

Transfer No. 76593

Receipt No. 6035918

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information EDWIN G WELLS
 2365 S 60TH E
 IDAHO FALLS ID 83406
 (208)542-2313
 And

JENNIFER B WELLS
 2365 S 60TH E
 IDAHO FALLS ID 83406
 (208)542-2313

Will this transfer result in an ownership change? X Yes No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
25-14260	WR/Decreed	0.03	4.9		1.4	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
25-14260	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

Applicants are seeking to change the point of diversion to their domestic well. An ownership change will also occur within this transfer.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

N/A

B. Describe the effects on other water uses resulting from the proposed change

N/A

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
25-14260	0.03 cfs		1.4	4.9 af
TOTAL	0.03 cfs		1.4	4.9 af

RECEIVED

JUN 21 2010

Department of Water Resources
Eastern Region

76593

Transfer No. 76593
Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

Owner

(Title or Office)



(Signature of Applicant)

Turner

(Title or Office)

Transfer No. 76593

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 25-14260

Priority Date: August 10, 1966

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.03 CFS	4.9 AFA	
	Total Diversion	0.03 CFS	4.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENE Sec. 30 Twp 02N Rge 39E BONNEVILLE
County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	39E	30			1.4														1.4

Total Acres: 1.4

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Page 4

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
No change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 76593

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 25-14260

Priority Date: August 10, 1966

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.03 CFS	4.9 AFA	
	Total Diversion	0.03 CFS	4.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNE Sec. 30 Twp 02N Rge 39E BONNEVILLE
County

Describe the proposed diversion system

Point of Diversion # 1 Domestic well to underground sprinkler system.

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	39E	30			1.4														1.4

Total Acres: 1.4

76593



Legend

- WELLS POU
- Township/Range
- Sections
- QQ

0 0.02 0.04 0.08 Miles

1 inch = 0.06 miles



2009 Aerial Photography

76 593

WARRANTY DEED

948949

KENDRA M. McDANIEL as Personal Representative of the ESTATE OF ZEE McDANIEL aka ZEE M. McDANIEL aka ZEE MILLER McDANIEL, deceased, as GRANTOR,

for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto

DAVID A. SMITH and ELAINE S. SMITH, husband and wife, as GRANTEE.

whose address is

, Idaho Falls, Idaho, and Grantee's successors and assigns, all of the following described real property, to-wit:

Lot 3, Block 1, QUAIL RIDGE ESTATES, DIVISION NO. 1, to the County of Bonneville, State of Idaho, according to the recorded plat thereof.

SUBJECT TO the 1997 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: August 20, 1997

Kendra M. McDaniel
Kendra M. McDaniel, Pers. Rep

STATE OF IDAHO)

COUNTY OF Bonneville)

On August 20, 1997 before me, the undersigned, personally appeared

known or identified to me to be the person(s) whose name(s) were subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Notary Public for the State of Idaho

Commission Expiration Date: _____

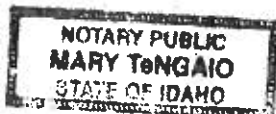
STATE OF IDAHO)

COUNTY OF BONNEVILLE)

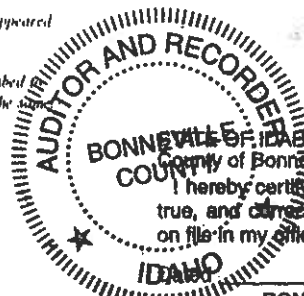
On August 20, 1997, before me, the undersigned, personally appeared **KENDRA M. McDANIEL**, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Zee McDaniel aka Zee M. McDaniel aka Zee Miller McDaniel, deceased and acknowledged to me that she executed the same as the Personal Representative of such Estate.

Mary Tongao
Notary Public for the State of Idaho

Commission Expiration Date: 4/15/2001



Residing at Idaho Falls, Idaho
My Commission Expires Apr. 15, 2001



I hereby certify that this instrument is a full, true, and correct copy of the original thereof, on file in my office.

RONALD LONGMORE
Clerk of the District Court and
Ex-Officio Recorder

By *[Signature]*
Deputy

INSTRUMENT NO.	948949
DATE	8-20-97
INST. CODE	305
FICHE NO.	1255-23
FEE	300
STATE OF IDAHO)	ss
COUNTY OF BONNEVILLE)	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By <i>[Signature]</i> Deputy	
Request of	

76593

Bonneville Land & Title Co.

297 N. Capitol Ave. • P.O. Box 51690 • Idaho Falls, ID 83405-1690 • (208) 574-6600

Re-record to correct order

BONNEVILLE COUNTY RECORDER
1157001 JUN30'04 PM 4:43
1157033

BONNEVILLE COUNTY RECORDER

Recording Requested by:
First American Title Insurance Agency, LLC
578 South State Street
Orem, UT 84058
(801) 224-8676
1157033 JUN30'04 PM 5:03

AFTER RECORDING RETURN TO:
Lisa Whitesides
2365 South 60th East
Idaho Falls, ID 83406

SPACE ABOVE THIS LINE (2 1/4" X 8") FOR RECORDER'S USE

INSTRUMENT NO.	1157001
DATE	6-30-04
INST. CODE	205
IMAGED PGS	4
FEE	12.00
STATE OF IDAHO COUNTY OF BONNEVILLE	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<i>M. Seeling</i>
Deputy	
Request of	FATCO

WARRANTY DEED

Escrow No. 320-4313225 (hsm)
A.P.N.: RPO47500010050

David A. Smith and Elaine S. Smith, husband and wife, Grantor, of Idaho Falls, Bonneville County, State of ID, hereby CONVEY AND WARRANT to

Lisa Whitesides, a married woman, Grantee, of Idaho Falls, Bonneville County, State of ID, for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in Bonneville County, State of Utah:

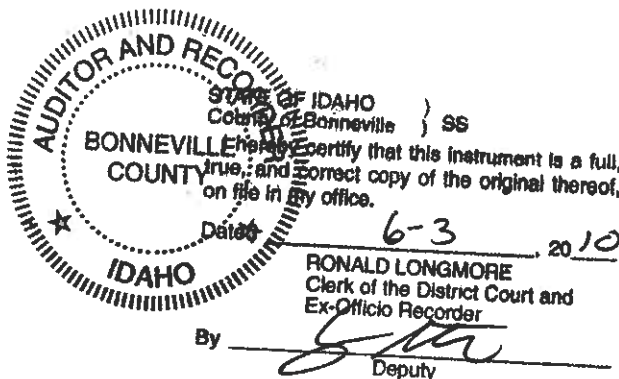
LOT 5, BLOCK 1, QUAIL RIDGE ESTATES, DIVISION NO. 1, TO THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT RECORDED JANUARY 29, 1990 AS INSTRUMENT NO. 780606.

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year 2004 and thereafter.

WITNESS the hand of said Grantor, on JUNE 25, 2004

David A. Smith
David A. Smith
Elaine S. Smith
Elaine S. Smith
David A. Smith by Elaine S. Smith
David A. Smith by Elaine S. Smith
Attorney-in-fact
Attorney-in-fact

INSTRUMENT NO.	1157033
DATE	6-30-04
INST. CODE	205
IMAGED PGS	4
FEE	12.00
STATE OF IDAHO) ss COUNTY OF BONNEVILLE)	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<i>M. Seeling</i>
Deputy	
Request of	FATCO



1157033
First American Title Co.
2004 Jennie Lee Dr.
P.O. Box 3432
Idaho Falls, ID 83404

76593

STATE OF ID)
COUNTY OF Bonneville)
SS.

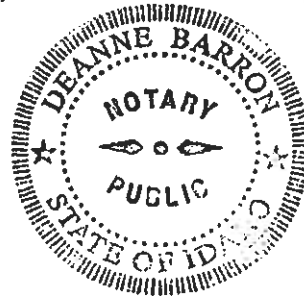
On June 25, 2004, personally appeared before me, Deanne Barron and Elaine S. Smith the signor of the within instrument, who duly acknowledged to me that he/she executed the same.

Deanne Barron
Notary Public
Deanne Barron
(Printed Name)

My Commission expires: 7-23-05

Res: Idaho Falls

(Seal or Stamp)



AFTER RECORDING MAIL TO:

Edwin G. Wells and Jennifer B. Wells
2365 South 60th East
Idaho Falls, ID 83406

INSTRUMENT NO.	1225580
DATE	5-31-06
INST. CODE	220
IMAGED PGS	2
FEE	16.00
STATE OF IDAHO) ss	
COUNTY OF BONNEVILLE)	
I hereby certify that the within	
instrument was recorded.	
Ronald Longmore, County Recorder	
By	<i>R Longmore</i>
Deputy	
Request of	FATCO

QUITCLAIM DEED

File No.: 161357-IF (da)

Date: May 26, 2006

For Value Received, **Milton James Whitesides**, spouse of **Lisa Whitesides**, do hereby convey, release, remise, and forever quit claim unto **Edwin G. Wells and Jennifer B. Wells, husband and wife**, whose address is **2365 South 60th East, Idaho Falls, ID 83406**, herein after called the Grantee, the following described premises situated in **Bonneville County, Idaho**, to-wit:

LOT 5, BLOCK 1, QUAIL RIDGE ESTATES, DIVISION NO. 1, BONNEVILLE COUNTY, IDAHO, ACCORDING TO THE PLAT RECORDED JANUARY 29, 1990 AS INSTRUMENT NO. 780606.

together with its appurtenances.

Dated: 5/30/06

Milton James Whitesides
Milton James Whitesides

AUDITOR AND RECORDER
STATE OF IDAHO) ss
County of Bonneville)
I hereby certify that this instrument is a full,
true, and correct copy of the original thereof,
on file in my office.
Dated 6-3, 2010
RONALD LONGMORE
Clerk of the District Court and
Ex-Officio Recorder
By *[Signature]*
Deputy

APN: RPO47500010050

Quitclaim Deed - continued

File No.: 161357-IF (da)

Date: 05/26/2006

STATE OF Idaho)

ss.

COUNTY OF Bonneville)

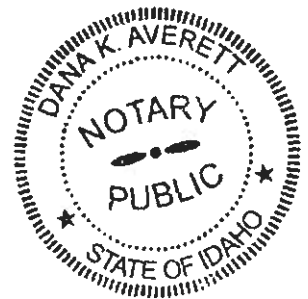
On this 30th day of May, 2006, before me, a Notary Public in and for said State, personally appeared **Milton James Whitesides**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

Dana K Averett

Notary Public of Idaho

Residing at: Blackfoot ID

Commission Expires: 9-23-2011



1225579 MAY31'06 PM 4 59

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2004 Jennie Lee Drive
Idaho Falls, ID 83404

INSTRUMENT NO	22-557
DATE	5-31-06
INSTR CODE	705
IMAGED PGS	1
FEE	3.00
STATE OF IDAHO	SS
COUNTY OF BONNEVILLE	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<i>[Signature]</i>
Deputy Request of	FATCO

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **Lisa Whitesides, a married woman as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Edwin G. Wells and Jennifer B. Wells, husband and wife**, hereinafter called the Grantee, whose current address is **2365 South 60th East, Idaho Falls, ID 83406**, the following described premises, situated in **Bonneville County, Idaho**, to-wit:

LOT 5, BLOCK 1, QUAIL RIDGE ESTATES, DIVISION NO. 1, BONNEVILLE COUNTY, IDAHO, ACCORDING TO THE PLAT RECORDED JANUARY 29, 1990 AS INSTRUMENT NO. 780606.

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.

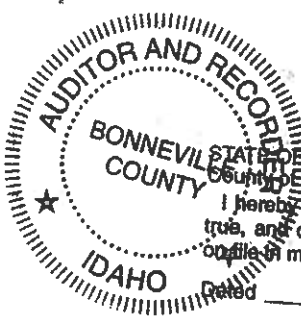
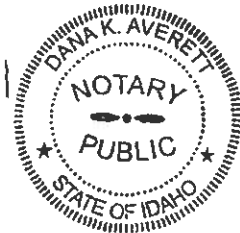
[Signature]
Lisa Whitesides

STATE OF Idaho)
COUNTY OF Bonneville)

On this 30th day of May, 2006, before me, a Notary Public in and for said State, personally appeared **Lisa Whitesides**, 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.

[Signature]

Notary Public for the State of Idaho
Residing at: *[Signature]*
My Commission Expires: 9-23-2011



STATE OF IDAHO)
COUNTY OF Bonneville) SS
I hereby certify that this instrument is a full, true, and correct copy of the original thereof, on file in my office.

Dated 6-3 2010
RONALD LONGMORE
Clerk of the District Court and
Ex-Officio Recorder
By *[Signature]*
Deputy

161357-Dr
First American Title Co.
2004 Jennie Lee Dr.
P.O. Box 3432
Idaho Falls, ID 83404