



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

February 1, 2012

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

RE: Notice of Change in Water Right Ownership
Water Rights: 35-2164A

Dear Mr. Cook:

On May 5, 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 July 1, 2011, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

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
MAY 05 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?
35-2164A	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 Blackfoot State ID ZIP 83221
- 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 Sr Title, if applicable Date 4-19-11
- Signature: Jennifer Smith Title, if applicable Date 4-18-11

For IDWR Office Use Only:

Received by JPB Date 5/5/2011 Receipt No. E036625 Receipt Amt. \$50. -

Approved by Processed by Date \$25. - for this app.

RE-RECORDING TO CORRECT PARCEL 3 LEGAL DESCRIPTION

AFTER RECORDING MAIL TO:

Merlin Smith
unavailable
Blackfoot, ID 83221

Instrument # 596526

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 *VP*

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 *VP*

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 Jr.

Merlin Smith

Merlin Smith Jr.

MERLIN SMITH AKA MERLIN SMITH, SR.

APN:

Quitclaim Deed - continued

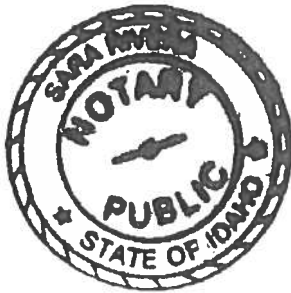
File No.: 262147-B (th)

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

STATE OF Idaho)
ss.
COUNTY OF Bingham)

Mike D Baker

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:

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.

11/1/08
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. 1527.42 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

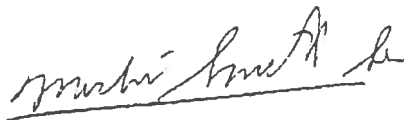
SECTION 8: SW¼, EXCEPT COUNTY ROAD. ALSO EXCEPTING THEREFROM PART OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS N. 00°07'10" W. 50.00 FEET ALONG THE SECTION LINE FROM THE SW CORNER OF SAID SECTION 8; AND RUNNING THENCE N. 00°07'10"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



598406

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
MIRLIN 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:

PARCEL 1:
Part of the NE¹/₄ 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 NW 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:

AND EXCEPTING THEREFROM:
A 100 foot by 110 foot wall 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:

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:

center line:
Beginning at a point on the W. right-of-way of the existing
county road which is S. 6°07'10" E. 735 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:

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:

described centerline:
Beginning at a point on the S. line of said well lot which is S.
0°07'16" E. 740 feet and S. 89°33'08" W. 775 feet from the NE
corner of Section 7, Township 2 South, Range 34 E.B.M.; and
running thence S. 97°07'16" E. 250 feet to the end of said
easement.

ALSO EXCEPTING THEREFROM:

ALSO EXCEPTING THEREFROM:
Part of the NE¹/₄ of Section 7, Township 2 South, Range 34 E.E.M.,
Bingham County, Idaho, described as:

Bingham County, Idaho, described as:
Beginning at a point on the W. line of said NE¹/₄ that is S. 00°06'23" E. along said W. line 775.01 feet from the NW corner of said Section 7, and running thence N. 89°55'03" E. parallel to the N. line of said Section 7, 476.50 feet; thence S. 00°07'10" E. 110.05 feet; thence South-easterly on a curve to the left (Curve data, Delta=89°17'43", Radius=70.00 feet; Tangent=60.95 feet) 100.91 feet; thence on a line not tangent to said curve S. 00°07'10" W. 435.00 feet; thence S. 89°55'03" W. 546.72 feet to the W. line of said NE¹/₄; thence N. 00°06'23" W. along said W. line 215.00 feet to the Point of Beginning.

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 sand.

CONTINUED

CONTINUED

PARCEL II:

Part of the NE 1/4 of Section 7, Township 2 North, Range 14 E. S. 1 W., Bingham County, Idaho, described as:
Beginning at a point on the W. line of said NE 1/4 at S. 00°06'23" E. along said W. line 173.41 feet from the NW corner of said Section 7, and running thence S. 89°55'08" E. parallel to the N. line of said Section 7, 334.58 feet; thence S. 89°07'10" E. 110.05 feet; thence southeasterly on a curve to the left (curve data, Delancey "W" 1/2", Radius 71.76 feet; Tangent 109.91 feet) thence on a line and tangent to said curve S. 00°07'10" W. 634.80 feet; thence S. 89°07'08" W. 546.72 feet to the W. line of said NE 1/4; thence S. 89°07'23" W. along said W. line 315.60 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 surface.

TOGETHER WITH all, with and without, the covenants, hereditaments, and appurtenances thereto in anywise appertaining, including all waters, water, ditches, 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 taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements payable upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: APRIL 7, 1994

THE LLOYD STOLWORTH PARTNERSHIP, "A" LIMITED PARTNERSHIP, "A"

BY: LUCILLE STOLWORTH, GRANTOR

STATE OF IDAHO

COUNTY OF BINGHAM

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

NOTARY

L. A. Morse
Notary Public for Idaho
Residing at: BLACKFOOT
My Commission Expires: 01-01-95



