



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

July 29, 2016

****Correction****

C.L. "BUTCH" OTTER
Governor

David Smedley
Cynthia Smedley
520 E Green Canyon
Inkom ID 83245

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 29-7360

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 29D

MEMORANDUM

DATE: July 27, 2016

RE: Change of Ownership 29-7360

Corrected Ownership Change

An ownership change for David and Cynthia Smedley was complete on July 12, 2016. According to the documentation received the ownership was in the name of David and Cynthia Smedley along with Greg Smedley. The department contacted the Smedley's and informed them that without the release of Greg all three names would be listed. They told us to go ahead and update the information. On July 27, 2016 we received a copy of the Quit claim Deed showing the release of Greg's interest in the property. The Quit Claim deed was complete back in 2014 and because the information was sent in so quickly after the ownership change was completed, the ownership was corrected without a new form and filing fee.



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DEPARTMENT OF WATER RESOURCES
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July 12, 2016

C.L. "BUTCH" OTTER
Governor

Greg Smedley
David & Cynthia Smedley
520 E Green Canyon
Inkom ID 83245

GARY SPACKMAN
Director

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Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 29D

21411480

2014 Aug 28 PM 12:09:00

Electronically Recorded by Simplifile

AFTER RECORDING MAIL TO:

THIS INSTRUMENT FILED FOR RECORD BY
FIRST AMERICAN TITLE COMPANY AS AN
ACCOMMODATION ONLY AND HAS NOT BEEN
EXAMINED AS TO ITS EXECUTION OR AS
TO ITS EFFECT UPON THE TITLE.

QUITCLAIM DEED

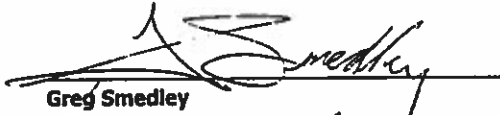
Date: May 01, 2014

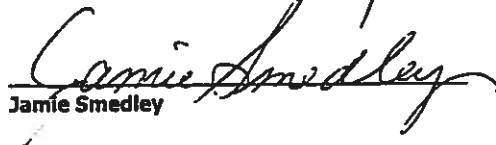
For Value Received, Greg Smedley and Jamie Smedley, husband and wife, do(es) hereby convey, release, remise, and forever quit claim unto David Smedley, a married man, whose address is 520 E. Green Canyon Rd Inkom ID 83241, herein after called the Grantee, the following described premises situated in Bannock County, Idaho, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

together with its appurtenances.

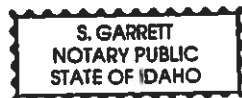
Dated: 8-12-14


Greg Smedley


Jamie Smedley

STATE OF Idaho)
SS.
COUNTY OF Bannock)

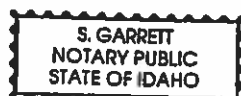
On this 28th day of ^{August} ~~May~~, 2014, before me, a Notary Public in and for said State, personally appeared Greg Smedley, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.




Notary Public of Idaho
Residing at: _____
Commission Expires: _____

STATE OF Idaho)
SS.
COUNTY OF Bannock)

On this 12th day of ^{Aug} ~~May~~, 2014, before me, a Notary Public in and for said State, personally appeared Jamie Smedley, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.




Notary Public of Idaho
Residing at: Inkom ID
Commission Expires: 9-30-17

EXHIBIT "A"

Parcel 1:

A TRACT OF LAND IN THE NW1/4 NE1/4 AND THE SW1/4 NE1/4 OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 36 EAST BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MARKING THE NORTH 1/16TH CORNER ON THE MERIDIONAL CENTERLINE OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 36 E., B.M.; THENCE SOUTH 0°09'46" WEST ALONG SAID MERIDIONAL CENTER LINE OF SECTION 26, A DISTANCE OF 170.0 FEET TO THE TRUE POINT OF BEGINNING, MARKED BY AN IRON PIN; THENCE NORTH 89°21'23" EAST, 370.01 FEET TO AN IRON PIN; THENCE NORTH 0°09'46" EAST, 500.00 FEET TO AN IRON PIN; THENCE NORTH 67°20'39" EAST ALONG THE CENTER OF A STREAM, 207.95 FEET; THENCE NORTH 47°43'36" EAST ALONG THE CENTER OF A STREAM, 143.58 FEET; THENCE NORTH 27°40'48" EAST ALONG THE CENTER OF A STREAM, 96.53 FEET; THENCE NORTH 71°10'26" EAST ALONG THE CENTER OF A STREAM, 248.78 FEET; THENCE NORTH 53°16'45" EAST ALONG THE CENTER OF A STREAM, 107.54 FEET; THENCE SOUTH 0°09'46" WEST, 1751.39 FEET, MORE OR LESS, TO THE CENTER LINE OF GREEN CANYON ROAD; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE ON A 20 DEGREE CURVE, HAVING A CENTRAL ANGLE OF 53°54' AND A RADIUS OF 286.5 FEET, AN ARC DISTANCE OF 244.51 FEET TO A POINT OF CURVATURE, STATION 48+53.3; THENCE NORTH 68°16'26" WEST ALONG SAID CENTERLINE, A DISTANCE OF 460.70 FEET TO A POINT OF TANGENCY, STATION 43+86.2 BACK EQUALS 43+92.6 AHEAD; THENCE NORTHWESTERLY ALONG SAID CENTERLINE ON 8' CURVE HAVING A CENTRAL ANGLE OF 50°24' AND A RADIUS OF 716.3 FEET, A DISTANCE OF 503.42 FEET, MORE OR LESS TO A POINT ON SAID MERIDIONAL CENTER LINE OF SECTION 26; THENCE NORTH 0°09'46" EAST ALONG SAID MERIDIONAL CENTER LINE, 352.19 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A tract of land in the NE¼ of Section 26, Township 7 South, Range 36 East of the Boise Meridian, Bannock County, Idaho, described as follows:

The NE¼NE¼, the N¼SE¼NE¼.

Also Beginning at a point on the West line of said NE¼NE¼ which bears S 00°05'47" W, 274.49 feet from the NW corner of said NE¼NE¼, said point being at the point of intersection with said West line and the center of an existing drainage and marked with a ½" rebar and plastic cap stamped PLS 843;

Thence, S 00°05'47" W, along the West line of said NE¼NE¼, a distance of 1050.42 feet to the NW corner of said SE¼NE¼ and marked with a 5/8" rebar and aluminum cap stamped PLS 843;

Thence, S 00°05'47" W, along the West line of said SE¼NE¼, a distance of 836.67 feet to a ½" rebar and plastic cap stamped PLS 843, said point being on the N'ly right-of-way of Green Canyon Road;

Thence, S 59°06'14" W, along said N'ly right-of-way, 334.05 feet to a ½" rebar and plastic cap stamped PLS 843, said point being the point of intersection with the East line of Warranty Deed Inst. No. 605562;

Thence, N 00°09'46" E, along said East line, 1734.97 feet to the NE corner of said Warranty Deed, said point being the centerline of the aforementioned drainage;

Thence, N 63°06'28" E, along said centerline, 26.24 feet;

Thence, N 79°15'35" E, continuing along said centerline, 89.48 feet;

Thence, N 24°58'36" E, continuing along said centerline, 263.00 feet;

Thence, N 47°47'31" E, continuing along said centerline, 84.41 feet to the Point of Beginning.

Reserving therefrom the following 60.00 foot access easements:

(1) 60.00 feet wide, being 30.00 feet on each side of the following described centerline: Commencing at the NW corner of the NE¼NE¼ of Section 26;

Thence, S 00°05'47" W, along the West line of said NE¼NE¼, a distance of 120.34 feet to the TRUE POINT OF BEGINNING;

Thence, S 84°28'48" E, 29.99 feet;

Thence along a curve to the left, having a radius of 50.00 feet, through a central angle of 18°58'54", for an arc length of 16.56 feet, having a chord bearing and distance of N 86°01'43" E, 16.49 feet;

Thence, N 76°32'18" E, 173.00 feet;

Thence along a curve to the right, having a radius of 50.00 feet, through a central angle of 100°17'47", for an arc length of 87.53 feet, having a chord bearing and distance of

S 53°18'49" E, 76.77 feet;

Thence, S 03°09'55" E, 65.05 feet;

Thence along a curve to the right, having a radius of 635.00 feet, through a central angle of 42°34'29", for an arc length of 471.85 feet, having a chord bearing and distance of

S 18°07'19" W, 461.07 feet;
 Thence, S 39°24'34" W, 671.89 feet;
 Thence, S 21°09'26" W, 590.17 feet;
 Thence, S 29°20'00" W, 142.55 feet;
 Thence along a curve to the left, having a radius of 163.32 feet, through a central angle of 80°36'41", for an arc length of 229.78 feet, having a chord bearing and distance of S 10°58'20" E, 211.29 feet;
 Thence, S 51°16'41" E, 138.96 feet;
 Thence, S 75°03'41" E, 104.33 feet;
 Thence, N 74°14'39" E, 88.26 feet;
 Thence, N 79°11'20" E, 174.03 feet;
 Thence, N 74°14'39" E, 301.51 feet;
 Thence along a curve to the right, having a radius of 453.00 feet, through a central angle of 28°53'27", for an arc length of 228.42 feet, having a chord bearing and distance of N 88°41'22" E, 226.00 feet;
 Thence, S 76°51'54" E, 8.06 feet more or less to the point of termination, said point being the intersection with the N'ly right-of-way of Green Canyon Road.

(2) 60.00 feet wide, being 30.00 feet on each side of the following described centerline:

Commencing at the NW corner of the NE¼NE¼ of said Section 26;
 Thence, N 89°20'35" E, along the North line of said NE¼NE¼, a distance of 356.57 feet to the TRUE POINT OF BEGINNING;
 Thence, S 46°50'23" W, 138.04 feet more or less to the point of termination at the intersection of the centerline of the aforementioned easement (1), with the sides of said easement being lengthened or shortened to conform to the sides of easement (1) and to the North line of said NE¼NE¼.

(3) 60.00 feet wide, 30.00 feet on each side of the following described centerline:

Beginning at a point on the East line of said Section 26 which bears S 00°01'48" W, 923.57 feet from the NE corner of said Section 26;
 Thence, S 89°23'11" W, leaving said East line, 383.35 feet to the point of intersection with the centerline of easement (4),
 Thence, N 73°09'53" W, 172.34 feet;
 Thence, N 61°09'54" W, 94.18 feet;
 Thence, S 88°39'05" W, 174.12 feet;
 Thence, S 77°47'06" W, 124.33 feet;
 Thence, S 60°45'10" W, 478.42 feet;
 Thence, S 75°03'50" W, 272.79 feet to the point of intersection with the centerline of easement (1), said point being the point of termination with the sides of said easement being lengthened or shortened to conform to the east line of said section and the E'ly side of easement (1).

(4) 60.00 feet wide, 30.00 feet on each side of the following described centerline:

Commencing at the NE corner of the NE¼NE¼ of said Section 26;
 Thence, S 89°20'35" W, along the North line of said Section 26, a distance of 59.49 feet to the TRUE POINT OF BEGINNING;
 Thence, S 22°08'58" W, leaving said North line, 139.50 feet;
 Thence along a curve to the right, having a radius of 160.00 feet, through a central angle of 18°46'55", for an arc length of 52.45 feet, having a chord bearing and distance of S 31°32'25" W, 52.21 feet;
 Thence, S 40°53'53" W, 156.88 feet;
 Thence along a curve to the left, having a radius of 50.00 feet, through a central angle of 96°19'50", for an arc length of 84.06 feet, having a chord bearing and distance of S 07°14'02" E, 74.51 feet;
 Thence, S 55°23'57" E, 66.66 feet;
 Thence along a curve to the right, having a radius of 100.00 feet, through a central angle of 45°36'01", for an arc length of 79.59 feet, having a chord bearing and distance of S 32°35'57" E, 77.50 feet;
 Thence, S 09°47'56" E, 65.29 feet;
 Thence, S 00°09'45" W, 82.27 feet;
 Thence along a curve to the right, having a radius of 100.00 feet, through a central angle of 42°12'12", for an arc length of 73.66 feet, having a chord bearing and distance of S 21°15'50" W, 72.00 feet;
 Thence, S 42°21'56" W, 330.06 feet to the point of intersection with the centerline of easement (3), said point being the point of termination with the sides of said easement being lengthened or shortened to conform to the north line of said section and the N'ly side of easement (3).

(5) 60.00 feet wide described as follows:

Beginning at a point on the East line of said Section 26 which bears S 00°01'48" W, 214.56 feet from the NE corner of said Section;
 Thence, S 86°46'52" W, leaving said East line, 97.43 feet;
 Thence along a curve to the left, having a radius of 130.00 feet, through a central angle of 45°50'59", for an arc length of 104.03 feet, having a chord bearing and distance of S 63°51'22" W, 101.28 feet to the point of intersection with the E'ly side of easement (4);
 Thence, N 40°53'53" E, continuing along said E'ly side, 93.99 feet;
 Thence continuing along said E'ly side, along a curve to the left, having a radius of 190.00 feet, through a central angle of 18°46'56", for an arc length of 62.28 feet, having a chord bearing and distance of N 31°32'25" E, 62.00 feet;
 Thence, N 22°08'58" E, continuing along said E'ly side, 11.24 feet;
 Thence leaving said E'ly side, from a tangent bearing of S 22°08'58" W, along a curve to the left, having a radius of 20.00 feet, through a central angle of 115°22'06", for an arc length of 40.27 feet, having a chord bearing and distance of S 35°32'05" E, 33.80 feet;
 Thence, N 86°46'52" E, 70.66 feet to a point on the East line of said Section 26;
 Thence, S 00°01'48" W, along said East line, 60.10 feet to the Point of Beginning.