



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

February 1, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Merlin Smith
Merlin & Jennifer Smith
399 N 500 W
Blackfoot ID 83221

RE: Notice of Change in Water Right Ownership
Water Rights: 35-4237 & 35-13912

SUPPORT DATA

IN FILE # 35-4237

Dear Mr. Cook:

On April 20, 2011, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership or fees, specifically a deed for the water rights, the legal description received does not cover the entire place of use of the water rights listed above. In order for the department to complete a division of the water rights additional fees are required. On September 26, 2011, we sent a letter requesting the additional information along with an acknowledgement of Security Interest.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Idaho AgCredit FLCA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 20 2011

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?
35-4237	Yes ☐		Yes ☐		Yes ☐
35-13912	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Merlin Smith Sr.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Merlin Smith Sr.,
Name of each new owner as listed on the conveyance document
Merlin Smith Sr. and/or Merlin Smith, Jr. and/or Jennifer Smith
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. (\$50)
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.

7. Signature: *Merlin Smith Sr.* Title, if applicable _____ Date 4-18-11
Signature: *Jennifer M Smith* Title, if applicable _____ Date 4-18-11

For IDWR Office Use Only:

Received by *[Signature]* Date 4/21/2011 Receipt No. E036584 Receipt Amt. \$100.-
Approved by _____ Processed by _____ Date _____ \$50 for this app.

RE-RECORDING TO CORRECT PARCEL 3 LEGAL DESCRIPTION

AFTER RECORDING MAIL TO:

Merlin Smith
unavailable
Blackfoot, ID 83221

Instrument # 596620

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 *VB*

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 *VB*

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

J. Merlin Smith Sr.
MERLIN SMITH AKA MERLIN SMITH, SR.

APN:

Quitclaim Deed - continued

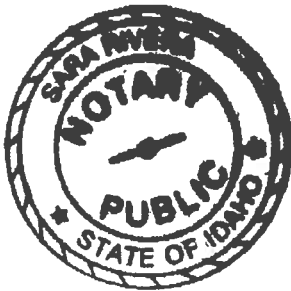
File No.: 262147-B (th)

Date: 07/15/2008

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 River

Notary Public of Idaho

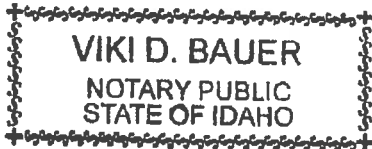
Residing at: Blackfoot ID

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 **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.



Viki D. Bauer

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

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 S¹/₄ 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:

Date: July 15, 2008

PART OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ 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.

ms
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 N $\frac{1}{4}$ 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

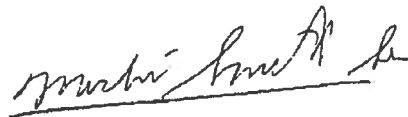
SECTION 8: SW¼, EXCEPT COUNTY ROAD. ALSO EXCEPTING THEREFROM PART OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS N. 00°07'10" W. 50.00 FEET ALONG THE SECTION LINE FROM THE SW CORNER OF SAID SECTION 8; AND RUNNING THENCE N. 00°07'10" 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.

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.



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