

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

RECEIVED
DEC 24 2008
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
PD 36-00113H					
PD 36-00113J ^{et}					

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 usually attached to your deed or on file with the county).

OR

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 **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**.

3. Name and Address of Former Owner/Claimant(s) Terry G. Woodhead and Francene M. Woodhead
15465 David Street, Caldwell, ID 83605
4. New Owner/Claimant(s) Stephen and Linda Smith Trustees of the
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
Stephen and Linda Family Living Trust
 New Mailing Address 931 Justice Grade
 City, State and ZIP Code Hagerman, ID 83332
 New Telephone Number () 208-316-5724
5. Date you acquired the property December 33, 2008

SUPPORT DATA

IN FILE # 36-1134

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>36-00113H and 36-00113J</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Stylin Lemay Smith
Lynda Smith

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.

For Office Use Only

Received by *[Signature]*

Date 12/24/08

Fee \$50

Received by *[Signature]*

Date 12/24/08

Receipt No. 50 30589

Processed by _____ AJ

Date _____

WR _____ Date _____

Instrument # 228953

GOODING, GOODING, IDAHO

12-22-2008 03:26:31 No. of Pages: 2

Recorded for : LAND TITLE AND ESCROW, INC

DENISE M. GILL Fee: 6.00

Ex-Officio Recorder Deputy

WARRANTY DEED

#GG-09583

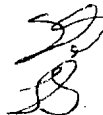
For Value Received

**Terry G. Woodhead and Francene M. Woodhead, also shown of record as Fran M. Woodhead,
husband and wife**

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

**Stephen and Linda Smith, Trustees of the Stephen and Linda Smith Family Living Trust dated
September 12, 2007**

Address: 931 Justice Grade, Hagerman, ID 83332



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

Lot 1 of Billingsley Creek Estates, recorded as Instrument No. 227745 on September 8, 2008, Gooding County records, being a portion of Parcel A & B of the Robert L. Justice Ranch located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 7 South, Range 13 E.B.M., Gooding County, State of Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Water Right Numbers 36-00113H and 36-00113J from the Idaho Department of Water Resources.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 2008, which are not yet due or payable.

Assessments levied or to be levied by any local irrigation district.

Power Line Easement given by Robert L. Justice and Carrie L. Justice to Idaho Power Company, a corporation, dated November 17, 1916, recorded November 24, 1916 in Book 3 Page 75 as Instrument Number 8913, Gooding County records, affecting Parcels A and B of the Robert L. Justice Ranch, within SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 7 South, Range 13, East Boise Meridian.

Power Line Easement given by D. C. Trovillo and Estella Trovillo, husband and wife, to Idaho Power Company, a corporation, dated May 23, 1930, recorded July 1, 1930 in Book 3 Page 339 as Instrument Number 50653, Gooding County records, affecting a portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 7 South, Range 13, East Boise Meridian.

Agreement between J. L. Pope and Lola Pope, husband and wife, parties of the first part, and Cleament Prince and Venice Prince, husband and wife, parties of the second part, dated February 26, 1948, recorded March 9, 1948 in Book 5 Page 349 as Instrument Number 104934, Gooding County records, pertaining to the diversion and conveyance of appropriated water from Billingsley Creek.

Page 2 of Warranty Deed

Easement contained in Second Judgment and Decree of Condemnation in the case of The State of Idaho, ex rel, Wallace C. Burns, Ernest F. Gaffney and R. Doyle Symms, Idaho Board of Highway Directors, Plaintiff, vs. J. L. Pope and Lola Pope, husband and wife, Defendants, dated March 26, 1964, recorded March 26, 1964 as Instrument Number 10979A, Gooding County records.

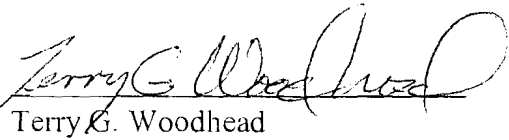
Exchange Deed, including the terms and provisions thereof, by and between the State of Idaho, Acting by and through its Idaho Transportation Board, And Terry G. Woodhead and Fran M. Woodhead, dated February 27, 2008, recorded April 1, 2008, as Instrument No. 225867, records of Gooding County, Idaho.

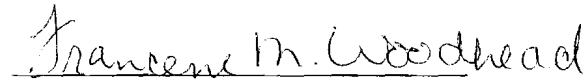
Declaration of Restrictive and Protective Covenants for Billingsley Creek Estates, Subdivision Gooding County, Idaho dated August, 2008, recorded September 8, 2008 as Instrument Number 227746 re-recorded December 17, 2008 as Instrument No. 228882, Gooding County records.

Any adverse claim based on the assertion that the location of Billingsley Creek has moved.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

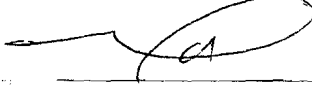
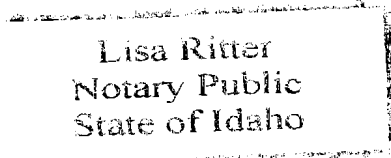
Dated: December 17, 2008


Terry G. Woodhead


Francene M. Woodhead

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 22 day of **December, 2008**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Terry G. Woodhead and Francene M. Woodhead**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

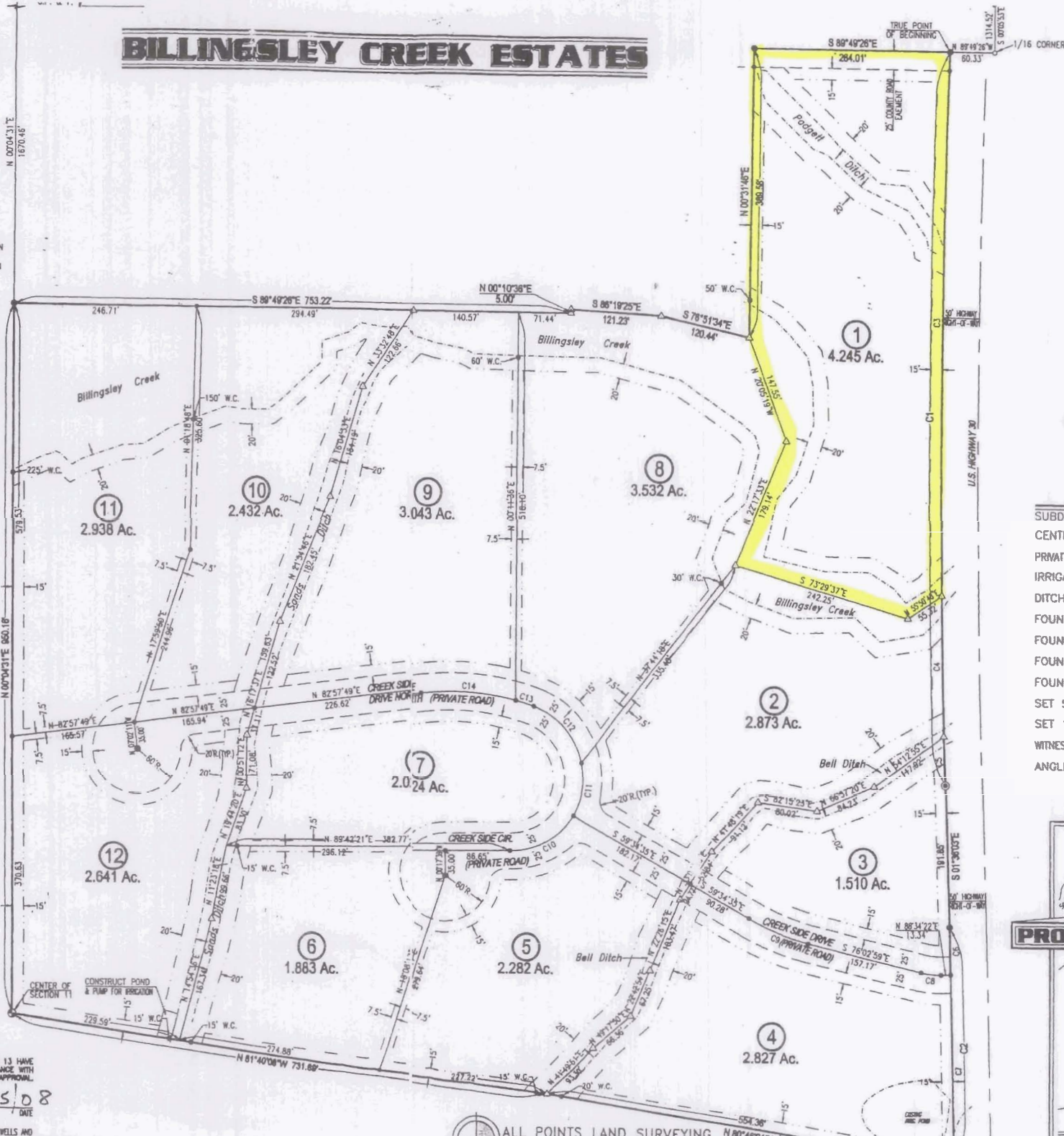


Lisa Ritter
Notary Public
State of Idaho

Notary Public
Residing at: Gooding, ID
My Commission expires: 10/8/10

BILLINGSLEY CREEK ESTATES

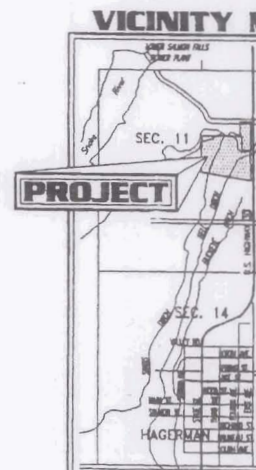
TO BE CONSTRUCTED
AND SPECIFICATIONS
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2-9 FROM
10-12 FROM
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BANKS
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DAD EASEMENTS
IT ON EACH SIDE
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S METHOD OF
R WATER RETENTION
WAYS.

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2.31 S 00°08'54"W
2.75 N 01°18'17"W
3.52 S 00°32'10"W
3.80 S 00°58'25"E
2.91 S 01°24'41"E
1.96 N 01°28'45"W
1.79 N 01°15'43"W
1.50 S 83°44'18"E
1.43 S 87°48'47"E
1.90 N 60°03'53"E
1.33 N 69°27'10"E
1.39 N 40°56'16"W
1.85 N 72°35'12"W
1.80 N 85°55'35"W



LOX
W² E²
TOWNSH
RANG
BOISE
GOODING

LE
SUBDIVISION BOUNDARY
CENTERLINE OF HIGHWAY
PRIVATE ROAD/COUNTY ROAD EA
IRRIGATION/UTILITY EASEME
DITCH/CREEK BANK
FOUND BRASS CAP
FOUND ALUMINUM CAP
FOUND R/W MARKER
FOUND 1/2" STEEL PIN
SET 5/8" REBAR & CAP
SET 1/2" REBAR & CAP
WITNESS CORNER-SET 1/2" REB
ANGLE POINT - NOT SET



CATE
TITLE 50, CHAPTER 13 HAVE
CREED, IN ACCORDANCE WITH
CERTIFICATE OF DISAPPROVAL
8/25/08
DATE
IS THE LOCATION OF WELLS AND

ALL POINTS LAND SURVEYING