

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 17 2021

Notice of Change in Water Right Ownership Department of Water Resources
Eastern Region

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 #6 of the instructions. **DE✓**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
29-2406 OK	Yes ☐	Yes ☒ ?	29-2406	Yes ☐	Yes ☐
	Yes ☐	Yes ☐	29-14408 (Stewart)	Yes ☐	Yes ☐
	Yes ☐	Yes ☐	29-14407 (Anthony)	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Cherry Hill Orchard / Snow Capped Ventures LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Elijah Stewart & Jill Stewart
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or

1110 Yellowstone Ave Pocatello ID 83201
Mailing address City State ZIP
509 949 5908 stewartjm68@gmail.com
Telephone Email

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: 2/15/21

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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):
 ○ \$25 per undivided water right.
 ● \$100 per split water right.
 ○ 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.

8. Signature: Jill Stewart owner 3/10/21
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by: JB Date: 3/17/2021 Receipt No. E046741 Receipt Amt. \$100.-
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by: JB Processed by: JC Date: 10/13/2021



135 N. Arthur Ave.
Pocatello, ID 83204

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 750304 LP/MH

WARRANTY DEED

For Value Received Snow Capped Ventures, LLC

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Elijah Wayne Stewart and Jill Marie Stewart, husband and wife

hereinafter referred to as Grantee, whose current address is ~~1280 Apple Orchard~~ Pocatello, ID 83204

The following described premises, to-wit: 1110 YELLOWSTONE AVE, PMB264

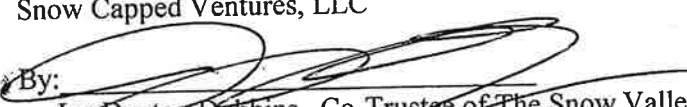
See Attached Exhibit "A"

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: February 4, 2021

Snow Capped Ventures, LLC

By:


Joe Denton Dobbins, Co-Trustee of The Snow Valley Trust
FOR SNOW CAPPED VENTURES, LLC

State of Idaho, County of Bannock

This record was acknowledged before me on 2/5/2021 by Joe Denton Dobbins, as Co-Trustee of The Snow Valley Trust.


Signature of notary public

Commission Expires: 04-18-2024

LIZ PIVA
COMMISSION #46955
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT A

A parcel of land located in the Southeast 1/4 of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, being a portion Parcel 3 of the land described in deed instrument 20718013 described as follows:

Commencing at the East 1/4 corner Section 30, Township 7 South, Range 35 East, Boise Meridian; Thence South 00°06'06" East, along the East line of Section 30, a distance of 1366.87 feet, to the Southeast corner of Lot 1R Block 3, Apple Orchard Subdivision, a subdivision recorded in the records of Bannock County as instrument 20827293, said point being marked by a 2" diameter aluminum cap stamped LS-10342, THE TRUE POINT OF BEGINNING;

Thence South 80°50'06" West along the North boundary line of said Lot 1R, Block 3, a distance of 499.06 feet to the approximate centerline of Mink Creek;

Thence following the approximate centerline of Mink Creek for the next (24) twenty four courses:

1. North 22°24'57" West a distance of 23.83 feet;
2. North 84°21'48" East a distance of 38.72 feet;
3. North 60°36'37" East a distance of 30.03 feet;
4. South 79°33'20" East a distance of 49.83 feet;
5. North 31°21'49" East a distance of 61.24 feet;
6. North 03°58'51" West a distance of 40.73 feet;
7. North 17°22'53" East a distance of 41.31 feet;
8. North 50°35'21" East a distance of 44.99 feet;
9. North 00°00'00" East a distance of 39.93 feet;
10. North 22°08'50" West a distance of 62.29 feet;
11. North 05°15'03" East a distance of 46.78 feet;
12. North 63°39'16" West a distance of 59.99 feet;
13. South 77°18'33" West a distance of 34.62 feet;
14. North 78°22'35" West a distance of 47.19 feet;
15. South 69°38'53" West a distance of 125.76 feet;
16. North 90°00'00" West a distance of 27.59 feet;
17. North 18°17'53" West a distance of 65.30 feet;
18. North 06°12'28" East a distance of 48.72 feet;
19. North 17°42'19" West a distance of 103.38 feet;
20. North 00°30'43" East a distance of 53.27 feet;
21. North 11°58'09" West a distance of 80.46 feet;
22. North 21°36'48" East a distance of 40.11 feet;
23. North 52°30'31" East a distance of 61.83 feet;
24. North 36°36'18" East a distance of 57.44 feet;

Thence North 89°53'54" East, leaving said centerline of Mink Creek, a distance of 573.93 feet, to a point on the East line of Section 30;

Thence South 00°06'06" East along said East line a distance of 704.90 feet more or less, to THE TRUE POINT OF BEGINNING.

TOGETHER WITH;

A 24.00 foot wide access and utility easement over, across and under a strip of land, being 12.00 feet perpendicular distance, on each side of the following described centerline, located in the Southeast 1/4 of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County Idaho being a portion of the lands described in deed instruments, 21005625, 20615988, and 20718013 of the records of Bannock County, more particularly described as follows:

COMMENCING at the Northwest corner of Lot 1 Block 2, Apple Orchard Subdivision, a subdivision, recorded in the records of Bannock County, Idaho as instrument 20827293;
Thence North $84^{\circ}52'05''$ East along the north line of Apple Orchard Subdivision, a distance of 242.97 feet, to a point on the centerline intersection of Apple Orchard Drive and the north boundary line of said subdivision, to the centerline being described, THE TRUE POINT OF BEGINNING;

Thence North $03^{\circ}44'03''$ West, along the approximate centerline of an existing graveled road a distance of 175.00 feet;

Thence North $05^{\circ}52'24''$ West, continuing along said centerline a distance of 145.00 feet;

Thence North $11^{\circ}28'02''$ West, along said centerline a distance of 140.00 feet;

Thence North $04^{\circ}01'45''$ West along said centerline a distance of 71.55 feet, to a point on the south boundary line of the land described in deed instrument 20718013;

Thence continuing North $04^{\circ}01'45''$ West along said centerline a distance of 166.19 feet, to a point of tangency of a 90.00 foot radius curve concave to the southeast;

Thence northeasterly, easterly and southeasterly along said curve, through a central angle of $109^{\circ}37'34''$, and an arc distance of 172.20 feet, to a point of tangency;

Thence South $74^{\circ}24'10''$ East a distance of 89.51 feet, to a point of tangency of a 35.00 foot radius curve, concave to the northwest;

Thence easterly and northeasterly along said curve, through a central angle of $71^{\circ}55'22''$, and an arc distance of 43.94 feet, to a point of tangency;

Thence North $33^{\circ}40'28''$ East a distance of 105.56 feet, to a point of tangency of a 150.00 foot radius curve concave to the northwest;

Thence northeasterly along said curve, through a central angle of $21^{\circ}08'00''$, and an arc distance of 55.33 feet to a point of tangency;

Thence North $12^{\circ}32'28''$ East a distance of 41.96 feet to a point of tangency of a 30.00 foot radius curve concave to the southeast;

Thence northeasterly, easterly and southeasterly along said curve, through a central angle of $131^{\circ}14'06''$, and an arc distance of 68.71 feet, to a point of tangency;

Thence South $36^{\circ}13'26''$ East a distance of 33.72 feet, to a point in the centerline of Mink Creek, also being a point on the West boundary line of the lands described in Parcel 3, of deed instrument 20718013

THE TERMINUS OF THE EASEMENT BEING DESCRIBED;

The side lines of the aforementioned strip of land are to be shortened or lengthened to terminate on the North line of Apple Orchard Subdivision and the west boundary line of deed instrument 20718013.

ALSO

A 60.00 wide access and utility easement over, across and under a strip of land, located in the Southeast 1/4 of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County Idaho described as follows:

ALL of the land as depicted as Apple Orchard Drive (a private drive) on the official plat of Apple Orchard Subdivision, a subdivision recorded in the records of Bannock County and instrument 20827293

3-1
21607851OFFICIAL RECORD BKM 1004
BANNOCK COUNTY IDAHORECORDED AT REQUEST OF
FEE 10 DEPUTY VIL

Cherry Hill Orchard LLC

21607851

2016 JUN 16 A 11:23

When recorded, mail to:

Blue Mountain Management Company, LLC.
Wayne Dobbins - Manager
4121 E. Valley Auto Drive 116
Mesa, Arizona 85206**WARRANTY DEED**

Effective Date	County and State where Real Property is located		
March 20, 2016	Bannock County, Idaho		
GRANTOR Snow Valley Trust Joe Denton Dobbins Jr. and Leann Dobbins as Trustees 4121 E. Valley Auto Drive 116 Mesa, Arizona 85206	GRANTEE Snow Capped Ventures, LLC 4121 E. Valley Auto Drive 116 Mesa, Arizona 85206		
Subject Real Property (Address or Location)	Legal Description proofed by persons whose initials appear to the right	1.	2.
1280 North Mink Creek Road Pocatello, Idaho 83204			3.
Subject Real Property (Legal Description)			

See Attachment "A"

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, covenants, conditions and restrictions as may appear of record.

The undersigned hereby warrants the title against all persons whomsoever, subject to the matters set forth.

Grantor deeds to Grantee all right, title, and interest of Grantor in Subject Real Property together with all rights and privileges appurtenant or to become appurtenant to Subject Real Property, on effective date.

Together With: A prorated portion of all of the water rights of the water rights currently held by Snow Valley Trust and all easement rights granted under Bannock County recording number 21215372.


Grantor - Snow Valley Trust
By: Its Trustees
Joe Denton Dobbins Jr. and
Leann Dobbins

STATE OF IDAHO)

) ss.

COUNTY OF BANNOCK)

On the 6 day of April, 2016, personally appeared Joe Denton Dobbins Jr. and Leann Dobbins known to me or satisfactorily proven to be the persons whose names are subscribed to this instrument and acknowledged that they executed the same as their free and voluntary acts and deeds.

My Commission Expires:

LANE MARLEY
Notary Public
State of Idaho

Printed Name:

Notary Public

Lane Marley

My Commission Expires
October 10, 2019

3

PARCEL 3A

A parcel of land located in the Southeast 1/4 of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, being a portion Parcel 3 of the land described in deed instrument 20718013 described as follows:

Commencing at the East 1/4 corner Section 30, Township 7 South, Range 35 East, Boise Meridian; Thence South 00°06'06" East, along the East line of Section 30, a distance of 1366.87 feet, to the Southeast corner of Lot 1R Block 3, Apple Orchard Subdivision, a subdivision recorded in the records of Bannock County as instrument 20827293, said point being marked by a 2" diameter aluminum cap stamped LS-10342, **THE TRUE POINT OF BEGINNING;**

Thence South 80°50'06" West along the North boundary line of said Lot 1R, Block 3, a distance of 499.06 feet to the approximate centerline of Mink Creek;

Thence following the approximate centerline of Mink Creek for the next (24) twenty four courses:

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Thence South 00°06'06" East along said East line a distance of 704.90 feet more or less, to **THE TRUE POINT OF BEGINNING.**

COMPRISING 8.79 ACRES MORE OR LESS

TOGETHER WITH;

A 24.00 foot wide access and utility easement over, across and under a strip of land, being 12.00 feet perpendicular distance, on each side of the following described centerline, located in the Southeast 1/4 of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County Idaho being a portion of the lands described in deed instruments, 21005625, 20615988, and 20718013 of the records of Bannock County, more particularly described as follows:

3-2
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THE TERMINUS OF THE EASEMENT BEING DESCRIBED;

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ALSO

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71

21607850

OFFICIAL RECORD BKN# 1004
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE 28 DEPUTY VJ

Cherry Hill Orchard LLC

21607850

2016 JUN 16 A 11:22

When recorded, mail to:

Blue Mountain Management Company, LLC.
Wayne Dobbins - Manager
4121 E. Valley Auto Drive 116
Mesa, Arizona 85206

WARRANTY DEED

Effective Date	County and State where Real Property is located		
February 20, 2016	Bannock County, Idaho		
GRANTOR Clear Lake Enterprises, LLLP 4121 E. Valley Auto Drive 116 Mesa, Arizona 85206	GRANTEE Snow Valley Trust Joe Denton Dobbins Jr. and Leann Dobbins as Trustees 4121 E. Valley Auto Drive 116 Mesa, Arizona 85206		
Subject Real Property (Address or Location)	Legal Description proofed by persons whose initials appear to the right	1.	2.
1280 North Mink Creek Road Pocatello, Idaho 83204			
Subject Real Property (Legal Description)			

See Attachment "A"

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The undersigned hereby warrants the title against all persons whomsoever, subject to the matters set forth.

Grantor deeds to Grantee all right, title, and interest of Grantor in Subject Real Property together with all rights and privileges appurtenant or to become appurtenant to Subject Real Property, on effective date.

Together With: A prorated portion of all of the water rights of the water rights currently held by Clear Lake Enterprises, LLLP and all easement rights granted under Bannock County recording number 21215372.

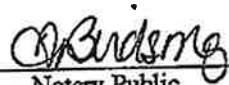

Grantor - Clear Lake Enterprises, LLLP
By: Blue Mountain Management Company, LLC
Its: General Partner
By: Wayne Dobbins
Its: Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

On the 27th day of April, 2016, personally appeared WAYNE DOBBINS known to me or satisfactorily proven to be the person whose name is subscribed to this instrument and acknowledged that he executed the same as his free and voluntary act and deed.

My Commission Expires:
Sept 6, 2017




Notary Public
Printed Name: T. Birdsong

2

12
ATTACHMENT "A"

21607850

PARCEL 3A

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COMPRISING 8.79 ACRES MORE OR LESS

TOGETHER WITH;

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1-3

21607850

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ALSO

A 60.00 wide access and utility easement over, across and under a strip of land, located in the Southeast 1/4 of Section 30, Township, 7 South, Range 35 East, Boise Meridian, Bannock County Idaho described as follows:

ALL of the land as depicted as Apple Orchard Drive (a private drive) on the official plat of Apple Orchard Subdivision, a subdivision recorded in the records of Bannock County and instrument 20827293



7-24
21607850

THE SNOW VALLEY TRUST

Trust Date: October 1, 2009

Revocable Living Declaration of Trust
ABQD Trust on Death of First Grantor
Irrevocable Dynasty Trust on Death of Second Grantor

PREPARED AT THE REQUEST AND
UNDER THE DIRECTION OF:

Durfee & Phelps, PLLC
S. KENT PHELPS
1423 S. Higley Road, Ste. 127
Mesa, AZ 85206
(480) 324-8000
kent@durfeephelps.com

This is a Durfee & Phelps, PLLC document.

THE SNOW VALLEY TRUST
© 2009 Durfee & Phelps, PLLC

Grantor's Initials

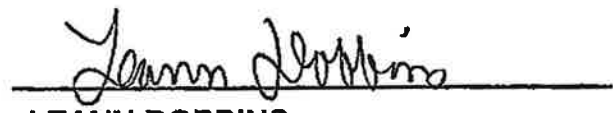
EXECUTION:

All parties named in the caption as parties shall sign below and at least one of the parties shall initial all pages of all original copies of this Trust Agreement. Furthermore, all documents such as schedules, exhibits and like documents which are expressly incorporated herein shall be initialed by the parties and either exchanged or attached to the originals which are given to any party named on the caption page of this Trust Agreement. It is the intent of the parties that all pages be initialed on all originals that are exchanged in order that no substituted pages or misunderstanding shall ever become possible to create problems in satisfying the intended objectives of this Trust Agreement.

IN WITNESS WHEREOF, the parties execute this Trust intending that it be effective on the Effective Date and at the Effective Place of Execution.

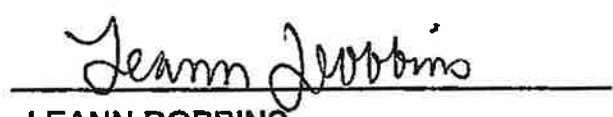
GRANTOR:


JOE DENTON DOBBINS JR.

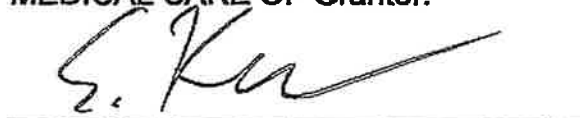

LEANN DOBBINS

TRUSTEE:

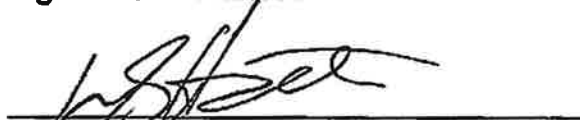

JOE DENTON DOBBINS JR.


LEANN DOBBINS

This Trust was signed in the presence of us who, at the request and in the presence of Grantor and in the presence of each other, have signed the same as witnesses thereto. WE ALSO AFFIRM THAT WE ARE NOT RELATED TO Grantor BY BLOOD, MARRIAGE, OR ADOPTION AND THAT WE ARE AWARE OF NO INHERITANCE RIGHTS, GIFTS, OR DISTRIBUTIONS THAT WE SHALL RECEIVE FROM GRANTOR'S WILL OR FROM ANY OTHER SOURCE FROM Grantor AND ARE NOT PERSONS INVOLVED WITH THE MEDICAL CARE OF Grantor.


Signature of Witness

1423 S. Higley Road, Suite 127
Entrada Building #11
Mesa, Arizona 85206-3450


Signature of Witness

Address of Witness
1423 S. Higley Road, Suite 127
Entrada Building #11
Mesa, Arizona 85206-3450


Signature of Witness

Address of Witness
1423 S. Higley Road, Suite 127
Entrada Building #11
Mesa, Arizona 85206-3450

Address of Witness

TRUST AFFIDAVIT
Section 63-602G or Section 63-701, Idaho Code

STATE OF IDAHO)
) ss.
COUNTY OF BANNOCK)

I/We the undersigned, JOE DEAN DUBBINS JR AND LEANN DUBBINS, being first duly sworn on oath,
(name)
state that I/we qualify for this exemption under Section 63-602G or this benefit under Section 63-701,

Idaho Code because of the following:

1. The undersigned is/are the beneficiary(ies) of the SNOW VALLEY TRUST, a trust,
(legal name of trust)
established in the county of MARICOPA on 10 - 1 - 2009.
mm dd yy
2. The undersigned occupied the residence identified by _____ as the
(parcel number)
beneficiary(ies) primary dwelling place before April 15, 2015.
yy
3. I have attached copies of the pages from the trust document showing the following:
 - a. The name of the beneficiary(ies); and
 - b. The signature(s) of the grantor(s).

DATED 4/6/16

[Signature]
(claimant's signature)
Leann Dubbins
(claimant's signature)

On this 6 day of April, in the year of 2016, before me Lane Marley,
(notary name)
a notary public personally appeared JOE DEAN DUBBINS JR AND LEANN DUBBINS, personally
[individual's (s') name(s)]
known to me or identified to me to be the person(s) whose name(s) is (are) subscribed to the within instrument,
and acknowledged to me that he (she) (they) executed the same.



[Signature]
Notary Public
Residing at: Bozelle, ID
My Commission Expires on _____

My Commission Expires
October 10, 2019

TR0000008
04-24-2003

3-1
21607849OFFICIAL RECORD Bk# 1004
BANNOCK COUNTY IDAHORECORDED AT REQUEST OF
FEE 10 DEPUTY 11

Cherry Hill Orchards LLC

When recorded, mail to:

21607849

2016 JUN 16 A 11:21

Blue Mountain Management Company, LLC.
Wayne Dobbins - Manager
4121 E. Valley Auto Drive 116
Mesa, Arizona 85206

WARRANTY DEED

Effective Date	County and State where Real Property is located		
January 20, 2016	Bannock County, Idaho		
GRANTOR Cherry Hill Orchards, LLC 1268 N. Mink Creek Road Pocatello, Idaho 83204	GRANTEE Clear Lake Enterprises, LLLP 4121 E. Valley Auto Drive 116 Mesa, Arizona 85206		
Subject Real Property (Address or Location)	Legal Description proofed by persons whose initials appear to the right	1.	2.
1280 North Mink Creek Road Pocatello, Idaho 83204			3.
Subject Real Property (Legal Description)			

See Attachment "A"

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, covenants, conditions and restrictions as may appear of record.

The undersigned hereby warrants the title against all persons whomsoever, subject to the matters set forth.

Grantor deeds to Grantee all right, title, and interest of Grantor in Subject Real Property together with all rights and privileges appurtenant or to become appurtenant to Subject Real Property, on effective date.

Together With: A prorated portion of all of the water rights of the water rights currently held by Cherry Hill Orchards, LLC and all easement rights granted under Bannock County recording number 21215372.

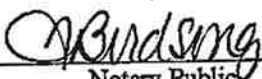

Grantor - Cherry Hill Orchards, LLC
By: Blue Mountain Management Company, LLC
Its: Manager
By: Wayne Dobbins
Its: Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

On the 27th day of April, 2016 personally appeared WAYNE DOBBINS known to me or satisfactorily proven to be the person whose name is subscribed to this instrument and acknowledged that he executed the same as his free and voluntary act and deed.

My Commission Expires:

Sept. 6, 2017


Notary Public
Printed Name: T. Birdsong

PARCEL 3A

A parcel of land located in the Southeast 1/4 of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, being a portion Parcel 3 of the land described in deed instrument 20718013 described as follows:

Commencing at the East 1/4 corner Section 30, Township 7 South, Range 35 East, Boise Meridian; Thence South 00°06'06" East, along the East line of Section 30, a distance of 1366.87 feet, to the Southeast corner of Lot 1R Block 3, Apple Orchard Subdivision, a subdivision recorded in the records of Bannock County as instrument 20827293, said point being marked by a 2" diameter aluminum cap stamped LS-10342, **THE TRUE POINT OF BEGINNING**;

Thence South 80°50'06" West along the North boundary line of said Lot 1R, Block 3, a distance of 499.06 feet to the approximate centerline of Mink Creek;

Thence following the approximate centerline of Mink Creek for the next (24) twenty four courses:

1. North 22°24'57" West a distance of 23.83 feet;
2. North 84°21'48" East a distance of 38.72 feet;
3. North 60°36'37" East a distance of 30.03 feet;
4. South 79°33'20" East a distance of 49.83 feet;
5. North 31°21'49" East a distance of 61.24 feet;
6. North 03°58'51" West a distance of 40.73 feet;
7. North 17°22'53" East a distance of 41.31 feet;
8. North 50°35'21" East a distance of 44.99 feet;
9. North 00°00'00" East a distance of 39.93 feet;
10. North 22°08'50" West a distance of 62.29 feet;
11. North 05°15'03" East a distance of 46.78 feet;
12. North 63°39'16" West a distance of 59.99 feet;
13. South 77°18'33" West a distance of 34.62 feet;
14. North 78°22'35" West a distance of 47.19 feet;
15. South 69°38'53" West a distance of 125.76 feet;
16. North 90°00'00" West a distance of 27.59 feet;
17. North 18°17'53" West a distance of 65.30 feet;
18. North 06°12'28" East a distance of 48.72 feet;
19. North 17°42'19" West a distance of 103.38 feet;
20. North 00°30'43" East a distance of 53.27 feet;
21. North 11°58'09" West a distance of 80.46 feet;
22. North 21°36'48" East a distance of 40.11 feet;
23. North 52°30'31" East a distance of 61.83 feet;
24. North 36°36'18" East a distance of 57.44 feet;

Thence North 89°53'54" East, leaving said centerline of Mink Creek, a distance of 573.93 feet, to a point on the East line of Section 30;

Thence South 00°06'06" East along said East line a distance of 704.90 feet more or less, to **THE TRUE POINT OF BEGINNING**.

COMPRISING 8.79 ACRES MORE OR LESS

TOGETHER WITH;

A 24.00 foot wide access and utility easement over, across and under a strip of land, being 12.00 feet perpendicular distance, on each side of the following described centerline, located in the Southeast 1/4 of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County Idaho being a portion of the lands described in deed instruments, 21005625, 20615988, and 20718013 of the records of Bannock County, more particularly described as follows:

3-2
COMMENCING at the Northwest corner of Lot 1 Block 2, Apple Orchard Subdivision, a subdivision recorded in the records of Bannock County, Idaho as instrument 20827293;

Thence North $84^{\circ}52'05''$ East along the north line of Apple Orchard Subdivision, a distance of 242.97 feet, to a point on the centerline intersection of Apple Orchard Drive and the north boundary line of said subdivision, to the centerline being described, **THE TRUE POINT OF BEGINNING;**

Thence North $03^{\circ}44'03''$ West, along the approximate centerline of an existing graveled road a distance of 175.00 feet;

Thence North $05^{\circ}52'24''$ West, continuing along said centerline a distance of 145.00 feet;

Thence North $11^{\circ}28'02''$ West, along said centerline a distance of 140.00 feet;

Thence North $04^{\circ}01'45''$ West along said centerline a distance of 71.55 feet, to a point on the south boundary line of the land described in deed instrument 20718013;

Thence continuing North $04^{\circ}01'45''$ West along said centerline a distance of 166.19 feet, to a point of tangency of a 90.00 foot radius curve concave to the southeast;

Thence northeasterly, easterly and southeasterly along said curve, through a central angle of $109^{\circ}37'34''$, and an arc distance of 172.20 feet, to a point of tangency;

Thence South $74^{\circ}24'10''$ East a distance of 89.51 feet, to a point of tangency of a 35.00 foot radius curve, concave to the northwest;

Thence easterly and northeasterly along said curve, through a central angle of $71^{\circ}55'22''$, and an arc distance of 43.94 feet, to a point of tangency;

Thence North $33^{\circ}40'28''$ East a distance of 105.56 feet, to a point of tangency of a 150.00 foot radius curve concave to the northwest;

Thence northeasterly along said curve, through a central angle of $21^{\circ}08'00''$, and an arc distance of 55.33 feet to a point of tangency;

Thence North $12^{\circ}32'28''$ East a distance of 41.96 feet to a point of tangency of a 30.00 foot radius curve concave to the southeast;

Thence northeasterly, easterly and southeasterly along said curve, through a central angle of $131^{\circ}14'06''$, and an arc distance of 68.71 feet, to a point of tangency;

Thence South $36^{\circ}13'26''$ East a distance of 33.72 feet, to a point in the centerline of Mink Creek, also being a point on the West boundary line of the lands described in Parcel 3, of deed instrument 20718013

THE TERMINUS OF THE EASEMENT BEING DESCRIBED;

The side lines of the aforementioned strip of land are to be shortened or lengthened to terminate on the North line of Apple Orchard Subdivision and the west boundary line of deed instrument 20718013.

ALSO

A 60.00 wide access and utility easement over, across and under a strip of land, located in the Southeast 1/4 of Section 30, Township, 7 South, Range 35 East, Boise Meridian, Bannock County Idaho described as follows:

ALL of the land as depicted as Apple Orchard Drive (a private drive) on the official plat of Apple Orchard Subdivision, a subdivision recorded in the records of Bannock County and instrument 20827293





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

October 13, 2021

ELIJAH STEWART
1110 YELLOWSTONE AVE
POCATELLO ID 83201-4312

Re: Change in Water Right Ownership: 29-2406 (Split into 29-2406, 29-14407-Anthony and 29-14408-Stewart)

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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)

cc: CHERRY HILL ORCHARD LLC
ROBERT ANTHONY