \$25.00 | OWNERSHIP CHANGES/SECURITY INTERESTS | 0229 | 21 | 63140 | 1155 |

  
\_\_\_\_\_  
Signature Line (Dept. Representative)



T8S, R36E

T9S, R36E

Old Hwy 91

Lewis-Goodenough Ditch

Union Pacific Railroad

Portneut River

NWSW

NESE

4.1

1.7

35 36

2 1