

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 22 2017

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
13-2192 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
Update POL	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: FRED WEYERMAN

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): SAMUEL W. HILTON

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

3222 W. 5400 S.

Mailing address

WESTON

City

IV.

State

83286

ZIP

435-760-5945

Telephone

shilton@betc.edu

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: 4-19-2007

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: Samuel W. Hilton

Signature of new owner/claimant

TRUSTEE

Title, if applicable

5-18-17

Date

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JB Date 5/22/2017 Receipt No. F043041 Receipt Amt. \$25.-
 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 JB Date 6/14/2017

Close

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

5/11/2017

WATER RIGHT NO. 13-2192

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRED WEYERMAN WESTON, ID 83286
Original Owner	DELBERT JENSEN

Priority Date: 01/13/1956
Basis: License
Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	/	/	0.84 CFS	
Total Diversion			0.84 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAM	NESE	Sec. 30	Township 16S	Range 39E	FRANKLIN County
UNNAMED STREAM	NWSE	Sec. 30	Township 16S	Range 39E	FRANKLIN County
UNNAMED STREAM	SWSE	Sec. 30	Township 16S	Range 39E	FRANKLIN County
UNNAMED STREAM	SESE	Sec. 30	Township 16S	Range 39E	FRANKLIN County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FRANKLIN County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
16S	39E	30		NESE	30		NWSE	7		SWSE	6		SESE	20

Total Acres: 63

Conditions of Approval:

1. P/D AT VARIOUS PTS. ALONG DRAIN IN SE1/4, S30, T16S, R39E.

Dates:

Licensed Date: 04/20/1967

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

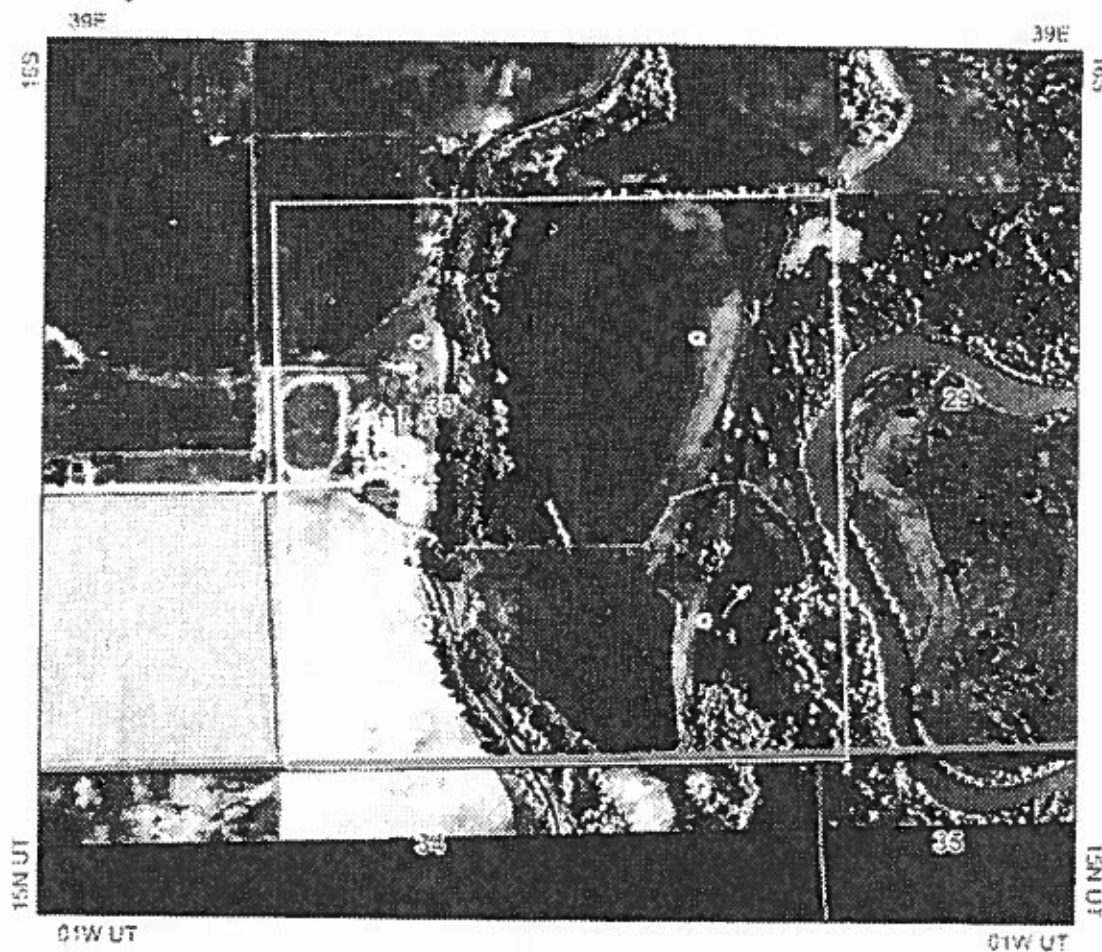
Mitigation Plan: False

Close

State of Idaho
Department of Water ResourcesWater Right
13-2192

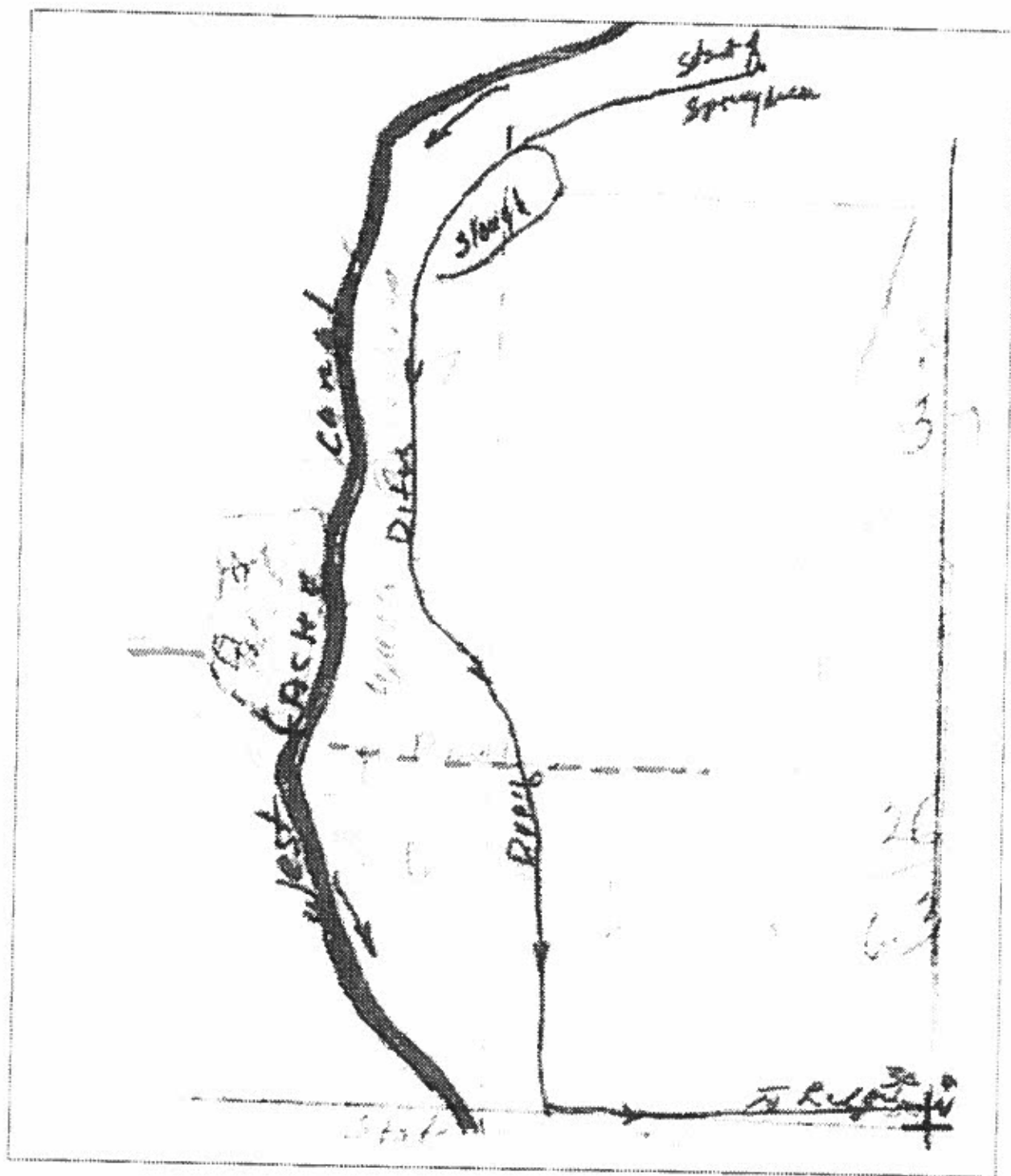
IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of the right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections

Map produced on May 07, 2015





Google Earth



HOMESTEAD RECORD.

THE UNITED STATES OF AMERICA

Filed for Record and Recorded this 30th day of

April 1898 at 9⁴⁰ o'clock A.M.
By *N. Reynolds* Recorder
Deputy Recorder.

HOMESTEAD CERTIFICATE No. 382
APPLICATION 54

THE UNITED STATES OF AMERICA.

To all to Whom these Presents shall come, Greeting:

Whereas, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at *Oxford Idaho Territory*, whereby it appears that, pursuant to the Act of Congress approved 30th May, 1862, "TO SECURE HOMESTEADS TO ACTUAL SETTLERS ON THE PUBLIC DOMAIN," and the acts supplemental thereto, the claim of

Nels Nelson
has been established and duly consummated, in conformity to law for the *South East Quarter of Section thirty six Township five North Range thirty four East of Tenth Meridian in Idaho Containing One hundred and thirty Acres.*

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

Now Know Ye, that there is, therefore, granted by the UNITED STATES unto the said *Nels Nelson* the Tract of Land above described:

To Have and to Hold the said Tract of Land, with the appurtenances thereof, unto the said *Nels Nelson* and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the rights of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or interfere with the premises hereby granted, as provided by law.

In Testimony Whereof, I *Grover Cleveland*

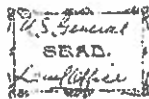
PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the *Twenty-sixth* day of *May* in the year of our Lord one thousand eight hundred and *Eighty-eight*, and of the Independence of the United States the *Twenty-second* Year.

BY THE PRESIDENT, *Grover Cleveland*

By *T. M. L. L.* Secretary.

Edw. D. Ross
Recorder of the General Land Office.



Recorded, Vol. 1, Page 243

This affidavit was made as of December 13, 1937 at that time the above named parties were the heirs and only heirs of Nels F. Jensen, deceased. This affidavit is made for the purpose of showing heirship and also the purpose of showing that the quit claim deeds made December 13, 1937, and recorded in Book 31 of Deeds page 601, the other recorded in Book 31 of Deeds page 602, both recorded on March 12, 1938, and that these deeds were given for the purpose of correcting an error in one certain warranty deed dated February 20, 1930 wherein Nels F. Jensen purported to deed the Southeast quarter of Section 30, Township 16 South, Range 39 East of the Boise Meridian, less right of way for West Cache Canal. The deed as recorded reads "The Southeast quarter of Lot 30, Township 16 South, Range 39 East of the Boise Meridian less right of way for West Cache Canal", and that Nels F. Jensen deeded all of his interest to his wife, Harriet M. Jensen and her heirs, and that since Harriet M. Jensen and her heirs deeded to Delbert A. Jensen.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of March, 1951.

Vaughn Taylor

Subscribed and sworn to before me this 14th day of March, 1951.

(Seal)

J. N. Larsen
Notary Public,
Preston, Idaho

STATE OF IDAHO

County of Franklin--ss.

I hereby certify that this instrument was filed for record at the request of J. N. Larsen at 11:40 A.M., March 14, 1951.

C. L. Swenson: Ex-Officio Recorder

Fee \$.75

By Selma V. Antilano Deputy

---Compared---

Inst. No. 87149

POWER OF ATTORNEY
General

KNOW ALL MEN BY THESE PRESENTS:

That I, William P. Merrill, Jr., a legal resident of 97 East First North Street, Preston, Idaho, temporarily residing in Kobe, Honshu, Japan, have made, constituted and appointed, and by these presents do make, constitute and appoint my father, William P. Merrill, whose home address is 97 East First North Street, Preston, Idaho, my true and lawful attorney to act in, manage, and conduct all my estate and all my affairs, and for that purpose for me and in my name, place and stead, and for my use and benefit, and as my act and deed, to do and execute, or to concur with persons jointly interested with myself therein in the doing, or executing of all or any of the following acts, deeds, and things, that is to say:

1. To buy, receive, lease, accept, or otherwise acquire, to sell, convey, mortgage, hypothecate, pledge, quit claim or otherwise encumber or dispose of or to contract or agree for the acquisition, disposal, or encumbrance of any property whatsoever or any custody, possession, interest or right therein, upon such terms, considerations and conditions as my said attorney shall think proper;

2. To take, hold, possess, invest, lease, or let, or otherwise manage any or all of my property or any interest therein; to eject, remove or relieve tenants or other persons from, and recover possession of, such property by all lawful means; and to maintain, protect, preserve, insure, remove, store, transport, repair, build on, raze, rebuild, alter, modify or improve the same or any part thereof;

3. To make, do and transact all and every kind of business of what nature or kind soever, including the receipt, recovery, collection, payment, compromise, settlement, and

remainders, rents issues and profits thereof; and all estate, right, title and interest in and to 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.

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

William E. Robinson (Seal)
Jennie Robinson (Seal)

STATE OF IDAHO,

COUNTY OF FRANKLIN-ss.

On this 23rd day of March in the year 1951, before me J.N. Larsen Notary Public in and for said state personally appeared William E. Robinson, Also known as William M. Robinson, and his wife, Jennie Robinson 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)

J. N. Larsen
Notary Public, Residing at Preston,
Idaho.

STATE OF IDAHO,

COUNTY OF FRANKLIN-ss.

I hereby certify that this instrument was filed for record at request of Floyd C. Robinson at 2:35 P. M., April 13, 1951.

C. L. Swenson Ex-Officio Recorder.

Fee \$ 1.50

By G. L. Swenson Deputy.

---Compared---

Inst. No. 87291

QUIT CLAIM DEED

THIS INDENTURE, Made the twenty-ninth day of March in the year of our Lord One Thousand Nine Hundred and fifty-one between Harriet Jensen of Weston, of the County of Franklin and State of Idaho the party of the first part, and Delbert A. Jensen and Clea Jensen, his wife of Weston, of the County of Franklin and State of Idaho, the parties of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One Dollars (\$1.00) and other good and valuable consideration Dollars, lawful money of the United States of America, to her in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents demise, release and forever Quit claim unto the said parties of the second part, and to their heirs and assigns all that certain piece or parcel of land situated in Franklin County, of the State of Idaho, particularly described as follows, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty (30), Township Sixteen (16) South, Range Thirty-nine (39) East of the Boise Meridian. Said party of the first part does especially demise, release and forever Quit claim unto the said parties of the second part the life estate reserved to the use of a certain house thereon.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto said parties of the second part, and to their heirs and assigns forever.

IN TESTIMONY WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

Harriet Jensen

(Seal)

STATE OF IDAHO,

COUNTY OF FRANKLIN-ss.

On this 4th day of April in the year 1951, before me J. N. Larsen, a Notary Public in and for said County and State personally appeared Harriet Jensen known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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)

J. N. Larsen

Notary Public.

Residence Preston, Idaho

STATE OF IDAHO,

COUNTY OF FRANKLIN -ss.

I hereby Certify that this instrument was filed for record at request of J. N. Larsen at 3:50 P. M., April 16, 1951.

C. L. Swenson Ex-Officio Recorder.

Fee \$1.25

By Edna L. Swenson Deputy,

---Compared---

Inst. No. 87296

WARRANTY DEED

THIS INDENTURE, made this 14th day of April in the year of our Lord one thousand nine hundred and Fifty-one between F. L. Hendrickson and Pearl Hendrickson, his wife of

County of State of the parties of the first part, and Dale Saxton of Preston County of Franklin 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 \$1.00 and other valuable consideration 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 the following described real estate, situated in the County of Franklin, State of Idaho, to-wit:

Commencing at a point 43 rods East and 26 rods South from the Northwest corner of the Southwest quarter of Section 23, Township 15 South, Range 39 East of the Boise Meridian, thence running South 5 rods; thence East 16 rods; thence North 5 rods; thence West 15 rods to the place of beginning.

The Grantee herein agrees to assume that certain mortgage executed by the Grantor herein to the First Federal Savings and Loan Association of Logan, and recorded in Book 47 of Mortgages, page 370, records of Franklin County, Idaho.

thereof; and all estate, right, title and interest in and to 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 person 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 PRESENCE OF

Richard W. Hendricks (SEAL)

Darlene E. Hendricks (SEAL)

STATE OF IDAHO,

County of Franklin--ss.

On this 13th day of October in the year 1961, before me Ted Larsen a Notary Public in and for said State, personally appeared Richard W. Hendricks and his wife Darlene E. Hendricks 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

Ted Larsen

Notary Public, Residing at Preston, Idaho.

STATE OF IDAHO,

County of Franklin--ss.

Recorded at the request of J. N. Larsen Company on October 26, 1961, at 4:30 P.M.

Fee: \$1.80

C. L. Swenson: Ex-Officio Recorder

By Don P. Davis Deputy

-- Compared --

Inst. No. 109082

WARRANTY DEED

THIS INDENTURE, made this 2nd day of May in the year of our Lord one thousand nine hundred and Sixty between Delbert A. Jensen and Clea Jensen of Weston County of Franklin State of Idaho the parties of the first part, and Ferdinand (Fred) Weyerman and Olive K. J. Weyerman his wife of Weston County of Franklin 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 FORTY TWO THOUSAND AND NO/100 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 the following described real estate, situated in the County of Franklin, State of Idaho, to-wit:

The Southeast quarter of Section 30, Township 16 South, Range 39 East of the Boise Meridian, containing 160 acres less about 5 acres of land deeded to West Cache Company for a right of way.

Also, that portion of the South 18 rods, of the West half of the Northeast quarter of Section 30, Township 16 South, Range 39 East of the Boise Meridian, lying West of the West Cache Canal Company, containing 167 acres, more or less.

(\$46,20 U. S. I. R. Stamps duly affixed and 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 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 person 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 PRESENCE OF

Delbert A. Jensen (SEAL)

Clea Jensen (SEAL)

Subject to the easement executed by Veril D. Smart and Rosella Smart to the Utah Power and Light Company, recorded August 7, 1961, in Book 18 of Miscellaneous Records at Page 40, records of Franklin County, Idaho.

Subject to the outstanding lessee's interest under the Gas and Oil Lease, executed by Veril Smart and Rosella Smart, his wife, to F.R. Power, and recorded in Book 16 of Misc., page 395, and assigned to Walter O. Glover and recorded in Book 17 of Misc., page 469, records of Franklin County, Idaho. (\$25.30 U.S.I.R. Stamps duly affixed and cancelled.)

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, water and water rights appurtenant thereto or reasonably necessary to the use of the real property, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises together with the appurtenances thereto unto the party of the second part, as community property, and to the heirs and assigns of the second party forever.

The parties of the first part, for themselves and for their heirs, executors and administrators, do hereby covenant to and with the party of the second part, and with the heirs and assigns of second party, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand(s) and seal(s) this 30 day of June, 1964.

WITNESSES:

Veril D. Smart (SEAL)
Veril D. Smart a/k/a (Husband)
Veril Smart

Rosella H. Smart (SEAL)
Rosella H. Smart a/k/a (Wife)
Rosella Smart

ACKNOWLEDGMENT

STATE OF IDAHO) ss.
COUNTY OF FRANKLIN)

On this 30th day of June, 1964, before me, a Notary Public in and for said County and State, personally appeared VERIL D. SMART & ROSELLA H. SMART, his wife ~~and herself~~, to me known to be the identical individual(s) described in and who executed the within and foregoing instrument and whose name(s) are subscribed thereto, and acknowledged to me that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

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

Seal
(Seal)

Ted B. Larsen
Notary Public in and for the State of
Residing at Preston, Idaho
My commission expires: May 12, 1966

STATE OF IDAHO) ss.
County of Franklin)

Recorded at the request of J. N. Larsen Co. at 3:35 P.M., June 30, 1964.

Fee: \$3.00

C. L. Swenson: Ex-Officio Recorder
By Anna P. Larsen Deputy

-- Compared --

Inst. No. 114389
USDA-FHA
Form FHA 427-12 Idaho
(Rev. 1-5-62)
(COMMUNITY)

WARRANTY DEED (IDAHO)

KNOW ALL MEN BY THESE PRESENTS, That FRED WEYERMAN, also known as FERDINAND WEYERMAN and OLIVE J. WEYERMAN, ~~and~~ also known as OLIVE F. WEYERMAN, his wife, of Weston of the County of Franklin, State of Idaho, parties of the first part, for and in consideration of the sum of TEN AND NO/100 Dollars (\$10.00), in lawful money of the United States of America, and other valuable consideration, to them in hand paid by DENTON W. GREENE and HELEN W. GREENE, his wife, PLATT S. GREENE and FERN GREENE, his wife, all four of Route 1, Weston, Franklin County, Idaho hereinafter called party of the second part, do hereby GRANT, BARGAIN, SELL and CONVEY unto the party of the second part, as a community property estate, and to the heirs and assigns of the second party, all of the following-described property situate, lying and being in the County of FRANKLIN, State of Idaho, to wit:

SE $\frac{1}{4}$ Section 30, Township 16 South, Range 39 East, Boise Meridian, less about 5 acres of land deeded to West Cache Canal Company for for a right of way.

ALSO, That portion of the S 18 rods of the W 1/2 of NE 1/4 Section 30, Township 16 South, Range 39 East, Boise Meridian, and lying West of West Cache Canal Company.

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including, but not limited to, 100 shares of the capital stock of the West Cache Irrigation Company; also rights to waters of natural springs and drain, under Application No. 33998, Permit No. 26153, approved by the Idaho State Reclamation Engineer on January 24, 1956, issued to Delbert Jensen and by him assigned to the parties of the first part.

(\$25.85 U.S.I.R. Stamps duly affixed and cancelled.)

Together with an undivided one-fourth interest in the pump, motor and related equipment and replacements thereof, used and operated by a group known as Utida Pump Company.

Also together with all other irrigation equipment owned by the parties of the first part and used in the irrigation of the above premises, including the sprinkler irrigation system.

Also a 250 gallon Dari-Kool milk tank, Serial No. A20967.

Subject to exceptions and reservations contained in patents from the United States.

Subject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

Subject to the \$19,900.00 mortgage executed by Fred Weyerman and Olive F. Weyerman, his wife, in favor of the Prudential Insurance Company of America recorded October 18, 1961 as Instrument No. 109022, in Book 63 of Mortgages at Page 242, records of Franklin County, Idaho, which mortgage and the debt secured thereby the parties of the second part assume and agree to pay.

FHA 427-12 Idaho (Rev. 1-5-62)

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, water and water rights appurtenant thereto or reasonably necessary to the use of the real property, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises together with the appurtenances thereto unto the party of the second part, as community property, and to the heirs and assigns of the second party forever.

The parties of the first part, for themselves and for their heirs, executors and administrators, do hereby covenant to and with the party of the second part, and with the heirs and assigns of second party, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand(s) and seal(s) this 30th day of June, 1964.

Fred Weyerman (SEAL)
FRED WEYERMAN aka FERDINAND WEYERMAN (Husband)
Olive J. Weyerman (SEAL)
OLIVE J. WEYERMAN aka (Wife)
OLIVE F. WEYERMAN

WITNESSES:

ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF FRANKLIN) ss.

On this 30th day of June, 1964, before me, a Notary Public in and for said County and State, personally appeared FRED WEYERMAN, also known as FERDINAND WEYERMAN and OLIVE J. WEYERMAN, aka OLIVE F. WEYERMAN, his wife, to me known to be the identical individual(s) described in and who executed the within and foregoing instrument and whose name(s) are subscribed thereto, and acknowledged to me that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

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

Seal
(SEAL)

Ted B. Larsen
Notary Public in and for the State of Idaho
Residing at Preston, Idaho
My commission expires: May 12, 1966

STATE OF IDAHO)
County of Franklin) ss.

Recorded at the request of J. N. Larsen Co. at 3:40 P.M., June 30, 1964.

Fee: \$2.40

C. L. Swenson: Ex-Officio Recorder
By Anna P. Davis Deputy

-- Compared --

WARRANTY DEED

For Value Received PRATT B. GREENE and FERN GREENE, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

DENTON W. GREENE and HELEN W. GREENE, husband and wife,

the grantees, the following described premises, in Franklin County Idaho, to wit:

Township 10 South, Range 39 East of the Boise Meridian

Section 30: S1/4, less about 5 acres deeded to West Cache Canal Company for right of way; that portion of the South 18 rods of the W1/2NE1/4 of said Section 30 lying West of the West Cache Canal Company.

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including, but not limited to, 100 shares of the capital stock of the West Cache Irrigation Company; also rights to waters of natural Springs and drain, under Application No. 33998, Permit No. 26513, approved by the Idaho State Reclamation Engineer on January 24, 1950, issued to Delbert Jensen, and acquired from Ferdinand Weyerman.

Together with the Grantors' interest in the pump, motor and related equipment and replacements thereof, used and operated by a group known as Nevada Pump Company.

Also together with all other irrigation equipment owned by the grantors and used in the irrigation of the above premises, including the sprinkler irrigation system.

Also a 100-gallon Dairy-Kool milk tank, Serial No. A20967.

Subject to exceptions and reservations contained in patents from the United States. Subject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

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 incumbrances

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

Dated:

July 14, 1971 Pratt B. Greene
July 14, 1971 Helen W. Greene

STATE OF IDAHO, COUNTY OF

On this 14 day of July, 19 71, before me, a notary public in and for said State, personally appeared

PRATT B. GREENE and FERN GREENE,
husband and wife,

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

Comm. Expires

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of Pratt B. Greene

at 20 minutes past 2:00 o'clock p.m.,
this 14 day of July,
19 71, in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By John E. Johnson Deputy

Fees \$ 1.00

Mail to Pratt B. Greene

INSTRUMENT NO

WARRANTY DEED

THIS INSTRUMENT, made this 4th day of June, 1980
 between DENTON W. GREENE and HELEN W. GREENE, husband and wife
 of Weston, County of Franklin, State of Idaho
 the party of the first part and GREENE FAMILY TRUST, Denton W. Greene and Helen W. Greene, trustees
 of Weston, County of Franklin, State of Idaho
 the party of the second part.

WITNESSETH that the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations, to the party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents, does grant, bargain, sell and convey and confirm unto the said party of the second part, and to party of the second part's heirs and assigns, forever, all of the following described real estate situated in Weston, County of Franklin, State of Idaho, to-wit:

SEE SCHEDULE "A" WHICH IS INCLUDED
 BY REFERENCE HEREIN.

Recorded at the request of

Denton W. Greene

APR 23 1982 10:15 a.m.

MICHAEL D. KUNE, RECORDER

By [Signature]
 FRANKLIN COUNTY, IDAHO

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging in or anywhere adjoining, and the reversions, remainder and reversioners, and rents, issues and profits thereof, and all estate, right, title and interest in and to said property, as well in law as in equity, of said party 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 party of the second part's heirs and assigns forever, and the said party of the first part, and said party of the first part's heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said party of the second part, and party of the second part's heirs and assigns, against the said party of the first part, and party of the first part's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part hereunto has set his hand.

Denton W. Greene

Helen W. Greene

STATE OF IDAHO,

County of Blaineville } ss

On this 4th day of June

in the year 1980, before me

the undersigned, Gordon W. Jenkins

a Notary Public in and for said State,

personally appeared Denton W. Greene and Helen W. Greene, husband and wife

known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she executed the same.

MY COMM. EXPIRES 12/31/80, I have up my hand and affixed my official seal the day and year in this writing.

[Signature]

Notary Public for the State of Idaho,

Arden, or Shelley, Idaho.

158853

SCHEDULE A

PARCEL 1: Township 16 South, Range 30 East of the Boise Meridian,
Franklin County, Idaho

Section 30: SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Less 5 acres deeded
to Cache Canal Company for right of way.

ALSO INCLUDING: That portion of the South 18 rods of
the W $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section lying West of the West Cache
Canal.

Together with all water and water rights, ditches and
ditch rights, used thereon or appurtenant thereto,
including but not limited to 180 shares of water stock
in the West Cache Irrigation Company.

200706¹⁻²

CERTIFICATE OF REDEMPTION

I, James H. Benham, United States Marshal for the District of Idaho, hereby certify that on the 26th day of November, 1997, I received from First American Title Co. of Preston, Preston, Idaho, on behalf of Denton W. Greene and Helen W. Greene, of 2735 W. 5400 S., Weston, ID 83286, the sum of Two Hundred Twenty-two Thousand Nine Six Hundred Eighty-four and 35/100 dollars (\$222,684.35), in full redemption of the real property described as

Township 16 south, Range 39 East of the Boise Meridian

Section 30: SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4, LESS 5 acres deeded to WEST CACHE CANAL COMPANY for right of way.

ALSO INCLUDING THAT PORTION OF THE South 18 rods of the W 1/2 NE1/4 of said Section lying West of the WEST CACHE CANAL.

Together with all water and water rights including but not limited to 180 shares of water stock in West Cache Irrigation Company.

from the sale thereof by me to REEDER FAMILY TRUST, on September 16, 1997, in the office of the County Recorder of Franklin County, Idaho, as Instrument No. 200279.

In support and proof of his right to redeem, the redemptioner produced the following documents:

Order of Default Judgment and Decree of Foreclosure
Notice of Intention to Redeem

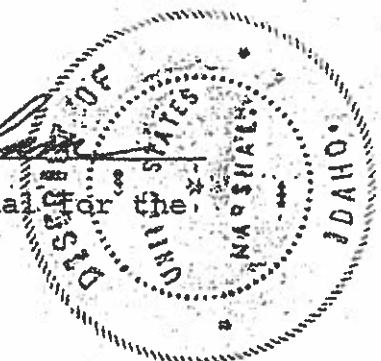
IN WITNESS WHEREOF, I have executed this Certificate at Boise, Idaho on the 26th day of November, 1997.

Recorded at the request of
First American Title

DEC 1 1997 12:15 p.m.

V. ELLIOTT LARSEN, RECORDER
By Camille Larsen Deputy
FRANKLIN COUNTY, IDAHO


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



200706²²

STATE OF IDAHO)
) ss.
County of Ada)

ON THIS 26th day of November, 1997, before me, a Notary Public in and for the State of Idaho, personally appeared JAMES H. BENHAM, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledge 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.

A circular notary seal for Sheryl Ann Cross, Notary Public for Idaho. The seal contains the text "Sheryl Ann Cross", "Notary Public for Idaho", and "My Commission Expires 12/31/2002".
Sheryl Ann Cross
Notary Public for Idaho
Residing at: Boss 9100
My Commission Expires: 12/31/2002

10781
ARB 4.1

200717

Recorded at the request of
First American Title Co.

10:20 a.m. DEC 2 1997 p.m.

V. ELLIOTT LARSEN, RECORDER
By Ruth K. Pauling Deputy
FRANKLIN COUNTY, IDAHO

TRUSTEE'S WARRANTY DEED

For Value Received, **DENTON W. GREENE and HELEN W. GREENE**, Individually and as Trustees of the **GREENE FAMILY TRUST**,

Hereinafter called the Grantors, hereby grant, bargain, sell and convey unto **MAVIS R. HILTON**, Trustee of the

MAVIS R. HILTON TRUST, UAD June 26, 1997

whose address is: **611 East, 1280 North, Logan, UT 84321**

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

Township 16 South, Range 39 East of the Boise Meridian, **FRANKLIN COUNTY, IDAHO**.

Section 30: **SE1/4NW1/4, NE1/4SW1/4, SE1/4**, Less 5 acres deeded to West Cache Canal Company for right of way.

ALSO INCLUDING: That portion of the South 18 rods of the **W1/4NE1/4** of said Section lying West of the West Cache Canal.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: December 1, 1997

Denton W. Greene
DENTON W. GREENE

Helen W. Greene
HELEN W. GREENE

Denton W. Greene
DENTON W. GREENE, TRUSTEE

Helen W. Greene
HELEN W. GREENE, TRUSTEE

State of Idaho
County of Franklin

On this 1st day of December, 1997, before me, a Notary Public in and for said State, personally appeared **DENTON W. GREENE and HELEN W. GREENE** known 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. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.



Diane Key
Notary Public State of Idaho
Residing at: Diane Key
Commission Expires: 5/25/2000

206841 1-3

Recorded at the request of

Steven R. Fuller4:45
A.M. JUL 06 1999 P.M.

TRUSTEE'S DEED

V. ELLIOTT LARSEN, RECORDER
By Ruth K. Rawlins Deputy
FRANKLIN COUNTY, IDAHO

THIS DEED made this 2nd day of July, 1999, between MAVIS R. HILTON, as Trustees of the MAVIS R. HILTON TRUST, DATED 06-26-97, hereinafter called "Grantor" and SAMUEL W. HILTON and CHERYL R. HILTON, husband and wife, 267 North 100 West, Hyde Park, Ut 84318, hereinafter called "Grantees".

WHEREAS, MAVIS R. HILTON is the duly appointed and acting Trustee of the MAVIS R. HILTON TRUST, dated the 26th day of June, 1997, by and between MAVIS R. HILTON, as Trustor, and MAVIS R. HILTON, as Trustee.

NOW, THEREFORE, WITNESSETH, that the said Grantor, for valuable consideration, and for the purpose of distributing certain real property from the MAVIS R. HILTON TRUST, do by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the said Grantees, and their heirs and assigns forever, all interest in that certain parcel of land, situate, lying and being in Franklin County, State of Idaho, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

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;

TO HAVE AND TO HOLD, all and singular the said premises together with the appurtenances unto the Grantees, their heirs and assigns forever.

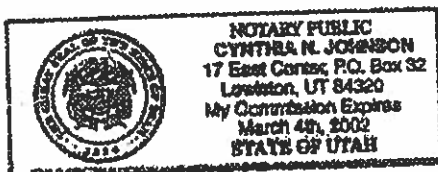
206841 2.3

IN WITNESS WHEREOF, the said Grantor has hereunto set her hands and seals the day and year first above written.

MAVIS R. HILTON Trustee
MAVIS R. HILTON, Trustee of the
MAVIS R. HILTON TRUST

STATE OF Idaho)
County of Ada) ss.
~~Franklin~~)

On this 2nd day of July, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared MAVIS R. HILTON, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the MAVIS R. HILTON TRUST and acknowledged to me that she executed the same as Trustee of the MAVIS R. HILTON TRUST.



Cynthia N. Johnson
NOTARY PUBLIC for State of Idaho
Residing at: Lewiston Ada Idaho
Comm. Expires: 3-4-02

EXHIBIT "A"

PARCEL 1

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 30: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Less 5 acres deeded to West Cache Canal Company for right of way.

ALSO INCLUDING: That portion of the South 18 rods of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section lying West of the West Cache Canal.

EXCEPTING THEREFROM a parcel of land located in Section 30, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho and further described as follows:

Beginning at the Northeast corner of said Section 30, located South 00°45'23" East 5291.06 feet from the Northeast corner of Section 19, Township 16 South, Range 39 East, Boise Meridian;
 Thence South 3966.75 feet;
 Thence West 2244.20 feet to a 5/8" rebar with cap labeled "A.A. HUDSON, PLS 4735", set on the North right of way line of 5400 South, the True Point of Beginning;
 Thence North 00°41'33" East 252.99 feet to a 5/8" rebar with cap set at a fence post;
 Following said fence the next 2 courses:
 Thence North 48°48'12" East 113.03 feet to a 5/8" rebar with cap;
 Thence North 20°04'42" East 159.90 feet to a 5/8" rebar with cap;
 Thence South 84°45'51" East 261.74 feet to a 5/8" rebar with cap set on the West right of way line of the West Cache Canal;
 Following said right of way line the next 6 courses:
 Thence South 09°23'19" West 178.37 feet to a 5/8" rebar with cap;
 Thence South 00°18'08" West 71.23 feet to a 5/8" rebar with cap;
 Thence South 02°26'32" West 224.00 feet to a 5/8" rebar with cap;
 Thence South 05°55'50" West 86.92 feet to a 5/8" rebar with cap;
 Thence South 12°38'00" West 77.42 feet to a 5/8" rebar with cap;
 Thence South 20°52'10" West 71.74 feet to a 5/8" rebar with cap;
 Following a fence line the next 5 courses:
 Thence North 74°09'04" West 49.32 feet to a 5/8" rebar with cap;
 Thence North 66°59'12" West 53.06 feet to a 5/8" rebar with cap;
 Thence North 67°16'43" West 99.40 feet to a 5/8" rebar with cap;
 Thence North 63°30'18" West 10.61 feet to a 5/8" rebar with cap;
 Thence North 48°00'01" West 94.95 feet to a 5/8" rebar with cap;
 Thence North 12°15'39" West 112.64 feet to a point on said North right of way line of 5400 South;
 Thence South 77°44'21" West 21.70 feet to the True Point of Beginning.

206931 1-3

QUITCLAIM DEED

Recorded at the request of

Steve R. Fuller

4:30
a.m. JUL 14 1999 p.m.

FOR VALUE RECEIVED

SAMUEL W. HILTON and CHERYL R. HILTON, husband and wife

V. ELLIOTT LARSEN, RECORDER
By Sharon Goldes Deputy
FRANKLIN COUNTY, IDAHO

does hereby convey, release, remise and forever quit claim unto

MAVIS R. HILTON, as trustee of THE MAVIS R. HILTON TRUST, dated 06-26-97

whose current address is: 611 East 1280 North, Logan, Ut 84321

the following described premises, in Franklin County, Idaho, to-wit:

See Exhibit "A" attached hereto

DATED: July 2, 1999

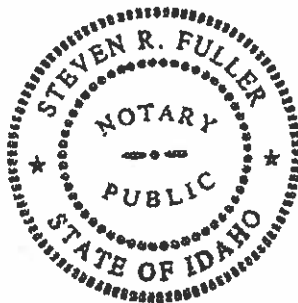
Samuel W. Hilton
SAMUEL W. HILTON

Cheryl R. Hilton
CHERYL R. HILTON

STATE OF IDAHO)

County of Franklin)

On this 2nd day of July, 1999, before, me the undersigned, a Notary Public in and for said State, personally appeared SAMUEL W. HILTON and CHERYL R. HILTON, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at: Preston, ID
Comm. Expires: 2/19/05

EXHIBIT "A"

PARCEL 1

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 30: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Less 5 acres deeded to West Cache Canal Company for right of way.

ALSO INCLUDING: That portion of the South 18 rods of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section lying West of the West Cache Canal.

EXCEPTING THEREFROM a parcel of land located in Section 30, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho and further described as follows:

Beginning at the Northeast corner of said Section 30, located South 00°45'23" East 5291.06 feet from the Northeast corner of Section 19, Township 16 South, Range 39 East, Boise Meridian;

Thence South 3966.75 feet;

Thence West 2244.20 feet to a 5/8" rebar with cap labeled "A.A. HUDSON, PLS 4735", set on the North right of way line of 5400 South, the True Point of Beginning;

Thence North 00°41'33" East 252.99 feet to a 5/8" rebar with cap set at a fence post;

Following said fence the next 2 courses:

Thence North 48°48'12" East 113.03 feet to a 5/8" rebar with cap;

Thence North 20°04'42" East 159.90 feet to a 5/8" rebar with cap;

Thence South 84°45'51" East 261.74 feet to a 5/8" rebar with cap set on the West right of way line of the West Cache Canal;

Following said right of way line the next 6 courses:

Thence South 09°23'19" West 178.37 feet to a 5/8" rebar with cap;

Thence South 00°18'08" West 71.23 feet to a 5/8" rebar with cap;

Thence South 02°26'32" West 224.00 feet to a 5/8" rebar with cap;

Thence South 05°55'50" West 86.92 feet to a 5/8" rebar with cap;

Thence South 12°38'00" West 77.42 feet to a 5/8" rebar with cap;

Thence South 20°52'10" West 71.74 feet to a 5/8" rebar with cap;

Following a fence line the next 5 courses:

Thence North 74°09'04" West 49.32 feet to a 5/8" rebar with cap;

Thence North 66°59'12" West 53.06 feet to a 5/8" rebar with cap;

Thence North 67°16'43" West 99.40 feet to a 5/8" rebar with cap;

Thence North 63°30'18" West 10.61 feet to a 5/8" rebar with cap;

Thence North 48°00'01" West 94.95 feet to a 5/8" rebar with cap;

Thence North 12°15'39" West 112.64 feet to a point on said North right of way line of 5400 South;

Thence South 77°44'21" West 21.70 feet to the True Point of Beginning.

PARCEL 2

Dairy

Township 16 South, Range 38 East of the Boise Meridian, Franklin County, Idaho.

Section 25: Beginning at the Southeast corner of the Northeast Quarter of Section 25, running due North 1346 feet; thence West 378 feet to right of way of Oregon Short Line Railroad; thence South 1346 feet along said right of way; thence East 287 feet to the POINT OF BEGINNING.

ALSO, Commencing at the Northeast corner of the Southeast Quarter of Section 25, and running thence South 1640 feet; thence West 175.5 feet, more or less, to the East line of the Oregon Short Line Railroad right-of-way; thence Northerly along the East

206931 3-3

Exhibit "A" continued

line of said right-of-way to the North line of the Southeast Quarter of said Section 25, thence East 300 feet to the place of beginning.

EXCEPT portion deeded to State of Idaho for highway purposes.

Subject to easements and Restrictions of Record.

2371321-5

NTF-4089

SAMUEL W. HILTON

5164 SOUTH WESTSIDE HIGHWAY

WESTON, IDAHO 83286

NT-41811

Recorded at the request of

NORTHERN TITLE

Ent 939073 Bk 1452 Pg 1915

Date: 16-Mar-2007 03:08 PM Fee \$26.00

Cache County, UT

Michael Glead, Rec. - Filed By SP

For NORTHERN TITLE COMPANY

Recorded at the request of

Northern Title

V. ELLIOTT LARSEN, RECORDER

By Camille Larsen Deputy

FRANKLIN COUNTY, IDAHO

WARRANTY DEED

10:30

a.m. APR 19 2007

p.m.

**RE-RECORDING TO CORRECT VESTING

Re- 23748715

V. ELLIOTT LARSEN, RECORDER

By Shauna Gaddes Deputy

FRANKLIN COUNTY, IDAHO

SAMUEL W. HILTON, SUCCESSOR TRUSTEE OF THE MAVIS R. HILTON TRUST
 DATED JUNE 26, 1997, Grantor(s) of WESTON, County of FRANKLIN, State of IDAHO,
 hereby CONVEY AND WARRANT to SAMUEL W. HILTON REVOCABLE TRUST,
 Grantee(s) of PRESTON, County of FRANKLIN, State of IDAHO for the sum of TEN
 DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following
 described tract of land in FRANKLIN County, State of Idaho:

*SAMUEL W. HILTON, TRUSTEE OF THE

PARCEL 1

TOWNSHIP 16 SOUTH, RANGE 39 EAST OF THE BOISE MERIDIAN, FRANKLIN
 COUNTY, IDAHO.

SECTION 30: THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THE
 NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHEAST
 QUARTER, LESS 5 ACRES DEEDED TO THE WEST CACHE CANAL COMPANY FOR
 RIGHT OF WAY.

ALSO INCLUDING

THAT PORTION OF THE SOUTH 18 RODS OF THE WEST HALF OF THE NORTHEAST
 QUARTER OF SAID SECTION LYING WEST OF THE WEST CACHE CANAL.

EXCEPTING THEREFROM

A PARCEL OF LAND LOCATED IN SECTION 30, TOWNSHIP 16 SOUTH, RANGE 39
 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND FURTHER DESCRIBED
 AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 30, LOCATED SOUTH
 00° 45' 23" EAST 5291.06 FEET FROM THE NORTHEAST CORNER OF SECTION 19,
 TOWNSHIP 16 SOUTH, RANGE 39 EAST, BOISE MERIDIAN;

THENCE SOUTH 3966.75 FEET;

THENCE WEST 2244.20 FEET TO A 5/8" REBAR WITH CAP LABELED "A. A. HUDSON,
 PLS 4735", SET ON THE NORTH RIGHT OF WAY LINE OF 5400 SOUTH, THE TRUE
 POINT OF BEGINNING;

THENCE NORTH 00° 41' 33" EAST 252.99 FEET TO A 5/8" REBAR WITH CAP SET AT A
 FENCE POST;

FOLLOWING SAID FENCE THE NEXT 2 COURSES:

THENCE NORTH 48° 48' 12" EAST 113.03 FEET TO A 5/8" REBAR WITH CAP;

THENCE NORTH 20° 04' 42" EAST 159.90 FEET TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 84° 45' 51" EAST 261.74 FEET TO A 5/8" REBAR WITH CAP SET ON
 THE WEST RIGHT OF WAY LINE OF THE WEST CACHE CANAL;

FOLLOWING SAID RIGHT OF WAY LINE THE NEXT 6 COURSES:

THENCE SOUTH 09° 23' 19" WEST 178.37 FEET TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 00° 18' 08" WEST 71.23 FEET TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 02° 26' 32" WEST 224.00 FEET TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 05° 55' 50" WEST 86.92 FEET TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 12° 38' 00" WEST 77.42 FEET TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 20° 52' 10" WEST 71.74 FEET TO A 5/8" REBAR WITH CAP;

FOLLOWING A FENCE LINE THE NEXT 5 COURSES:

THENCE NORTH 74° 09' 04" WEST 49.32 FEET TO A 5/8" REBAR WITH CAP;

THENCE NORTH 66° 59' 12" WEST 53.06 FEET TO A 5/8" REBAR WITH CAP;

THENCE NORTH 67° 16' 43" WEST 99.40 FEET TO A 5/8" REBAR WITH CAP;
 THENCE NORTH 63° 30' 18" WEST 10.61 FEET TO A 5/8" REBAR WITH CAP;
 THENCE NORTH 48° 00' 01" WEST 94.95 FEET TO A 5/8" REBAR WITH CAP;
 THENCE NORTH 12° 15' 39" WEST 112.64 FEET TO A POINT ON SAID NORTH RIGHT
 OF WAY LINE OF 5400 SOUTH;
 THENCE SOUTH 77° 44' 21" WEST 21.70 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST
 QUARTER (NE $\frac{1}{4}$ SW $\frac{1}{4}$) OF SECTION 30, TOWNSHIP 16 SOUTH, RANGE 39 EAST,
 BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND MORE PARTICULARLY
 DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 30, FROM WHICH
 THE WEST QUARTER CORNER OF SECTION 30 BEARS NORTH 00° 08' 01" EAST
 2654.30 FEET;

THENCE NORTH 00° 08' 01" EAST 1327.15 FEET TO THE SOUTHWEST CORNER OF
 GOVERNMENT LOT 3;

THENCE SOUTH 89° 46' 45" EAST 1166.52 FEET ALONG THE SOUTH BOUNDARY OF
 SAID LOT 3 TO A 5/8" REBAR AND CAP LABELED "BRIAN ALLEN, PLS 9163" SET AT
 THE SOUTHWEST CORNER OF SAID NE $\frac{1}{4}$ SW $\frac{1}{4}$, THE TRUE POINT OF BEGINNING.

THENCE NORTH 00° 35' 35" WEST 126.23 FEET TO A 5/8" REBAR AND CAP;

THENCE SOUTH 89° 46' 45" EAST 707.00 FEET TO A 5/8" REBAR AND CAP;

THENCE SOUTH 00° 35' 35" EAST 126.23 FEET TO A 5/8" REBAR AND CAP SET ON
 THE SOUTH BOUNDARY OF SAID NE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE NORTH 89° 46' 45" WEST 707.00 FEET ALONG THE SOUTH BOUNDARY OF
 SAID NE $\frac{1}{4}$ SW $\frac{1}{4}$ TO THE TRUE POINT OF BEGINNING.

SUBJECT TO A COUNTY ROADWAY AND UTILITY EASEMENT DESCRIBED AS
 FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 30, FROM WHICH
 THE WEST QUARTER CORNER OF SECTION 30 BEARS NORTH 00° 08' 01" EAST
 2654.30 FEET;

THENCE NORTH 00° 08' 01" EAST 1327.15 FEET TO THE SOUTHWEST CORNER OF
 GOVERNMENT LOT 3;

THENCE SOUTH 89° 46' 45" EAST 1166.52 FEET ALONG THE SOUTH BOUNDARY OF
 SAID LOT 3 TO A 5/8" REBAR AND CAP LABELED "BRIAN ALLEN, PLS 9163" SET AT
 THE SOUTHWEST CORNER OF SAID NE $\frac{1}{4}$ SW $\frac{1}{4}$, THE TRUE POINT OF BEGINNING.

THENCE NORTH 00° 35' 35" WEST 1.64 FEET TO A 5/8" REBAR AND CAP SET ON THE
 NORTH RIGHT OF WAY LINE OF 5400 SOUTH A COUNTY ROAD.

THENCE SOUTH 89° 59' 48" EAST 707.00 FEET ALONG SAID RIGHT OF WAY LINE TO
 A 5/8" REBAR AND CAP;

THENCE SOUTH 00° 35' 35" EAST 4.33 FEET TO A 5/8" REBAR AND CAP SET ON THE
 SOUTH BOUNDARY OF SAID NE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE NORTH 89° 46' 45" WEST 707.00 FEET ALONG THE SOUTH BOUNDARY OF
 SAID NE $\frac{1}{4}$ SW $\frac{1}{4}$ TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM

Ent 939073 Bk 1452 Pg 1916

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST
 QUARTER (NE $\frac{1}{4}$ SW $\frac{1}{4}$) OF SECTION 30, TOWNSHIP 16 SOUTH, RANGE 39 EAST,
 BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND FURTHER DESCRIBED AS
 FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 30, FROM WHICH
 THE WEST QUARTER CORNER OF SECTION 30 BEARS NORTH 00° 12' 05" EAST
 2654.30 FEET;

THENCE NORTH 00° 12' 05" EAST 1327.15 FEET TO THE SOUTHWEST CORNER OF
 GOVERNMENT LOT 3;

THENCE SOUTH 89° 42' 41" EAST 1807.45 FEET ALONG THE SOUTH BOUNDARY OF
 SAID LOT 3, TO A 5/8" REBAR WITH CAP LABELED A.A. HUDSON PLS 4735, THE
 TRUE POINT OF BEGINNING;

THENCE NORTH 00° 16' 25" EAST 139.78 FEET TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 89° 54' 25" EAST 640.58 FEET TO A 5/8" REBAR WITH CAP, SET AT AN IRRIGATION LINE;
THENCE SOUTH 00° 07' 41" WEST 141.97 FEET ALONG SAID IRRIGATION LINE, TO A 5/8" REBAR WITH CAP SET ON THE SOUTH BOUNDARY OF SAID NE¼SW¼;
THENCE NORTH 89° 42' 41" WEST 640.93 FEET ALONG THE SOUTH BOUNDARY OF SAID NE¼SW¼ TO THE TRUE POINT OF BEGINNING.

SUBJECT TO A COUNTY ROADWAY AND UTILITY EASEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 30, FROM WHICH THE WEST QUARTER CORNER OF SECTION 30 BEARS NORTH 00° 12' 05" EAST 2654.30 FEET;
THENCE NORTH 00° 12' 05" EAST 1327.15 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 3;
THENCE SOUTH 89° 42' 41" EAST 1807.45 FEET ALONG THE SOUTH BOUNDARY OF SAID LOT 3, TO A 5/8" REBAR WITH CAP LABELED A.A. HUDSON PLS 4735, THE TRUE POINT OF BEGINNING;
THENCE NORTH 00° 16' 25" EAST 4.08 FEET TO A 5/8" REBAR WITH CAP; SET ON THE NORTH RIGHT OF WAY LINE OF 5400 SOUTH;
THENCE SOUTH 89° 49' 36" EAST 640.92 FEET ALONG SAID RIGHT OF WAY LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 00° 07' 41" WEST 5.37 FEET TO A 5/8" REBAR WITH CAP SET ON THE SOUTH BOUNDARY OF SAID NE¼SW¼;
THENCE NORTH 89° 42' 41" WEST 640.93 FEET ALONG THE SOUTH BOUNDARY LINE OF SAID NE¼SW¼ TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE¼SW¼) OF SECTION 30, TOWNSHIP 16 SOUTH, RANGE 39 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 30, FROM WHICH THE WEST QUARTER CORNER OF SECTION 30 BEARS NORTH 00° 12' 05" EAST 2654.30 FEET; THENCE NORTH 00° 12' 05" EAST 1327.15 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 3; THENCE SOUTH 89° 42' 41" EAST 1807.45 FEET ALONG THE SOUTH BOUNDARY OF SAID LOT 3, TO A 5/8" REBAR WITH CAP LABELED A.A. HUDSON PLS 4735, THE TRUE POINT OF BEGINNING; THENCE NORTH 00° 16' 25" EAST 126.23 FEET FOUND 5/8" REBAR WITH CAP LABELED PLS 9163; THENCE SOUTH 89° 46' 45" EAST 64.31 FEET; THENCE SOUTH 00° 35' 35" EAST 126.23 FEET TO A FOUND 5/8" REBAR WITH CAP; THENCE SOUTH 00° 16' 25" WEST 13.56 FEET TO A FOUND 5/8" REBAR WITH CAP; THENCE NORTH 89° 42' 41" WEST 66.08 FEET TO THE TRUE POINT OF BEGINNING.

Ent 939073 Bk 1452 Pg 1917

EXCEPTING THEREFROM

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE¼SW¼) OF SECTION 30, TOWNSHIP 16 SOUTH, RANGE 39 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 30, FROM WHICH THE WEST QUARTER CORNER OF SECTION 30 BEARS NORTH 00° 12' 05" EAST 2654.30 FEET;
THENCE NORTH 00° 12' 05" EAST 1327.15 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 3;
THENCE SOUTH 89° 42' 41" EAST 1166.54 FEET ALONG THE SOUTH BOUNDARY OF SAID LOT 3, TO A FOUND REBAR WITH CAP LABELED PLS 9163, SET AT THE SOUTHWEST CORNER OF SAID NE¼SW¼;
THENCE NORTH 00° 31' 59" WEST 126.23 FEET TO A FOUND 5/8" REBAR WITH CAP LABELED PLS 9163, THE TRUE POINT OF BEGINNING;
THENCE NORTH 00° 31' 59" WEST 11.37 FEET TO A 5/8" REBAR WITH CAP, LABELED A.A. HUDSON, PLS 4735;

THENCE SOUTH 89° 54' 25" EAST 642.85 FEET TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 00° 16' 25" WEST 13.56 FEET TO A FOUND 5/8" REBAR WITH CAP;
THENCE NORTH 89° 46' 45" WEST 642.69 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 30, TOWNSHIP 16 SOUTH, RANGE 39 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 30, FROM WHICH THE SOUTHWEST CORNER OF SECTION 30 BEARS NORTH 89° 35' 30" WEST 2528.15 FEET;

THENCE NORTH 01° 01' 27" WEST 1308.92 FEET ALONG THE CENTER LINE OF SAID SECTION 30, TO THE CENTER LINE OF 5400 SOUTH STREET;

THENCE NORTH 88° 32' 22" EAST 30.00 FEET ALONG SAID 5400 SOUTH CENTERLINE TO A 5/8" REBAR WITH CAP LABELED A.A. HUDSON PLS 4735, THE TRUE POINT OF BEGINNING;

THENCE NORTH 88° 32' 22" EAST 290.72 FEET ALONG SAID 5400 SOUTH CENTERLINE TO A 5/8" REBAR WITH CAP;

THENCE NORTH 82° 50' 07" EAST 32.45 FEET ALONG SAID CENTER LINE TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 31° 19' 03" EAST 32.88 FEET TO A 5/8" REBAR WITH CAP SET AT A FENCE INTERSECTION;

THENCE SOUTH 31° 19' 03" EAST 48.95 FEET TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 52° 18' 58" EAST 297.67 FEET TO A 5/8" REBAR WITH CAP SET AT A FENCE CORNER;

THENCE SOUTH 02° 05' 52" EAST 150.12 FEET ALONG SAID FENCE TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 87° 50' 57" WEST 599.47 FEET TO A 5/8" REBAR WITH CAP;

THENCE NORTH 02° 09' 03" WEST 413.00 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO A COUNTY RIGHT OF WAY AND UTILITY EASEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 30, FROM WHICH THE SOUTHWEST CORNER OF SECTION 30 BEARS NORTH 89° 35' 30" WEST 2528.15 FEET;

THENCE NORTH 01° 01' 27" WEST 1308.92 FEET ALONG THE CENTER LINE OF SAID SECTION 30, TO THE CENTER LINE OF 5400 SOUTH STREET;

THENCE NORTH 88° 32' 22" EAST 30.00 FEET ALONG SAID 5400 SOUTH CENTERLINE TO A 5/8" REBAR WITH CAP LABELED A.A. HUDSON PLS 4735, THE TRUE POINT OF BEGINNING;

THENCE NORTH 88° 32' 22" EAST 290.72 FEET ALONG SAID 5400 SOUTH CENTERLINE TO A 5/8" REBAR WITH CAP;

THENCE NORTH 82° 50' 07" EAST 32.45 FEET ALONG SAID CENTERLINE TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 31° 19' 03" EAST 32.88 FEET TO A 5/8" REBAR WITH CAP SET AT A FENCE INTERSECTION;

THENCE SOUTH 82° 50' 07" WEST 47.40 FEET TO A 5/8" REBAR WITH CAP SET ON THE SOUTH COUNTY ROAD RIGHT OF WAY LINE;

THENCE SOUTH 88° 32' 22" WEST 292.44 FEET ALONG SAID RIGHT OF WAY LINE TO A 5/8" REBAR WITH CAP;

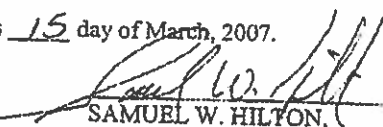
THENCE NORTH 01° 01' 27" WEST 30.00 FEET TO THE TRUE POINT OF BEGINNING.

237132 5-5

Re 237487 5-5

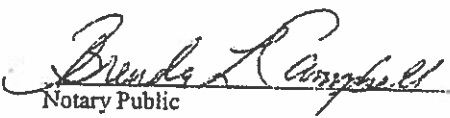
Subject to easements, restrictions and rights of way of record, and taxes for the year 2007 and thereafter.

Witness, the hand(s) of said Grantor(s), this 15 day of March, 2007.

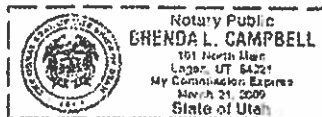

SAMUEL W. HILTON,
SUCCESSOR TRUSTEE

State of Utah)
County of Cache)

On March 15, 2007, personally appeared before me SAMUEL W. HILTON the signer(s) of the within instrument, who duly acknowledged to me that he executed the same.


Notary Public

Residing: Logan
Expires: 3-21-09



Ent 939073 Bk 1452 Pg 1919



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

June 22, 2017

C.L. "BUTCH" OTTER
Governor

Samuel Hilton
32222 W 5400 S
Weston ID 83286

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 13-2192

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 11