STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 05 2011
Department of Water Resources
Eastern Region
RECEIVED
MAR 30 2012
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?
35-2164A	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Merlin Smith
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Merlin Smith Sr and/or Merlin Smith, Jr. and/or Jennifer Smith
   Name of each new owner as listed on the conveyance document

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

   399 N 500 W
   Mailing address

   Blackfoot | ID | 83221
   City | State | ZIP

   208-317-3514
   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: July 15, 2008.

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. ($25)
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

7. Signature: Merlin Smith Jr. — Signature of new owner/claimant — Title, if applicable — Date: 4-19-11
   Signature: Jennifer M Smith — Signature of new owner/claimant — Title, if applicable — Date: 4-18-11

For IDWR Office Use Only:

Receipted by: JB Date: 5/5/2011 Receipt No. E036625 — Refunded Receipt Amt. ($50. —)
Approved by: JB Processed by: JB Date: 3/3/2012 $25. - for this app.

E037454 $75. -

Form 42-248/42-1409(6) Rev. 07/10

Instrument 636828
BINGHAM COUNTY
3-28-2012 04:24:35 No. of Pages: 1
Recorded for : 10805 IDAHO AGCREDIT
SARA J. STAUB Fee: 10.00
Ex-Officio Recorder Deputy CJR

QUITCLAIM DEED

For Value Received Merlin Smith, Sr., aka Merlin Smith does hereby convey, release, remise and forever quit claim unto Merlin Smith, Sr., aka Merlin Smith, Merlin Smith, Jr. and/or Jennifer Smith whose address is 399 N 500 W, Blackfoot, ID 83221 the following described water right(s) situated in Bingham County, Idaho, to-wit:

Idaho Department of Water Resources Water Right #35-4237
Idaho Department of Water Resources Water Right #35-13912
Idaho Department of Water Resources Water Right #35-2164A

together with their appurtenances.

Dated: 3-28-2012, 2012

Merlin Smith Sr

Signed: Merlin Smith, Sr., aka Merlin Smith

STATE OF IDAHO)
: ss.
COUNTY OF BINGHAM)

One this 28th day of March, 2012, before me a Notary Public in and for said State, personally appeared Merlin Smith, Sr., aka Merlin Smith, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

GREGORY G. ROSE
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho
Residing at: Blackfoot, ID
My Commission expires: 5-28-2014

RE-RECORDING TO CORRECT PARCEL 3 LEGAL DESCRIPTION

AFTER RECORDING MAIL TO:

Merlin Smith
unavallable
Blackfoot, ID 83221

Instrument # 598620
BINGHAM COUNTY
7-16-2008 03:50:21 No. of Pages: 7
Recorded for : FIRST AMERICAN TITLE COMPANY
SARA J. STAUB Fee: 21.00
Ex-Officio Recorder Deputy

Instrument # 598406
BINGHAM COUNTY
9-2-2008 03:03:27 No. of Pages: 9
Recorded for : FIRST AMERICAN TITLE COMPANY
SARA J. STAUB Fee: 27.00
Ex-Officio Recorder Deputy

QUITCLAIM DEED

File No.: **262147-B (th)** Date: **July 15, 2008**

For Value Received, **Merlin Smith**, do(es) hereby convey, release, remise, and forever quit claim unto **Merlin Smith, a married man as his sole and separate property, and Merlin Smith, Jr. and Jennifer Smith, husband and wife**, whose address is **399 North 500 West Blackfoot ID 83221**, herein after called the Grantee, the following described premises situated in **Bingham** County, **Idaho**, to-wit:

See Attached Exhibit A

together with its appurtenances.

Dated: 7-15-08

Merlin Smith

Merlin Smith

MERLIN SMITH AKA MERLIN SMITH, SR.

STATE OF Idaho)
ss.
COUNTY OF Bingham)

On this July 15, 2008, before me, a Notary Public in and for said State, personally appeared **Merlin Smith Sr.**, 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.

Sara Rivera

Notary Public of Idaho
Residing at: Blackfoot ID
Commission Expires: August 18, 2011

ACKNOWLEDGEMENT/GENERAL

STATE OF Idaho)
ss.
COUNTY OF Bingham)

On this First day of August, 2008, before me, a Notary Public in and for said State, personally appeared **Merin Smith, Sr**, 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.

Viki D Bauer

Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 3/29/14

VIKI D. BAUER
NOTARY PUBLIC
STATE OF IDAHO

Date: **July 15, 2008** File No.: **262147-B (th)**

EXHIBIT 'A'

LEGAL DESCRIPTION:

PARCEL 1:
PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 1590.01 FEET ALONG THE SECTION LINE AND S. 89°55'08" W. 25.00 FEET FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 2626.77 FEET ALONG THE SOUTHERN BOUNDARY LINE OF VACATED VALLEY VIEW ACRES SUBDIVISION; THENCE S. 00°06'23" E. 3709.87 FEET ALONG THE NORTH-SOUTH HALF SECTION LINE TO THE S¼ CORNER OF SAID SECTION 7; THENCE N. 89°38'28" E. 2033.86 FEET ALONG THE SECTION LINE; THENCE N. 00°07'10" W. 1834.62 FEET; THENCE N. 89°41'47" E. 593.78 FEET; THENCE N. 00°07'10" W. 1863.08 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PROPERTY LYING WITHIN THE BOUNDS OF A COUNTY ROAD. ALSO EXCEPTING THEREFROM: PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 1420.0 FEET ALONG SECTION LINE AND S. 89° 55'08" W. 25.0 FEET FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 00°07'10" E. 330.0 FEET; THENCE S. 89°55'08" W. 662.0 FEET; THENCE N. 00°07'10" W. 330.0 FEET; THENCE N. 89°55'08" E. 662.0 FEET PARALLEL TO THE N. LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING. ALSO EXCEPTING THEREFROM PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 1750.00 FEET ALONG SECTION LINE AND S. 89°55'08" W. 25.0 FEET FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 00°07'10" E. 330.0 FEET; THENCE S. 89°55'08" W. 662.0 FEET; THENCE N. 00°07'10" W. 330.0 FEET; THENCE N. 89°55'08" E. 662.0 FEET PARALLEL TO THE N. LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING. ALSO EXCEPTING THEREFROM PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 2080.00 FEET ALONG THE SECTION LINE AND S. 89°55'08" W. 25.00 FEET FROM THE NE CORNER OF SAID SECTION 7 (SE CORNER OF SECTION 7 BEARS S. 00°07'10" E. 5287.01 FEET FROM SAID NE CORNER); THENCE S. 89°55'08" W. 662.00 FEET; THENCE S. 00°07'10" E. 190.50 FEET; THENCE S. 69°43'50" E. 237.02 FEET; THENCE S. 60°00'00" E. 250.49 FEET; THENCE S. 49°40'12" E. 266.98 FEET; THENCE N. 90°00'00" E. 20.00 FEET; THENCE N. 00°07'10" W. 571.58 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

PART OF THE NE¼NE¼ OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT WHICH IS S. 0°07'10" E. 710.00 FEET AND S. 89°55'08" W. 703.65 FROM THE NE CORNER OF SAID SECTION 7, AND RUNNING THENCE N. 0°07'10" W. 80 FEET; THENCE S. 89°55'08" W. 100 FEET; THENCE S. 0° 07'10" E. 110 FEET; THENCE N. 89°55'08" E. 100 FEET; THENCE N. 0°07'10" W. 30 FEET.

PARCEL 2A:
TOGETHER WITH A RIGHT-OF-WAY FOR ACCESS DESCRIBED AS BEING 30 FEET IN WIDTH, 15 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE: BEGINNING AT A POINT ON THE W. EDGE OF THE EXISTING COUNTY ROAD RIGHT-OF-WAY WHICH IS S. 0°07'10" E. 725 FEET AND S. 89°55'08" W. 25 FEET FROM THE NE CORNER OF SAID SECTION 7, AND RUNNING THENCE S. 89°55'08" W. 678.65 FEET TO THE E. BOUNDARY OF PARCEL 2.

PARCEL 2B:
ALSO TOGETHER WITH A RIGHT-OF-WAY 30 FEET IN WIDTH FOR OPERATION AND MAINTENANCE OF A BURIED IRRIGATION MAINLINE, 15 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE: BEGINNING AT A POINT WHICH IS S. 0°07'10" E. 740 FEET AND S. 89°55'08" W. 775 FEET FROM THE NE CORNER OF SAID SECTION 7, AND RUNNING THENCE S. 0°07'10" E. 850 FEET TO THE END OF RIGHT-OF-WAY.

PARCEL 3: SEE CORRECTED LEGAL DESCRIPTION FOR PARCEL 3 ATTACHED HERETO ~~PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 51.00 FEET AND S. 89°55'08" W. 1064.00 FEET PARALLEL TO THE NORTH SECTION LINE, ALL FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 1587.42 FEET TO A POINT THAT IS S. 00°07'10" E. 51.00 FEET FROM THE N¼ CORNER; THENCE S. 00°06'23" E. 679.00 FEET ALONG THE NORTH-SOUTH HALF SECTION LINE; THENCE N. 89°55'08" E. 1587.58 FEET; THENCE N. 00°07'10" W. 679.00 FEET TO THE POINT OF BEGINNING. EXCEPT PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 51.00 FEET AND S. 89°55'08" W. 1459.00 FEET PARALLEL TO THE NORTH SECTION LINE, ALL FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 395.00 FEET; THENCE S. 00°07'10" E. 679.00 FEET; THENCE N. 89°55'08" E. 395.00 FEET; THENCE N. 00°07'10" W. 679.00 FEET TO THE POINT OF BEGINNING. ALSO EXCEPT PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 51.00 FEET AND S. 89°55'08" W. 1064.00 FEET PARALLEL TO THE NORTH SECTION LINE, ALL FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 395.00 FEET; THENCE S. 00°07'10" W. 679.00 FEET TO THE POINT OF BEGINNING.~~

PARCEL 3A:
TOGETHER WITH A ROAD RIGHT-OF-WAY OR EASEMENT DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE, AND S. 89°55'08" W. 25.00 FEET, FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S.

89°55'08" W. 2046.00 FEET; THENCE N. 00°07'10" W. 50.00 FEET; THENCE N. 89°55'08" E. 2046.00 FEET; THENCE S. 00°07'10" E. 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL 4:
PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE AND S. 89°55'08" W. 707.00 FEET FROM THE NE CORNER OF SAID SECTION 7, TO THE TRUE POINT OF BEGINNING; AND RUNNING THENCE S. 89°55'08" W. 341.00 FEET; THENCE S. 00°07'10" E. 640.00 FEET; THENCE N. 89°55'08" E. 341.00 FEET; THENCE N. 00°07'10" W. 640.00 FEET TO THE POINT OF BEGINNING.

PARCEL 4A:
TOGETHER WITH A ROAD RIGHT-OF-WAY OR EASEMENT DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE, AND S. 89°55'08" W. 25.00 FEET, FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 2046.00 FEET; THENCE N. 00°07'10" W. 50.00 FEET; THENCE N. 89°55'08" E. 2046.00 FEET; THENCE S. 00°07'10" E. 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL 5:
PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE AND S. 89°55'08" W. 1048.00 FEET FROM THE NE CORNER OF SAID SECTION 7, TO THE TRUE POINT OF BEGINNING; AND RUNNING THENCE S. 89°55'08" W. 341.00 FEET; THENCE S. 00°07'10" E. 640.00 FEET; THENCE N. 89°55'08" E. 341.00 FEET; THENCE N. 00°07'10" W. 640.00 FEET TO THE POINT OF BEGINNING.

PARCEL 5A:TOGETHER WITH A ROAD RIGHT-OF-WAY OR EASEMENT DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE, AND S. 89°55'08" W. 25.00 FEET, FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 2046.00 FEET; THENCE N. 00°07'10" W. 50.00 FEET; THENCE N. 89°55'08" E. 2046.00 FEET; THENCE S. 00°07'10" E. 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL 6:
PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE AND S. 89°55'08" W. 1389.00 FEET FROM THE NE CORNER OF SAID SECTION 7, TO THE TRUE POINT OF BEGINNING; AND RUNNING THENCE S. 89°55'08" W. 341.00 FEET; THENCE S. 00°07'10" E. 640.00 FEET; THENCE N. 89°55'08" E. 341.00 FEET; THENCE N. 00°07'10" W. 640.00 FEET TO THE POINT OF BEGINNING.

PARCEL 6A:

TOGETHER WITH A ROAD RIGHT-OF-WAY OR EASEMENT DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE, AND S. 89°55'08" W. 25.00 FEET, FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 2046.00 FEET; THENCE N. 00°07'10" W. 50.00 FEET; THENCE N. 89°55'08" E. 2046.00 FEET; THENCE S. 00°07'10" E. 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL 7:
PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE AND S. 89°55'08" W. 1730.00 FEET FROM THE NE CORNER OF SAID SECTION 7, TO THE TRUE POINT OF BEGINNING; AND RUNNING THENCE S. 89°55'08" W. 341.00 FEET; THENCE S. 00°07'10" E. 640.00 FEET; THENCE N. 89°55'08" E. 341.00 FEET; THENCE N. 00°07'10" W. 640.00 FEET TO THE POINT OF BEGINNING.

PARCEL 7A:
TOGETHER WITH A ROAD RIGHT-OF-WAY OR EASEMENT DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE, AND S. 89°55'08" W. 25.00 FEET, FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 2046.00 FEET; THENCE N. 00°07'10" W. 50.00 FEET; THENCE N. 89°55'08" E. 2046.00 FEET; THENCE S. 00°07'10" E. 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL 8:
PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE AND S. 89°55'08" W. 2071.00 FEET FROM THE NE CORNER OF SAID SECTION 7, TO THE TRUE POINT OF BEGINNING; AND RUNNING THENCE S. 00°07'10" E. 640.00 FEET; THENCE N. 89°55'08" E. 1384 FEET; THENCE S. 00°07'10" E. 170 FEET; THENCE S. 89°55'08" W. 1939.77 FEET TO A POINT ON THE N-S SECTION LINE; THENCE N. 00°06'23" W. 860.01; THENCE N. 89°55'08" E. 555.41 FEET; THENCE S. 00°07'10" E. 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL 8A:
TOGETHER WITH A ROAD RIGHT-OF-WAY OR EASEMENT DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 780.00 FEET ALONG THE SECTION LINE, AND S. 89°55'08" W. 25.00 FEET, FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 2046.00 FEET; THENCE N. 00°07'10" W. 50.00 FEET; THENCE N. 89°55'08" E. 2046.00 FEET; THENCE S. 00°07'10" E. 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL 9:
TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO

SECTION 8: SW¼, EXCEPT COUNTY ROAD. ALSO EXCEPTING THEREFROM PART OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS N. 00°07'10" W. 50.00 FEET ALONG THE SECTION LINE FROM THE SW CORNER OF SAID SECTION 8; AND RUNNING THENCE N. 00°07'10" W. 452.35 FEET ALONG THE SECTION LINE; THENCE E. 256.41 FEET; THENCE S. 34°55'30" E. 57.99 FEET; THENCE S. 44°58'54" E. 237.93 FEET; THENCE S. 55°00'00" E. 238.36 FEET; THENCE S. 63°08'44" E. 22.86 FEET; THENCE S. 89.47 FEET; THENCE W. 672.51 FEET TO THE POINT OF BEGINNING. SUBJECT TO A 25 FOOT ROAD RIGHT-OF-WAY ALONG THE W. SIDE OF SAID PARCEL. ALSO EXCEPTING THEREFROM PART OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS N. 00°07'10" W., 502.35 FEET ALONG THE SECTION LINE FROM THE SW CORNER OF SAID SECTION 8; AND RUNNING THENCE N. 00°07'10" W., 362.68 FEET ALONG SAID SECTION LINE; THENCE E. 53.66 FEET; THENCE S. 25°00'00" E., 237.93 FEET; THENCE S. 35°00'00" E., 179.51 FEET; THENCE W. 256.41 FEET TO THE POINT OF BEGINNING. SUBJECT TO A 25 FOOT RIGHT-OF-WAY ALONG THE WEST LINE OF SAID PARCEL. ALSO EXCEPTING THEREFROM PART OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS N. 00°07'10" W. 1739.60 FEET ALONG THE SECTION LINE FROM THE SW CORNER OF SAID SECTION 8; AND RUNNING THENCE N. 00°07'10" W. 860.02 FEET ALONG THE SECTION LINE; THENCE N. 90°00'00" E. 835.02 FEET; THENCE S. 00°00'00" E. 10.00 FEET; THENCE S. 70°00'00" W. 74.26 FEET; THENCE S. 60°00'00" W. 237.02 FEET; THENCE S. 50°00'00" W. 237.02 FEET; THENCE S. 40°00'00" W. 237.02 FEET; THENCE S. 30°00'00" W. 237.02 FEET; THENCE S. 20°00'00" W. 177.64 FEET; THENCE N. 90°00'00" W. 45.00 FEET TO THE POINT OF BEGINNING. EXCEPT: COUNTY ROAD.

596620

CORRECTED LEGAL DESCRIPTION FOR PARCEL 3:

File No.: **262147-B**

PARCEL 3:
PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 51.00 FEET AND S. 89°55'08" W. 1064.00 FEET PARALLEL TO THE NORTH SECTION LINE, ALL FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 1587.42 FEET TO A POINT THAT IS S. 00°07'10" E. 51.00 FEET FROM THE N¼ CORNER; THENCE S. 00°06'23" E. 679.00 FEET ALONG THE NORTH-SOUTH HALF SECTION LINE; THENCE N. 89°55'08" E. 1587.58 FEET; THENCE N. 00°07'10" W. 679.00 FEET TO THE POINT OF BEGINNING. EXCEPT PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 51.00 FEET AND S. 89°55'08" W. 1459.00 FEET PARALLEL TO THE NORTH SECTION LINE, ALL FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 395.00 FEET; THENCE S. 00°07'10" E. 679.00 FEET; THENCE N. 89°55'08" E. 395.00 FEET; THENCE N. 00°07'10" W. 679.00 FEET TO THE POINT OF BEGINNING. ALSO EXCEPT PART OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°07'10" E. 51.00 FEET AND S. 89°55'08" W. 1064.00 FEET PARALLEL TO THE NORTH SECTION LINE, ALL FROM THE NE CORNER OF SAID SECTION 7; AND RUNNING THENCE S. 89°55'08" W. 395.00 FEET; THENCE S. 00°07'10" E. 679.00 FEET; THENCE N. 89°55'08" E. 395.00 FEET; THENCE N. 00°07'10" W. 679.00 FEET TO THE POINT OF BEGINNING.

598406

33061

424521

WARRANTY DEED

For Value Received THE LLOYD STOLWORTHY FAMILY LIMITED PARTNERSHIP, "A", by LUCILLE STOLWORTHY, General Partner

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
MERLIN SMITH, a single man
whose address is: 399 N 500 W, Blackfoot ID 83221

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

PARCEL I:
Part of the NEM of Section 7, Township 2 South, Range 34 E.B.M., Bingham County, Idaho, more particularly described as:
Beginning at a point on the W. line of a County Road that is S. 00°07'10" E. 1590.00 feet along the section line and S. 89°55'08" W. 25.00 feet from the NE corner of said Section 7; and running thence S. 89°55'08" W. 2626.77 feet; thence N. 00°06'23" W. 1565.01 feet to a point 25.0 feet S. of the NM corner of said Section 7; thence N. 89°55'08" E. 2626.41 feet along a line 25.0 feet S. of and parallel to the section line; thence S. 00°07'10" E. 1565.00 feet along the W. line of a County Road to the point of beginning.
AND EXCEPTING THEREFROM:
A 100 foot by 110 foot well lot which is described as beginning at a point that is S. 00°07'10" E. 710.0 feet along the section line and S. 89°55'08" W. 703.65 feet from the NE corner of Section 7, Township 2 South, Range 34 E.B.M.; and running thence N. 00°07'10" W. 80.0 feet; thence S. 89°55'08" W. 100.0 feet; thence S. 00°07'10" E. 110.0 feet; thence N. 89°55'08" E. 100.0 feet; thence N. 00°07'10" W. 30.0 feet to the point of beginning.
ALSO EXCEPTING THEREFROM:
A right-of-way for access to the well lot previously described, 30 feet in width, 15 feet each side of the following described center line:
Beginning at a point on the W. right-of-way of the existing county road which is S. 0°07'10" E. 725 feet and S. 89°55'08" W. 25 feet from the NE corner of Section 7, Township 2 South, Range 34 E.B.M.; and running thence S. 89°55'08" W. 678.65 feet to the E. boundary of the well lot.
ALSO EXCEPTING THEREFROM:
A right-of-way 30 feet in width for operation and maintenance of a buried irrigation mainline, 15 feet each side of the following described center line:
Beginning at a point on the S. line of said well lot which is S. 0°07'10" E. 740 feet and S. 89°55'08" W. 775 feet from the NE corner of Section 7, Township 2 South, Range 34 E.B.M.; and running thence S. 0°07'10" E. 450 feet to the end of said easement.
ALSO EXCEPTING THEREFROM:
Part of the NEM of Section 7, Township 2 South, Range 34 E.E.M., Bingham County, Idaho, described as:
Beginning at a point on the W. line of said NEM that is S. 00°06'23" E. along said W. line 775.01 feet from the NM corner of said Section 7, and running thence N. 89°55'08" E. parallel to the N. line of said Section 7, 476.58 feet; thence S. 00°07'10" E. 110.05 feet; thence Southeasterly on a curve to the left (curve data, Delta=89°57'48", Radius=70.00 feet; Tangent=69.95 feet) 109.91 feet; thence on a line not tangent to said curve S. 00°07'10" W. 635.00 feet; thence S. 89°55'08" W. 546.72 feet to the W. line of said NEM; thence N. 00°06'23" W. along said W. line 815.00 feet to the Point of Beginning.
ALSO EXCEPTING AND RESERVING unto the United States all the oil and gas on said land and the right to prospect for, mine, and remove such deposits from the same.

CONTINUED

CONTINUED

PARCEL II:
Part of the NE¼ of Section 7, Township 3 South, Range 36 E.B.M., Bingham County, Idaho, described as:
Beginning at a point on the W. line of said NE¼ that is N. 00°06'23" E. along said W. line 775.01 feet from the SW corner of said Section 7, and running thence N. 89°55'08" E. parallel to the N. line of said Section 7, 660.55 feet; thence S. 00°07'10" E. 110.05 feet; thence Southeasterly on a curve to the left (curve data, Delta 90°00'00", Radius 70.00 feet, Tangent 70.00 feet) 109.91 feet; thence on a line not tangent to said curve S. 00°07'10" W. 695.30 feet; thence N. 89°52'50" W. 946.71 feet to the W. line of said NE¼; thence N. 00°06'23" E. along said W. line 915.00 feet to the point of beginning.
ALSO EXCEPTING AND RESERVING unto the United States all the oil and gas on said land and the right to prospect for, mine, and remove such deposits from the same.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

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 APRIL 7, 1994

THE LLOYD STOLWORTHY FAMILY LIMITED PARTNERSHIP, "A"

BY: _____
LUCILLE STOLWORTHY, GENERAL PARTNER

STATE OF IDAHO)
: ss.
COUNTY OF BINGHAM)

On this 7th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared LUCILLE STOLWORTHY, known to me to be a GENERAL PARTNER in THE LLOYD STOLWORTHY FAMILY LIMITED PARTNERSHIP, "A", and the general partner who executed the foregoing instrument, and acknowledged to me that such partnership name.

[illegible]

Notary Public for Idaho
Residing at: Blackfoot
My Commission Expires: [illegible]

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5
300 N
15.85
56.83
1.49
Atomic City
7-2S-34E
0.78
0.72
1.80
104.72
0.29
44.25
7.20
18
8-2S-34E
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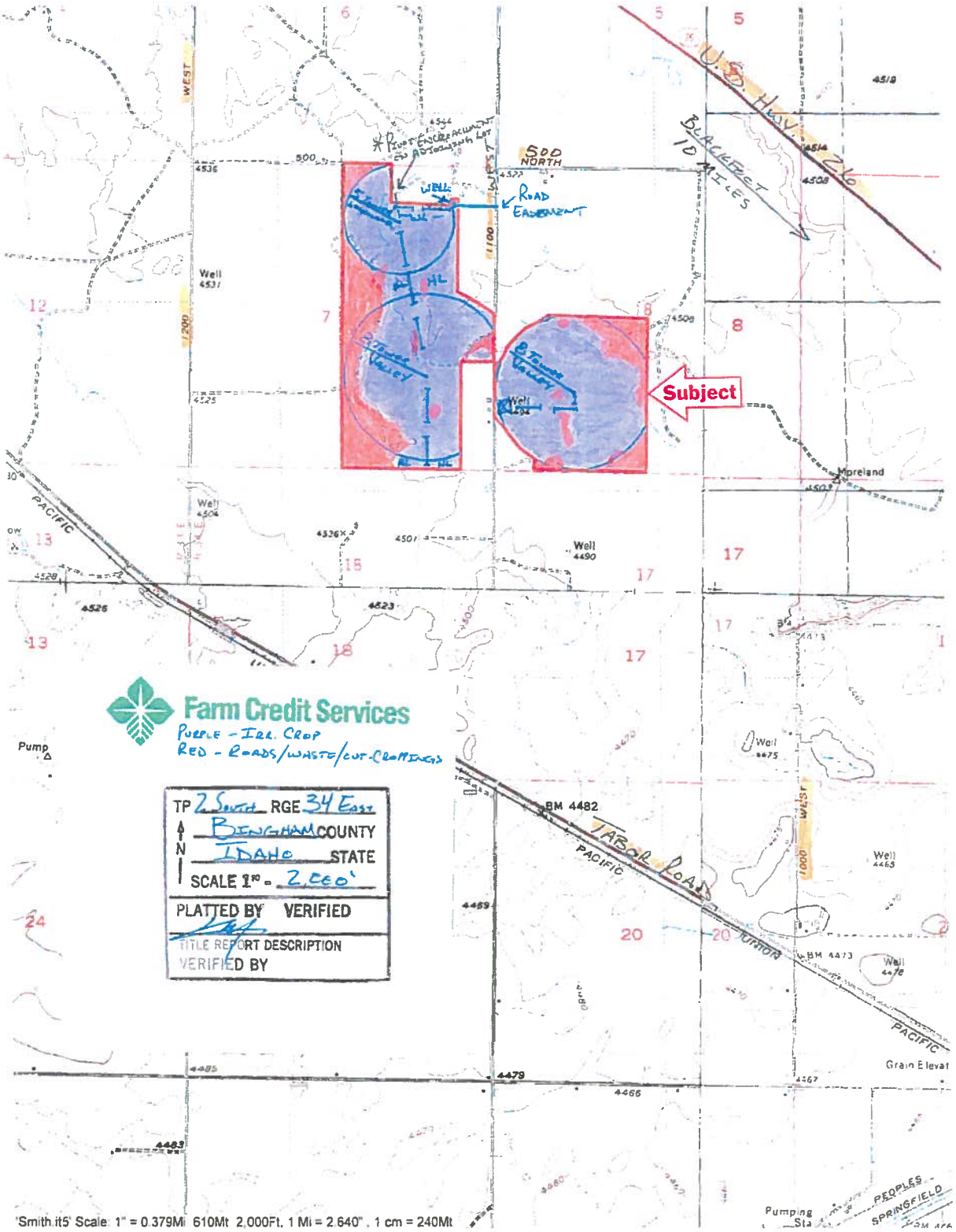
Farm Credit Services
PURPLE - IRR. CROP
RED - ROADS/WASTE/CUT-CROPPINGS
TP 2 SOUTH RGE 34 EAST
BINGHAM COUNTY
IDAHO STATE
SCALE 1" = 2,000'
PLATTED BY VERIFIED
TITLE REPORT DESCRIPTION
VERIFIED BY
Subject
ROAD EASEMENT
U.S. HWY. 26
BLACKFOOT 10 MILES
SOD NORTH
TABOR ROAD
PACIFIC
Moreland
Springfield
Well
Pump
BM 4482
BM 4473
Grain Elevat
'Smith.it5' Scale: 1" = 0.379Mi 610Mt 2,000Ft. 1 Mi = 2.640" . 1 cm = 240Mt