

No WD + GWR

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 01 2014

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
13-934 OK	Yes ☐		Yes ☐		Yes ☐
13-935 OK	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Charles Shumway
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Brad P. Shumway and Janice S. Shumway
Trustees of the Brad P. & Janice S. Shumway Living Trust
9419 N. Treasureton Rd. Arden ID 83363
Mailing address City State ZIP
208-852-3125 Telephone janices@northerntitle.net 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: _____
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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.

SUPPORT DATA

IN FILE # 13-934

8. Signature: Brad Shumway Trustee Date 6-27-14
Signature of new owner/claimant Title, if applicable Date
- Signature: Janice S. Shumway Trustee Date 6-27-14
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 7/1/2014 Receipt No. E039995 Receipt Amt. \$50.-
Approved by JB Processed by JB Date 8/12/2014

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

Ref 162
492. Strong Arm Reservoir Company,
a corporation:
(a) 1874—May 1
1883—May 1
1883—May 1

2 c.f.s.
6 c.f.s.
688 ac. ft.

ter of Section 7, Township 13 South,
Range 40 East.

To be diverted from the said Battle Creek
in the Southeast quarter of Section 2,
Township 14 South, Range 39 East, B.B.
M., for the irrigation of 3300 acres of land
in Sections 1 and 12, Township 14 South,
Range 38 East, B.B.M., and Sections 6, 7,
8, 9, 10, 16, 17, 20, 21, 28, 29, Township 14
South, Range 39 East, B.B.M.

(b) 1917—July 21
1917—July 21

70 c.f.s.
1084 ac. ft.

Said waters to be diverted through the last
above mentioned ditch, for the supplement-
tal irrigation of the lands last above de-
scribed, provided, however, that the pri-
ority and amount of these appropriations
are conditioned upon a compliance with
the terms of the permit upon which said
appropriations are based, to-wit: Permit
No. 13149 and Permit No. R-76, issued by
the State Engineer of the State of Idaho,
and the same are subject to the provisions
of the laws of the State of Idaho govern-
ing the issuance of water licenses by the
Commissioner of Reclamation.

493. David Sant:
1870—May 1

2.c.f.s.

To be diverted from Sant Creek, a tribu-
tary of Battle Creek, in the Southwes-
ter quarter of the Southeast quarter of Sec-
tion 6, Township 14 South, Range 40 East,
B.B.M., for the irrigation of 67 acres in
the North half of the Southeast quarter of
Section 1, Township 14 South, Range 39
East, and the North half of the Southwest
quarter of Section 6, Township 14 South,
Range 40 East, B.B.M., and the East half
of the Southwest quarter of Section 1,
Township 14 South, Range 39 East, B.B.M.

494. George Sant:
1870—May 1

2 c.f.s.

To be diverted from said Sant Creek
through the ditch last above mentioned for
the irrigation of 68 acres in the South half
of the Southwest quarter, Section 6, Town-
ship 14 South, Range 40 East, and the
South half of the Southeast quarter of
Section 1, Township 14 South, Range 39
East, B.B.M.

495. Charles Shumway:
(a) 1870—May 1

.4 c.f.s.

To be diverted from Branch Creek, a tribu-
tary of said Battle Creek.

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

DATE
PRIORITY

(b) 1875—May 1

.8 c.f.s.

To be diverted from said Battle Creek. The waters decreed in paragraphs (a) and (b) immediately preceding are to be diverted from said Branch Creek and Battle Creek where the same cross the lands hereinafter described, for the irrigation of 60 acres in the North half of the Northeast quarter of Section 25, the Southwest quarter of the Southeast quarter of Section 24, Township 13 South, Range 39 East, B. B. M.

510. Issued

1868
1885

496. *John R. Reeder:*
1911—May 1

0.06 c.f.s.

To be diverted from a spring tributary to said Battle Creek, rising in Section 7, Township 13 South, Range 40 East, for the irrigation of 3 acres in Lot 3, said Section 7.

497. *Mrs. Alonzo H. Seamons:*
1902—May 1

0.7 c.f.s.

To be diverted from said Battle Creek on the land hereinbelow described for the irrigation of 35 acres in the Northeast quarter of Section 8, Township 15 South, Range 39 East.

498. *Wm. H. Carter:*
1906—June 14

0.5 c.f.s.

To be diverted from Battle Creek in Section 4, Township 15 South, Range 39 East, for the irrigation of 25 acres in the Northwest quarter of the Northwest quarter of Section 9, and the Southwest quarter of Section 4, said Township and Range.

499. *O. M. Seamons:*
1907—May 1
1913—March 3

.6 c.f.s.

2.0 c.f.s.

To be diverted from said Battle Creek at a point 900 feet East and 625 feet North of the Northeast corner of Section 8, Township 15 South, Range 39 East, B.B.M., for the irrigation of 182 acres in the Southeast quarter of the Northeast quarter, the Southwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the Northwest quarter of the Southeast quarter of Section 8, the Northwest quarter of the Southwest quarter of Section 9, Township 15 South, Range 39 East, B.B.M.

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CLIFTON CREEK.

500. *Clifton Irrigating Company:*
1869—May 1

14 c.f.s.

To be diverted from said Clifton Creek in the Northeast quarter of Section 27, Township 14 South, Range 38 East, B.M., for

STATE OF IDAHO

County of Franklin--ss.

I hereby certify that this instrument was filed for record at the request of Ethel S. Dursteller at 10:50 A. M., March 28, 1949.

Fee \$1.20

G. L. Swenson; Ex-Officio Recorder

By James L. Swenson Deputy

---Compared---

Inst. No. 82421

WARRANTY DEED

THIS INDENTURE, made this 2nd day of May in the year of our Lord one thousand nine hundred and Forty-five, between Charles Shumway and his wife Caroline Shumway of Preston, County of Franklin, State of Idaho, the parties of the first part, and Kermit H. Shumway, 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 One Dollar and natural love and affection, 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:

The Southwest quarter and the Northwest quarter of the Southeast quarter of Section 24, Township 13 South, Range 39 East of the Boise Meridian, containing 200 acres.

Also, Commencing at a point 110 rods West from the Southeast corner of the Northeast quarter of Section 24, above, Township and Range, thence running West 30 rods; thence North 100 feet; thence in a Southeasterly direction to the point of beginning.

Also, the Northeast quarter of the Northeast quarter of Section 26, Township 13 South, Range 39 East of the Boise Meridian, Idaho, containing 40 acres.

Also, the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 25, and the Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 26, in Township 13 South, Range 39 East Boise Meridian, Idaho, containing 160 acres.

Also, commencing at a point 14 rods West of the Southeast corner of the Southeast quarter of the Northeast quarter of Section 36, Township 13 South, Range 39 East of Boise Meridian, thence West 15 rods; thence South 16 rods; thence Northeasterly 17 rods, more or less to place of beginning.

Also, commencing at the Northwest corner of Lot #1, Section 31, Township 13 South, Range 40 East of Boise Meridian, thence East 22 rods 12 feet; thence Southwesterly to a point 52 rods South of the place of beginning; thence North 52 rods to the place of beginning.

Also, the Southeast quarter of the Southeast quarter of Section 24, Township 13 South, Range 39 East; and Lot 4 and the East half of the Southwest quarter, Township and Range aforesaid, containing 161.64 acres.

Commencing at the Northeast corner of Section 36, Township 13 South, Range 39 East Boise Meridian, and running thence West 600 feet; thence South 20 rods; thence West 16 rods; thence North 20 rods; thence ^{West} 456 feet; thence South 80 rods; thence East 80 rods; thence North 80 rods; to the place of beginning, containing 38 acres, more or less.

Also the Northwest quarter of the Southwest quarter of Section 19, Township 13 South, Range 40 East of the Boise Meridian, containing 40 acres.

Also, the North half of the Northeast quarter of Section 25, and the Southwest quarter of the Southeast quarter of Section 24, in Township 13 South, Range 39 East of the Boise Meridian, Idaho, containing 120 acres.

Also, the North Half of the Northwest quarter of Section 25, in Township 13 South, Range 39 East of the Boise Meridian, Idaho, containing 80 acres.

Also, the Northeast quarter of the Southeast quarter of Section 24, Township 13 South, Range 39 East of the Boise Meridian; but reserving to grantors, however, a right-of-way 40 feet wide upon Northwest corner of the land above described, said right-of-way being further described as commencing on the North line of said quarter section, being circular in shape and extending along the base or bottom of a hill, and at such places as deemed most advisable by grantors herein, and terminating on the West quarter Section line.

(\$22.00 U. S. I. R. Stamps affixed and duly cancelled.)

TOGETHER With all and singular the tenements, herditaments 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 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 DEPEND.

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

Charles Shumway (SEAL)

Caroline Shumway (SEAL)

STATE OF IDAHO,

County of Franklin--ss.

On this 2nd day of May in the year 1945, before me J. N. Larsen, a Notary Public in and for said State, personally appeared Charles Shumway and wife Caroline Shumway, 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 the request of Kermit H. Shumway at 11:50 A. M., March 28, 1949.

Fee \$1.60

C. L. Swenson; Ex-Officio Recorder

By James L. Swenson Deputy

---Compared---

Inst. No. 82424

WARRANTY DEED

THIS INDENTURE, Made this twelfth day of April in the year of our Lord One Thousand nine hundred and forty-five, between Alfred Spatig and his wife, Mary F. Spatig, of Preston, County of Franklin, State of Idaho, the parties of the first part, and Lewis B. Porter of Preston, County of Franklin, State of Idaho, the party of the second part:

WARRANTY DEED

FOR VALUE RECEIVED, KERMIT HYMAS SHUMWAY AND MARGRET MARY PALMER SHUMWAY, husband and wife, Grantors, do hereby grant, bargain, sell and convey unto BRAD PALMER SHUMWAY, Grantee, the following described premises in Franklin County, Idaho, to-wit:

An undivided one-half interest in the following:

The Southwest quarter and the Northwest quarter of the Southeast quarter of Section 24, Township 13 South, Range 39 East of the Boise Meridian, containing 200 acres.

Also commencing at a point 110 rods West from the Southeast corner of the Northeast quarter of Section 24, above Township and Range, thence running West 30 rods; thence North 100 feet; thence in a Southeasterly direction to the point of beginning.

Also, the Northeast quarter of the Northeast quarter of Section 26, Township 13 South, Range 39 East of the Boise Meridian, Idaho, containing 40 acres.

Also the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 25, and the Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 26, in Township 13 South, Range 39 East, Boise Meridian, Idaho, containing 160 acres.

Also, commencing at a point 14 rods West of the Southeast corner of the Southeast quarter of the Northeast quarter of Section 36, Township 13 South, Range 39 East of Boise Meridian; thence West 15 rods; thence South 16 rods; thence Northeasterly 17 rods, more or less to place of beginning.

Also commencing at the Northwest corner of Lot 1, Section 31, Township 13 South, Range 40 East of the Boise Meridian; thence East 22 rods 12 feet; thence Southwesterly to a point 52 rods South of the place of beginning; thence North 52 rods to the place of beginning.

Also the Southeast quarter of the Southeast quarter of Section 24, Township 13 South, Range 39 East; and Lot 4 and the East half of the Southwest quarter of Section 19, Township 13 South, Range 40 East, Boise Meridian, containing 161.64 acres.

Commencing at the Northeast corner of Section 36, Township 13 South, Range 39 East, Boise Meridian, and running thence West 600 feet; thence South 20 rods; thence West 16 rods; thence North 20 rods; thence West 456 feet; thence South 80 rods; thence East 80 rods; thence North 80 rods to the place of beginning, containing 38 acres, more or less.

Also the Northwest quarter of the Southwest quarter of Section 19, Township 13 South, Range 40 East of the Boise Meridian, containing 40 acres.

Also the North half of the Northeast quarter of Section 25, and the Southwest quarter of the Southeast quarter of Section 24, in Township 13 South, Range 39 East of the Boise Meridian, Idaho, containing 120 acres.

Also the North half of the Northwest quarter of Section 25, in Township 13 South, Range 39 East of the Boise Meridian, Idaho, containing 80 acres.

Also the Northeast quarter of the Southeast quarter of Section 24, Township 13 South, Range 39 East of the Boise Meridian but reserving to Grantors, however, a right-of-way 40 feet wide upon the Northwest corner of the land above described; said right-of-way being further described as commencing on the North line of said quarter section, being circular in shape and extending along the base or bottom of a hill, and at such places as deemed most advisable by Grantors herein, and terminating on the West quarter Section line.

Except the following:

Also, commencing at the Northeast corner of said Section 25, thence running South 80 rods; thence West 700 feet; thence North 60 rods; thence Northeasterly 700 feet, more or less, to place of beginning.

Commencing at the Southwest corner of the Northeast quarter of the Northeast quarter of Section 36, Township 13 South, Range 39 East of the Boise Meridian, and running thence East 2 rods to the East side of a private road; thence Northeasterly along the East side of said road to a point of intersection with the County road; thence Northeasterly along the West side of said County road to a point which is 600 feet West and 20 rods South of the Northeast corner of the Northeast quarter of said Section 13; thence West 15 rods; thence North 20 rods; thence West 456 feet; thence South 80 rods to the place of beginning.

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 Grantees, they 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 this 31st day of December, 1973.

Kermit Hymas Shumway
Margret Mary Palmer Shumway

STATE OF UTAH)
 (ss
County of Cache)

On this 31st day of December, 1973, before me, a Notary Public in and for said State, personally appeared Kermit Hymas Shumway and Margret Mary Palmer Shumway, 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.

[Signature]
Notary Public

Commission expires: Oct. 29, 1974
Residing at Logan, Utah

134745

Recorded at the request of
Kermit H. Shumway

APR 1 1974 1:30 p.m.

MICHAEL D. KUNZ, RECORDER
By Marilyn Shumway Deputy
FRANKLIN COUNTY, IDAHO

200 fee

WARRANTY DEED

For Value Received

KERMIT H. SHUMWAY and MARGRET MARY SHUMWAY, Husband and Wife,

the grantor s, do hereby grant, bargain, sell and convey unto

BRAD PALMER SHUMWAY as Trustee of the KERMIT H. SHUMWAY FAMILY TRUST

whose current address is

Star Route
Preston, ID 83263

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

See Exhibit "A" attached hereto.

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 incumbrances

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

Dated: February 16, 1983

Kermit H. Shumway

Margaret Mary Shumway

STATE OF IDAHO, COUNTY OF FRANKLIN
On this 16th day of February 1983,
before me, a notary public in and for said State, personally
appeared

KERMIT H. SHUMWAY and
MARGRET MARY SHUMWAY,
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 Preston, Idaho
Comm. Expires Lifetime

Recorded at the request of

William E. Castle
10:15 APR 7 1983 p.m.

MICHAEL D. KUNZ, RECORDER
By _____ Deputy
FRANKLIN COUNTY, IDAHO

Furnished by the AMERICAN LAND TITLE CO.

EXHIBIT "A"

An undivided one-half interest in the following:

Parcel 1

Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho

Section 24: S1/2, ALSO, Commencing at a point 110 rods West from the Southeast corner of the Northeast quarter of Section 24, thence running West 30 rods; thence North 100 feet; thence in a Southeasterly direction to the point of beginning. RESERVING to Grantors, however, a right-of-way 40 feet wide upon the Northwest corner of the land above described: said right-of-way being further described as commencing on the North line of said quarter section, being circular in shape and extending along the base or bottom of a hill, and at such places as deemed most advisable by Grantors herein, and terminating the West quarter Section line.

Section 25: N1/2NE1/4, NE1/4NW1/4, W1/2NW1/4, NW1/4SW1/4, EXCEPTING THEREFROM, Commencing at the Northeast corner of Section 25, thence running South 80 rods; thence West 700 feet; thence North 60 rods; thence Northeasterly 700 feet, more or less, to the place of beginning.

Section 26: E1/2NE1/4, NE1/4SE1/4.

Section 36: Commencing at the Northeast corner of said Section 36; thence West 600 feet; thence South 20 rods; thence West 16 rods; thence North 20 rods; thence West 465 feet; thence South 80 rods; thence East 80 rods; thence North 80 rods to the point of beginning.

EXCEPTING THEREFROM: Commencing at the Southwest corner of the NE1/4NE1/4 of Section 36; and running thence East 2 rods to the East side of a private road; thence Northeasterly along the East side of said road to a point of intersection with the County road; thence Northeasterly along the West side of County road to a point which is 600 feet West and 20 rods South of the Northeast corner of the NE1/4 of Section 36; thence West 16 rods; thence North 20 rods; thence West 455 feet; thence South 80 rods to the point of beginning.

ALSO INCLUDING: Commencing at a point 14 rods West of the Southeast corner of the Northeast quarter of the NE1/4; thence West 15 rods; thence South 16 rods; thence Northeasterly 17 rods, more or less, to the place of beginning.

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho

Section 19: Lot 3

Section 31: Commencing at the Northwest corner of Lot 1, thence East 22 rods 12 feet; thence Southwesterly to a point 52 rods South of the place of beginning; thence North 52 rods to the place of beginning.

All interest of the Grantors in the following:

Parcel 2

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho

Section 19: Lot 4, E1/2SW1/4.

TRUSTEE'S DEED

a.m. SEP 17 1991 1 p.m.

LARA E. JOHNSON, RECORDER

By Brad Palmer Shumway Deputy

THIS DEED made this 12 day of September, 1991, between BRAD P. SHUMWAY, the KERMIT H. SHUMWAY FAMILY TRUST, hereinafter called "Grantor" and BRAD PALMER SHUMWAY and JANICE S. SHUMWAY, husband and wife of 9522 North Treasureton Road, Preston Idaho 83263, hereinafter called "Grantee".

WHEREAS, BRAD PALMER SHUMWAY is the duly appointed and acting Trustee of the KERMIT H. SHUMWAY FAMILY TRUST, dated the 16 day of January, 1983, by and between KERMIT H. SHUMWAY and MARGARET MARY SHUMWAY as Grantors, and BRAD PALMER SHUMWAY, as Trustee.

NOW, THEREFORE, WITNESSETH, that the said Grantors, for valuable consideration, and for the purpose of distributing certain real property from the KERMIT H. SHUMWAY FAMILY TRUST, do by these presents hereby distribute, bargain, sell, convey, and confirm unto the said Grantees, and their heirs and assigns forever, the above described interest in that certain parcel of land, situate, lying and being in Franklin county, State of Idaho, and more particularly described as follows:

An undivided one-half ($\frac{1}{2}$) interest in the following:

Parcel 1

Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho

Section 24: $S\frac{1}{2}$, ALSO, Commencing at a point 110 rods West from the Southeast corner of the Northeast Quarter of Section 24, thence running West 30 rods; thence North 100 feet; thence in a Southeasterly direction to the point of beginning. SUBJECT to a right-of-way 40 feet wide upon the Northwest corner of the land above described; said right-of-way being further described as commencing on the North line of said quarter section, being circular in shape and extending along the base or bottom of a hill, and terminating the West quarter Section line.

Section 25: $N\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$,

EXCEPTING THEREFROM, Commencing at the Northeast corner of Section 25, thence running South 80 rods; thence West 700 feet; thence North 60 rods; thence Northeasterly 700 feet, more or less, to the place of beginning.

Section 26: $E\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$.

Section 36: Commencing at the Northeast corner of said Section 36, thence West 600 feet; thence South 20 rods; thence West 16 rods; thence North 20 rods; thence West 465 feet; thence South 80 rods; thence East 80 rods; thence north 80 rods to the point of beginning.

EXCEPTING THEREFROM: Commencing at the Southwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36; and running thence East 2 rods to the East side of a private road; thence Northeasterly along the East side of said road to a point of intersection with the County road; thence Northeasterly along the West side of County road to a point which is 600 feet West and 20 rods South of the Northeast corner of the NE $\frac{1}{4}$ of Section 36; thence West 16 rods; thence North 20 rods; thence West 456 feet; thence South 80 rods to the point of beginning.

ALSO INCLUDING: Commencing at a point 14 rods West of the Southeast corner of the Northeast quarter of the NE $\frac{1}{4}$, thence West 15 rods; thence South 16 rods; thence Northeasterly 17 rods, more or less, to the place of beginning.

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho

Section 19: Lot 3.

Section 31: Commencing at the Northwest corner of Lot 1, thence East 22 rods 12 feet; thence Southwesterly to a point 52 rods South of the place of beginning; thence North 52 rods to the place of beginning.

All interest of the Grantor in the following:

Parcel?

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho

Section 19: Lot 4, E $\frac{1}{2}$ SW $\frac{1}{4}$.

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. And the said Grantor does hereby covenant to and with the said Grantee, that said Trust is the owner in fee simple of said premises; that they are free from all encumbrances and that said Trust will warrant and defend the same from all lawful claims whatsoever.

184383 3-3

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

Approved by:

Kermit H. Shumway
KERMIT H. SHUMWAY, Grantor

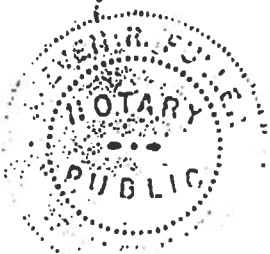
Brad P. Shumway
BRAD P. SHUMWAY, Trustee

STATE OF IDAHO

County of Franklin

)
) ss.
)

On this 17th day of September, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared **BRAD P. SHUMWAY**, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the **KERMIT H. SHUMWAY FAMILY TRUST** and acknowledged to me that he executed the same as Trustee of the **KERMIT H. SHUMWAY FAMILY TRUST**.



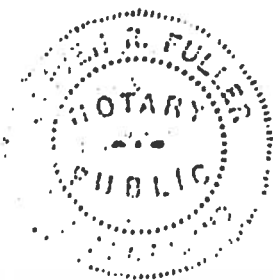
Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at: Preston, ID
Comm. Expires: 2/19/93

STATE OF IDAHO

County of Franklin

)
) ss.
)

On this 17th day of September, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared **KERMIT H. SHUMWAY**, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at: Preston, Id
Comm. Expires: 2/19/93

WARRANTY DEED

For Value Received

BRAD PALMER SHUMWAY as Trustee of the KERMIT H. SHUMWAY FAMILY TRUST

the grantor , does hereby grant, bargain, sell and convey unto

BRAD P. AND JANICE S. SHUMWAY LIVING TRUST

whose current address is 9479 N. Treasureton Road, Preston ID 83263
the grantee , the following described premises, in Franklin

County Idaho, to wit:

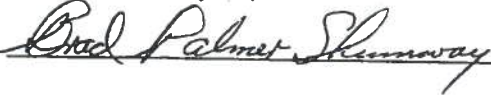
An undivided one-half (1/2) interest in the following:

See attached legal description Schedule A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
his heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantee , that he is the owner in fee simple of said premises ; that they are free
from all incumbrances

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

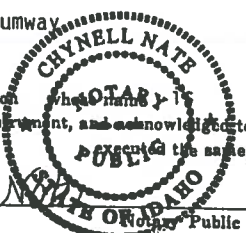
Dated: February 24, 1999



STATE OF IDAHO, COUNTY OF Franklin
On this 24th day of February , 1999 ,
before me, a notary public in and for said State, personally
appeared

Brad Palmer Shumway

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.


Residing at PRESTON , Idaho
Comm. Expires 5/13/2004

Recorded at the request of

Brad P. Shumway

a.m. FEB 24 1999 12:50 p.m.

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

SCHEDULE A

Parcel 1:

Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 24: ~~S~~ $\frac{1}{4}$, ALSO, Commencing at a point 110 rods West from the Southeast corner of the Northeast Quarter of Section 24, thence running West 30 rods; thence North 100 feet; thence in a Southeasterly direction to the POINT OF BEGINNING. SUBJECT TO a right-of-way 40 feet wide upon the Northwest corner of the land above described; said right-of-way being further described as commencing on the North line of said Quarter Section, being circular in shape and extending along the base or bottom of a hill, and terminating the West Quarter Section Line.

Section 25: ~~N~~ $\frac{1}{4}$ ~~NE~~ $\frac{1}{4}$, ~~NE~~ $\frac{1}{4}$ ~~NW~~ $\frac{1}{4}$, ~~W~~ $\frac{1}{4}$ ~~NW~~ $\frac{1}{4}$, ~~NW~~ $\frac{1}{4}$ ~~SW~~ $\frac{1}{4}$.

EXCEPTING THEREFROM: Commencing at the Northeast corner of Section 25, thence running South 80 rods; thence West 700 feet; thence North 60 rods; thence Northeasterly 700 feet, more or less, to the place of beginning.

Section 26: ~~E~~ $\frac{1}{4}$ ~~NE~~ $\frac{1}{4}$, ~~NE~~ $\frac{1}{4}$ ~~SE~~ $\frac{1}{4}$.

Section 36: Commencing at the Northeast corner of said Section 36, thence West 600 feet; thence South 20 rods; thence West 16 rods; thence North 20 rods; thence West 465 feet; thence South 80 rods; thence East 80 rods; thence North 80 rods to the POINT OF BEGINNING.

EXCEPTING THEREFROM: Commencing at the Southwest corner of the ~~NE~~ $\frac{1}{4}$ ~~NE~~ $\frac{1}{4}$ of Section 36; and running thence East 2 rods to the East side of a private road; thence Northeasterly along the East side of said road to a point of intersection with the County Road; thence Northeasterly along the West side of County Road to a point which is 600 feet West 20 rods South of the Northeast corner of the ~~NE~~ $\frac{1}{4}$ of Section 36; thence West 16 rods; thence North 20 rods; thence West 456 feet; thence South 80 rods to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A parcel of land being a portion of the ~~NE~~ $\frac{1}{4}$ of Section 36, Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho, and being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of Idaho Highway No. 34, said point being 70 left of centerline station 345+12.10 of said Highway 34, whence the Northeast corner of said Section 36 bears North $06^{\circ}22'09''$ East 989.66 feet distant according the right-of-way drawings for said Highway 34, thence along said Westerly right-of-way line of Highway 34, 660.00 feet along the arc of a curve to the right, having a central angle of $01^{\circ}19'24''$, a radius of 28,577.90 feet, and a chord which bears South $24^{\circ}58'56''$ West 659.98 feet distant; thence along the Easterly right-of-way line of Treasureton Road, a County Road, for the following three courses: North $64^{\circ}21'20''$ West a distance of 59.18 feet; North $11^{\circ}07'00''$ West a distance of 84.00 feet; 325.60 feet along the arc of a curve to the left having a central angle of $14^{\circ}00'00''$, a radius of 1332.53 feet, and a chord which bears North $18^{\circ}07'00''$ West 324.79 feet; thence North $68^{\circ}00'00''$ East along an existing fence line a distance of 484.56 feet to the POINT OF BEGINNING.

ALSO INCLUDING: Commencing at a point 14 rods West of the Southeast corner of the Northeast Quarter of the NE $\frac{1}{4}$, thence West 15 rods, thence South 16 rods; thence Northeasterly 17 rods, more or less, to the place of beginning.

Parcel 2:

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho.

Section 19: Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 31: Commencing at the Northwest corner of Lot 1, thence East 22 rods 12 feet; thence Southwesterly to a point 52 rods of the place of beginning; thence North 52 rods to the place of beginning.

205243 1-3

CORRECT

WARRANTY DEED

For Value Received

BRAD P. SHUMWAY and JANICE S. SHUMWAY

the grantor s, do hereby grant, bargain, sell and convey unto

BRAD P. SHUMWAY and JANICE S. SHUMWAY, as Trustees of the BRAD P. AND JANICE S. SHUMWAY LIVING TRUST

whose current address is 9479 N. Treasureton Road, Preston ID 83263
the grantee s, the following described premises, in Franklin

County Idaho, to wit:

See attached legal description Schedule A

(To correct original filing #205077 legal description)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee-s, 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: February 24, 1999

Brad P. Shumway

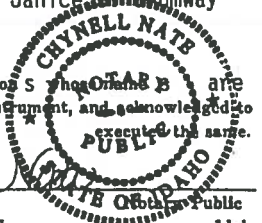
Janice S. Shumway

STATE OF IDAHO, COUNTY OF Franklin
On this 24th day of February, 1999,
before me, a notary public in and for said State, personally
appeared

Brad P. Shumway and Janice S. Shumway

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

Chynell Nate
Residing at PRESTON, Idaho
Comm. Expires 5/13/2004



Recorded at the request of

Brad P. Shumway

a.m. FEB 24 1999 12:55 p.m.

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

SCHEDULE A

Parcel 1:

Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 24: ~~S~~ $\frac{1}{4}$, ALSO, Commencing at a point 110 rods West from the Southeast corner of the Northeast Quarter of Section 24, thence running West 30 rods; thence North 100 feet; thence in a Southeasterly direction to the POINT OF BEGINNING. SUBJECT TO a right-of-way 40 feet wide upon the Northwest corner of the land above described; said right-of-way being further described as commencing on the North line of said Quarter Section, being circular in shape and extending along the base or bottom of a hill, and terminating the West Quarter Section Line.

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Section 36: Commencing at the Northeast corner of said Section 36, thence West 600 feet; thence South 20 rods; thence West 16 rods; thence North 20 rods; thence West 465 feet; thence South 80 rods; thence East 80 rods; thence North 80 rods to the POINT OF BEGINNING.

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ALSO EXCEPTING THEREFROM: A parcel of land being a portion of the ~~NE~~ $\frac{1}{4}$ of Section 36, Township 13 South, Range 39 East of the Boise Meridian, Franklin County, Idaho, and being more particularly described as follows:

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ALSO INCLUDING: Commencing at a point 14 rods West of the Southeast corner of the Northeast Quarter of the NE¼, thence West 15 rods, thence South 16 rods; thence Northeasterly 17 rods, more or less, to the place of beginning.

Parcel 2:

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho.

Section 19: Lots 3 and 4; E½SW¼.

Section 31: Commencing at the Northwest corner of Lot 1, thence East 22 rods 12 feet; thence Southwesterly to a point 52 rods of the place of beginning; thence North 52 rods to the place of beginning.

BRAD P. SHUMWAY
9479 NORTH TREASURETON ROAD
PRESTON, ID 83263

224568 ¹⁻⁷

Recorded at the request of
NORTHEN TITLE

3:25 a.m. DEC 17 2003 p.m.

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

TRUSTEE'S DEED

BRAD PALMER SHUMWAY AS TRUSTEE OF THE KERMIT H. SHUMWAY FAMILY TRUST, Grantor(s) of PRESTON, County of FRANKLIN, State of IDAHO, hereby **CONVEY AND WARRANT** to BRAD P. SHUMWAY, TRUSTEE, and JANICE S. SHUMWAY, TRUSTEE, OF THE BRAD P. AND JANICE S. SHUMWAY LIVING 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:

See Attached Exhibit "A"

Subject to easements, restrictions and rights of way of record, and taxes for the year 2003 and thereafter.

Witness, the hand(s) of said Grantor(s), this DECEMBER 16, 2003.

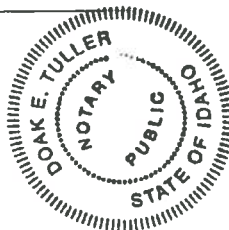
Brad Palmer Shumway
BRAD PALMER SHUMWAY TRUSTEE

State of IDAHO)
County of FRANKLIN)

On DECEMBER 16, 2003, personally appeared before me BRAD PALMER SHUMWAY TRUSTEE the signer(s) of the within instrument, who duly acknowledged to me that he executed the same.

[Signature]
Notary Public

Residing: PRESTON, ID
Expires: 5/12/2005



224568 2-2

"EXHIBIT A"

PARCEL 1

TOWNSHIP 13 SOUTH, RANGE 39 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO
SECTION 24: S½, ALSO, COMMENCING AT A POINT 110 RODS WEST FROM THE SOUTHEAST CORNER OF
THE NORTHEAST QUARTER OF SECTION 24, THENCE RUNNING WEST 30 RODS; THENCE NORTH 100
FEET, THENCE IN A SOUTHEASTERLY DIRECTION TO THE POINT OF BEGINNING. RESERVING TO
GRANTORS HOWEVER, A RIGHT-OF-WAY 40 FEET WIDE UPON THE NORTHWEST CORNER OF THE
LAND ABOVE DESCRIBED: SAID RIGHT-OF-WAY BEING FURTHER DESCRIBED AS COMMENCING ON
THE NORTH LINE OF SAID QUARTER SECTION, BEING CIRCULAR IN SHAPE AND EXTENDING ALONG
THE BASE OR BOTTOM OF A HILL, AND AT SUCH PLACES AS DEEMED MOST ADVISABLE BY
GRANTORS HEREIN, AND TERMINATING THE WEST QUARTER SECTION LINE.

SECTION 25: N¼NE¼, NE¼NW¼, W¼NW¼, NW¼SW¼,
EXCEPTING THEREFROM, COMMENCING AT THE NORTHEAST CORNER OF SECTION 25, THENCE
RUNNING SOUTH 80 RODS; THENCE WEST 700 FEET; THENCE NORTH 60 RODS; THENCE
NORTHEASTERLY 700 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

SECTION 26: E¼NE¼, NE¼SE¼

SECTION 36: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE WEST 600
FEET; THENCE SOUTH 20 RODS; THENCE WEST 16 RODS; THENCE NORTH 20 RODS; THENCE WEST 465
FEET; THENCE SOUTH 80 RODS; THENCE EAST 80 RODS; THENCE NORTH 80 RODS TO THE POINT OF
BEGINNING

EXCEPTING THEREFROM: COMMENCING AT THE SOUTHWEST CORNER OF THE NE¼NE¼ OF SECTION
36; AND RUNNING THENCE EAST 2 RODS TO THE EAST SIDE OF A PRIVATE ROAD; THENCE
NORTHEASTERLY ALONG THE EAST SIDE OF SAID ROAD TO A POINT OF INTERSECTION WITH THE
COUNTY ROAD; THENCE NORTHEASTERLY ALONG THE WEST SIDE OF COUNTY ROAD TO A POINT
WHICH IS 600 FEET WEST AND 20 RODS SOUTH OF THE NORTHEAST CORNER OF THE NE¼ OF SECTION
36; THENCE WEST 16 RODS; THENCE NORTH 20 RODS; THENCE WEST 456 FEET; THENCE SOUTH 80
RODS TO THE POINT OF BEGINNING.

ALSO INCLUDING: COMMENCING AT A POINT 14 RODS WEST OF THE SOUTHEAST CORNER OF THE
NORTHEAST QUARTER OF THE NE¼; THENCE WEST 15 RODS; THENCE SOUTH 16 RODS; THENCE
NORTHEASTERLY 17 RODS, MORE OR LESS, TO THE PLACE OF BEGINNING.

TOWNSHIP 13 SOUTH, RANGE 40 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO
SECTION 19: LOT 3

SECTION 31: COMMENCING AT THE NORTHWEST CORNER OF LOT 1, THENCE EAST 22 RODS 12 FEET;
THENCE SOUTHWESTERLY TO A POINT 52 RODS SOUTH OF THE PLACE OF BEGINNING; THENCE
NORTH 52 RODS TO THE PLACE OF BEGINNING.

PARCEL 2

TOWNSHIP 13 SOUTH, RANGE 40 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY IDAHO
SECTION 19: LOT 4, E¼SW¼