

RECEIVED

JUN 27 2011

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
33-7016 OK	Yes ☒		Yes ☐		Yes ☐
33-14903 OK	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Madarieta Sod Farm
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

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

833 S Stout

Mailing address

Blackfoot ID 83221

City State ZIP

208-317-3513

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: 5/1/2011
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: Merlin Smith 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 JB Date 6/27/2011 Receipt No. E036781 Receipt Amt. \$200 -

Approved by _____ Processed by _____ Date _____

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

SUPPORT DATA

IN FILE # 33-7016

NO. 0048647
RECORDED

MAY 26 2011

RECORDING REQUESTED BY:

Baker & Harris
266 W Bridge
Blackfoot, ID 8322111:45 A.M.
BUTTE COUNTY RECORDER
R. A. [Signature]

space above this line for Recorder's use only

373788-B

WARRANTY DEED

For Value Received, Christopher D. Canfield and Christina E. Canfield, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto Merlin Smith, Sr., a married man dealing with his sole and separate property, of 833 S. Stout Avenue, Blackfoot, Idaho 83221, the Grantee, the following-described premises, to-wit:

A portion of the Southwest 1/4 of Section 26, Township 6 North, Range 29 East, Boise Meridian, Butte County, Idaho, as shown on a Record of Survey, and more particularly described as follows:

Commencing at the Southwest corner of Section 26, said corner also being the POINT OF BEGINNING; thence along the Westerly boundary of the Southwest 1/4 of said section, North 00°28'53" West, 2233.30 feet; thence North 89°55'52" East, 990.21 feet; thence North 00°28'53" West, 440.09 feet, to the North boundary of the Southwest 1/4; thence North 89°55'52" East, 1630.25 feet, to the Northeast corner of the Southwest 1/4; thence along the Easterly boundary of the Southwest 1/4, South 00°21'59" East, 2,687.14 feet; thence along the Southerly boundary of the Southwest 1/4, North 89°46'01" West, 2615.21 feet, to the POINT OF BEGINNING.

EASEMENT

Together with and easement for installation, operation and maintenance of an irrigation system across a portion of the Northwest 1/4 of the Southwest 1/4 of Section 26, Township 6 North, Range 29 East, Boise Meridian, Butte County, Idaho as shown on a Record of Survey, and more particularly described as follows:

Commencing at the Southwest corner of Section 26; thence along the Westerly boundary of the Southwest 1/4, North 00°28'53" West, 2,233.30 feet, to the POINT OF BEGINNING; thence continuing North 00°28'53" West, 440.09 feet; thence along the Northerly boundary of the Southwest 1/4, North 89°55'52" East, 63.00 feet; thence South 00°28'53" East, 30.00 feet; thence South 89°55'52" West, 20.00 feet; thence South 00°28'53" East, 410.09 feet; thence South 89°55'52" West, 43.00 feet, to the POINT OF BEGINNING. Such easement shall be for the benefit of the above described property.

Any damages to the easement by Grantee will be restored by Grantee to the reasonable satisfaction of Grantor. Grantee will not unreasonably interfere with Grantor's access. Grantor may require reasonable alternate access during periods of interruption.

Together with IDWR Nos. 33-7016 and 33-14903; except reserving to the Vendor 0.072309647 cfs to irrigate approximately five acres.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 23rd day of May, 2011.

Christopher D. Canfield
Christopher D. Canfield

Christina E. Canfield
Christina E. Canfield

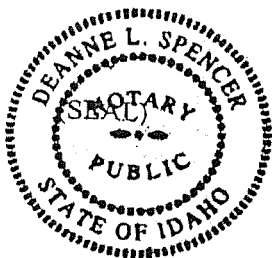
STATE OF IDAHO)

: ss.

County of Ada)

On this 23rd day of May, 2011, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Christopher D. Canfield and Christina E. Canfield, husband and wife, known to me to be the persons whose names are 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:



Deanne L. Spencer
Notary Public for Idaho
Residing at Blackfoot Boni, Id
My Commission Expires: 03/02/17