

RECEIVED

SEP 02 2010

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
33-7022		X			
33-2040					
BR-1016					

SUPPORT DATA

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

IN FILE # 33-2040

3. Name and Address of Former Owner/Claimant(s)	Madarieta Sod Farm
	PO Box 1062
	Howe, ID 83244
4. New Owner/Claimant(s)	Merlin Smith, Sr.
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	833 S Stout Ave
City, State and ZIP Code	Blackfoot, ID 83221
New Telephone Number	(208) 317-3513 Email: _____

5. Date you acquired the property

April 19, 2010

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>33-7022</u>		
Irrigation	2.0 cfs	156
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Muelon Smith Jr

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by JB
 Received by JB
 Processed by _____ AJ

Date 9/2/2010
 Date 9/2/2010
 Date _____

Receipt Amt. \$125.-
 Receipt No. E030091
 WR _____ Date _____

JB 11/19/2010 \$175.- E036281



USDA United States Department of Agriculture
Farm Service Agency



Butte County

January 23, 2009

Farm # 1058

Tract # 788

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

NO. **0047687**
RECORDED

APR 20 2010

A.M. **1:12** P.M.
BUTTE COUNTY RECORDER
[Signature]

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **335039-B (vb)**

Date: **April 19, 2010**

For Value Received, **Raymond Madarieta and Colleen Madarieta, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Merlin Smith, Sr., a married man as his sole and separate property**, hereinafter called the Grantee, whose current address is **833 S Stout, Blackfoot, ID 83221**, the following described premises, situated in **Butte County, Idaho**, to-wit:

PARCEL 1:
TOWNSHIP 6 NORTH, RANGE 29 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO.
SECTION 27: SE $\frac{1}{4}$, EXCEPT COUNTY ROAD.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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.

Date: 04/19/2010

Warranty Deed
- continued

File No.: 335039-B (vb)

Raymond Madarieta
Raymond Madarieta

Colleen Madarieta
Colleen Madarieta

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this 19 day of April, 2010, before me, a Notary Public in and for said State, personally appeared **Raymond Madarieta and Colleen Madarieta**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Viki D. Bauer
Notary Public for the State of Idaho
Residing at: Blackfoot, ID
My Commission Expires: 3/29/14

