

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 15 2013

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?                       |
|-----------------------|-----------------------------------------|-----------------------|-----------------------------------------|-----------------------|------------------------------|
| 34-2414 OK            | Yes <input checked="" type="checkbox"/> | 34-164 OK             | Yes <input checked="" type="checkbox"/> | 34-10206 OK           | Yes <input type="checkbox"/> |
| 34-2503 OK            | Yes <input checked="" type="checkbox"/> | 34-165B OK            | Yes <input checked="" type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 34-7027 OK            | Yes <input checked="" type="checkbox"/> | 34-10292 OK           | Yes <input checked="" type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 34-12053 OK           | Yes <input checked="" type="checkbox"/> | 34-10303 OK           | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |
| 34-2318 OK            | Yes <input checked="" type="checkbox"/> | 34-10302 OK           | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name:

Phillip & Sandra Scott  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

TERRY L Smith  
Name of each new owner as listed on the conveyance document

Phyllis G Smith

New owner continued Name connector ☐ and ☐ or ☐ and/or

3403 N Hwy 93

Mailing address

MOORE

City

716-2401

Telephone

Id

State

83255

ZIP

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. 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.

7. Signature:

*Terry L Smith*  
Signature of new owner/claimant

Title, if applicable

5-15-13  
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

May 15, 2013

Receipt No.

E0382691

Receipt Amt.

\$875.-

Approved by

Processed by

Date

8/26/2013

NO. 0042430  
RECORDED

SEP 29 2005

AM 2:40 PM  
BUTTE COUNTY RECORDER

*Tilly J. McAffee*

WHEN RECORDED RETURN TO:

Name: Grant B. Smith, Trustee  
Address: 712 South Sunset Dr  
Kaysville, UT 84037

WARRANTY DEED  
(Individual Form)

Phillip D. Scott and Sandra K. Scott, GRANTOR, hereby CONVEY(S) AND WARRANT(S) to Grant B. Smith and Arlene C. Smith, Trustees of the Grant and Arlene Smith Family Trust dated July 16, 2003, GRANTEE, for the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the following tract(s) of land in Butte County, State of Idaho described as follows:

Township 5 North, Range 26 E.B.M., Butte County, Idaho

Section 7: Lots 6 and 7.

Section 8: All that portion of the SW 1/4 Section 8, lying West of U.S. Highway 93A.

Section 17: NW1/4; E1/2 SW1/4; and that portion of the E1/2 lying West of U.S. Highway 93A, EXCEPTING THEREFROM: Commencing at a point S. 89°53' W. along the Section line 269.6 feet from the SE corner of said Section 17, said point being the intersect point of the Section line and the West right-of-way of Highway 93A, and running thence N. 22°47' W. along said right-of-way 556.00 feet; thence S. 67°13' W 1315.30 feet; thence N. 89°53' E. along the Section line 1428.00 feet to the real point of beginning.

Section 18: Lots 1 and 2

TOGETHER WITH ALL appurtenant Water Rights with subject property, EXCEPTING THEREFROM and reserving to said grantors 0.80 cfs (40 miner's inches) of Grantor's existing appurtenant surface water rights and 0.80cfs (40 miner's inches) of Grantor's existing ground water rights.

also known by street and number as: Scott Ranch, US Highway 93, Moore, ID 83255

Subject to City and/or County taxes and Assessments, not delinquent; Easements, Right-Of-Way, Covenants, Conditions and Restrictions now of record.

WITNESS, the hand of said grantor this 26th day of September, 2005.

*Phillip D. Scott*  
Phillip D. Scott

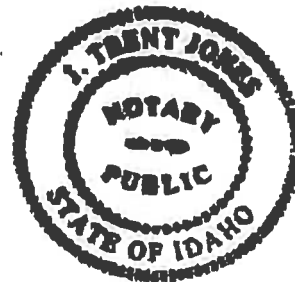
*Sandra K. Scott*  
Sandra K. Scott

STATE OF Idaho )  
COUNTY OF Butte ) ss.

The foregoing instrument was acknowledged before me this 27th day of September, 2005, by Phillip D. Scott and Sandra K. Scott,

My commission expires 9/11/2006 . Witness my hand and official seal.

J. Trent Jones  
Notary Public:



WHEN RECORDED RETURN TO:

Name: Terry L. Smith  
Address: 712 South Sunset Dr  
Kaysville, UT 84037

NOV 18 2005

10:53 AM  
BUTTE COUNTY RECORDER

*Terry L. Smith*

## QUIT CLAIM DEED

Grant B. Smith and Arlene C. Smith, Trustees of the Grant and Arlene Smith Family Trust dated July 16, 2003  
GRANTOR of Kaysville, County of Davis, State of Utah, hereby QUIT-CLAIMS to Terry L. Smith, GRANTEE of  
Kaysville, Utah for and in consideration of the sum of Ten dollars and other good and valuable consideration, the  
following described tract of land in Butte County, State of Idaho:

Township 5 North, Range 26 E.B.M., Butte County, Idaho

Section 7: Lots 6 and 7

Section 8: All that portion of the SW ¼ Section 8, lying West of U.S. Highway 93A.

Section 17: NW1/4; E1/2 SW1/4; and that portion of the E1/2 lying West of U.S. Highway 93A,  
EXCEPTING THEREFROM: Commencing at a point S. 89°53' W. along the Section line 269.6 feet  
from the SE corner of said Section 17, said point being the intersect point of the Section line and the  
West right-of-way of Highway 93A, and running thence N. 22°47' W. along said right-of-way 556.00  
feet; thence S. 67°13' W 1315.30 feet; thence N. 89°53' E. along the Section line 1428.00 feet to the real  
point of beginning.

Section 18: Lots 1 and 2

WITNESS, the hand of said grantor this 15th day of November, 2005.

Signed in the Presence of:

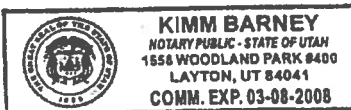
*Grant B. Smith*  
Grant B. Smith, Trustee  
*Arlene C. Smith*  
Arlene C. Smith, Trustee

STATE OF Utah )  
COUNTY OF Davis ) ss.

The foregoing instrument was acknowledged before me this 15th day of November, 2005, by Grant B. Smith and  
Arlene C. Smith, Trustees of the Grant and Arlene Smith Family Trust

My commission expires. Witness my hand and official seal.

Notary Public:



NO. 0050114  
RECORDED

NOV 29 2012

## QUITCLAIM DEED

11:06 A.M.  
BUTTE COUNTY RECORDER  
*Buckley Woodliffe*

FOR VALUABLE CONSIDERATION RECEIVED, Terry L. Smith, a married man, the Grantor, does hereby REMISE, RELEASE and forever QUITCLAIM, unto Terry Lynn Smith and Phyllis Jean Smith, husband and wife, whose current address is 3403 North U.S. Highway 93, Moore, ID 83255, the following described real estate situated in Township 5 North, Range 26 E.B.M., Butte County, State of Idaho, to-wit:

Section 7: Lots 6 and 7.

Section 8: All that portion of the SW1/4 Section 8, lying West of U.S. Highway 93A.

Section 17: NW1/4; E1/2 SW1/4; and that portion of the E1/2 lying West of U.S. Highway 93A,  
EXCEPTING THEREFROM: Commencing at a point S. 89°53' W. along the Section line 269.6 feet from the SE corner of said Section 17, said point being the intersect point of the Section line and the West right-of-way of Highway 93A, and running thence N.22°47'W. along said right-of-way 556.00 feet; thence S.67°13'W 1315.30 feet; thence N.89°53'E. along the Section line 1428.00 feet to the real point of beginning.

Section 18: Lots 1 and 2.

TOGETHER, with all tenements, hereditaments and appurtenances thereunto belonging.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

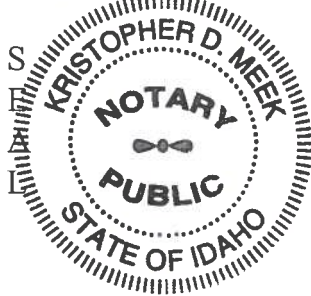
DATED this 28<sup>th</sup> day of November, 2012.

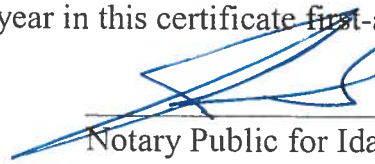
  
Terry L. Smith

STATE OF IDAHO            )  
                                          ) ss.  
County of Bonneville        )

ON THIS 28<sup>th</sup> day of November, 2012, before me, Kristopher D. Meek, a Notary Public in and for said State, personally appeared Terry Lynn Smith, 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.

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



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at: Idaho Falls  
My Commission Expires: June 25, 2013

(Optional)

|             |                          |           |                          |             |                          |              |                          |
|-------------|--------------------------|-----------|--------------------------|-------------|--------------------------|--------------|--------------------------|
| Recorded    | <input type="checkbox"/> | Platted   | <input type="checkbox"/> | Key Punched | <input type="checkbox"/> | To Treasurer | <input type="checkbox"/> |
| Microfilmed | <input type="checkbox"/> | Deed Card | <input type="checkbox"/> | Master File | <input type="checkbox"/> |              | <input type="checkbox"/> |
| Indexed     | <input type="checkbox"/> | Compared  | <input type="checkbox"/> | Abstracted  | <input type="checkbox"/> |              |                          |

## QUITCLAIM DEED

THIS INDENTURE, Made this

2nd day of May

in the year of our Lord two thousand and SEVEN

between

Terry L. Smith

of 3403 N. U.S. Highway 93

County of Butte

state of Idaho

, the party

of the first part, and Terry L. Smith and Phyllis J. Smith

of 3403 N. U.S. Highway 93

County of Butte

State of Idaho

, the parties

of the second part.

WITNESSETH That the said party

of the first, for and in consideration of the sum of

ONE DOLLARS,

lawful money of the United States of America, to

in hand paid by the said parties of

the second part, the receipt whereof is hereby acknowledged, do

by these presents remise, release

and forever QUITCLAIM, unto the said parties

of the second part, and to their heirs and

assigns all certain lot

, piece

or parcel of land, situate, lying and being in

, County of Butte

, State of Idaho, bounded and particularly

described as follows, to-wit:

SEE Attached

, State of Idaho, bounded and particularly

The NW corner of the NW1/4 of the NE1/4 Township 5 North Range 26 East, from this mid-section point on the north boundary of Section 17, 166 feet South 18 degrees East to the point of beginning, thence S 22 degrees E, 807 ft. to a point, thence S 60 degrees W, 270 feet to a point, thence N 22 degrees W, 807 feet to a point, thence N 60 degrees E, 270 feet back to the point of beginning. An area of 5 acres M/L.

# 05N26E172460

NO. 0044436  
RECORDED

MAY 02 2007

10:45 AM  
BUTTE COUNTY RECORDER  
Kim Lambert

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,  
into the part of the second part, and to heirs and assigns forever.

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ [Seal]  
\_\_\_\_\_ [Seal]  
\_\_\_\_\_ [Seal]  
\_\_\_\_\_ [Seal]

STATE OF IDAHO

County of Butte

ss.

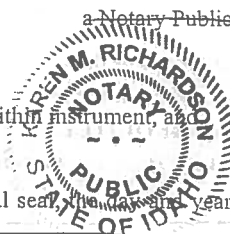
On this 2nd day of May in the year 2007, before me

Karen Richardson a Notary Public

and for said State, personally appeared TERRY L. Smith

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

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



Notary Public for the State of Idaho.  
Residing at Arco, Idaho

|                |                                                                                   |
|----------------|-----------------------------------------------------------------------------------|
| No. _____      | STATE OF IDAHO, ss.                                                               |
| QUITCLAIM DEED | County of _____                                                                   |
| -TO-           | I hereby certify that this instrument was filed<br>for record at request of _____ |
| _____          | at _____ minutes past _____ day                                                   |
| _____          | o'clock _____ M, this _____ day                                                   |
| _____          | of _____, A.D. 20 _____                                                           |
| _____          | in my office, and duly recorded in Book _____                                     |
| _____          | of _____ at page _____                                                            |
| _____          | Ex-Officio Recorder.                                                              |
| _____          | By _____ Deputy                                                                   |
| _____          | Fees, \$ _____                                                                    |
| _____          | Mail to _____                                                                     |