

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 22 2018

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Hanging T FarmsPhone ~~786-3327~~ 705-8307Mailing address 2255 S 3100 W Malad, ID 83252Email JTWillie@atcnet.net

- ☒ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it Attachment #1.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it Attachment #2a.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it Attachment #2b.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it Attachment #3.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____

Phone _____

Mailing address _____

Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it Attachment #4.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative Tom WilliePrint Name and Title if applicable Tom Willie PartnerDate 2/6/18

Signature of Applicant or Authorized Representative _____

Print Name and Title if applicable _____

Date _____

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☒ Change period of use ☒ Other Ownership Changes

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2.

Combining my rights on 520.5 acres and into three wells. Changing the Ownership into Hanging T Farms, LLC.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	15-7189	0.20	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	15-2019A	1.87	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	15-2019B	0.57	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	15-4023	0.55	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	15-2014	0.09	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	15-2052C	0.57	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	15-2061	0.90	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	15-7231	1.57	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	15-2052D	0.28	Irrigation	04/01 to 10/31	Ground Water

Total authorized under rights 7.72 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 7.72 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NW	NW	36	14S	35E	Oneida	Ground Water	
			NW	SW	25	14S	35E	Oneida	Ground Water	
			SE	NW	36	14S	35E	Oneida	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	35E	35	39	22	8.5	38									38	6	5	26	182.5
		36			5		4.5	4	38	19.5	37	40	40	40					228
		26													37	21	19	33	110
Total Acres (for irrigation use)																			520.5

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF A WATER RIGHT

Supplemental Page for Description of Rights after Transfer**

[illegible]

Total authorized under rights 7.72 cfs and/or _____ ac-ft

****Insert this page into Part 1B of the Application for Transfer of a Water Right.**

82220

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/15/2018

Water Right 15-7189

Owner Type **Name and Address**
Current Owner HANGING T FARMS LLC
3585 W HWY 38
MALAD, ID 83252
(208) 852-2185

Current Owner NORTHWEST FARM CREDIT SERVICES FLCA
PO BOX 386
PRESTON, ID 83263

Priority Date: 8/2/2000

Basis: License

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.200 CFS	84.9 AF
	<u>Total Diversion</u>		0.200 CFS	84.9 AF

Source and Point(s) of Diversion

GROUND WATER NWNW Sec. 36, Twp 14S, Rge 35E, ONEIDA County

Place Of Use

IRRIGATION within ONEIDA 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	
14S	35E	35			8.5	38.0									38.0	6.0	5.0	26.0	121.5
14S	35E	36							38.0	20.0									58.0

POU Total Acres: 179.5

Conditions of Approval:

1. X35 Rights 15-2014, 15-2019A, 15-2052C, and 15-7189 when combined shall not exceed the irrigation of 238.5 acres.
2. 01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

15-2019[A&B] Ownership Notes

The right was originally licensed as 15-2019 to R.N. Hill and John Illum on 170 acres of ground.

Right 15-2019 was split into rights 15-2019A and 15-2019B as part of a 2000 Transfer.

Right 15-2019B was the split portion of the water right. It is the split portion of parent 15-2019 in the NWSW of Section 36. That right was owned by Don and Carlene Tubbs, and was sold to Tim and Julie Willie in its entirety.

15-2019A was the remaining portion of parent right 15-2019. At the time of transfer submittal it sat on 130 acres. According to Department records, the right was owned by R.N. Hill and John Illum.

Numerous deeds (Instrument nos. 66948, 95922, 125683, 126680, and 78519) were submitted, demonstrating that RN Hill or John Illum sold various parcels of land. Of those various parcels, only the 40 acres in the NWSW of Section 36 were covered 15-2019A's place of use*.

The ownership of 100 acres of right 15-2019A will be updated to Hanging T Farms, LLC, based on Instrument No. 118850, a February 12, 1993 quitclaim deed from the United States of America, acting through the Farmers Home Administration, to Carl and Carol Dawn Willie. Parcels 1 and 6 in the deed together describe 100 of the 130 acres covered by 29-2019. Further, the deed specifically mentions right 15-2019.

The remaining 30 acres of 15-2019 sit in the SWNE of Section 35, on lot T-1134. Instrument No. 65065, a 1945 warranty deed from Richard N. Hill to Henry Jones, conveys those 30 acres explicitly without water rights.

* An "interest in the well" was included in the deeds, but no language specifically discussed the water rights.

2/27/2018

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	R N HILL MALAD CITY, ID

Priority Date: 1/2/1936

Basis: License

Status: Active

Tributary

Beneficial Use

IRRIGATION

From

To

4/01 10/31

Diversion Rate

1.870 CFS

Volume

Total Diversion

1.870 CFS

Source and Point(s) of Diversion

GROUND WATER

NWNW

Sec. 36, Twp 14S, Rge 35E, ONEIDA County

Place Of Use

IRRIGATION within ONEIDA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S	35E	35			40.0	40.0													80.0
14S	35E	36							40.0	10.0									50.0

POU Total Acres: 130.0

Conditions of Approval:

Combined Use Limits

Rate

Volume

Acres

15-2019A ,15-7231

301.0

SubCase:

N/A

Water Supply Bank:

N/A

Form FmHA 1955-49
(Rev. 10-28-81)

Position 5

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to:

Carl R. Willie and Carol Dawn Willie
Grantee, for the sum of ONE HUNDRED THIRTY FOUR THOUSAND DOLLARS... (134,000.00)

all interest in the following described real estate situated in the County of ONEIDA

State of IDAHO

, to-wit:

SEE ATTACHED LEGAL

Subject to Conservation Easement
(See Attachment A)

Microfilm No. 118850
12 Day February 19 93
4:20 P. M.
William M. Wright
Oneida Co. Recorder
Fee \$ 27.00
Recorded at Request of
E. J. Smith

118850

This deed is executed and delivered pursuant to the provisions of

A Credit Sale of Government Inventory property formerly belonging to
Carl R. Willie and Carol Dawn Willie; 12-36-518284033, FmHA
Advice No. 12-36-04026 by Form FmHA 1955-45, "Standard Sales
Contract Sale of Real Property By The United States."

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated December 30, 19 92.

UNITED STATES OF AMERICA (Grantor)

By Michael A. Field
MICHAEL A. FIELD, Idaho State Director
Farmers Home Administration
United States Department of Agriculture

In the presence of:

ACKNOWLEDGMENT

STATE OF IDAHO)
)
County of Ada)

On this 30th day of December, 1992, before me, the undersigned, a Notary Public
in and for said State, personally appeared Michael A. Field, known to me to be the
Idaho State Director, Farmers Home Administration, USDA, and person whose name is
subscribed to the within instrument and acknowledged to me that he executed the
same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on
the day and year last above mentioned.

Yvonne M. Clapier
YVONNE M. CLAPIER
Notary Public in and for
State of Idaho
Residing at Boise, Idaho
My Bond Expires 05-11-98

SCHEDULE "A" - CARL R. WILLIE

PARCEL 1, T-1162:

Commencing at the center of Section 36, Township 14 South, Range 35 East, Boise Meridian; and running thence West 160 rods; thence North 93 rods; thence East 160 rods; thence South 2.44 rods to a point 17.36 chains South of the Northeast Corner of the NW $\frac{1}{4}$ of said Section 36; thence South 24°00' East 725 feet; thence South 3°00' West 525 feet; thence South 1°00' East 275 feet, more or less, to a point on Quarter Section Line, 260 feet East of the point of beginning; thence West 260 feet to the point of beginning. ALSO, a right of roadway one rod wide from the State Highway along the East side of the SW $\frac{1}{4}$ of Section 36, Township 14 South, Range 35 East, Boise Meridian. EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT: (T-3412: Township 14 South, Range 35 East, Boise Meridian: Section 36: Commencing at a point 345 feet East and 30 feet North of the Southwest Corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section for a point of beginning; thence North 235 feet; thence West 220 feet; thence South 235 feet; thence East 220 feet to the point of beginning. TOGETHER WITH a right of way for ingress and egress 30 feet wide running West 975 feet from the Southeast Corner of the NW $\frac{1}{4}$ of said Section to the above described land.

PARCEL 3, T-1140:

Commencing at a point 40 rods West of the Southeast Corner of Section 35, Township 14 South, Range 35 East, Boise Meridian; and running thence North 160 rods; thence West 108 rods; thence South 8 rods; thence West 12 rods; thence South 32 rods; thence East 60 rods; thence South 120 rods; thence East 60 rods to the place of beginning. EXCEPTING THEREFROM THE FOLLOWING: (T-3056) Commencing at a point 100 rods West of said Southeast Corner of said Section 35, which said point is located in the center of State Highway 37, which said highway is 88 feet wide; thence running North 305 feet; thence East 165 feet; thence South 305 feet to the center of said Highway 37; thence West 165 feet to the point of beginning.

PARCEL 4, T-12:

Commencing at the Southeast Corner of Section 35, Township 14 South, Range 35 East, Boise Meridian; thence West 40 rods; thence North 160 rods; thence East 40 rods; thence South 160 rods to the place of beginning. EXCEPTING THEREFROM THE FOLLOWING: (T-3341) Commencing at the Southeast Corner of said Section 35; thence running West 40 rods to the point of beginning; thence North 468.5 feet; thence East 186 feet; thence South 468.5 feet; thence West 186 feet to the point of beginning.

PARCEL 6, T-1161:

Commencing at the Southeast Corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 14 South, Range 35 East, Boise Meridian; and running thence West 100 rods; thence North 80 rods; thence East 100 rods; thence South 80 rods to the place of beginning. TOGETHER WITH a right of roadway from the Pleasantview Road North to the NW $\frac{1}{4}$ of Section 36, Township 14 South, Range 35 East, Boise Meridian and along the South of said NW $\frac{1}{4}$ to the above described premises.

TOGETHER WITH a 5/22 interest in the Hill and Illum well situated on land adjoining the above-described property and together with the right to use the ditches and conduits from said well to the above-described property.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to shares of the water stock of Samaria Water & Irrigation Co. and including all interest in and to water well License No. 15-2052 for 2.39 cfs of water with priority date of 5-28-59 and water well License No. 15-2019 for 2.44 cfs of water with priority date of 1-2-36.

TOGETHER WITH buried mainline and pump and motor for sprinkler system.

State of Idaho

License and Certificate of Water Right

Water License No. 18223

Amount 2.44 sec. ft.

Water District No.

Priority January 2, 1936

THIS IS TO CERTIFY that R. N. HILL and JOHN ILLUM, Partners
of Malad, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 2, 1936; that Permit No. 18223
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.44 second feet, was issued thereunder on May 13, 1936, showing that said works
were completed on the 12th day of May, 1936; and that on the 16th
day of June, 1936,

R. N. HILL and JOHN ILLUM, Partners
of Malad, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of drilled well
(subterranean), a tributary of no known stream, for the purpose of irrigation
, under Use Permit No. 18223 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3850, on the 21st day of December, 1936;
The right hereby confirmed dates from January 2, 1936;

The Point of Diversion is located
in the NW 1/4 NW 1/4, Sec. 36, Tp. 14 S., R. 35 E., B. M. Oneida County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.44
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S.	35 E.	35	SW NE	40	40
			SE NE	40	40
		36	SW NW	40	40
			SE NW	40	10
			NW SW	40	40
				Total	170

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 21st day of December, 1936

R. W. FARIS

Commissioner of Reclamation

(Seal)

15 2019

82220

15-2019 Original License
POU & POD

27

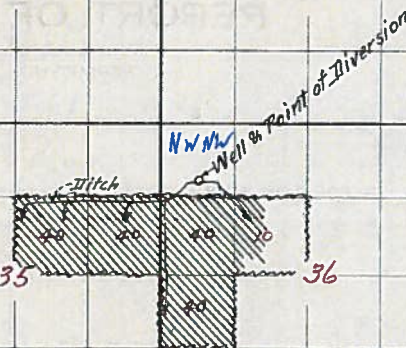
26

25

34

35

36



STANDARD CO. PRINTERS & BINDERS, BOISE, IDAHO

Instrument No. 66928

WARRANTY DEED

THIS INDENTURE, Made this 24th day of January, in the year of our Lord one thousand nine hundred and Forty-Six, between R.N. Hill also known as Richard N. Hill and his wife E. Rose Hill of Salt Lake City, County of Salt Lake, State of Utah, the parties of the first part, and E. Rose Hill and his wife Rosella Smith of Malad R.N. Hill, County of Oneida, State of Idaho, the parties of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and no/100 Dollars and other good and sufficient consideration DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in County of Oneida, State of Idaho, to-wit:

The North Half of the Southwest quarter and the Southeast quarter of the Southwest quarter of Section 36 in Township 14 South, Range 35 East of the Boise Meridian, in Oneida County, Idaho, containing 120 acres, together with all improvements located thereon; TRS A 7041847 right of way to one John Hill, described as follows to-wit: Commencing at the Southeast corner of the Southwest quarter of Section 36 Township 14 South, Range 35 East of the Boise Meridian, and running thence West One rod; Thence North 160 rods; Thence East One rod to the center of said Section 36; Thence South 160 rods to the place of beginning.

Also conveyed herewith an undivided One-half Interest in a Drilled Well and all the waters therefrom with the said well is located on, described as follows to-wit: Commencing at a point 25 rods North and 47 rods East of the Southwest corner of the Northwest quarter of Section 36 in Township 14 South, Range 35 East of the Boise Meridian; and running Thence South 4 rods; Thence East 4 rods; Thence North 4 rods; Thence West 4 rods to the place of beginning; together with the pump and electrical equipment in and on and in connection with said well on said above described premises; with Two Irrigation water ditches rights of way for irrigation and all other purposes on the same are now located over and across the South part of the Northwest quarter of said Section 36 from said well to the premises herein conveyed and first above described; TOGETHER WITH a right of roadway to and from said well for the purposes herein on their successors in interest, for the care, upkeep and repair of said well and its equipment whenever needed and required, the same as said roadway right of way is now used to and from said well to the public Highway.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever, and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

12.65 Documents shown attached and duly cancelled

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

R.N. Hill (SEAL)
E. Rose Hill (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO,)
COUNTY OF Salt Lake) ss.

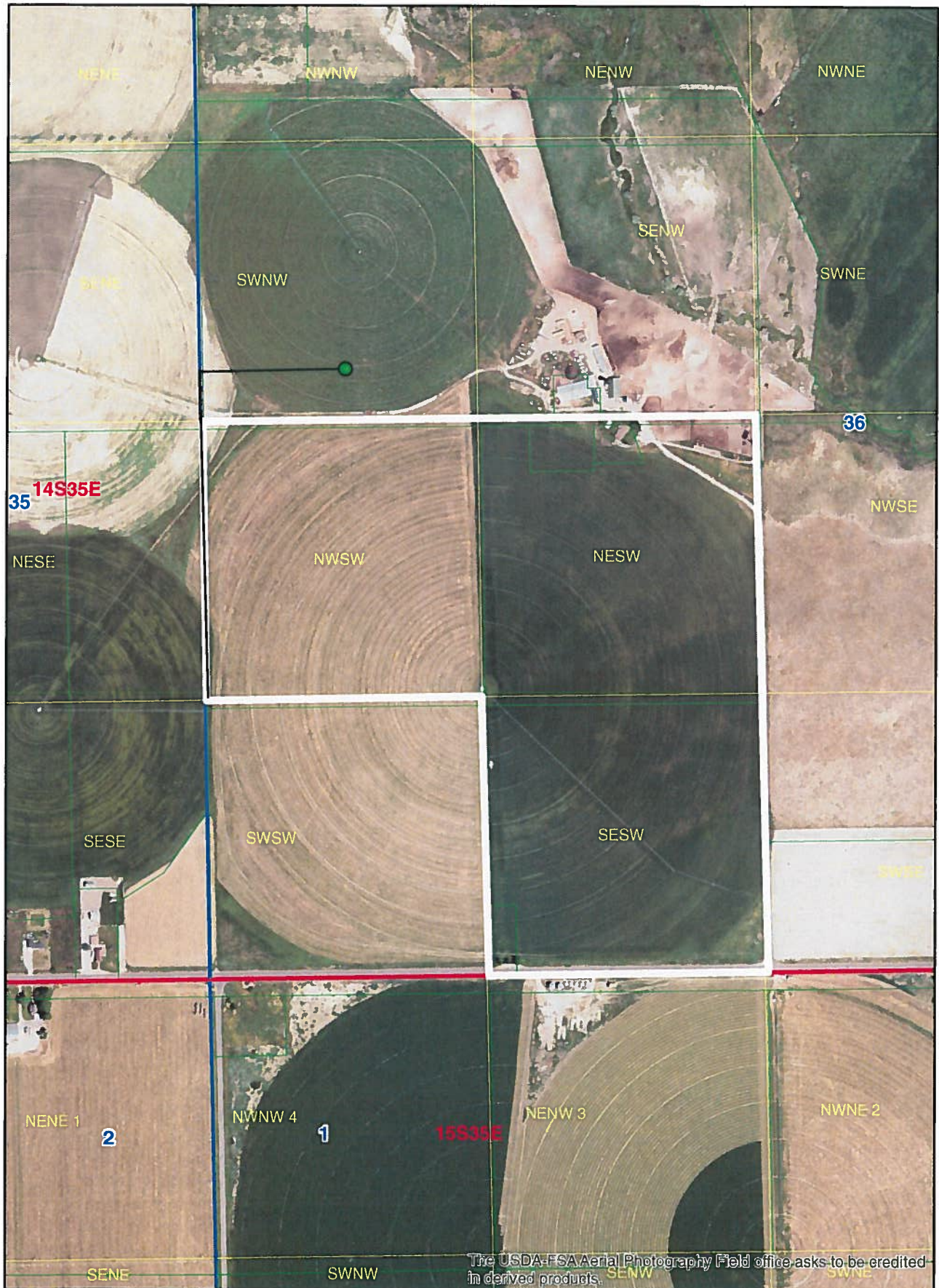
On this 10th day of January, in the year 1946, before me, I.H. Brockbank, a Notary Public in and for said State, personally appeared R.N. Hill also known as Richard N. Hill and his wife E. Rose Hill; known to me to be the person whose name was subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(Seal) I.H. Brockbank
Notary Public for the State of Idaho, residing at
Salt Lake City, Utah, Idaho.

Inst. No. 66948: RN Hill to Lavern and Rosella Smith

1/8/1946



82220

UNITED STATES MARSHAL'S DEED

THIS DEED, made and entered into this 18th day of September, 1998 between James H. Benham, United States Marshal for the District of Idaho, by virtue of his office, of the first part, and Sheldon J. Smith and Kenna H. Smith, husband and wife, 313 West Highway 38, Malad City, ID 83252 of the second part;

WHEREAS, in and by an Amended Order for Default Judgment and Decree of Foreclosure filed on the 22nd of April, 1997, in and by the District Court of the United States, held in and for the District of Idaho, in a lawsuit then pending in said Court, wherein the United States of America was plaintiff and Sheldon J. Smith and Kenna H. Smith, husband and wife, were the defendants, it was, among other things, ordered, adjudged, and decreed that the mortgaged premises described in the Complaint and in the Amended Order for Default Judgment and Decree of Foreclosure in said action be sold at public auction by the United States Marshal for the District of Idaho in the manner directed by law, a copy of which Order of Sale thereon was duly issued and delivered to said Marshal, requiring him to make sale of said property as therein directed;

AND WHEREAS, in obedience to said Amended Order for Default Judgment and Decree of Foreclosure and Order of Sale, and after due public notice given as required by law, the said Marshal did, on the 17th day of September, 1997, at 10:30 a.m. of said day, duly sell at public auction the premises described to United States Government, Acting through the United States Department of Agriculture, Farm Service Agency, for a credit bid of \$295,300.00, that being the highest and best bid and the United States Government, Acting

through the United States Department of Agriculture, Farm Service Agency, was the highest and best bidder which will more fully appear by reference to a Certificate of Sale given to said United States Government, Acting through the United States Department of Agriculture, Farm Service Agency on behalf of the said United States Marshal bearing date on the 17th day of September, 1997.

AND WHEREAS Sheldon J. Smith and Kenna H. Smith redeemed said property by delivering to the United States Marshal the sum of \$326,398.95 within the time allowed for such redemption and a Certificate of Redemption having been recorded with the County Recorder's Office for Oneida County, State of Idaho.

NOW THEREFORE, I, James H. Benham, United States Marshal for the District of Idaho, by virtue of my office, for and in consideration of \$326,398.95 have sold and by these presents do sell all the real and appurtenant property situated in the County of Oneida, State of Idaho, and more particularly described as follows:

REAL AND APPURTENANT PROPERTY

PARCEL 1

Township 14 south, Range 35 East, Boise Meridian:
Section 36: SW $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL 2

Township 14 South, Range 35 East, Boise Meridian:
Section 36: SE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; EXCEPTING Commencing at a point 617 feet West of the Southeast Corner of the NW $\frac{1}{4}$ of said Section 36; thence running West 166 feet; thence South 181 feet; thence East 237 feet; thence Northwesterly 194.5 feet, more or less, to the point of beginning (T-3393)

PARCEL 3

Township 15 South, Range 35 East, Boise Meridian:
Section 1: Lot 1; SE $\frac{1}{4}$ NE $\frac{1}{4}$; EXCEPTING the following tract: Commencing at a point 530 feet West of the corner post situated near the Northeast Corner of said Section 1 where the South line of Highway intersects the West line of the

County Road; thence West 150 feet; thence South 170 feet; thence East 150 feet; thence North 170 feet to the point of beginning. T-3343; EXCEPTING the following tract: Commencing at a point 680 feet West of a corner post near the Northeast Corner of said Section 1 where the South line of Highway 37 intersects West line of County Road; thence Running West 304 feet; thence South 286.5 feet; thence East 304 feet; thence North 286.5 feet to the point of beginning. T3238

PARCEL 4

Township 15 South, Range 35 East, Boise Meridian:
Section 1: Commencing at a point 680 feet West of a corner post near the Northeast Corner of said Section 1 where the South line of Highway 37 intersects West line of County Road; thence Running West 304 feet; thence South 286.5 feet; thence East 304 feet; thence North 286.5 feet to the point of beginning. T3238

All water and water rights under water license numbers 15.02019, 15.02037, and 15.02052.

1720'	Mainline	10" 100# P.V.C.
6600'	Mainline	8" 100# P.V.C.
5	Wheellines	Wade Rain 1/4 mile - 4"

All other related equipment including pumps, motors, risers, valves, etc.

Together with all water and water rights, ditch and ditch rights used thereon or appurtenant thereto including but not limited to rights to ground waters produced from a well or wells located on the to be recorded mortgaged premises especially such water under Permit No. G-24048 and G-24084, and One Half interest and all waters under License No. 18223, also, 1/8 interest in well, License No. 15-2052 with priority date of May 28, 1959 for 2.39 cfs water. License numbers 15.02019 and 15.01037.

Together with all irrigation equipment of every kind and character used in the irrigation of the irrigation of the above described property and every addition or replacements thereof now owned or hereafter acquired by the borrowers including but not limited to pumps, pipes, motors, electrical panels, sprinkler system including specifically but not limited to the following: 1 - Elec. Pump, G.E. 100 H.P. and misc. assessories.

Subject to Easements in favor of Utah Power and Light; Right-of-Ways in favor of Western States Utilities Co; Right-of-Way Easement in favor of California Pacific Utilities Co.; Right-of-Way Easement in favor of Mt. States Telephone and Telegraph Co.; Road right-of-way; Highway

126650

right-of-way; and Road and Highway rights-of-way as evidenced by the plat thereof in the office of the Oneida County Assessor.

SUBJECT TO:

An individual one-third interest in a fourteen inch diameter drilled well and an earthfill built reservoir and all the waters therefrom with the land said well and reservoir is located on, described as follows to-wit; Commencing at a point 1550 feet East of the Northwest corner of the Southwest quarter of Section 36 in Township 14 South, Range 35 East Boise Meridian; and running thence South 230 feet; Thence East 304 feet; Thence North 230 feet; Thence West 304 feet to the place of beginning; together with the pipe or pipes, headgates, outlets, pump and all electrical equipment necessary, in and on and in connection with said Well and Reservoir on said last above described premises, with irrigation water ditches rights of way over and across Grantors property for irrigation and cullinary purposes; one running West from said Well and Reservoir 260 feet, more or less to Forty subdivision line; Thence South 160 rods, more or less, to the irrigation ditch abutting on the south side of the County highway road; Thence East along the south side of the County Highway road 240 rods, more or less, to the irrigating Ditch running South; Thence South 160 rods; more or less, to farm lands in Section Six Township 15 South, Range 36 East Boise Meridian; with other irrigation water ditches Rights of way over and across Grantors property for irrigation and cullinary purposes from said Well and Reservoir to any other property of the Grantee herein; or to any other property in which the Grantee herein, or his successors in interest, may have any interest in, requiring cullinary and irrigation water; together with a right of roadway, along the East side and North side of the Southwest quarter of Section 36 Township 14 South, Range 35 East Boise Meridian, to and from said Well and Reservoir for the uses of the Grantee herein, or his successors in interest, for the care, upkeep and repair of said Well and Reservoir and its equipment when-ever needed and required, the same as said roadway right of way is now used to and from said Well and Reservoir to the Public Highway.

Commonly known as: 313 W. Hwy 38, Malad, Idaho 83252

TO HAVE AND TO HOLD, the above-described premises unto said grantees and assigns forever.

126680

IN WITNESS WHEREOF, said grantor as Marshal aforesaid,
doth hereunto set his hand the day and year first above written.

James H. Benham
JAMES H. BENHAM
United States Marshal
for the District of Idaho

STATE OF IDAHO)
) s s.
County of Ada)

I, the undersigned, a Notary Public for the State of Idaho, do hereby certify that James H. Benham, United States Marshal for the District of Idaho, who is known to me to be the person who executed the foregoing deed of conveyance, this day personally appeared before me and acknowledged that he executed the same as said United States Marshal for the District of Idaho, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at the City of Boise, State of Idaho, this 18th day of September, 1998.

Sheryl Lynn Cross
NOTARY PUBLIC
Residing at *Boise, Idaho*
My Commission Expires: *12/6/2001*



126680

Microfilm No. _____
19 Day *October* 1998
At *9:34* *am*
Sheryl Lynn Cross
Notary Public
Fee \$ *15.00* Deposit _____
Recorded at Request of *Kenneth D. Smith*

DEED RECORD No. 26

Instrument No. 65065

WARRANTY DEED

THIS INDENTURE, Made this 1st day of December, 1945, in the year of our Lord
one thousand nine hundred and

of Blad, Idaho, County of Oneida, State of Idaho,
the parties of the first part, and Henry D. Jones

of Blad, Idaho, County of Oneida, State of Idaho,
the party of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

\$2400.00 DOLLARS,
lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt
whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and
confirm unto the said party of the second part, and to his heirs and assigns forever, all that certain lot, piece or
parcel of land, situated, lying and being in the County of Oneida, and State of Idaho, and more
particularly described as follows, to-wit:

The following described real estate, situated in Oneida County State of Idaho, to-wit:

Commencing at the Southwest Corner of the Northeast quarter of Section 35, Township
14 South, Range 35 East, Boise Meridian, thence running North 60 rods, thence East 160 rods,
thence South 60 rods, thence West 60 rods, to the place of beginning, containing 60 acres
(no water rights are transferred with this land)

2.75 Documentary stamps attached and duly cancelled.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise apper-
taining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and
interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances,
unto the party of the second part, and to his heirs and assigns forever, and the said parties of the first part, and
their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs
and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whom-
soever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day
and year first above written.

Signed, Sealed and Delivered in the Presence of

Richard M. Hill (SEAL)
E. Rosa Hill (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO,

ss.

COUNTY OF Oneida

On this 1st day of December in the year 1945, before me F.E. Ray
Notary Public in and for said State, personally appeared Richard M. Hill and wife, E. Rosa Hill

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

(Seal) F.E. Ray
Notary Public for the State of Idaho, residing at
Blad, Idaho.

STATE OF IDAHO, }
COUNTY OF ONEIDA, } ss.

82220

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/27/2018

Water Right 15-4023

Owner Type **Name and Address**

Current Owner	JENKIN PALMER , ZZ
Current Owner	ROTATION CROP GROWERS WELL HOLBROOK STAR RT HOLBROOK MALAD CITY, ID 83252
Current Owner	HEATHER PALMER 4029 W 500 S MALAD CITY, ID 83252 (435) 279-7049
Current Owner	CHAD RINDLISBACHER 890 N 4600 W MALAD CITY, ID 83252 (208) 313-4945
Current Owner	BLAIR PALMER 4029 W 500 S MALAD CITY, ID 83252 (435) 279-7049

Priority Date: 4/1/1941

Basis: Statutory Claim

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

5/01

To

10/01

Diversion Rate

2.110 CFS

Volume

624.0 AF

Total Diversion

2.110 CFS

624.0 AF

Source and Point(s) of Diversion

GROUND WATER

NESW

Sec. 23, Twp 14S, Rge 35E, ONEIDA County

Place Of Use

IRRIGATION within ONEIDA 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	
14S	35E	22				40.0													40.0
14S	35E	23							40.0	40.0						40.0			120.0
14S	35E	25						40.0	40.0										80.0
14S	35E	26	40.0			40.0									40.0	40.0	40.0		200.0

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/27/2018

14S	35E	35		40.0													40.0
-----	-----	----	--	------	--	--	--	--	--	--	--	--	--	--	--	--	------

Right Acre Limit: 365.0

POU Total Acres: 480.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 365 acres within the authorized place of use in a single irrigation season. 120 acres are associated with the place of use in Sections 22 and 23, T14S, R35E. 100 acres are associated with the place of use in the NW1/4 of Section 25 and the NE1/4 of Section 26, T14S, R35E. 145 acres are associated with the place of use in the SE1/4 of Section 26 and the NWNE of Section 35, T14S, R35E. *145/160 x 124 = 112.4 ac limit*
2. X35 The 120-acre portion of water right 35-4023, located in Sections 22 and 23, T14S, R35E, when combined with water right 15-7312 shall not exceed a total annual maximum diversion volume of 696.5 af at the field headgate, and the irrigation of 199.0 acres.
3. This right is used in combination with other existing rights in Sections 25, 26 and 35, T14S, R35E. At the time of Transfer Approval 81294, the Department lacks sufficient evidence to calculate the appropriate combined limits with these other existing rights. The Department maintains the right to calculate appropriate combined limits and add them to this water right in future proceedings.
4. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. X58 Approval of Transfer 81294 does not confirm the historical beneficial use of Claimed Right 15-4023.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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.

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

126159

WARRANTY DEED

FOR VALUE RECEIVED

JENKIN THOMAS PALMER and EDNA MAE PALMER, husband and wife,
Grantors, do hereby grant, bargain, sell and convey unto

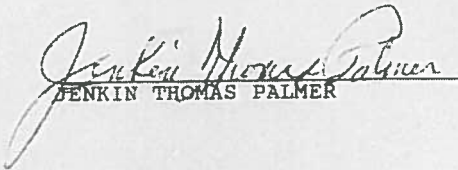
CURTIS HUNT and ALEDA A. HUNT, husband and wife,

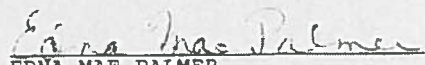
whose current address is: 3520 West 8600 South, West Jordan, UT
84088, the Grantees, the following described premises in Oneida
County, Idaho to wit:

SEE EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the said premises, with their appurtenances
unto the 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 they are
free from all encumbrances and that they will warrant and defend
the same from all lawful claims whatsoever.

DATED June 15, 1998

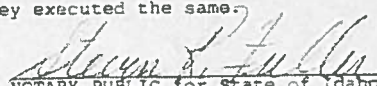

JENKIN THOMAS PALMER


EDNA MAE PALMER

STATE OF IDAHO)
County of Franklin)

On this 18th day of June, 1998, before me, the undersigned a Notary Public
in and for said State, personally appeared JENKIN THOMAS PALMER and EDNA MAE
PALMER, known to me to be the persons whose names are subscribed to the within
instrument and acknowledged to me that they executed the same.




NOTARY PUBLIC for State of Idaho
Residing at: Preston, Idaho
Comm. Exp.: 2/19/99

126159

EXHIBIT "A"

The following described parcel of land being in Section 26, 35 and 36, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho:

Commencing at the East Quarter Corner of Section 26; thence running West 1740.17 feet; thence South 3960 feet; thence East 1769.47 feet; thence North 214.5 feet; thence West 29.30 feet; thence North 3745.5 feet to the point of beginning. T-2951, 2952, 2953, 2954. ALSO,

The following described parcel of land being in Section 35, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho:

Commencing at a point 4836.96 feet West and 3860 feet South of the Northeast Corner of the SW $\frac{1}{4}$ of Section 25, Township 14 South, Range 35 East, Boise Meridian; thence running South 100 feet; thence West 435.39 feet; thence North 100 feet; thence East 435.39 feet to the point of beginning.

TOGETHER WITH all water rights appurtenant or appertaining thereto, including but not limited to an 85% interest in well license No. 30210-15-2061.

TOGETHER WITH an easement for access to a well, pump, motor and mainline to maintain, repair or replace said equipment located on property of the Grantor in the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 25, Township 14 South, Range 35 East of the Boise Meridian.

SUBJECT TO easements and restrictions of record, including but not limited to, a Joint Use and Easement Agreement dated April 3, 1981 and recorded April 13, 1981 as Instrument No. 102461 in the records of Oneida County, Idaho and an Easement dated May 17, 1972 and recorded May 25, 1972 as Instrument No. 90189 in the records of Oneida County, Idaho.

Roll No 133707
27 Day January 2003
At 10:20 O'clock P.
Deane Hudson
Oneida Co. Recorder
Fee \$ 300
Recorded at Request of Deputy

SECOND CORRECTION WARRANTY DEED *L. H. Scott*

For Value Received, JENKIN THOMAS PALMER and EDNA MAE PALMER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto CURTIS HUNT and ALEDA A. HUNT, husband and wife, the Grantees, whose current address is HC 63 Box 120C, Monticello, UT, 84535, the following described premises in Oneida County, Idaho, to-wit:

The following described parcels of land being in Section 26 and 35, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho:

Commencing at a point 2661.40 feet West of the Northeast Corner of the SW¼ of Section 25, Twp. 14 S., R. 35 E.B.M.; thence running West 1740.17 feet; thence South 3960 feet; thence East 1769.47 feet; thence North 214.5 feet; thence West 29.3 feet; thence North 3745.50 feet to the point of beginning.

"Parcel 1"

Commencing at a point 4836.96 feet West and 3860 feet South of the Northeast corner of the SW¼ of Section 25, Twp 14 S., R 35 E.B.M.; thence running South 100 feet; thence West 435.39 feet; thence North 100 feet; thence East 435.39 feet to the point of beginning.

"Parcel 2"

TOGETHER WITH all water rights appurtenant or appertaining thereto, including but not limited to an 85% interest in well license No. 30210-15-2061.

TOGETHER WITH an easement for access to a well, pump, motor, and mainline to maintain, repair, or replace said equipment located on the property of the Grantor in the N½ of the SW¼ of Section 25, Township 14 South, Range 35 East, Boise Meridian.

SUBJECT TO easements and restrictions of record including but not limited to a Joint use and Easement Agreement dated April 3, 1981, and recorded April 13, 1981, as Instrument No. 102461 in the records of Oneida County, Idaho, and an Easement dated May 17, 1972, and recorded May 25, 1972, as Instrument No. 90189, in the records of Oneida County, Idaho.

THIS CORRECTION WARRANTY DEED corrects the legal description of that Warranty Deed between the above parties dated June 18, 1998, and recorded on film as Instrument No. 126159; and that Warranty Deed dated October 10, 2002, and recorded October 21, 2002, and recorded on film as Instrument No. 133269, records of Oneida County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever, and the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will Warrant and Defend the same from all lawful claims.

Dated January 10, 2003.

Jenkin Thomas Palmer
JENKIN THOMAS PALMER
Edna Mae Palmer
EDNA MAE PALMER

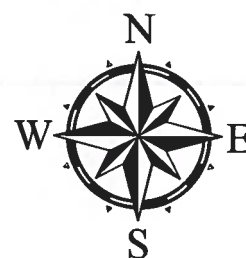
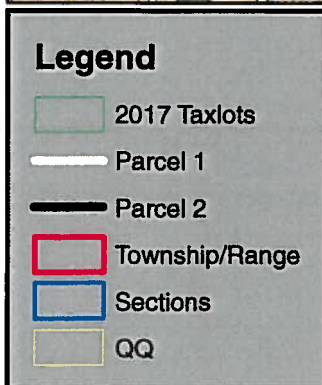
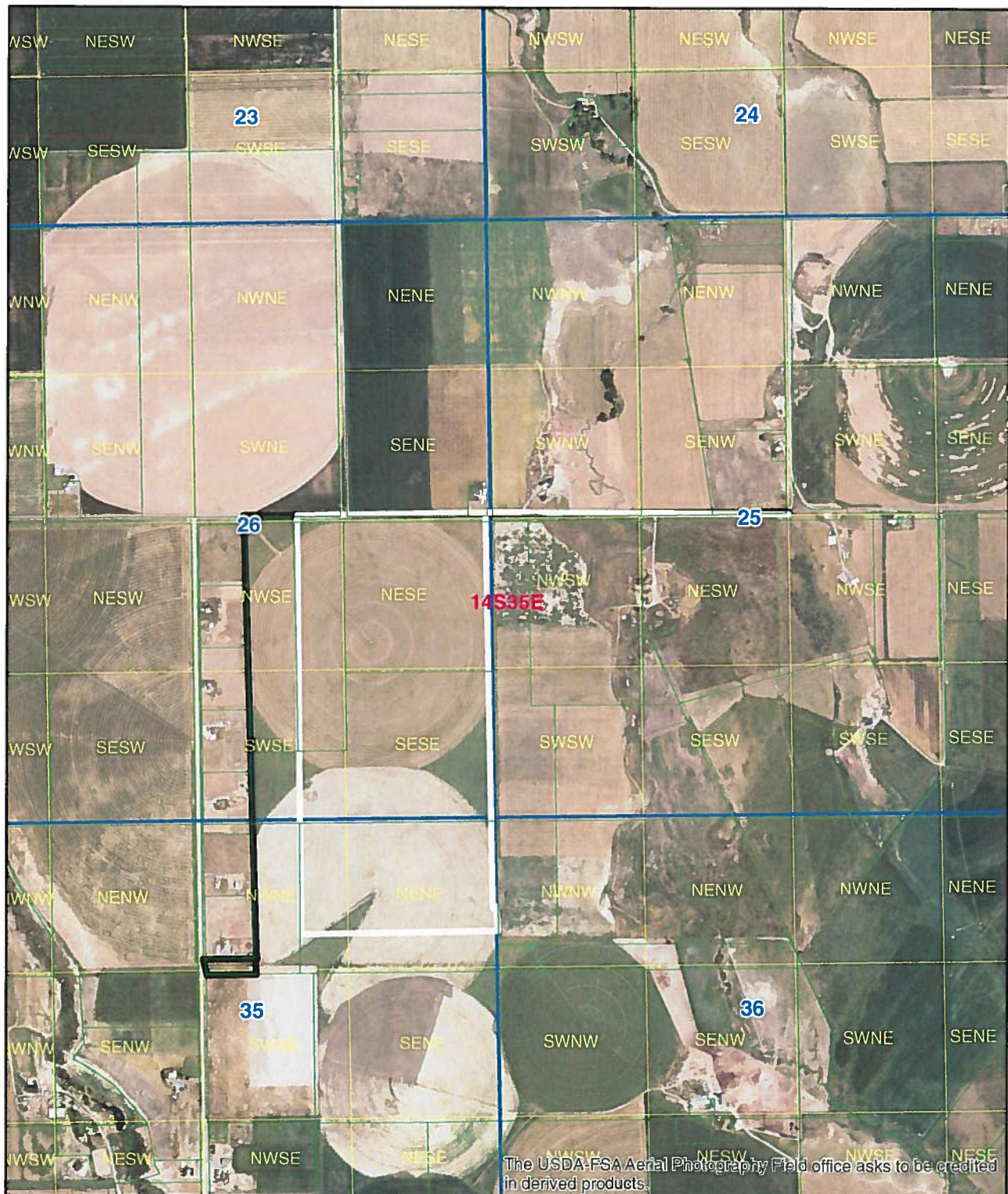
STATE OF IDAHO
COUNTY OF ONEIDA ss



On this 27 day of January, 2003, before me, a Notary Public in and for said State, personally JENKIN THOMAS PALMER and EDNA MAE PALMER, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Heather Timothy
Notary Public
Residing at Malad City, ID
My Commission Expires: 3-6-2003 11-25-09

Approximate Aerial Description, Instrument No. 133707



133271
21 Day October 2002
At 4:35
Shirley Blauder
Oneida Co. Recorder
600
E. R. Scott
Registered at Request of

WARRANTY DEED

For Value Received, CURTIS HUNT and ALEDA A. HUNT, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto TIMOTHY KIRK WILLIE and KAMI D. WILLIE, husband and wife, the Grantees, whose current address is 52 Bush Avenue, Malad City, Idaho, 83252, the following described premises in Oneida County, Idaho, to-wit:

TK
KW

PARCEL 1:

The following described parcel of land being in Section 26, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho:

Section 26: Commencing at a point 2661.40 feet West of the Northeast Corner of the SW $\frac{1}{4}$ of Section 25, Twp. 14 S., R. 35 E.B.M.; thence running West 1304.78 feet; thence South 1320 feet; thence East 1304.78 feet; thence North 1320 feet to the point of beginning. ~ NESE SEC 26 14S 35E

PARCEL 2:

(T-2950 Less T-5333 26-14-35, and T-5334 (26.39) T-281 26-14-35)
The following described parcel of land being in Section 26, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho:

Commencing at a point 3966.18 feet West of the Northeast corner of the SW $\frac{1}{4}$ of Section 25, Twp 14 S., R. 35 E.B.M.; thence West 870.78 feet; thence South 2000 feet; thence East 870.78 feet; thence North 2000 feet to the point of beginning.

PARCEL 3:

The following described parcel of land being in Sections 26 and 35, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho:

Commencing at a point 2661.40 feet West and 1320 feet South of the Northeast corner of the SW $\frac{1}{4}$ of Section 25, Twp 14 S., R. 35 E.B.M.; thence West 1304.78 feet; thence South 680 feet; thence West 870.78 feet; thence South 1860 feet; thence West 435.39 feet; thence South 100 feet; thence East 2640.25 feet; thence North 214.5 feet; thence West 29.3 feet; thence North 2425.50 feet to the point of beginning.

TOGETHER WITH Sellers' interest in any and all water rights currently owned by Seller, and in particular in and to that certain deep irrigation well located in the Northeast Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25, Twp. 14 S., R 35 EBM, and water right under Permit No. 15-07231 with the State of Idaho, Department of Water Resources and TOGETHER WITH all Sellers' interest in all oil, gas and mineral rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever, and the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will Warrant and Defend the same from all lawful claims.

Dated October 10, 2002.

C. Hunt
CURTIS HUNT
Aleida A. Hunt
ALEDA A. HUNT

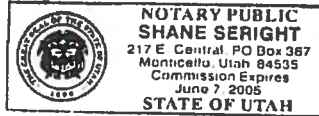
133271

STATE OF UTAH
COUNTY OF

ss

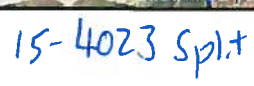
On this 10th day of October, 2002, before me, a Notary Public in and for said State, personally appeared CURTIS HUNT and ALEDA A. HUNT, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Shane Seright
Notary Public
Residing at:
My Commission Expires:

82220



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/27/2018

Water Right 15-2014

Owner Type **Name and Address**
Current Owner A H HADFIELD
MALAD CITY, ID

Priority Date: 1/4/1936

Basis: License

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	/	/	0.240 CFS	
DOMESTIC	/	/		
	<u>Total Diversion</u>		0.240 CFS	

Source and Point(s) of Diversion

GROUND WATER SESE Sec. 35, Twp 14S, Rge 35E, ONEIDA County

Place Of Use

IRRIGATION within ONEIDA 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	
14S	35E	35																12.0	12.0

POU Total Acres: 12.0

DOMESTIC Same as IRRIGATION

Conditions of Approval:

Combined Use Limits

N/A

SubCase:

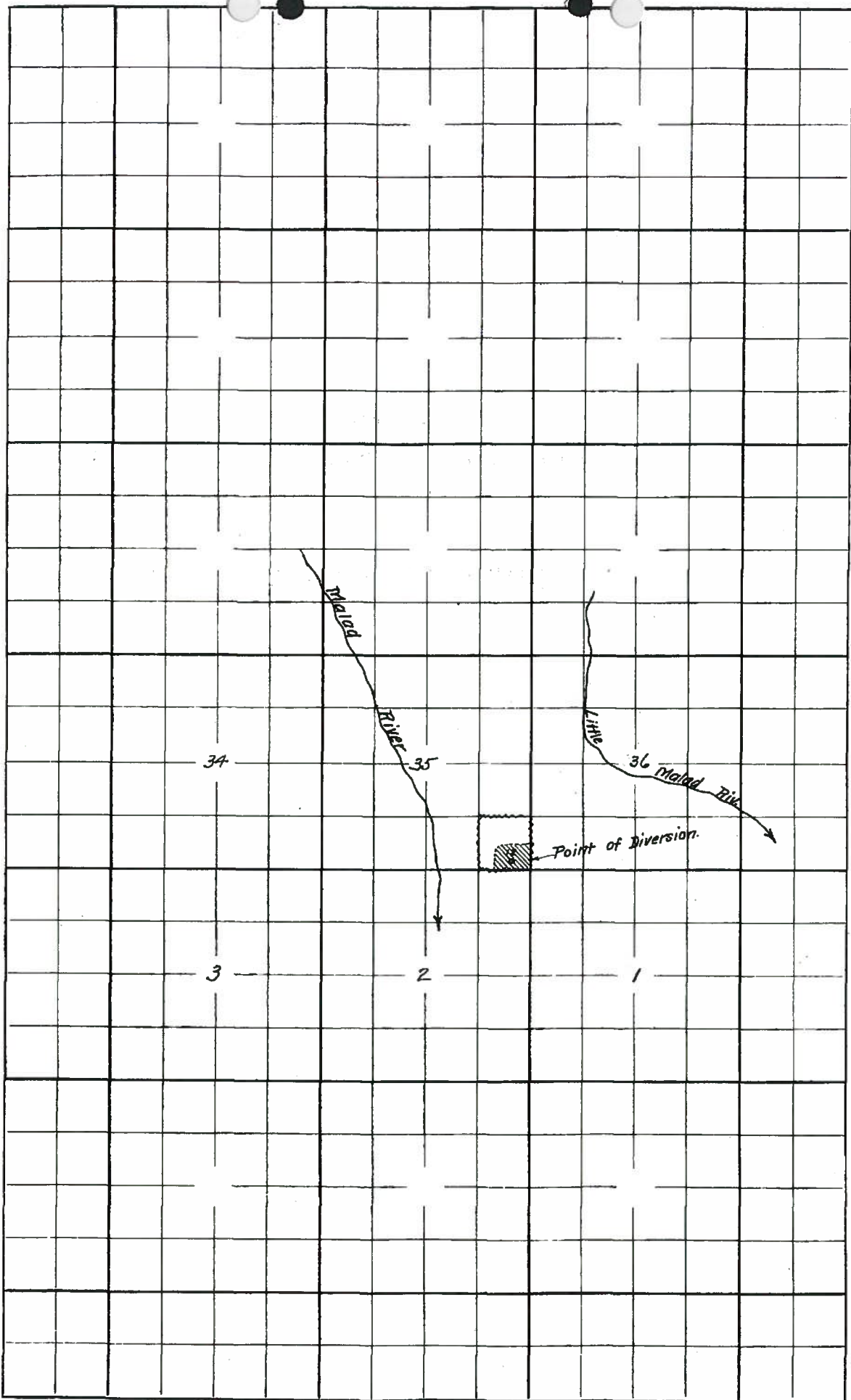
N/A

Water Supply Bank:

N/A

15-2014

. It appears only
own 4.0 acres
Tim wanted to
go after it all



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

82220 182/2

24-135

INST. NO. 56225 ✓
VINTAGE CO. PRINTERS & BUREAU, BOISE 12347

WARRANTY DEED

THIS INDENTURE, Made this 18th day of September, in the year of our Lord one thousand nine hundred and Thirty-seven, between Kenneth Hadfield and Delores Hadfield, husband and wife, Wanda Voss and Raymond Voss, her husband, and Mildred Jenkins and David T. Jenkins, her husband, County of Oneida, State of Idaho, the parties of the first part, and A.H. Hadfield of Salt Lake City, County of Salt Lake, State of Utah, the party of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Fifteen hundred sixty and 96/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do es grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in County of Oneida, State of Idaho, to-wit:

Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 36, in Township 14 South of Range 35 East of the Boise Meridian. (Also commencing at the Southeast corner of Section 35 Township 14 South, Range 35 East of the Boise Meridian; thence running West 40 rods; thence North 160 rods; thence East 40 rods; thence South 160 rods to the place of beginning, together with Five (5) Shares of the Capital Stock of the Samaria Water & Irrigation Company, a corporation.

\$2.00 U.S.I.R. Stamps attached and duly cancelled

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever, and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Morris J. Neaf

Stanley Arnold

Kenneth Hadfield (SEAL)

Delores Hadfield (SEAL)

Wanda Voss (SEAL)

Raymond Voss (SEAL)

Mildred Jenkins (SEAL)

David Jenkins (SEAL)

California
STATE OF IDAHO

ss.

COUNTY OF Lessen

On this 18th day of September in the year 1937, before me Hardin Berry a Notary Public in and for said State, personally appeared Kenneth Hadfield and Delores Hadfield

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

Hardin Berry

82220

Inst. No. 56225 -- Owned by AH Hadfield as of 9/18/1937



T5148- R & W Warren Family Trust (5.5 acres)
T12- Hanging T (4.5 of the 12 acres)
T3341 - Carolyn & Keith Atkinson (2 acres) 82220

SCHEDULE "A" - CARL R. WILLIE

PARCEL 1, T-1162:

Commencing at the center of Section 36, Township 14 South, Range 35 East, Boise Meridian; and running thence West 160 rods; thence North 93 rods; thence East 160 rods; thence South 2.44 rods to a point 17.36 chains South of the Northeast Corner of the NW $\frac{1}{4}$ of said Section 36; thence South 24°00' East 725 feet; thence South 3°00' West 525 feet; thence South 1°00' East 275 feet, more or less, to a point on Quarter Section Line, 260 feet East of the point of beginning; thence West 260 feet to the point of beginning. ALSO, a right of roadway one rod wide from the State Highway along the East side of the SW $\frac{1}{4}$ of Section 36, Township 14 South, Range 35 East, Boise Meridian. EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT: (T-3412: Township 14 South, Range 35 East, Boise Meridian: Section 36: Commencing at a point 345 feet East and 30 feet North of the Southwest Corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section for a point of beginning; thence North 235 feet; thence West 220 feet; thence South 235 feet; thence East 220 feet to the point of beginning. TOGETHER WITH a right of way for ingress and egress 30 feet wide running West 975 feet from the Southeast Corner of the NW $\frac{1}{4}$ of said Section to the above described land.

PARCEL 2, T-1140:

Commencing at a point 40 rods West of the Southeast Corner of Section 35, Township 14 South, Range 35 East, Boise Meridian; and running thence North 160 rods; thence West 108 rods; thence South 8 rods; thence West 12 rods; thence South 32 rods; thence East 60 rods; thence South 120 rods; thence East 60 rods to the place of beginning. EXCEPTING THEREFROM THE FOLLOWING: (T-3056) Commencing at a point 100 rods West of said Southeast Corner of said Section 35, which said point is located in the center of State Highway 37, which said highway is 88 feet wide; thence running North 305 feet; thence East 165 feet; thence South 305 feet to the center of said Highway 37; thence West 165 feet to the point of beginning.

PARCEL 4, T-12:

Commencing at the Southeast Corner of Section 35, Township 14 South, Range 35 East, Boise Meridian; thence West 40 rods; thence North 160 rods; thence East 40 rods; thence South 160 rods to the place of beginning. EXCEPTING THEREFROM THE FOLLOWING: (T-3341) Commencing at the Southeast Corner of said Section 35; thence running West 40 rods to the point of beginning; thence North 468.5 feet; thence East 186 feet; thence South 468.5 feet; thence West 186 feet to the point of beginning.

PARCEL 6, T-1161:

Commencing at the Southeast Corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 14 South, Range 35 East, Boise Meridian; and running thence West 190 rods; thence North 80 rods; thence East 100 rods; thence South 80 rods to the place of beginning. TOGETHER WITH a right of roadway from the Pleasantview Road North to the NW $\frac{1}{4}$ of Section 36, Township 14 South, Range 35 East, Boise Meridian and along the South of said NW $\frac{1}{4}$ to the above described premises.

TOGETHER WITH a 5/22 interest in the Hill and Illum well situated on land adjoining the above-described property and together with the right to use the ditches and conduits from said well to the above-described property.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to, shares of the water stock of Samaria Water & Irrigation Co. and including all interest in and to water well License No. 15-2952 for 2.39 cfs of water with priority date of 5-28-59 and water well License No. 15-2019 for 2.44 cfs of water with priority date of 1-2-36.

TOGETHER WITH buried mainline and pump and motor for sprinkler system.

2/27/2018

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TIMOTHY R WILLIE 3585 W HWY 38 MALAD CITY, ID 83252 (208) 766-4927

Status: Active

Tributary

GROUND WATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S	35E	35													40.0	10.5	8.0	36.0	94.5

8222 v

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/27/2018

7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

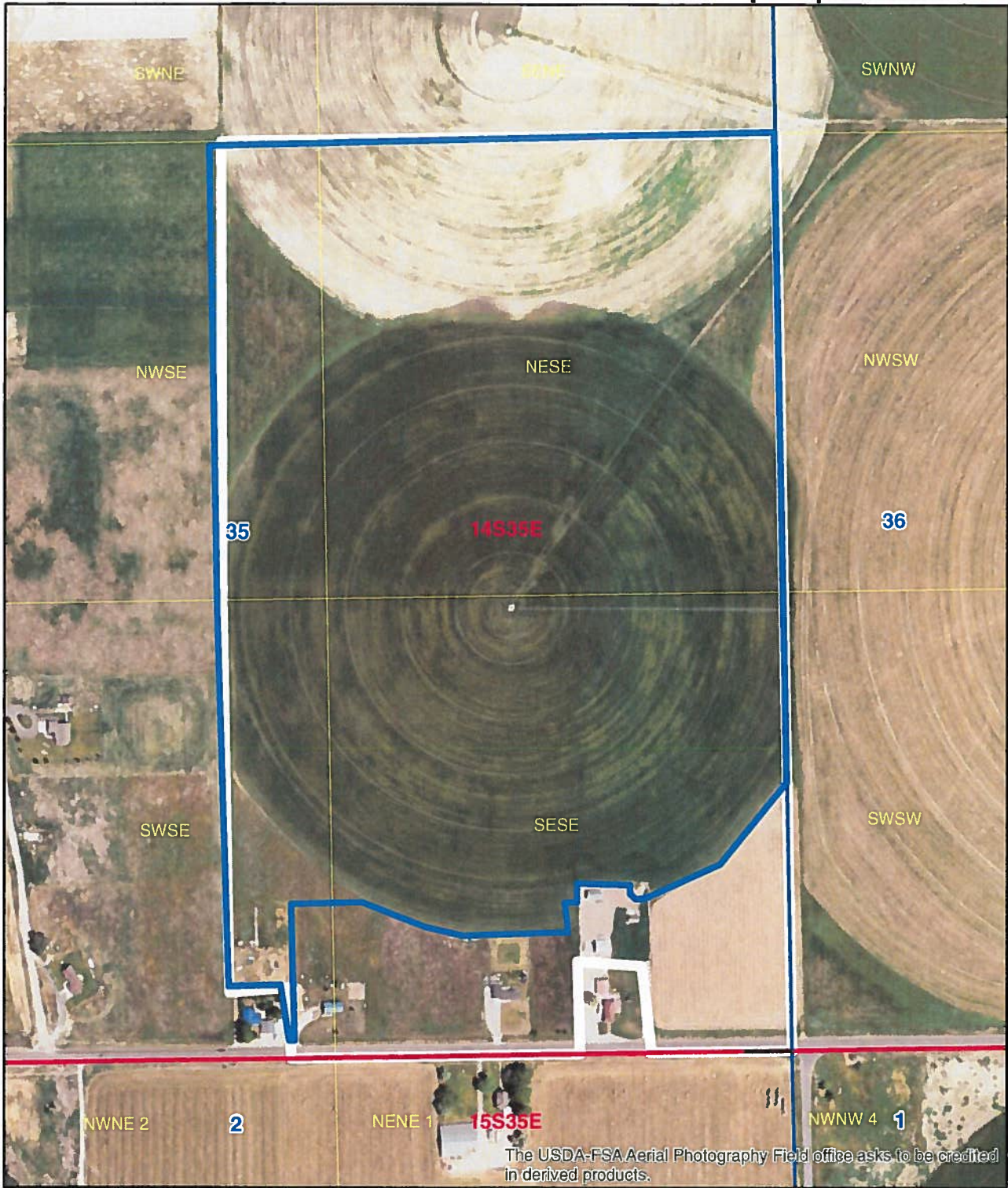
Right Number: 15-2052C

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

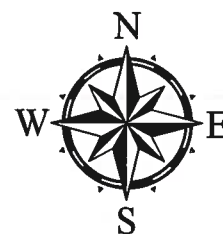
15-2052C Portion for Ownership Split



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

Legend

- Pre-Transfer
- Hanging_T_Portion_of_15-2052C
- Township/Range
- Sections
- QQ



82220

0 0.075 0.15 0.3 Miles

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/27/2018

Water Right 15-2061

Owner Type **Name and Address**
Current Owner JENKIN L PALMER
MALAD CITY, ID

Priority Date: 9/26/1961

Basis: License

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.900 CFS	180.0 AF
	<u>Total Diversion</u>		0.900 CFS	180.0 AF

Source and Point(s) of Diversion

GROUND WATER NWSW Sec. 25, Twp 14S, Rge 35E, ONEIDA County

Place Of Use

IRRIGATION within ONEIDA 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	
14S	35E	25									30.0		5.0	10.0					45.0

POU Total Acres: 45.0

Conditions of Approval:

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

133270

Met. Op. No.

21 Day October 2002

At 4:30 Clerk of

Shirley Blauder
Oneida Co. Recorder

For \$ 300

Received at Request of
G. L. Scott**QUITCLAIM DEED**

For Value Received, **STANLEY LELAND PALMER**, a married man dealing in his sole and separate property; **JENKIN THOMAS PALMER** and **EDNA MAE PALMER**, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto **TIMOTHY KIRK WILLIE** and **KAMI D. WILLIE**, husband and wife, the Grantees, whose current address is 52 Bush Avenue, Malad City, Idaho, 83252,

All of their right, title, and interest in and to that certain deep irrigation well situated in the Northeast Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 14 South, Range 35 East, Boise Meridian; and water right thereto as evidenced by Permit No. 15-07231 issued by the Department of Water Resources of the State of Idaho, and to include all of their right, title, and interest in and to that certain Joint Use and Easement Agreement dated April 3, 1981, and found of record as Instrument No. 102461 in the office of the Oneida County Recorder, Oneida County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever, and the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will Warrant and Defend the same from all lawful claims.

Dated October 10, 2002.

Stanley Leland Palmer
STANLEY LELAND PALMER

Jenkin Thomas Palmer
JENKIN THOMAS PALMER

Edna Mae Palmer
EDNA MAE PALMER

STATE OF IDAHO
COUNTY OF ONEIDA ss

On this 10th day of October, 2002, before me, a Notary Public in and for said State, personally appeared JENKIN THOMAS PALMER and EDNA MAE PALMER, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Joan Williams
Notary Public
Residing at:
My Commission Expires:

STATE OF IDAHO
COUNTY OF ss

On this day of October, 2002, before me, a Notary Public in and for said State, personally appeared STANLEY LELAND PALMER, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Joan Williams
Notary Public
Residing at:
My Commission Expires:

82220

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/27/2018

Water Right 15-2052D

Owner Type **Name and Address**
Current Owner CARLEAN C TUBBS
3232 W HWY 38
MALAD CITY, ID 83252
(208) 766-2477

Current Owner DON W TUBBS
3232 W HWY 38
MALAD CITY, ID 83252
(208) 766-2477

Priority Date: 5/28/1959

Basis: License

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.280 CFS	29.4 AF
	<u>Total Diversion</u>		0.280 CFS	29.4 AF

Source and Point(s) of Diversion

GROUND WATER NESW Sec. 36, Twp 14S, Rge 35E, ONEIDA County

Place Of Use

IRRIGATION within ONEIDA 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	
14S	35E	36										40.0	40.0						80.0

Right Acre Limit: 40.0

POU Total Acres: 80.0

Conditions of Approval:

1. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
2. 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.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/27/2018

5. Right 15-02052D is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season. Right 15-02019B is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
6. 01Q After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/27/2018

Water Right 15-2019B

Inst. No. 131154

Owner Type **Name and Address**
Current Owner CARLEAN C TUBBS
3232 W HWY 38
MALAD CITY, ID 83252
(208) 766-2477

Current Owner DON W TUBBS
3232 W HWY 38
MALAD CITY, ID 83252
(208) 766-2477

Priority Date: 1/2/1936

Basis: License

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.570 CFS	140.0 AF
	<u>Total Diversion</u>		0.570 CFS	140.0 AF

Source and Point(s) of Diversion

GROUND WATER

NESW

Sec. 36, Twp 14S, Rge 35E, ONEIDA County

Place Of Use

IRRIGATION within ONEIDA 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	
14S	35E	36										40.0	40.0						80.0

Right Acre Limit: 40.0

POU Total Acres: 80.0

Conditions of Approval:

1. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. 01Q After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/27/2018

5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Right 15-02019B is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season. Right 15-02052D is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
8. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

Microfilm No. 1311

On Day July 2001

At 2:05 P.M. Don W. Tubbs

Don W. Tubbs
Oneida Co. Recorder

Fee \$ 3.00 Deputy
Recorded at Request of

WARRANTY DEED

For Value Received, DON W. TUBBS and CARLEAN C. TUBBS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto TIMOTHY R. WILLIE and JULIE P. WILLIE, husband and wife, the Grantees, whose current address is 3585 West Highway 38, Malad City, Idaho, the following described premises in Oneida County, Idaho, to-wit:

Township 14 South, Range 35 East, Boise Meridian:
Section 36: SW $\frac{1}{4}$;

EXCEPTING THEREFROM:

Commencing at the Southwest Corner of said Section 36 from which the South Quarter Corner of said Section 36 bears South 89°19'58" East 2633.44 feet; thence South 89°18'58" East 1315.65 feet along the South line of said Section 36; thence North 42.57 feet to a 5/8" rebar with cap labeled "A.A. HUDSON PLS 4735" set on the North right-of-way line of State Highway 37, the True Point of Beginning; thence North 00°24'45" East 333.89 feet to a 5/8" rebar with cap; thence South 89°37'39" East 130.26 feet to a 5/8" rebar with cap set 3 feet West of an irrigation mainline; thence South 00°24'45" West 334.42 feet to a 5/8" rebar with cap set on said right-of-way line; thence North 89°23'48" West 130.26 feet to the True Point of Beginning. T-5112

ALSO EXCEPTING THEREFROM:

Commencing at a point 617 feet West of the Southeast Corner of the NW $\frac{1}{4}$ of said Section 36; thence running West 166 feet; thence South 181 feet; thence East 237 feet; thence Northwesterly 194.5 feet, more or less, to the point of beginning. T-3393

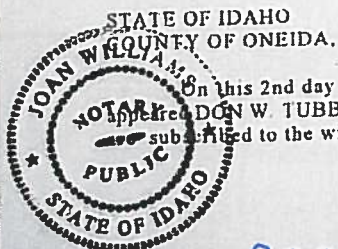
SUBJECT TO existing roadways and easements.

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 they are free from all encumbrances and that they will Warrant and Defend the same from all lawful claims.

Dated July 2, 2001

Don W. Tubbs
DON W. TUBBS

Carlean C. Tubbs
CARLEAN C. TUBBS



Joan Williams
Notary Public
Residing at Malad City, Idaho
My Commission Expires 5-6-2003

131154

82220

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/27/2018

Water Right 15-2037A

Owner Type **Name and Address**
Current Owner LA VERN M SMITH
 RT 1
 MALAD CITY, ID 83252

Current Owner J F FREDRICKSON
 PO BOX 5
 MALAD CITY, ID 83252
 (208) 766-2598

Priority Date: 4/13/1953

Basis: License

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	/	/	1.120 CFS	
DOMESTIC	/	/		
	<u>Total Diversion</u>		1.120 CFS	

Source and Point(s) of Diversion

GROUND WATER NESW Sec. 36, Twp 14S, Rge 35E, ONEIDA County

Place Of Use

IRRIGATION within ONEIDA 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	
14S	35E	36									37.0	25.0		40.0					102.0

POU Total Acres: 102.0

DOMESTIC Same as IRRIGATION

Conditions of Approval:

1. LIC. INCORRECTLY SHOWS LANDS IN SEC. 1, TWP 14S.

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

WARRANTY DEED

For Value Received

LAVERN M. SMITH and ROSELLA J. SMITH, husband and wife

do hereby grant, bargain, sell and convey unto
SHELDON J. SMITH and KENNA SMITH, husband and wife, and
ELDON SMITH and ELDENA SMITH, husband and wife

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

Township 14 South, Range 35 East, Boise Meridian:

Sec. 36: N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, LESS roadways shown in Book 11 Misc.
records page 341, and in Book 25 Deeds page 207,
records of Oneida County; also EXCEPTING 3.5 acres
in the NE Corner of NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying North and East of
the private roadway running through said 40 acre tract.

Township 15 South, Range 35 East, Boise Meridian:

Sec. 1: Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, LESS ROADWAYS, and EXCEPTING the
following tract: Commencing at a point 530 feet
West of the corner post situated near the NE
Corner of said Sec. 1, where the South line of
Highway intersects the West line of the County
road; thence West 150 feet, thence South 170 feet,
thence East 150 feet, thence North 170 feet, to
the point of beginning

Together with an undivided one-half interest in and to
the "Hill and Ilium" Deep Well situated upon lands of Carl
E. Willie in the NW $\frac{1}{4}$ of Sec. 36, Twp. 14 S., R. 35 E.B.M.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee that they are the owners in fee simple of said premises; that they are free
from all encumbrances

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

Dated: JULY 20, 1970

Lavern M. Smith
Rosella J. Smith

STATE OF IDAHO, COUNTY OF ONEIDA

On this 20th day of July, 1970,
before me, a notary public in and for said State, personally
appeared

LAVERN M. SMITH and
ROSELLA J. SMITH

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

Notary Public
Residing at MALAD CITY, Idaho
Comm. Expires 5/19/71

State of Idaho, County of Oneida ss.
I hereby certify that this instrument was filed for record at
request of *L. M. Smith* on the 20th day of July, 1970, at
10:00 A.M. this 20th day of July, 1970, in my office
and duly recorded on Film as last No. 95922
for \$1.00
Ex-Officio Registrar

#95922

Furnished by the ATTORNEY GENERAL, Idaho

82220

Inst No 605922: LaVern and Rolla Smith
to Sheldon and Kenna and Eldon and Eldena Smith
7/20/1970



1/2 interest in and to Hill and Illum Deep well on Carl Willie land in NW 1/4 Sec 36

82220

125683
20. March 98
10.30
Shirley Blum
6.00
G. L. Scott

WARRANTY DEED

For Value Received, SHELDON J. SMITH and KENNA H. SMITH, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto DON W. TUBBS and CARLEAN C. TUBBS, husband and wife, whose current address is Samaria, Idaho, the Grantees, the following described premises in Oneida County, Idaho, to-wit

PARCEL 1.

Township 14 South, Range 35 East, Boise Meridian:
Section 36: SW $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL 2

Township 14 South, Range 35 East, Boise Meridian:
Section 36: SE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$; EXCEPTING Commencing at a point 617 feet West of the Southeast Corner of the NW $\frac{1}{4}$ of said Section 36; thence running West 166 feet; thence South 181 feet; thence East 237 feet; thence Northwesterly 194.5 feet, more or less to the point of beginning. (T-3393)

PARCEL 3

Township 15 South, Range 35 East, Boise Meridian:
Section 1: Lot 1; SE $\frac{1}{4}$ NE $\frac{1}{4}$; EXCEPTING the following tract:

Commencing at a point 530 feet West of the corner post situated near the Northeast Corner of said Section 1 where the South line of Highway intersects the West line of the County Road; thence West 150 feet; thence South 170 feet; thence East 150 feet; thence North 170 feet to the point of beginning. T-3343; EXCEPTING the following tract:

Commencing at a point 680 feet West of a corner post near the Northeast Corner of said Section 1 where the South line of Highway 37 intersects West line of County Road; thence Running West 304 feet; thence South 286.5 feet; thence East 304 feet; thence North 286.5 feet to the point of beginning. T-3238

PARCEL 4

Township 15 South, Range 35 East, Boise Meridian:
Section 1: Commencing at a point 680 feet West of a corner post near the Northeast Corner of said Section 1 where the South line of Highway 37 intersects West line of County Road; thence running West 304 feet; thence South 286.5 feet; thence East 304 feet; thence North 286.5 feet to the point of beginning. T 3238

All water and water rights under water license numbers 15.02019, 15.02037, and 15.02052

1720'
6600'
5

Mainline
Mainline
Wheelines

10" 100# P.V.C.
8" 100# P.V.C.
Wade Rair 1/4 mile - 4"

82220

125683

All other related equipment including pumps, motors, risers, valves, etc.

Together with all water and water rights, ditch and ditch rights used thereon or appurtenant thereto including but not limited to rights to ground waters produced from a well or wells located on the above described premises, and especially such water under Permit No. G-24048 and G-24084, and One Half interest and all waters under License No. 18223, also, 1/8 interest in well, License No. 15-2052 with priority date of May 28, 1959 for 2.39 cfs water. License numbers 15.02019 and 15.01037

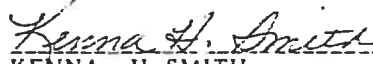
Together with all irrigation equipment of every kind and character used in the irrigation of the above described property and every addition or replacements thereof now owned or hereafter acquired by the borrowers including but not limited to pumps, pipes, motors, electrical panels, sprinkler system including specifically but not limited to the following: 1 - Elec. Pump, G.E. 100 H.P. and misc. accessories

Subject to Easements in favor of Utah Power and Light; Rights-of-ways in favor of Western States Utilities Co; Right-of-way easement in favor of California Pacific Utilities Co.; Right-of-way in favor of Mt. States Telephone and Telegraph Co.; Road right-of-way; Highway right-of-way; and Road and Highway rights-of-way as evidenced by the plat thereof in the office of the Oneida County Assessor

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 they are free from all encumbrances and that they will Warrant and Defend the same from all lawful claims.

Dated March 16, 1998

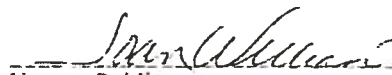

SHELDON J. SMITH


KENNA H. SMITH

STATE OF IDAHO
COUNTY OF ONEIDA.

ss

On this 19th day of March, 1998, before me, a Notary Public in and for said State, personally appeared SHELDON J. SMITH and KENNA H. SMITH, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.


Notary Public
Residing at Malad City, Idaho
My Commission Expires 5-6-2003

82220

3/20/1998



All water specifically included: Permits G24048, G24084, Lic.15-2052, 15-2019 and 15-1037

Microfilm No. **131154**
Date July 2, 2001
At 2:05 P.M.
Patricia M. Wright
Oneida Co. Recorder
Fee \$ 3. Deputy
Recorded at Request of Ed M. Wright

WARRANTY DEED

For Value Received, **DON W. TUBBS** and **CARLEAN C. TUBBS**, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto **TIMOTHY R. WILLIE** and **JULIE P. WILLIE**, husband and wife, the Grantees, whose current address is 3585 West Highway 38, Malad City, Idaho, the following described premises in Oneida County, Idaho, to-wit:

Township 14 South, Range 35 East, Boise Meridian:
Section 36: SW $\frac{1}{4}$;

EXCEPTING THEREFROM:

Commencing at the Southwest Corner of said Section 36 from which the South Quarter Corner of said Section 36 bears South 89°19'58" East 2633.44 feet; thence South 89°18'58" East 1315.65 feet along the South line of said Section 36; thence North 42.57 feet to a 5/8" rebar with cap labeled "A.A. HUDSON PLS 4735" set on the North right-of-way line of State Highway 37, the True Point of Beginning; thence North 00°24'45" East 333.89 feet to a 5/8" rebar with cap; thence South 89°37'39" East 130.26 feet to a 5/8" rebar with cap set 3 feet West of an irrigation mainline; thence South 00°24'45" West 334.42 feet to a 5/8" rebar with cap set on said right-of-way line; thence North 89°23'48" West 130.26 feet to the True Point of Beginning. T-5112

ALSO EXCEPTING THEREFROM:

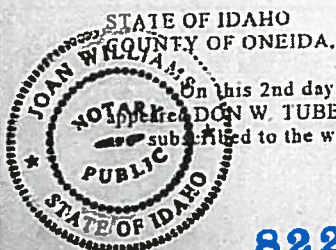
Commencing at a point 617 feet West of the Southeast Corner of the NW $\frac{1}{4}$ of said Section 36; thence running West 166 feet; thence South 181 feet; thence East 237 feet; thence Northwesterly 194.5 feet, more or less, to the point of beginning. T-3393

SUBJECT TO existing roadways and easements.

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 they are free from all encumbrances and that they will Warrant and Defend the same from all lawful claims.

Dated July 2, 2001

Don W. Tubbs
DON W. TUBBS
Carlean C. Tubbs
CARLEAN C. TUBBS



82220

Joan Williams
Notary Public
Residing at Malad City, Idaho
My Commission Expires 5-6-2003

131154

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:

Three pumps to six pivots and handlines. Lockable devices will be installed in the future if need be.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

N/A

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

N/A

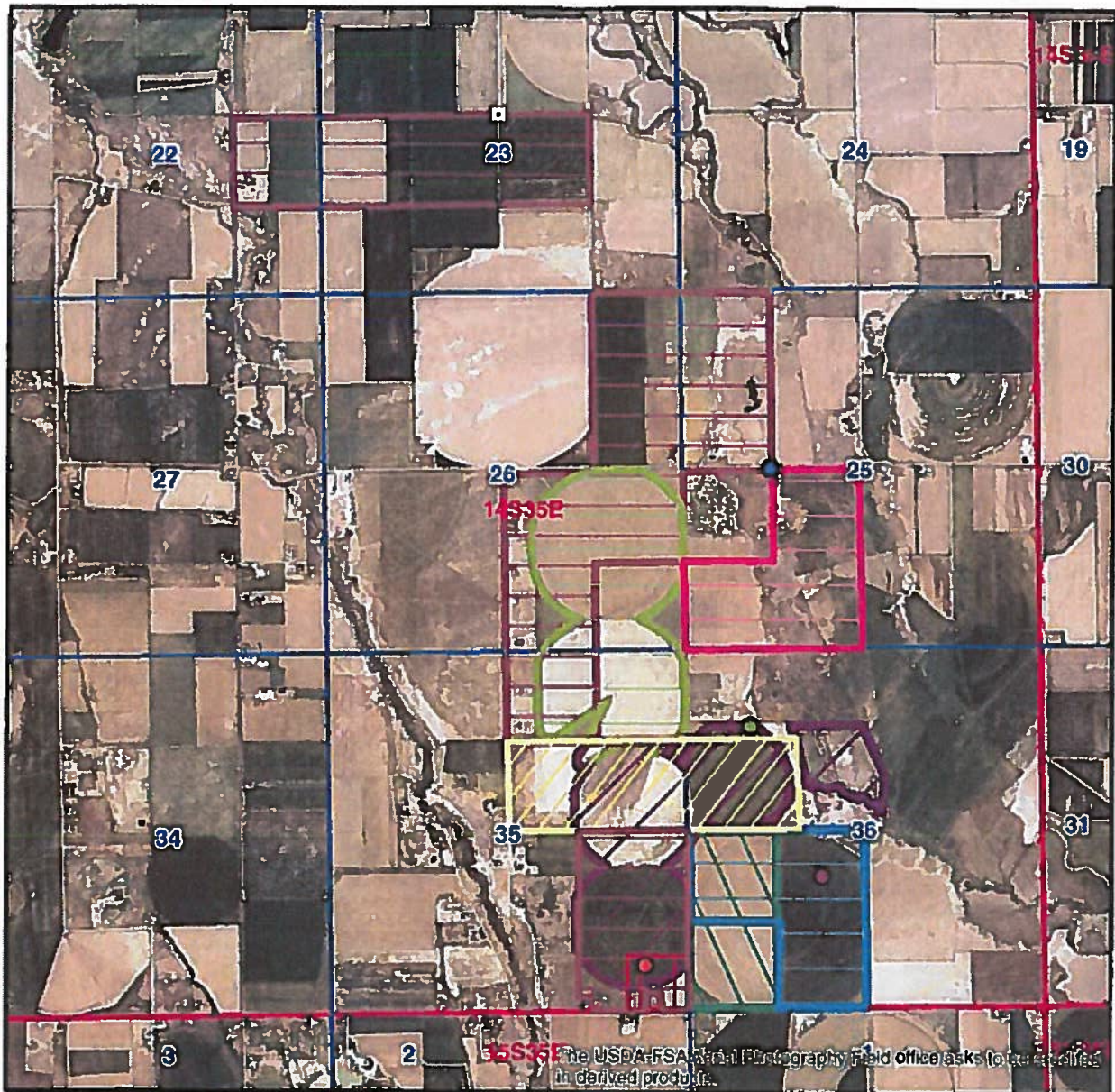
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

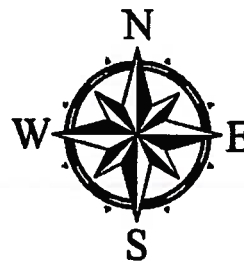
Pre-Transfer Place of Use and Points of Diversion



2015 Imagery

Legend

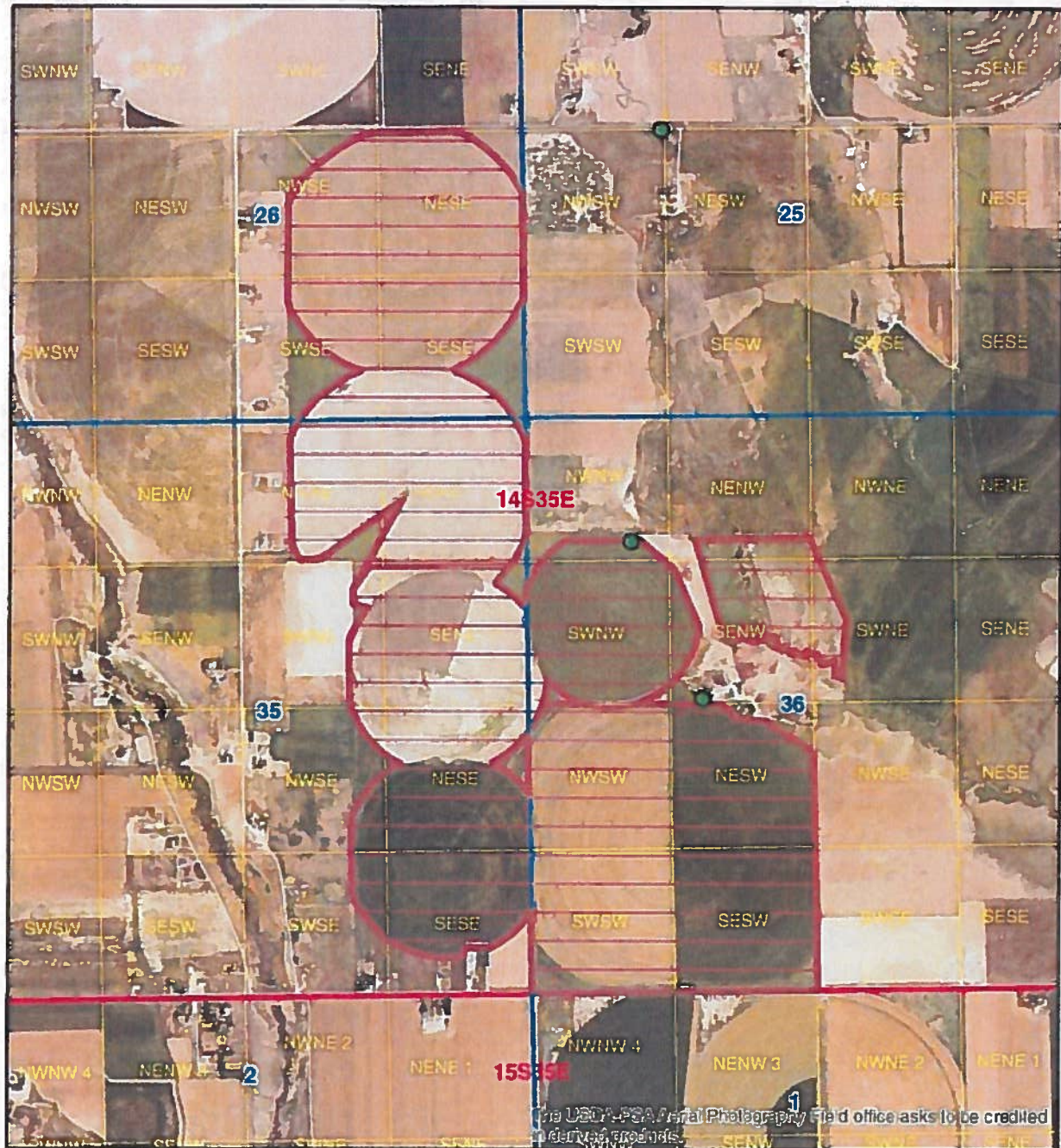
- 15-4023 Pre-Transfer_POU
- 15-2014_Pre-Transfer_POD
- 15-2061_and_15-7231_Pre-Transfer_POD
- 15-2037A_15-2019B_and_15-2062D_Pre-Transfer_POD
- 15-2019A_and_15-7189_Pre-Transfer_POD
- 15-2061_Pre-Transfer_POU
- 15-2062C_Pre-Transfer_POU
- 15-2014_Pre-Transfer_POU
- 15-2019A_Pre-Transfer_POU
- 15-2037A_Pre-Transfer_POU
- 15-2019B_and_15-2062D
- 15-7189_POU
- 15-7231_POU
- Township/Range
- Sections



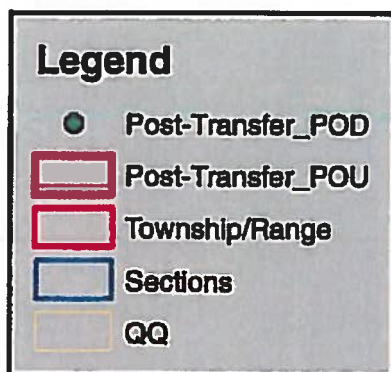
0 0.375 0.75 1.5 Miles

82220

Post-Transfer Place of Use and Points of Diversion



2015 Imagery



0 0.225 0.45 0.9 Miles