

RECEIVED

SEP 27 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Adjudication Bureau

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
79-14100					

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

A. ~~The appropriate PLAT or SURVEY MAP. See instructions for comments.~~

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)

HOWARD + WILMA SMITH (deceased) Larry J. Smith
PO BOX 403, RIGGINS, ID 83549 Representative

4. New Owner/Claimant(s)

MARTHA and LAWRENCE M. STOLBERG (married couple)
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

P.O. BOX 239

City, State and ZIP Code

RIGGINS, ID 83549

New Telephone Number

(208) 628-4219

5. Date you acquired the property

June 30, 2005

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Martha Stolberg
Lawrence Stolberg

442415

WATER RIGHTS
79-14100

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY DEED	
at 4:00 P.	on 7-1-05
ROSE E. GEHRING	
By <i>Beth G. Ubrin</i>	Recorder
Fees \$ 9.00	Deputy

PERSONAL REPRESENTATIVE'S DEED

m/84

LARRY J. SMITH, as Personal Representatives of the Estates of Howard P. Smith and Wilma Lorene Smith, husband and wife, Deceased, which estates are being probated as Case No. CV-34825 of the Second Judicial District of the State of Idaho, in and for the County of Idaho, hereinafter referred to as Grantor, does hereby transfer, convey, and assign unto Lawrence ^{m.} J. Stolberg and Martha J. Stolberg, as the Trustees for the Stolberg Family Trust dated the 27th day of May, 1998, whose address is P.O. Box 8322, Fresno, CA 93747, all of the said estate's and the said decedent's right, title and interest in and to the following described real property, to-wit:

A. A parcel of land sometimes referred to as the Idaho County Assessor's Tax No. 158, situate in Lot Seven (7) of Section Three (3), Township 24 North, Range One (1) East of the Boise Meridian, Idaho County, Idaho, more particularly described as follows:

Commencing at the meander corner of said Section Three (3) and Ten (10), thence North 89° 28.9' West, 390.1 feet along the section line common to said Sections Three (3) and Ten (10) to the westerly right-of-way line of U.S. Highway No. 95; thence North 22° 03' East, 321.59 feet along said right-of-way; thence North 77° 25.8' West, 115.33 feet to the real point of beginning:

Thence North 77° 25.8' West, 100.00 feet; North 19° 08.2' East, 49.80 feet; thence North 79° 10.9' West, 64.34 feet; thence North 6° 47.0' East, 25.00 feet; thence South 79° 10.9' East, 69.75 feet; thence South 77° 25.8' East, 100.00 feet; thence South 19° 08.2' West, 75.00 feet to the real point of beginning;

AND

B. A parcel of land, sometimes referred to as the Idaho County Assessor's Tax No. 159, situate in Lot Seven (7), Section Three (3), Township 24

mg

North, Range One (1) East of the Boise Meridian, Idaho County, Idaho,
more particularly described as follows:

Commencing at the meander corner common to said Sections Three (3) and Ten (10); thence North 89° 28.9' West, 390.10 feet along the section line common to said Sections Three (3) and Ten (10) to the westerly right-of-way line of U.S. Highway No. 95; thence North 22° 03' East, 321.59 feet along said right-of-way; thence North 77° 25.8' West, 215.33 feet to the real point of beginning; thence North 38° 24.4' West, 75.45 feet; thence South 79° 10.9' East, 64.34 feet; thence South 19° 08.2' West, 49.80 feet to the real point of beginning.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the
Grantees, their successors and assigns forever, subject to:

- (1) General taxes for the year 2005;
- (2) Reservations in Patent, including the terms and conditions thereof, by and between United States of America and George E. Boodry, recorded with the Office of the Idaho County Recorder as Instrument No. 92557, Book 58, page 406 on the 25th day of April, 1930;
- (3) An Easement, including the terms and conditions thereof, by and between George E. Boodry and Pacific Telephone and Telegraph Company, a California corporation, recorded with the Office of the Idaho County Recorder as Instrument No. 95314, Book 59, page 324, on the 6th day of April 1931;
- (4) A Power Line Easement, including the terms and conditions thereof, by and between B. M. Spickelmire and Hazel J. Spickelmire and Idaho Power Company, a corporation, recorded with the Office of the Idaho County Recorder as Instrument No. 214216, Book 100, page 139, on the 20th day of December, 1963;
- (5) An easement contained in a Quitclaim Deed, by and between Richard Spicklemire and Hazel Spicklemire, husband and wife; and Donald E. Comstock and Lois E. Comstock, husband and wife; Howard Smith and Wilma Smith, husband and wife; Patrick L. Marek and Shariann Marek, husband and wife; Donald Earl Hagen and Marie L. Hagen, husband and wife; and Gary C. Swift and Lynda L. Swift, husband and wife, recorded with the Office of the Idaho County Recorder as Instrument No. 279382, on the 14th day of June, 1979;
- (6) A reservation of easement contained in a Warranty Deed, by and between Richard Spicklemire and Hazel Spicklemire, husband and wife, and Howard P. Smith and Wilma Smith, husband and wife, recorded with the Office of the Idaho County Recorder as Instrument No. 279433 on the 15th day of June, 1979; and

(7) the terms and conditions in road Closure and Maintenance Agreement, by and between Idaho Transportation Department and Idaho County, recorded with the Office of the Idaho County Recorder as Instrument No. 380419 on the 31st day of May 1995,

(8) any and all restrictions or limitations, whether known or unknown, appertaining to ingress, egress and access to and from said parcels of land.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand this 29 day of JUNE, 2005.

Larry J. Smith
LARRY J. SMITH, Personal
Representative of the Estates of Howard P.
Smith and Wilma Lorene Smith, husband
and wife, Deceased.

STATE OF IDAHO)
County of Idaho) ss.

On this 29th day of June, 2005, before me, the undersigned, a Notary Public for the State of Idaho, personally appeared LARRY J. SMITH, known or identified by me to be the person whose name is subscribed to the within instrument as the Personal Representative of the Estates of Howard P. Smith and Wilma Lorene Smith, husband and wife, Deceased, and acknowledged to me that he executed the same as such Personal Representative of said estate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed me official seal on the day and year last above written

J. Paul Eimers
Notary Public for the State of Idaho, residing at
Grangeville, Idaho.

My Commission Expires: ~~10-22-10~~
6-24-2011

