

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
<u>29-04442</u>					
<u>29-10340</u>	<u>- PD'd</u>				

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) James Marshall Hammer
1535 E Fork Mink Cr Rd Pocatello ID 83204
4. New Owner/Claimant(s) Chantz + Courtney Smith
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1535 E FK Mink Cr Rd
City, State and ZIP Code Pocatello ID 83204
New Telephone Number (208) 236-6538 WK 233-0467
5. Date you acquired the property 11/30/2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

WHEN RECORDED MAIL TO:

CHANTZ J. SMITH
1535 EAST FORK MINK CREEK ROAD
POCATELLO, ID 83204

NO 2 J19323
RECORDED AT REQUEST OF
2000 NOV 30 AM 11 14
FIRST AMERICAN TITLE

3-1 9-11-00
IDAHO
CLERK OF DISTRICT COURT
POCATELLO

Space Above This Line for Recorder's Use Only

20019323

WARRANTY DEED

For Value Received THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT OF WASHINGTON D.C., HIS SUCCESSORS AND ASSIGNS, the grantor(s), do(es) hereby grant, bargain, sell and convey unto CHANTZ J. SMITH

the grantee(s) whose current address is 1535 EAST FORK MINK CREEK ROAD, POCATELLO, ID 83204, the following described premises, in BANNOCK County Idaho, to wit:

Assessor's Parcel No. R4059000201

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owners(s) in fee simple of said premises; that they are free from all encumbrances except current year taxes, levies and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: 11/09/00

SECRETARY OF HOUSING AND URBAN
DEVELOPMENT

San Prusnowski

1st Update

ATTACHED LEGAL DESCRIPTION

Order No.: P31890

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 8 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 8, TOWNSHIP 8 SOUTH, RANGE 35 EAST, BOISE MERIDIAN; THENCE NORTH ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION 8, 145.00 FEET; THENCE NORTH 24°08' WEST ALONG THE TOP OF A NORTHWESTERLY RIDGE 304.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 28°35' WEST ALONG TOP OF SAID RIDGE 372.63 FEET; THENCE NORTH 41°27' WEST, ALONG TOP OF SAID RIDGE 846.84 FEET; THENCE NORTH 21°28' EAST, 951.00 FEET MORE OR LESS, TO THE SOUTHERLY RIGHT OF WAY LINE OF THE EAST FORK OF MINK CREEK ROAD; THENCE SOUTH 68°44' EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE 424.15 FEET; THENCE SOUTH 0°16' WEST, 1702.30 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

EXCEPT: A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 8 SOUTH, RANGE 35 EAST, BOISE MERIDIAN. THE NORTHERN SIDE BEING ADJACENT TO THE EAST FORK OF THE MINK CREEK ROAD AND BEING A PORTION OF DEED NO. 433810, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 8 BEING MARKED BY USFS BRASS CAP MONUMENT, THE NEXT 4 BEARINGS FOLLOW DEED NO. 433810; THENCE NORTH ALONG THE MERIDIONAL CENTERLINE OF SECTION 8 TOWARD THE CENTER QUARTER CORNER OF SECTION 8 (CORNER RECORD NO. 706342), A DISTANCE OF 145.00 FEET TO AN EXISTING IRON ROD; THENCE NORTH 24°08' WEST ALONG THE TOP OF A NORTHWESTERLY RIDGE, A DISTANCE OF 304.00 FEET TO AN EXISTING IRON ROD AND THE TRUE POINT OF BEGINNING; THENCE NORTH 28°35' WEST ALONG THE TOP OF SAID RIDGE, A DISTANCE OF 372.63 FEET TO AN EXISTING IRON ROD; THENCE NORTH 41°27' WEST ALONG THE TOP OF SAID RIDGE, A DISTANCE OF 234.90 FEET TO AN IRON ROD; THENCE NORTH 9°27'53" EAST A DISTANCE OF 1261.70 FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT OF WAY LINE OF THE EAST FORK OF MINK CREEK ROAD, MARKED BY AN IRON ROD; THENCE SOUTH 68°44' EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 144 FEET TO AN IRON ROD; THENCE SOUTH 0°16' WEST ALONG THE EAST LINE OF DEED NO. 433810 AND THE WEST LINE OF DEED NO. 488484, A DISTANCE OF 1695.60 FEET (SHOWN AS 1702.30 ON THE DEEDS) TO THE TRUE POINT OF BEGINNING.



FA 830285

21

20013084

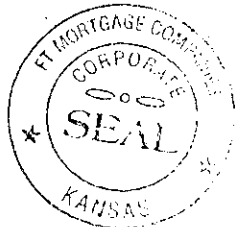
CORPORATE WARRANTY DEED

First Horizon Home Loans, P.D.B.A.
FOR VALUE RECEIVED, FT MORTGAGE COMPANIES, a corporation duly organized and existing under the laws of the State, as grantor, does hereby Grant, Bargain, Sell and Convey unto The Secretary of Housing and Urban Development of Washington D.C., his successors or assigns, 2500 Michelson Drive, Suite 100, Irvine, California 92612 the grantee, the following described real estate, to-wit:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their successors, heirs and assigns forever. And the Grantors do hereby covenant with the said Grantee(s), that they are the owners in fee simple of said premises; that they 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 they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by an authorized officer of the corporation and its corporate seal to be affixed, this 5th day of August 2000



First Horizon Home Loans P.D.B.A.
FT MORTGAGE COMPANIES

BY:

Thomas Wade

ITS: THOMAS WADE ASSISTANT VICE PRESIDENT

STATE OF TEXAS

SS.
COUNTY OF DALLAS

On this 5th day of August 2000, before me, a Notary Public in and for said State, personally appeared Thomas Wade known to me to be the Assitant Vice President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

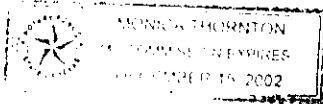
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written

Monica Thornton

Notary Public

Residing at

Commission expires: 12-15-2002 NO 20013084



RECORDED
2001 AUG 15 08 11 06

FA-8384/H

First American Title Company of Idaho



2-1
TRUSTEE'S DEED

20009239

First American Title Company of Idaho, Inc., an Idaho Corporation (herein called Trustee) as successor trustee under the Dood of Trust hereinafter particularly described, does hereby Bargain, Sell and Convey, without warranty, to FIRST HORIZON HOME LOAN CORPORATION, PO Box 780969, Dallas, TX 75378-9902, (herein called Grantee) all of the real property situated in the County of BANNOCK, State of Idaho, described as follows:

SEE ATTACHED EXHIBIT A

This conveyance is made pursuant to the powers conferred upon Trustee by the deed of trust between DOUGLAS B HAGLER & TRUDY M HAGLER, husband & wife, as grantors for the benefit and security of FT MORTGAGE COMPANIES D/B/A MORTGAGE RESOURCES, as beneficiary, recorded May 20, 1997, as Instrument No. 97008300, Mortgage Records of Bannock County, Idaho and after the fulfillment of the conditions specified in said deed of trust authorizing this conveyance as follows:

(a) Default occurred in the obligations for which said deed of trust was given as security and the beneficiary made demand upon the said trustee to sell said property pursuant to the terms of said deed of trust.

Notice of Default was recorded as Instrument No. 99021423 RR 20001526, Mortgage Records of BANNOCK County, Idaho and in the office of the Recorder of each other county in which the property described in said deed of trust, or any part thereof, is situated, the nature of such default being as set forth in said notice of default. Such default still existed at the time of sale.

(b) After recordation of said Notice of Default, trustee gave notice of the time and place of the sale of said property by registered/certified mail, return receipt requested, by personal service upon the occupants of said real property and/or by posting in a conspicuous place on said premises and by publishing in a newspaper of general circulation in each of the counties in which the property is situated as more fully appears in affidavits recorded at least 20 days prior to date of sale as Instrument No. 20006281, Instrument No. 20006282, instrument No. 20006283, Mortgage Records of BANNOCK County, Idaho.

(c) The provisions, recitals and contents of the Notice of Default referred to in paragraph (a) supra and of the Affidavits referred to in paragraph (b) supra shall be and there are hereby incorporated herein and made an integral part hereof for all purposes as though set forth herein at length.

(d) All requirements of law regarding the mailing, personal service, posting, publication and recording of notice of default, and notice of sale and all other notices have been complied with.

(e) Not less than 120 days elapsed between the giving of notice of sale by registered or certified mail and the sale of said property.

(f) Trustee, at the time and place of sale fixed by said notice, at public auction, in one parcel, struck off to Grantee, being the highest bidder therefor, the property herein described, for the sum of \$99,701.37, subject however to all prior liens and encumbrances. No person or corporation offered to take any part of said property less than the whole thereof for the amount of principal, interest, advances and costs.

IN WITNESS WHEREOF, The Trustee, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its Assistant Vice President, this 8th day of June, 2000.

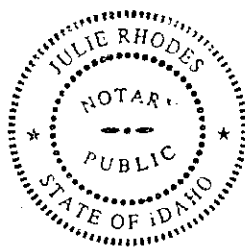
FIRST AMERICAN TITLE COMPANY OF IDAHO, INC., Trustee

By Monine Cole
Monine Cole Asst. Vice President

STATE OF IDAHO)
ss.)
COUNTY OF ADA)

On this 8th day of June, 2000, before me, a Notary Public in and for said State, personally appeared Monine Cole, known to me to be the Assistant Vice President of the corporation that executed this 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 have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



FA-8384/H

Julie Rhodes
Notary Public

NO 20009239

RECORDED AT REQUEST OF
FIRST AMERICAN TITLE

2000 JUN 12 PM 2 10

CITIZEN OF IDAHO
BANK OF IDAHO
LAWYER OF IDAHO
FEE 6.00
DEUTY \$6

JULIE RHODES
Notary Public, State of Idaho
Residing in Boise
My Commission Expires October 18, 2006

First American Title Company of Idaho

00069

2-2

20009233

EXHIBIT A

ATTACHED TO

Trustee's Deed

A parcel of land in the Southwest quarter of Section 8, Township 8 South, Range 35 East, Boise Meridian, BANNOCK COUNTY, IDAHO, more particularly described as follows: Beginning at the South quarter corner of Section 8, Township 8 South, Range 35 East, Boise Meridian; thence North along the meridional centerline of said Section 8, 145.00 feet; thence North 24°08' West along the top of a Northwesternly ridge 304.00 feet to the TRUE POINT OF BEGINNING; thence North 28°35' West along top of said ridge 372.63 feet; thence North 41°27' West, along top of said ridge 846.84 feet; thence North 21°28' East, 951.00 feet more or less, to the Southerly right of way line of the East Fork of Mink Creek Road; thence South 68°44' East, along said Southerly right of way line 424.15 feet; thence South 0°16' West, 1702.30 feet, more or less, to the TRUE POINT OF BEGINNING.

EXCEPT: A tract of land located in the Southwest quarter of Section 8, Township 8 South, Range 35 East, Boise Meridian. The Northern side being adjacent to the East Fork of the Mink Creek Road and being a portion of Deed No. 433810, BANNOCK COUNTY, IDAHO, described as follows:

Commencing at the South quarter corner of Section 8 being marked by USFS brass cap monument, the next 4 bearings follow Deed No. 433810; thence North along the meridional centerline of Section 8 toward the center quarter corner of Section 8 (corner record No. 706342), a distance of 145.00 feet to an existing iron rod; thence North 24°08' West along the top of a Northwesternly ridge, a distance of 304.00 feet to an existing iron rod and the TRUE POINT OF BEGINNING; thence North 28°35' West along the top of said ridge, a distance of 372.63 feet to an existing iron rod; thence North 41°27' West along the top of said ridge, a distance of 234.90 feet to an iron rod; thence North 9°27'53" East a distance of 1261.70 feet, more or less, to the Southerly right of way line of the East Fork of Mink Creek Road, marked by an iron rod; thence South 68°44' East, along said Southerly right of way line, a distance of 144 feet to an iron rod; thence South 0°16' West along the East line of Deed No. 433810 and the West line of Deed No. 488484, a distance of 1695.60 feet (shown as 1702.30 on the Deeds) to the TRUE POINT OF BEGINNING.

Julie Rhodes
TRUSTEE VERIFICATION

FA-8384

FA#23961

2-1

WARRANTY DEED

97008299

For Value Received **JAMES MARSHALL HAMMER, AN UNMARRIED PERSON**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

DOUGLAS B. HAGLER and TRUDY M. HAGLER, husband and wife

whose address is: **1535 E FORK MINK CREEK, POCA TELLO, ID, 83204**

Hereinafter called the Grantee, the following described premises situated in BANNOCK County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO all easements, right of ways, 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 their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, 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.

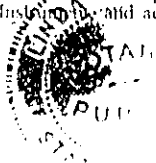
Dated: MAY 19, 1997

James Marshall Hammer
JAMES MARSHALL HAMMER

STATE OF IDAHO)

COUNTY OF BANNOCK)

On This 19TH day of MAY, in the year 1997, before me, a Notary Public in and for said State, personally appeared JAMES MARSHALL HAMMER, known or identified to me to be the person(s) whose name(s) IS subscribed to the within instrument, and acknowledged to me that he executed the same.



97008299

FIRST AMERICAN TITLE

97 MAY 20 10 2 07

NOTARY SEAL

[Signature] Notary Public of Idaho
Residing at POCA TELLO
Commission Expires: 2-18-99

688

MJ

2-2

EXHIBIT 'A'

A parcel of land in the Southwest quarter of Section 8, Township 8 South, Range 35 East, Boise Meridian, BANNOCK COUNTY, IDAHO, more particularly described as follows: Beginning at the South quarter corner of Section 8, Township 8 South, Range 35 East, Boise Meridian; thence North along the meridional centerline of said Section 8, 145.00 feet; thence North 24°08' West along the top of a Northwesterly ridge 304.00 feet to the TRUE POINT OF BEGINNING; thence North 28°35' West along top of said ridge 372.63 feet; thence North 41°27' West, along top of said ridge 846.84 feet; thence North 21°28' East, 951.00 feet more or less, to the Southerly right of way line of the East Fork of Mink Creek Road; thence South 68°44' East, along said Southerly right of way line 424.15 feet; thence South 0°16' West, 1702.30 feet, more or less, to the TRUE POINT OF BEGINNING.

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not
with
JW