

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAR 29 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?
13-681 A OK	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

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

3. New Owner(s)/Claimant(s): Ray Sauer
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
945 E 2100 N
Mailing address
Terreton IO 83450
City State ZIP
208-667-2258
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: 2-14-11

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: Ray Sauer Owner 3-24-12
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 3/29/2012 Receipt No. E037447 Receipt Amt. \$25. -
Approved by [Signature] Processed by [Signature] Date 3/29/2012



Instrument # 186743
CARIBOU COUNTY
2-14-2011 04:08:36 No. of Pages: 2
Recorded for: ALLIANCE TITLE
VEDA HASCAMPAS
Ex-Officio Recorder Deputy *S. Reaved*
Index to: WARRANTY DEED

WARRANTY DEED

Order No.:3081141723KF

FOR VALUE RECEIVED

Bradley M. Smith and Lela D. Smith, Husband and Wife

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

Ray Sauer Farms, Inc.

whose current address is

1553 Sauer Rd, Montevue, ID 83435

the grantee(s), the following described premises, in Caribou County, Idaho, TO WIT:

Township 11 South, Range 40 East, Boise Meridian, Caribou County, Idaho.

Section 9:

Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ and all that portion of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ lying and being West of the County Road as the same now exists.

Excepting therefrom:

Township 11 South, Range 40 East, Boise Meridian, Caribou County, Idaho;

Section 9:

BEGINNING at the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 9, and running;

Thence East along the South line of said Section 510 feet;

Thence North 300 feet;

Thence West 510 feet;

Thence South 300 feet to the POINT OF BEGINNING.

Also Including:

Township 11 South, Range 40 East, Boise Meridian, Caribou County, Idaho:

Section 10: Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$;

Section 15: North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$;

Section 18: Lot 2(Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$)

Section 8: South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ and the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$;

Township 11 South, Range 39 East, Boise Meridian, Caribou County, Idaho.

Section 12: South $\frac{1}{2}$;

Section 13: West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, Lots 1 and 2 (East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 2/09/2011

Bradley M. Smith
Bradley M. Smith

Lela D. Smith
Lela D. Smith

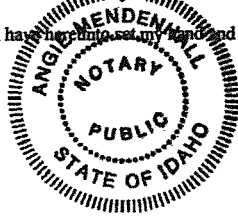
State of ID

County of Caribou

}
} ss.
}

On this 14th day of February, in the year 2011 before me, a Notary Public in and for said state, personally appeared Bradley M. Smith and Lela D. Smith known or identified to me to be the person whose name is 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 first above written.



Angie Mendenhall
Notary Public for the State of Idaho
Residing at: 6624 E
Commission Expires: 01-20-2012

RECEIVED

MAR 29 2012

Department of Water Resources
Eastern Region

Page 1 of 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74658

This is to certify that: BRAD SMITH
412 RIVER ROAD
GRACE ID 83241
(208)427-6649

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
13-681A	WR/Decreed	05/02/1884	2.0 cfs	N/A	N/A	N/A	PATS HOLLOW CREEK, SAND SPRINGS

Purpose of Transfer (Changes Proposed)

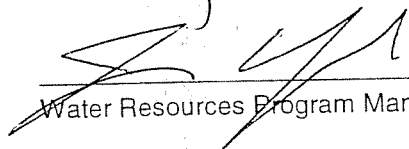
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
13-681A	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
13-681A	13-681A	2.0 cfs	N/A	95.0	142.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.0 cfs	N/A	95.0	142.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 31st day of January, 2012


Water Resources Program Manager

WATER RIGHT NO. 13-681A
As Modified by Transfer No. 74658

In accordance with the approval of Transfer No. 74658, Water Right No. 13-681A is now described as follows.

Right Holder: BRADLEY M SMITH
 412 RIVER RD
 GRACE ID 83241

Priority Date: May 02, 1884

Source: PATS HOLLOW CREEK **Tributary:** BEAR RIVER
 SAND SPRINGS BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/20	to 09/30	2.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SAND SPRINGS	SESE	Sec. 4	Twp 11S	Rge 40E	CARIBOU County
PATS HOLLOW CREEK	SESE	Sec. 4	Twp 11S	Rge 40E	CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	9																22.0	22.0
11S	40E	10											40.0						40.0
11S	40E	15															40.0	40.0	80.0

Total Acres: 142

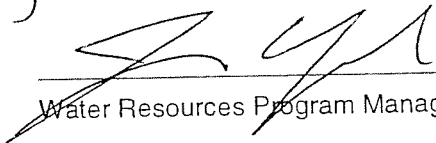
WATER RIGHT NO. 13-681A
As Modified by Transfer No. 74658

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 95.0 acres within the 142.0 acre place of use authorized by this right in a single irrigation season. The specific 95.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 95.0 acres to be irrigated within the 142.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 11.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. This right does not grant any right-of-way or easement across the land of another.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 31st day of January, 2012


Water Resources Program Manager