



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

May 18, 2022

SMITH MAXWELL DITCH CO
C/O LAYNE HAMILTON
839 W RIVERTON RD
BLACKFOOT, ID 83221

RE: Transfer No. 86243
Water Right No(s). 1-10058, 27-12108

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the BINGHAM NEWS CHRONICLE on 5/25/2022 and 6/1/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

CC:
THOMPSON BROTHERS LLC
493 S 1200 W
PINGREE, ID 83262-1316

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 18, 2022 2:33 PM
To: legalnotices@postregister.com
Subject: Legal Notice for News Chronicle
Attachments: 86243 News Chronicle.docx

LEGAL NOTICE DEPARTMENT
BINGHAM NEWS CHRONICLE
PO BOX 70
BLACKFOOT, ID 83221-0070

RE: Transfer No. 86243
Water Right No(s). 1-10058, 27-12108

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/13/2022. Your cooperation is appreciated.

Sincerely,

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86243**

SMITH MAXWELL DITCH CO, C/O LAYNE HAMILTON, 839 W RIVERTON RD, BLACKFOOT, ID 83221 has filed Application No. 86243 for changes to the following water rights within BINGHAM County(s): Right No(s): 1-10058, 27-12108; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add point of diversion/rediversion. The proposed points of diversion for 13.90 cfs from Blackfoot River and points of rediversion for 10.58 cfs from Snake River are in SWSWSW Sec 23 and SENW Sec 28 (new), T03S R34E. Proposed points of diversion from Snake River also include Lot 1 (SESESE) Sec 10 T03S R35E (injection) and Lot 1 (NENESE) Sec 8 T02S R36E. The proposed new point of diversion/rediversion will be limited to 4.00 cfs. For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 6/13/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/25/2022 and 6/1/2022

APR 26 2022

42-222 POD - 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Smith Maxwell Ditch Co Phone 208-785-0666
2. **MAILING ADDRESS** 839 W Riverton Rd City Blackfoot
State ID Zip 83221 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ 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.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 27-12108, 1-10058

- ☐ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 4.00 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		SW	SW	SW	23	03S	34E	Bingham	Blackfoot River	Smith Maxwell
		SW	SW	SW	23	03S	34E	Bingham	Snake River	(R) Smith Maxwell
		SE	SE	SE	10	03S	35E	Bingham	Snake River	(I)
Yes			SE	NW	28	03S	34E	Bingham	Snake River	(R) Thompson Pump
Yes			SE	NW	28	03S	34E	Bingham	Blackfoot River	Thompson Pump
		NE	NE	SE	08	02S	36E	Bingham	Snake River	Corbett Slough

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Add pump station on Blackfoot River for shareholder to divert shares. Measuring device will be installed.

- b. Who owns the property at the point(s) of diversion? Thompson Brothers LLC
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No
☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☐ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Paul Thompson
Signature of applicant or authorized agent

Paul Thompson / manager
Print name and title if applicable

April 26, 2012
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by _____ Date _____

Fee paid 740.00 Date 4-26-22

Received by M. Pettis

Receipt # E048057

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

4/26/2022

Water Right 1-10058

Owner Type
Current Owner

Name and Address
SMITH MAXWELL DITCH CO
C/O LAYNE HAMILTON 839 W
RIVERTON RD
BLACKFOOT, ID 83221
(208) 785-0666

Priority Date: 2/21/1890

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

Beneficial Use

<u>From</u>	<u>To</u>
04/01	10/31

Diversion Rate

Volume

Total Diversion 10.580 CFS

Source and Point(s) of Diversion:

SNAKE RIVER	SESESE
SNAKE RIVER	SWSWSW
SNAKE RIVER	NENESE

Sec. 10, Twp 03S, Rge 35E, BINGHAM County(I)
 Sec. 23, Twp 03S, Rge 34E, BINGHAM County(R)
 Sec. 8, Twp 02S, Rge 36E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

IRRIGATION within BINGHAM 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	34E	21													X L3	X L5 L13		X L4	X L5	0.0
03S	34E	22				X L1					X L3	X L4	X	X	X		X	X L6	X L7	0.0
03S	34E	27					X L1	X	X L2	X										0.0
03S	34E	28	X	X	X L4	X L5	X	X L1 L11	X L2 L12	X		X L3 L13								0.0
03S	34E	29	X			X									X					0.0

Right Acre Limit: 263.50
POU Total Acres: 695.0

Conditions of Approval:

1. X27

This right is limited to the irrigation of 263.5 acres within the authorized place of use in a single irrigation season.

86243

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/26/2022

- | | | |
|-----|-----|---|
| 2. | X35 | Rights 1-10058 and 27-12108 when combined shall not exceed a total diversion rate of 13.9 cfs and the irrigation of 695 acres. |
| 3. | 129 | Place of use is within the area served by Smith-Maxwell Ditch Company. |
| 4. | 135 | The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. |
| 5. | G01 | Point of injection into and point of redirection from Blackfoot River. |
| 6. | R64 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. |
| 7. | P29 | This right is a combination of old Right Nos. 1-28C, 1-28E, 1-87B, 1-87C, 1-87D, 1-169F, and 1-169G. |
| 8. | R05 | Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1. |
| 9. | R43 | The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s). |
| 10. | 004 | This right does not grant any right-of-way or easement across the land of another. |
| 11. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 12. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |
| 13. | T19 | Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree. |

Dates and Other Information:

Decreed Date: 12/3/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 01
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/26/2022

Water Right 27-12108

Owner Type **Name and Address**
Current Owner SMITH MAXWELL DITCH CO
C/O LAYNE HAMILTON 839 W
RIVERTON RD
BLACKFOOT, ID 83221
(208) 785-0666

Priority Date: 6/7/1929
Basis: Decreed
Status: Active

Source **Tributary**
BLACKFOOT RIVER SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/15	13.900 CFS	
STOCKWATER	10/15	12/15	0.140 CFS	
	<u>Total Diversion</u>		13.900 CFS	

Source and Point(s) of Diversion:
BLACKFOOT RIVER SWSWSW Sec. 23, Twp 03S, Rge 34E, BINGHAM County

Place Of Use:
IRRIGATION within BINGHAM 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	34E	21												X L3	X L5 L13		X L4	X L5	0.0
03S	34E	22				X L1					X L3	X L4	X	X	X	X	X L6	X L7	0.0
03S	34E	27					X L1	X	X L2	X									0.0
03S	34E	28	X	X	X L4	X L5	X	X L1 L11	X L2 L12	X		X L3 L13							0.0
03S	34E	29	X			X									X				0.0
POU Total Acres: 695.0																			

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 695

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/26/2022

- acres in a single irrigation season. Combined Right Nos.: 27-12108 and 1-10058.
2. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. 129 Place of use is within the area served by Smith-Maxwell Ditch Company.
4. C18 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. Section 42-1412(6), Idaho Code.
5. E51 Right Nos. 1-10058 and 27-12108 are limited to a total combined diversion rate of 13.9 cfs.
6. X02 Stockwater use is for 600 range cattle.
7. 257 This water right is entitled to the protections of paragraph x.d of water right 27-11375.

Dates and Other Information:

Decreed Date: 7/29/2011

Civil Case Number: 39576

Judicial District: FIFTH

Water District Number: TBD

Mitigation Plan: False

Combined Use Limits:

Rate

13.900

Volume

Acres

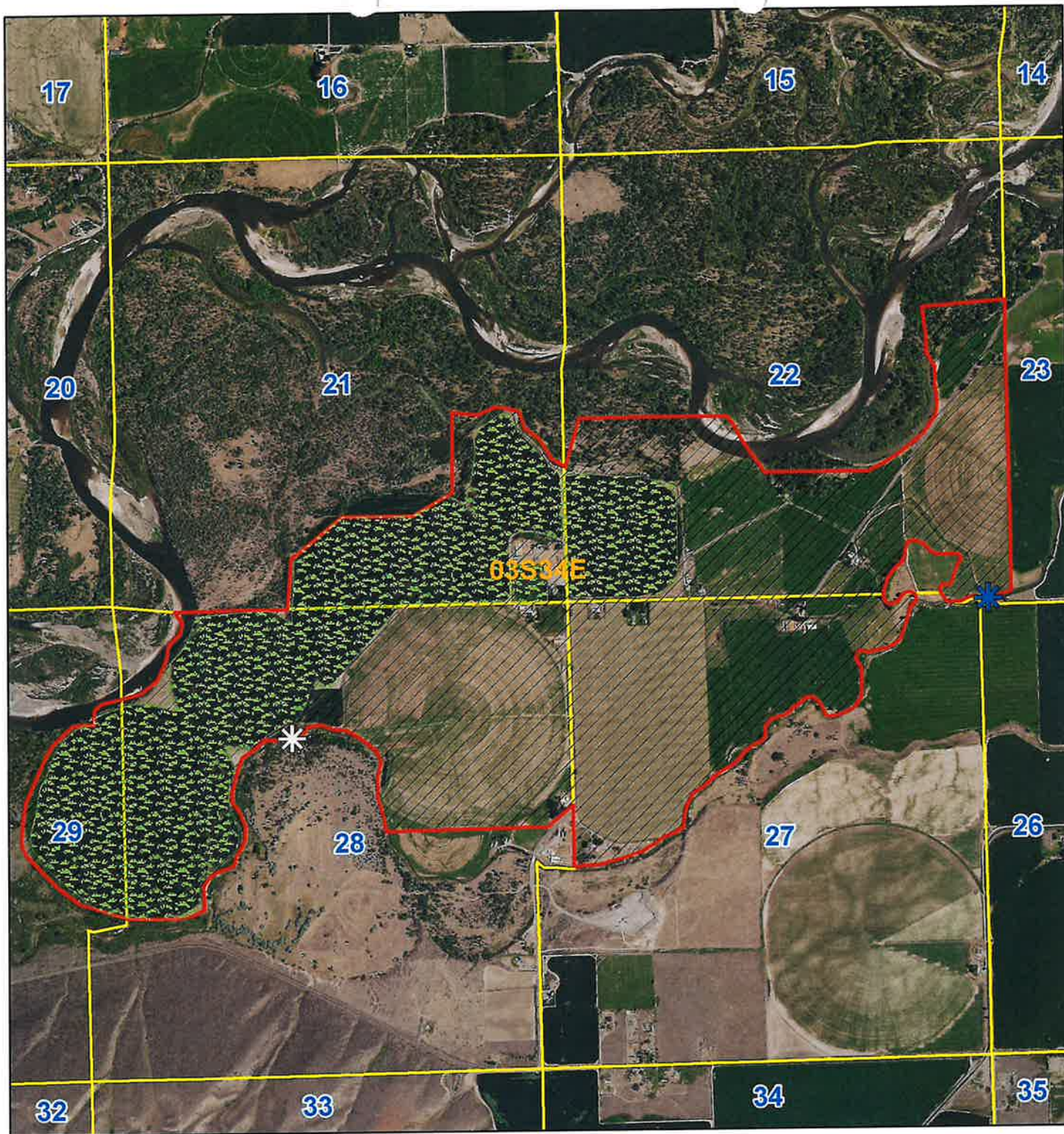
695.0

Water Rights

1-10058 V1,27-12108

Water Supply Bank:

N/A



Legend

-  Proposed_Blackfoot_River_Pump
-  Smith Maxwell Blackfoot River POD
-  Thompson Brothers LLC POU
-  Smith Maxwell POU
-  Township/Range
-  Sections

0 1,100 2,200 4,400 Feet

1 inch = 1,667 feet



86243

May 5, 2022

IDAHO DEPARTMENT OF RESOURCES

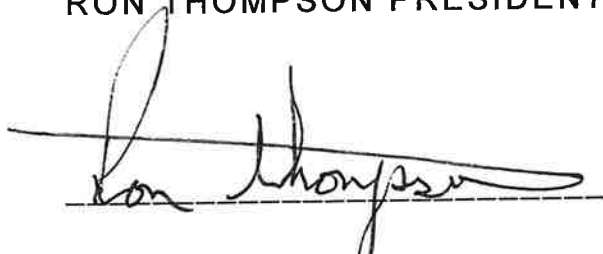
TO WHOM IT MAY CONCERN:

This is a written request from the shareholders of the Smith Maxwell Canal Company, namely Layne Hamilton and Thompson Brothers, who are the only shareholders in the Smith Maxwell Canal Company. The president is Ron Thompson, a partner in Thompson Brothers, and the secretary is Layne Hamilton.

We agree to change the point of diversion for Thompson Brothers on the Blackfoot River to approximately one mile south of the present point of diversion. Layne Hamilton would continue his current point of diversion.

SINCERELY,

RON THOMPSON PRESIDENT & LAYNE HAMILTON SECRETARY

A handwritten signature of Ron Thompson in black ink, written over a horizontal dashed line.

516 W. RIVERTON ROAD
BLACKFOOT, IDAHO 83221

A handwritten signature of Layne Hamilton in black ink, written over a horizontal dashed line.

839 W/ RIVERTON ROAD
BLACKFOOT, IDAHO 83221



0004263459

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0004263459

Date Filed: 5/3/2021 10:40:08 AM

Entity Name and Mailing Address:

Entity Name: THOMPSON BROTHERS, L.L.C.
The file number of this entity on the records of the Idaho Secretary of State is: 0000025010
Address: 493 S 1200 W
PINGREE, ID 83262-1316

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W4176

The registered agent on record is:

Registered Agent: PAUL THOMPSON
Registered Agent
Physical Address
493 S 1200 W
PINGREE, ID 83262
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
Kurt Thompson	Manager	1086 SEEFRIED BLACKFOOT, ID 83221
Daryl Thompson	Manager	575 S. 1200 WEST PINGREE, ID 83262

The annual report must be signed by an authorized signer of the entity.

Job Title: Manager

Daryl Thompson

Sign Here

05/03/2021

Date



0004361884

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0004361884

Date Filed: 7/30/2021 12:08:23 PM

Entity Name and Mailing Address:

Entity Name: SMITH-MAXWELL DITCH COMPANY
The file number of this entity on the records of the Idaho Secretary of State is: 0000369555
Address: 839 W RIVERTON RD
BLACKFOOT, ID 83221-6352

Entity Details:

Entity Status: Active-Good Standing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C120371

The registered agent on record is:

Registered Agent: LAYNE HAMILTON
Registered Agent
Physical Address
839 W RIVERTON RD
BLACKFOOT, ID 83221
Mailing Address

Corporate Officers and Directors:

Name	Title	Business Address
layne hamilton	Director	839 W RIVERTON RD BLACKFOOT, ID 83221
rhitt hamilton	Director	872 W RIVERTON RD BLACKFOOT, ID 83221

The annual report must be signed by an authorized signer of the entity.

Job Title: MANAGER

LAYNE HAMILTON

Sign Here

07/30/2021

Date

86243

DOCUMENT RECEIVED BY ID SECRETARY OF STATE LAWRENCE DENNEY 07/30/2021 12:08 PM



0003578541

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0003578541

Date Filed: 7/24/2019 10:27:45 PM

Entity Name and Mailing Address:

SMITH-MAXWELL DITCH COMPANY

The file number of this entity on the records of the Idaho Secretary of State is: 0000369555

Address 839 W RIVERTON RD
BLACKFOOT, ID 83221-6352

Entity Details:

Entity Status Active-Good Standing

This entity is organized under the laws of: IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C120371

The registered agent on record is:

Registered Agent LAYNE HAMILTON
Registered Agent
Physical Address
839 W RIVERTON RD
BLACKFOOT, ID 83221
Mailing Address

Corporate Officers and Directors:

Name	Title	Address
RON THOMPSON	Director	404 S 900 W BLACKFOOT, ID 83221
RHITT HAMILTON	Director	400 S 872 W BLACKFOOT, ID 83221

The annual report must be signed by an authorized signer of the entity.

layne hamilton

Sign Here

07/24/2019

Date

Signer's Title: Manager

DUPLICATE RECEIVED BY ID SECRETARY TO APPLY TO RELEVANT STATE RECORDS

WARRANTY DEED

For Value Received

LEWIS V. ROBINSON and ADAH L. ROBINSON, husband and wife

the grantors, do hereby grant, bargain, sell, and convey unto
CHRIS S. THOMPSON and COLLEEN THOMPSON, husband and wife; DARYL THOMPSON and KATHRYN
THOMPSON, husband and wife; PAUL THOMPSON and LAURIE B. THOMPSON, husband and wife; and
RON THOMPSON and MINDY THOMPSON, husband and wife; and GARTH THOMPSON and WINONA THOMPSON,
husband and wife
the grantees, whose current address is
493 S 1200 W
Box 168, Pingree, Idaho 83262

the following described premises, to-wit:
Township 3 South, Range 34 E. B. M., Bingham County, Idaho

Section 21: Lots 3, 4, 5 and 13

Section 22: Beginning at the SW corner of said Section, thence N. 1966.80
feet to the SW corner of Lot 17 in said Section, thence along
S. line of said Lot 17 the following three courses: N. 45° E.
264 feet, thence E. 594 feet, thence N. 62°15' E. 720 feet,
more or less, to a point 2470 feet N. of the S. line of said
Section 22, thence S. 2470 feet to the S. line of said Section
22, thence W. 1398 feet to the point of beginning.

Section 28: E1/2NW1/4, Lots 1, 2, 3, 11, 12 and 13, EXCEPT any portion lying
S. of the Blackfoot River

Section 29: Tract 41

EXCEPTING AND RESERVING TO THE UNITED STATES, all coal, oil, gas, oil
shale, phosphate, potash, sodium, native asphalt, solid and semi-solid
bitumen, and bituminous rock (including oil impregnated rock or sands
from which oil is recoverable only by special treatment after the deposit
is mined or quarried), together with the right to prospect for, mine
and remove the same, pursuant to Section 3 of the Act of May 31, 1962,
covering Lot 13 in said Section 21, Lots 11, 12 and 13 in said Section
28, and Tract 41 of said Section 29.

Together with, all and singular, the tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining; all water and water rights, including
but not limited to, 210 shares of water stock of the Smith-Maxwell Ditch Company,
and 17.80 cfs of Snake River water with a priority of February 21, 1890.

Together with all irrigation equipment of every kind and character.

(CONTINUED ON BACK OF PAGE)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances except as hereinabove set forth and that they will warrant and
defend the same from all lawful claims whatsoever.

Dated: January 11, 1982

Lewis V. Robinson
LEWIS V. ROBINSON

Adah L. Robinson
ADAH L. ROBINSON

STATE OF IDAHO, COUNTY OF Bingham
On this *18th* day of *February*, 1982,
before me, a notary public in and for said State, personally
appeared

LEWIS V. ROBINSON and ADAH L. ROBINSON,
husband and wife

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
be the same.

NOTARY PUBLIC
STATE OF IDAHO

Deborah M. Gilchrist
Notary Public

Residing at
Comm. Expires

Blackfoot

Idaho

406891

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE *6.00* DEP *LB*

92 MAY 19 AM 8:35

RECORDED AT THE REQUEST OF

Thompson Farms
493 S 1200 W
Pingree, Id.
83262
MAR 11 1982

INSTRUMENT NO.

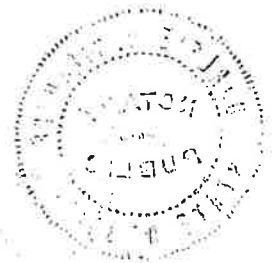
WARRANTY DEED (continued)

GRANTOR: Lewis V. Robinson and Adah L. Robinson, husband and wife

GRANTEE: Chris S. Thompson and Colleen Thompson, husband and wife; Daryl Thompson and Kathryn Thompson, husband and wife; Paul Thompson and Laurie B. Thompson, husband and wife; Ron Thompson and Mindy Thompson, husband and wife; and Garth Thompson and Winona Thompson, husband and wife

Also together with all grazing and lease rights owned by the Grantors used in connection with said land.

Subject to Reservations in United States and State Patents, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments for 1982 as prorated between the parties hereto.



California 210/86

INCORPORATED UNDER THE LAWS OF
The State of Idaho

39

210

Smith-Maxwell Ditch Company

CAPITAL STOCK \$10,000

This Certifies that

L. V. ROBINSON

Two Hundred Ten and No/100

is the owner of
Shares of the Capital Stock of

Smith-Maxwell Ditch Company, of the par value of Ten Dollars (\$10.00) each,

transferred to me on the Books of the Corporation on surrender
of this Certificate properly endorsed
In Witness Whereof the said Corporation has caused this Certificate to be
signed by its duly authorized officers and its Corporate Seal to be hereunto
affixed

1897 31st

day of August

A.D. 19 77

Ed Roberts

Secretary

Walter J. Hamilton

President

SHARES

\$10

EACH