

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
JAN 15 2013
Department of Water Resources
Eastern Region

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?
22-13143 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
22-13147 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: James William Beard and Leona Beard Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): The Boyd Charles Smith & Jill Johnson Smith Trust
Name of each new owner as listed on the conveyance document

New owner Continued Name Connector ☐ and ☐ or ☐ and/or

3201 Ash Street

Mailing Address

Palo Alto

City

CA

State

94301

Zip

Telephone

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. December 28, 2012
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: *Robert L. Johnson*
Signature of new owner/claimant

ATTORNEY
Title, if applicable

JAN. 7, 2013
Date

Signature: _____
Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only

Received by *[Signature]*
Approved by *[Signature]*

Date *1/15/2013*
Processed by *[Signature]*

Receipt No. *E038323*
Date *1/28/2013*

Receipt Amt. *\$50.-*

444158

Instrument # 225702

TETON COUNTY, IDAHO

12-28-2012 14:55:18 No. of Pages: 4

Recorded for: FIRST AMERICAN TITLE - DRIGGS

MARY LOU HANSEN

Fee: \$19.00

Ex-Officio Recorder Deputy, Mary Lou Hansen

Index to: DEED, WARRANTY

WARRANTY DEED

THIS INDENTURE is made this 28th day of December, 2012, by JAMES WILLIAM BEARD and LEONA BEARD, acting not individually but as Trustees of that certain Declaration of Trust of The Beard Family Trust dated November 22, 1998, the "Grantor", to BOYD C. SMITH and JILL JOHNSON SMITH, acting not individually but as Trustees of The Boyd Charles Smith and Jill Johnson Smith Trust Agreement dated December 13, 1990, whose address is 3201 Ash Street, Palo Alto, CA 94301, the "Grantcc".

WITNESSETH:

That the Grantor, 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 consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convcy and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described real property in the County of Teton, State of Idaho, to-wit:

Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho.

Section 36: N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$
LESS: County Road Right-of-Way

Also Less the following three parcels:

1. Beginning at the SW Corner NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36 Township, 6N, Range 45 E.B.M., Teton County, Idaho, and thence North 1760 feet and thence East 990 feet and thence South 1760 feet and thence West 990 feet to the true point of beginning. TOGETHER with an easement for ingress and egress 30 feet wide along the most westerly boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 6N, Range 45 E.B.M., to the subject property.
2. Beginning at the NW corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 6 North, Range 45 E.B.M., Teton County, Idaho; thence East 990 feet; thence South 440 feet; thence West 990 feet; thence North 440 feet to the point of beginning.

3. A part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 6 North, Range 45 E.B.M., Teton County, Idaho; being further described as: from the W $\frac{1}{4}$ Corner of said Section 36 N 00°00'54" E, 437.02 ft. along the Western section line to the true point of beginning; thence N 00°00'54" E, 330.00 feet further along the Western section line to a point; thence N 89°55'45" E, 330.00 ft. to a point; thence S 00°00'54" W, 330.00 ft. to a point; thence S 89°55'45" W, 330.00 ft. to the point of beginning. SUBJECT TO AND TOGETHER with a 30 ft. road and utility easement being the 30 ft. directly East of the following described line; from the W $\frac{1}{4}$ Corner of said Section 36, N 00°00'54" E, 437.02 ft. along the Western section line to the true point of beginning; thence N 00°00'54" E, 885.96 ft. further along the Western section line to the NW Corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36, the point of beginning.

SUBJECT TO THE FOLLOWING:

1. Reservation in the State of Idaho Deed recorded December 18, 1958, in Book 77 page 533, in Teton County, Idaho.
2. All matters, covenants, conditions, restrictions, easement and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded November 5, 1999 and October 30, 2001, as Instrument No. 135716 and 144893.

TOGETHER with the any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way, and water rights, including but not limited to, all of Water Right Nos. 22-13143 and 22-13147, in anywise appertaining to the property herein described as well in law as in equity.

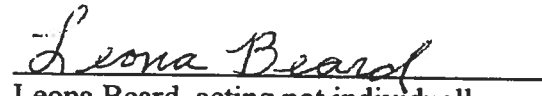
TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof, subject to the matters set forth above.

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

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

GRANTOR:

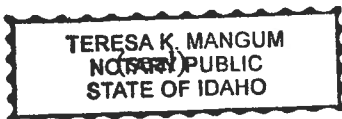

James William Beard, acting not individually
but as Trustee of that certain Declaration of
Trust of The Beard Family Trust dated
November 22, 1988


Leona Beard, acting not individually
but as Trustee of that certain Declaration of
Trust of The Beard Family Trust dated
November 22, 1988

STATE OF Idaho)
)ss.
County of Teton)

On the 28th day of December, 2012, before me, the undersigned, a notary public in and for said State, personally appeared James William Beard, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of that certain Declaration of Trust of The Beard Family Trust dated November 22, 1988, and acknowledged to me that he executed the same as such Trustee.

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

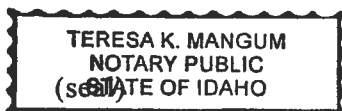


Teresa K. Mangum
Notary Public for Idaho
Residing at Driggs ID
My Commission Expires: 07-24-2015

STATE OF Idaho)
)ss.
County of Teton)

On the 28th day of December, 2012, before me, the undersigned, a notary public in and for said State, personally appeared Leona Beard, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of that certain Declaration of Trust of The Beard Family Trust dated November 22, 1988, and acknowledged to me that she executed the same as such Trustee.

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



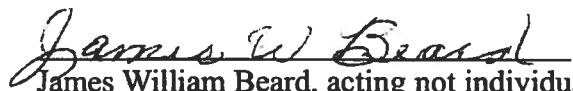
Teresa K. Mangum
Notary Public for Idaho
Residing at Driggs ID
My Commission Expires: 07-24-2015

and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof, subject to the matters set forth above.

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

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

GRANTOR:

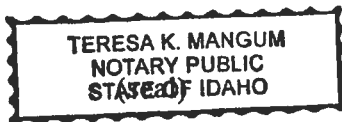

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On the 28th day of December, 2012, before me, the undersigned, a notary public in and for said State, personally appeared James William Beard, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of that certain Declaration of Trust of The Beard Family Trust dated November 22, 1988, and acknowledged to me that he executed the same as such Trustee.

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

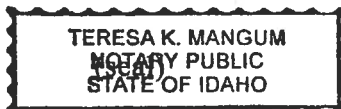


Teresa K. Mangum
Notary Public for Idaho
Residing at Driggs ID
My Commission Expires: 07-24-2015

STATE OF Idaho)
)ss.
County of Teton)

On the 28th day of December, 2012, before me, the undersigned, a notary public in and for said State, personally appeared Leona Beard, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of that certain Declaration of Trust of The Beard Family Trust dated November 22, 1988, and acknowledged to me that she executed the same as such Trustee.

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



Teresa K. Mangum
Notary Public for Idaho
Residing at Driggs ID
My Commission Expires: 07-24-2015