

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 76434APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Alan C. and Millie Batt Phone 208-754-4114Mailing address 3224 E 200 N, Rigby, Idaho 83442 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative Brian Higgs, P.G. Phone 208-604-1280Mailing address 6330 W 33rd S, Idaho Falls, Idaho 83402 Email Higgs@ida.net

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. In an effort to make maximum use of the waters of the state of Idaho Alan Batt applies to transfer part of water right #25-7109 from less productive ground to more productive ground. In addition, Alan will install a circle pivot to irrigate the POU.

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76434

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

76434

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

I.		<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part						
☒	☐	25-7109	3.03	Irrigation	4/01 to 11/01	Groundwater
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 3.03 cfs and/or 801.5 ac-ft

2. Total amount of water proposed to be transferred or changed 3.03 cubic feet per second and/or 801.5 acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	37E	24							8.27	8.2	37.7	37.7	17	17.2					126
4N	37E	25		19.5	15.2		37.7	5.5		25.2									103

Total Acres (for irrigation use) 229

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

76434

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: There is ample straight pipe near the pump to install a measuring device and for calibration. There is a locking switch on the control panel to lock the works "off".

- b. Who owns the property at the point(s) of diversion? Alan C. Batt

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: _____

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: Land currently described under this POU will be dried up as delineated in the table and on the map.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: This groundwater right is supplementary to surface water. This right will only be used as such. The ground is under surface water irrigation from the Burgess Canal.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov> , Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov> , Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 25-7109

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use) 229

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☒ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.: This right is seldom used due to the availability of surface water during the past several years. The purpose of this transfer is to ensure the opportunity to irrigate the most productive acres of the entire farm during years when the surface water is unavailable.
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by B/ake Date 04/05/2010 Prelim. Check by B/ake Date 04/06/2010

Fee Paid 370.00 Date 04/06/2010 Received by B/ake Receipt # E035708

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 76434

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application. Part 2B forms are available on the Department's website at: http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/wrt_default.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☒ ☐ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

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Department of Water Resources

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

Current Water Right No.: 25-7109

Current Owner: MILLIE BATT
ALLAN BATT
Priority Date: 5/2/1977
Origin: Water Right
Status: Active
Basis: Decreed

Source
GROUND WATER

Tributary

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 11/01	3.03 CFS	801.5 AF
	Total Diversion	3.03 CFS	801.5 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4NE1/4SE1/4 Sec. 24, Twp 04N, Rge 37E B.M.
JEFFERSON County

Place of Use

IRRIGATION Within JEFFERSON County

T04N R37E S23	NESE	0.30	T04N R37E S23	SESE	0.40
T04N R37E S24	SWNW	8.00	T04N R37E S24	SENW	8.00
T04N R37E S24	NESW	38.00	T04N R37E S24	NWSW	38.00
T04N R37E S24	SWSW	33.00	T04N R37E S24	SESW	33.00
T04N R37E S25	NENW	39.80	T04N R37E S25	NWNW	30.50

Total Acres: 229

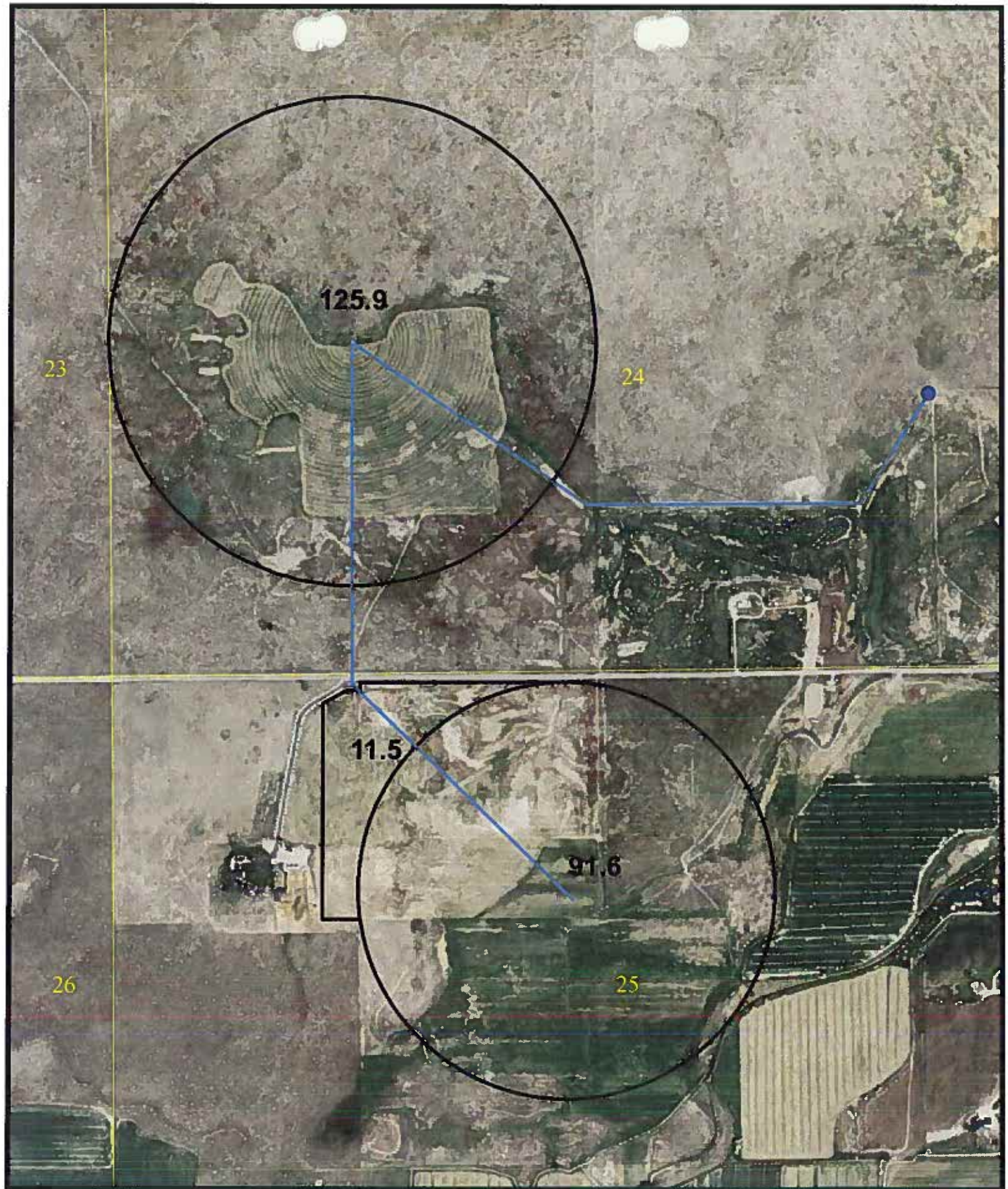
Conditions of Approval:

1. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
3. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Page _____ of _____

4. 214 Prior to the diversion and use of water under Transfer approval 74964, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
8. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. 104 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. E02 Use of this right is combined with water from Burgess Canal Co.
11. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Decreed Date: 9/30/2005



0 265 530 1,060 1,590 2,120 Feet

Well Batt Mainline Sections Alan Batt 25-7109

76434



Created By: Jaxon Higgs
Water Well Consultants Inc.
2004 NAIP

RECORDING REQUESTED BY
First American Title Company

348597

AND WHEN RECORDED MAIL TO:
First American Title Company
110 N. Clark Street
Rigby, ID 83442

Instrument # 348597

RIGBY, JEFFERSON, IDAHO

2006-05-12

04:29:00 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

CHRISTINE BOULTER

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Fee: 9.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **159009-RI (kb)**

Date: **May 12, 2006**

For Value Received, **Charles T. Colby and Nicole Colby, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Delores J. Hamilton and Steven A. Hamilton, wife and husband**, hereinafter called the Grantee, whose current address is **153 North 3291 East, Rigby, ID 83442**, the following described premises, situated in **Jefferson County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

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.

5-12-06

429

Date: 05/12/2006

Warranty Deed
- continued

File No.: 159009-RI (kb)

Charles T. Colby
Charles T. Colby

Nicole Colby
Nicole Colby

STATE OF Idaho)
SS.

COUNTY OF Jefferson)

On this ^{Twelfth} ~~Twelfth~~ day of May, 2006, before me, a Notary Public in and for said State, personally appeared **Charles T. Colby and Nicole Colby**, 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.

Katie Jo Becker
Notary Public for the State of Idaho
Residing at: Rexburg, ID
My Commission Expires: 11/08/2011

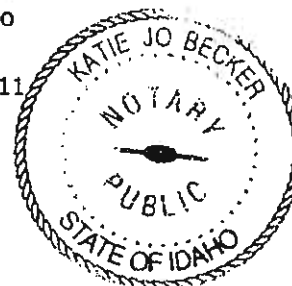


EXHIBIT A

PARCEL 1:

A PORTION OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 25, TOWNSHIP 4 NORTH, RANGE 37 E.B.M., JEFFERSON COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT ($\frac{1}{2}$ PIN & CAP H.L.ENG.) THAT IS N. 89°34'05" W. 435.00 FEET FROM THE E $\frac{1}{4}$ CORNER OF SAID SECTION 25, AND RUNNING THENCE N. 00°00'15" W. 429.60 FEET; THENCE N. 89°34'05" W. 507.00 FEET; THENCE S. 00°00'15" E. 429.60 FEET; THENCE S. 89°34'05" E. 507.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PORTION OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 25, TOWNSHIP 4 NORTH, RANGE 37 E.B.M., JEFFERSON COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT ($\frac{1}{2}$ PIN & CAP H.L.ENG.) THAT IS N. 89°34'05" W. 435.00 FEET AND N. 00°00'15" W. 429.60 FEET FROM THE E $\frac{1}{4}$ CORNER OF SAID SECTION 25, AND RUNNING THENCE N. 00°00'15" W. 414.13 FEET; THENCE N. 89°34'05" W. 507.00 FEET; THENCE S. 00°00'15" E. 414.13 FEET; THENCE S. 89°34'05" E. 507.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

TOGETHER WITH AND SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 37 E.B.M., JEFFERSON COUNTY, IDAHO, AND RUNNING THENCE N. 89°34'05" W. 435.00 FEET; THENCE S. 00°00'15" E. 889.12 FEET; THENCE N. 89°34'05" W. 30.00 FEET; THENCE N. 00°00'15" W. 909.12 FEET; THENCE S. 89°34'05" E. 465.00 FEET TO THE EAST LINE OF SAID SECTION 25; THENCE S. 00°00'15" E. 20.00 FEET TO THE POINT OF BEGINNING.

WARRANTY DEED

FILED AMERICAN TITLE
J18932

For Value Received VEARL C. CRYSTAL and BRINDA CRYSTAL, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ALAN C. BATT and MILLIE BATT, husband and wife

whose address is: 3224 EAST 200 NORTH, RIGBY, ID, 83442

Hereinafter called the Grantee, the following described premises situated in JEFFERSON County, Idaho, to-wit:

Township 4 North, Range 37 E.B.M., JEFFERSON COUNTY, IDAHO.

Section 24: W 1/2

EXCEPTING THEREFROM: NW1/4 NW1/4

ALSO EXCEPTING THEREFROM: N1/2 NE1/4 NW1/4

Microfilm No. 281525
11 On July 1996
 At 4:56 O'clock P.M.
 CONNIE M. KELLER
 Jefferson Co., Recorder
 Fee \$ 3.00 11 Jepsen
 Recorded at Request of John C.

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 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 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.

Dated: JULY 10, 1996

Vearl C. Crystal
 VEARL C. CRYSTAL

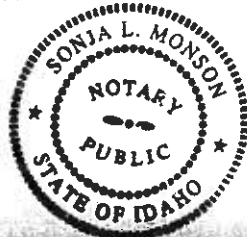
Brinda M Crystal
 BRINDA CRYSTAL

STATE OF IDAHO

COUNTY OF JEFFERSON

On this 10TH day of JULY, in the year 1996, before me, a Notary Public in and for said State, personally appeared VEARL C. CRYSTAL and BRINDA CRYSTAL, known or identified to me to be the person(s) whose name(s) they subscribed to the within Instrument, and acknowledged to me that are executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Sonja L. Monson
 Notary Public
 Residing at Idaho Falls, ID
 Commission Expires 12/31/97

RECEIVED BY
 ASSESSOR
 For PLATING
 Date 7/12/96 Time 11:45

BATT, ALAN C. MILLIE

RP04N37E242850A

Ownership	
Parcel ID	RP04N37E242850A
Owner Name(s)	V BATT, ALAN C. & MILLIE
Property Add	0 0
Mailing Address	BATT, ALAN C. & MILLIE 3224 E 200 N RIGBY ID 83442
Legal Description	SW4; S2NW4; S2NE4NW4; SEC 24, TWP 4 NORTH RGE 37 EBM
Deed Change	19960711
Deed References	281525 258240 213812

Assessment						
Category	RevYear	Area	MarketValue	HOValue	Exempt	Circuit B
1	2003	20	8920	0	0	0
5	2003	240	7200	0	0	0
Totals		260	16120	0	0	0

Tax Code	19-0000
----------	---------

Land Use Types

Primary	Agriculture	260
Secondary		0



WARRANTY DEED

THIS INDENTURE, Made this 21st day of May August, 19 87
between CRYSTAL BROTHERS, a partnership, and VEARL C. CRYSTAL and BRINDA CRYSTAL,
husband and wife and DEMONT CRYSTAL and GLENNA CRYSTAL, husband and wife
individually and as partners of _____, State of _____
referred to as the Grantor, and ALAN C. BATT and MILLIE BATT, husband and wife

of _____, State of _____, referred to as the Grantee.
WITNESSETH, For and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of
America, and other good and valuable considerations, Grantor has granted, bargained, sold, and by these presents, does
hereby grant, bargain, sell, convey and confirm unto the said Grantee and Grantee's heirs and assigns forever, all of the
following described real estate situated in the State of Idaho, to wit:
Township 4 North, Range 37, East of the Boise Meridian, Jefferson County,
Idaho:

Section 25: NW 1/4 NW 1/4.
N 1/2 N 1/2 NE 1/4 NW 1/4.

EXCEPTING THEREFROM: Any highway or county road right of ways.

TOGETHER WITH a 10 foot easement for obtaining and carrying water to the
subject property along the 10 feet South of and running parallel and
contiguous to the South Highway Right of Way in the NE1/4 of said Section
25.

ALSO TOGETHER WITH 40 inches of Water in the Burgess Canal Co. & Selck and
Taylor Canal Co.

SUBJECT TO the 1987 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. 245367
Microfilm No. 27-001
At 935 2

Jeanne Mayo

J. S. 8.00 SK
R. Right Title

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments, easements
and appurtenances thereunto belonging or in anywise appertaining; and the reversions, remainders, rents, issues, and profits
thereof; and all Grantor's estate, right, title and interest in and to said premises, in law as well as in equity.

Grantor shall, and by these presents, does hereby warrant and agree to forever defend the Grantee, his successors and
assigns, in the quiet and peaceable possession of said premises and from and against all and every person lawfully claiming an
interest therein.

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

IN WITNESS WHEREOF, the Grantor hereunto has set his hand and seal the day and year first above written.
CRYSTAL BROTHERS, a partnership by: Crystal Brothers
Vearl C. Crystal, individually and as Brinda Crystal, individually and as a
partner Demont Crystal, individually and as a
partner Glenna Crystal, individually and as a
partner

State of Idaho }
County of Bonneville }

On this 21 day of May August, 19 87,
before me the undersigned, a Notary Public in and for said State, per-
sonally appeared Vearl C. Crystal, Brinda
Crystal, Demont Crystal, and Glenna
Crystal, known to
me (to be the person(s) whose name(s) 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 af-
fixed my official seal the day and year first above written.

Jeanne Mayo
Notary Public for the State of Idaho,
Residing at Idaho Falls, Idaho.
My Commission Expires: 9-1-91

Bonneville Land & Title Co.

420 B Street • P.O. Box 1150 • Idaho Falls, ID 83402-1150 • (208) 524-0663

STATE OF IDAHO
County of Bonneville, ss.

On this 21 day of May, 1987, before me,
the undersigned, a Notary Public in and for
said State, personally appeared VEARL C.
CRYSTAL, BRINDA CRYSTAL, DEMONT CRYSTAL, and
GLENNA CRYSTAL, known or identified to me to
be the partners in the partnership of CRYSTAL
BROTHERS, a partnership, and the partners who
subscribed said partnership's name to the
foregoing instrument, and acknowledged to me
that they executed the same in said partnership's
name.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my official seal the day and
year first above written.

(SEAL)

Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 9-1-91

BATT, ALAN C. MILLIE

RP04N37E252402A

Ownership

Parcel ID	RP04N37E252402A	
Owner Name(s)	V	BATT, ALAN C. & MILLIE
Property Add	0	0
Mailing Address	BATT, ALAN C. & MILLIE 3224 E 200 N RIGBY ID 83442	
Legal Description	NW4NW4, LESS W2E2; N2N2NE4NW4; SEC 25 TWP 4 NORTH RGE 37 E8M	
Deed Change	0	
Deed References	245367	

Assessment

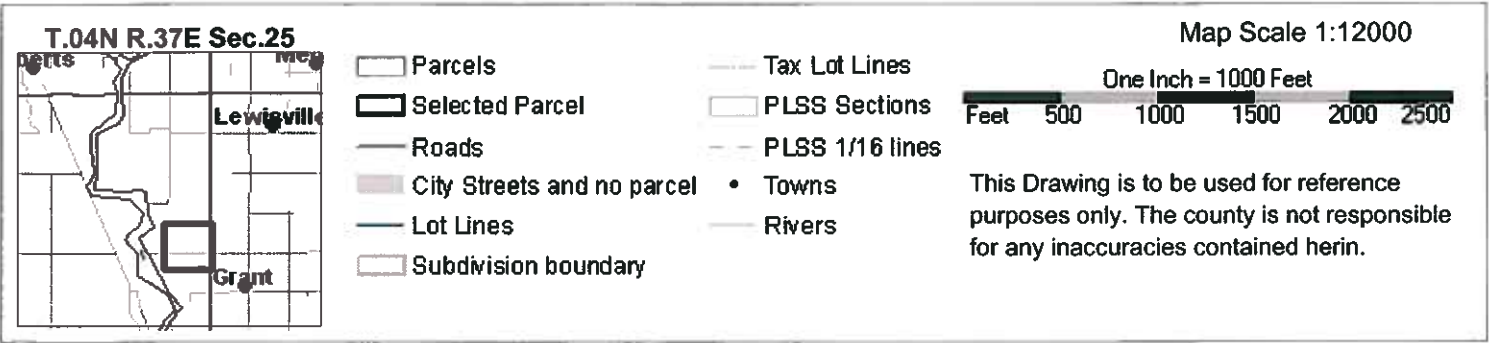
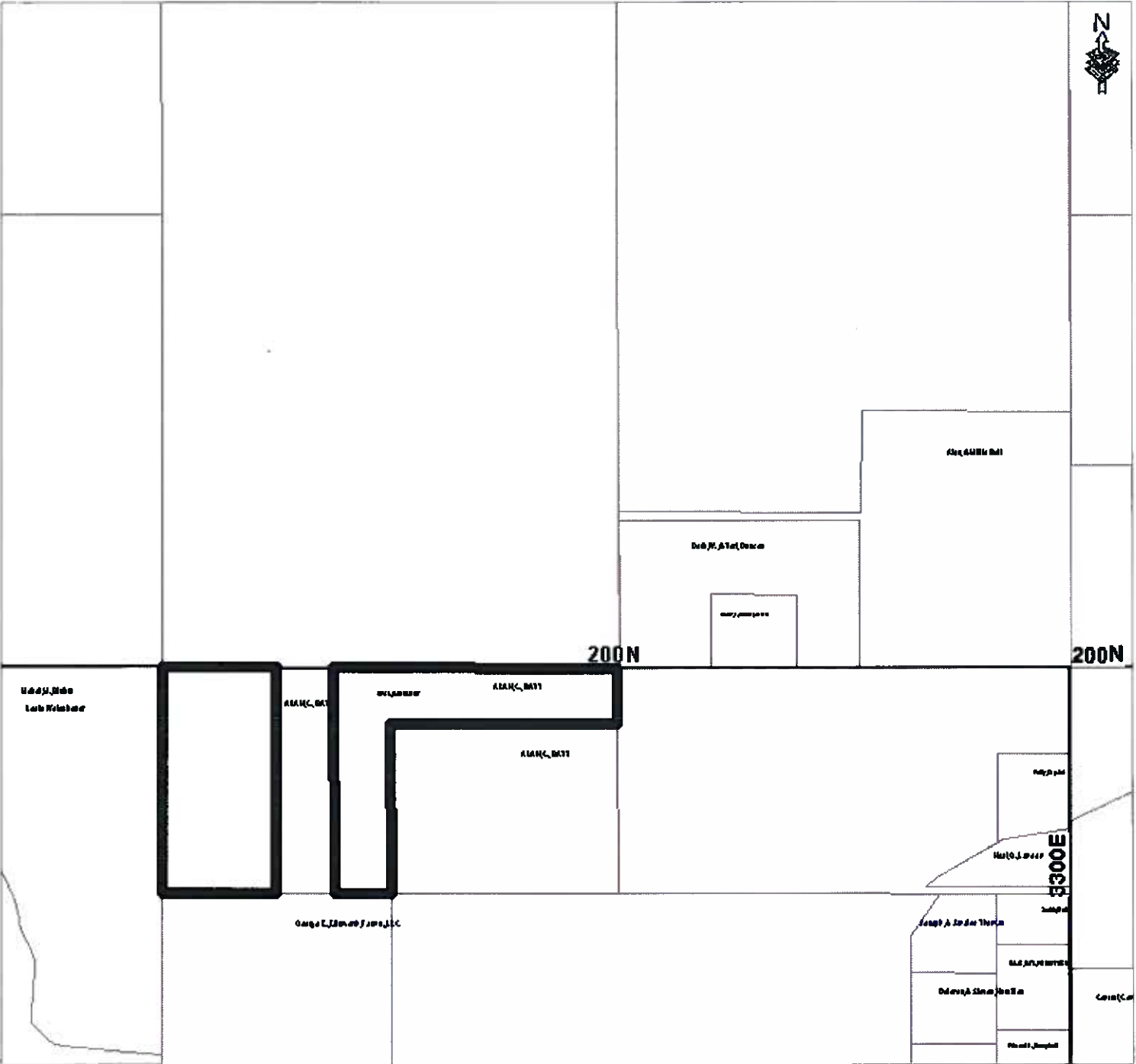
Category	RevYear	Area	MarketValue	HOValue	Exempt	Circuit B
5	2003	40	1200	0	0	0
Totals		40	1200	0	0	0

Tax Code 73-0000

Land Use Types

Primary	Agriculture	9
Secondary	Residential	1

BATT, ALAN C. & MILLIE
RP04N37E252402A



FIRST AMERICAN TITLE

WARRANTY DEED

For Value Received DEMONT CYRSTAL and GLENNA CRYSTAL, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ALAN C. BATT and MILLIE BATT, husband and wife

whose address is: 3224 EAST 200 NORTH, RIGBY ID 83442

Hereinafter called the Grantee, the following described premises situated in JEFFERSON County, Idaho, to-wit:

Township 4 North, Range 37 E.B.M., Jefferson County Idaho
 Section 25: NE1/4NW4 EXCEPTING THEREFROM the N1/2NE1/4NW4

Microfilm No. **281489**
 9 Day July 1996
 At 1031 O'Clock AM
 CONNIE M. KELLER
 Jefferson Co. Recorder
 Fee \$ 2.00 50 Jcoul
 Recorded in Request of Jul-10

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 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 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.

Dated: July 8, 1996

Demont J. Crystal
 DEMONT J. CRYSTAL

Glenna Crystal
 GLENNA CRYSTAL

STATE OF Idaho
 COUNTY OF JEFFERSON

On this 8TH day of JULY, in the year 1996, before me, a Notary Public in and for said State, personally appeared DEMONT J. CRYSTAL and GLENNA CRYSTAL, known or identified to me to be the person(s) whose name(s) 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 in this certificate first above written.

Candy Crystal
 Notary Public
 Residing at Jefferson City, Rigby
 Commission Expires 12-31-99

RECEIVED BY
 ASSESSOR
 PLATTING
 7-9-96 Time 11:00 am

1/6/2001

BATT, ALAN C. MILLIE
RP04N37E252450A

Ownership	
Parcel ID	RP04N37E252450A
Owner Name(s)	V BATT, ALAN C. & MILLIE
Property Add	0 0
Mailing Address	BATT, ALAN C. & MILLIE 3224 E 200 N RIGBY ID 83442
Legal Description	NE4NW4, LESS N2N2, SEC 25 TWP 4 NORTH RGE 37 EBM
Deed Change	19960709
Deed References	281489

Assessment						
Category	RevYear	Area	MarketValue	HQValue	Exempt	Circuit B
1	2003	11	3870	0	0	0
5	2003	19	570	0	0	0
Totals		30	4440	0	0	0

Tax Code	73-0000
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Land Use Types

Primary	Agriculture	30
Secondary		0



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
110 N. Clark Street
Rigby, ID 83442

Instrument # 377140
RIGBY, JEFFERSON, IDAHO
2009-06-05 01:15:58 PM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - RI
CHRISTINE BOULTER Fee: 6.00
Ex-Officio Recorder Deputy LKinghorn
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **301596-RI (ss)**

Date: **June 03, 2009**

For Value Received, **Demont J. Crystal and Glenna May Crystal, trustees of The Demont J. Crystal and Glenna May Crystal Family Trust, dated September 20, 2005**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Alan C. Batt and Millie Batt, husband and wife**, hereinafter called the Grantee, whose current address is 3224 E 200 N, Rigby ID 83442, the following described premises, situated in **Jefferson County, Idaho**, to-wit:

Part of Section 25, Township 4 North, Range 37 East, B.M., Jefferson County, Idaho more particularly described as follows:

Beginning at a point that is N. 89°21'45" W. 1596.79 feet along the section line from the Northeast corner of said Section 25 and running thence S. 00°38'13" W. 1754.09 feet to a point on the south bank of Ellsworth Creek; thence south-westerly along said south bank a distance of 327.24 feet more or less; thence S. 00°33'11" W. 773.78 feet to a point on the East-West centerline of Section 25; thence N. 89°33'59" W. 2047.54 feet along said East-West centerline; thence N. 00°30'47" E. 1325.70 feet to a point on the North 1/16TH line of Section 25; thence S. 89°24'31" E. 1322.33 feet to a point on the North-South centerline of Section 25; thence N. 00°16'13" E. 1324.48 feet along said North-South centerline to a point on the North line of said Section 25; thence S. 89°21'45" E. 1037.90 feet along said section line to the POINT OF BEGINNING.

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.

377140

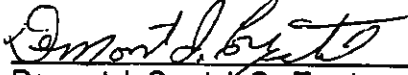
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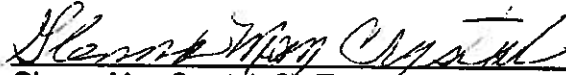
Date: 06/03/2009

Warranty Deed
- continued

File No.: 301596-RI (ss)

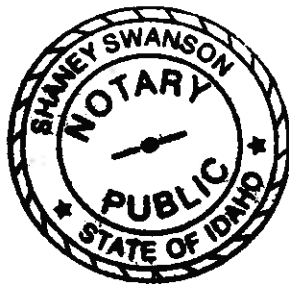
Demont J. Crystal and Glenna May Crystal,
trustees of The Demont J. Crystal and
Glenna May Crystal Family Trust

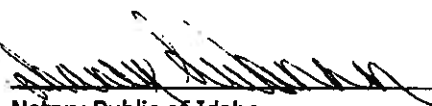

Demont J. Crystal, Co-Trustee


Glenna May Crystal, Co-Trustee

STATE OF Idaho)
SS.
COUNTY OF Jefferson)

On this **Fifth day of June, 2009**, before me, a Notary Public in and for said State, personally appeared **Demont J. Crystal and Glenna May Crystal**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Co-Trustees of the **Demont J. Crystal and Glenna May Crystal Family Trust** Trust, and acknowledged to me that they executed the same as such Co-Trustees.




Notary Public of Idaho
Residing at: Idaho Falls, ID
Commission Expires: 1-3-15