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MAY 20 2008

WATER RESOURCES
WESTERN 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)
63-330203					
pending transfer # 73825					
part of 63-19A (PD 12-4-04)					

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**.

3. Name and Address of Former Owner/Claimant(s)

Larry R. and Alda L. Smith
08442 W. Brookside Ct
Boise, Idaho 83703

4. New Owner/Claimant(s)

Idaho Department of Fish and Game
Name Connector (Check one: [] and, [] or, [] and/or

New Mailing Address

600 S Walnut
Boise, Idaho 83707

City, State and ZIP Code

New Telephone Number

(208) 334-3700 Email:

* Contact Steve Elam
208.324.4550

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.

(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		
Irrigation		
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).**

Secretary of the Commission
(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 [Signature] Date May 20, 2011
 Receipted by _____ Date _____
 Processed by _____ Date _____

Receipt Amt. \$25.00
 Receipt No. interoffice b. l. ngr
 WR h Date 6-13-08



8151 W. Rifleman Ave / Boise
Idaho 83704 / (208) 377-2700

C

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 04/15/08 04:27 PM
DEPUTY: Pat Thompson
RECORDED - REQUEST OF
Pioneer

AMOUNT 6.00

2

0



290921 SW/PC

WARRANTY DEED

For Value Received

Larry Smith and Alda Smith, husband and wife
R.

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Idaho Department of Fish and Game

hereinafter referred to as Grantee, whose current address is 600 S. Walnut, Boise, Idaho 83707

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that 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, April 11, 2008

Larry R. Smith
Larry Smith
R.

Alda Smith
Alda Smith

STATE OF Idaho, County of Ada ss

On this 14th day of April, in the year of 2008, before me The Undersigned, notary public personally appeared Larry Smith and Alda Smith known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Sharon M. Wilson
Sharon M. Wilson
Notary Public of Idaho
Residing at Boise, Idaho
Commission expires May 10, 2012

EXHIBIT A

A parcel of land located in the Southeast quarter of the Southeast quarter of Section 19, the Southwest quarter of the Southwest quarter of Section 20, and the Northwest quarter of Section 29, Township 3 North, Range 4 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the corner common to Sections 19, 20, 29, and 30 of Township 3 North, Range 4 East;

Thence along the South line of said Section 19 South 89°28'09" West, 1046.81 feet to a point on the Southerly right-of-way of State Highway 21;

Thence along said right-of-way North 61°39'22" East, 1160.34 feet;

Thence departing said right-of-way South 12°32'43" East, 121.02 feet to a point on the East line of said Section 19;

Thence continuing South 12°32'43" East, 238.62 feet;

Thence North 73°00'15" East, 151.55 feet;

Thence South 20°21'28" East, 205.36 feet;

Thence South 89°55'02" East, 221.43 feet;

Thence North 48°49'41" East, 196.23 feet;

Thence South 22°20'00" East, 181.69 feet to a point on the North line of said Section 29;

Thence continuing South 22°20'00" East, 711.06 feet;

Thence North 89°46'52" East, 1624.75 feet to a point on the North-South mid-section line of said Section 29;

Thence along said line South 00°11'56" East, 255.21 feet;

Thence departing said mid-section line South 52°49'39" West, 219.62 feet;

Thence South 71°29'46" West, 473.14 feet;

Thence North 78°03'03" West, 586.15 feet;

Thence North 64°04'35" West, 299.19 feet;

Thence South 54°53'00" West, 350.93 feet;

Thence South 34°04'23" West, 1162.00 feet;

Thence South 68°00'04" West, 230.92 feet to a point on the West line of said Section 29;

Thence North 00°24'16" East, 2185.66 feet to the POINT OF BEGINNING.

TOGETHER WITH A 30 foot wide ingress and egress easement located in the Southeast quarter of the Southeast quarter of Section 19 and the Southwest quarter of the Southwest quarter of Section 20, Township 3 North, Range 4 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the corner common to Sections 19, 20, 29 and 30 of Township 3 North, Range 4 East;

Thence along the East line of said Section 19, North 00°06'08" East, 555.50 feet to a 5/8 inch iron pin on the Southerly right-of-way line of State Highway 21, said point also being the REAL POINT OF BEGINNING;

Thence South 33°47'51" East, 197.03 feet;

Thence South 42°51'54" East, 53.64 feet;

Thence South 47°08'06" West, 76.30 feet;

Thence South 57°04'19" West, 65.75 feet;

Thence North 12°32'43" West, 32.00 feet;

Thence North 57°04'19" East, 51.99 feet;

Thence North 47°08'06" East, 43.69 feet;

Thence North 42°51'54" West, 26.02 feet;

Thence North 33°47'51" West, 202.28 feet to a point on said Southerly right-of-way line;

Thence along said Southerly right-of-way line North 61°39'22" East, 30.14 feet to the POINT OF BEGINNING.

GRANT OF EASEMENT

290921-SW/PP

Larry and Alda Smith, 8842 Beachside CT, Boise, Idaho 83714, (hereinafter GRANTOR), hereby grants unto the Idaho Department of Fish and Game, 600 S Walnut, Boise, Idaho 83707, (hereinafter GRANTEE), a permanent easement and right-of-way for the purpose of maintaining, repairing, inspecting, and operating neighboring property. The easement will cross a portion of property owned by the GRANTOR, located in Ada County, Idaho, and shown in Exhibit A.

The easement and right-of-way hereby given, granted, conveyed, and transferred for the purpose explained above is described in Exhibit B the ("Easement Area"). Grantee is the owner of certain real property situated in Ada County, Idaho, the legal description for which is set forth in Exhibit C (the "Dominant estate").

This easement shall be subject to the following terms and conditions

1. Grantee's use of the easement shall not endanger health, create a nuisance, or otherwise be incompatible with the overall use of the access area.
2. Grantor shall, at all times, be solely responsible for the maintenance of the road within the easement premises.
3. Grantor, on behalf of grantor and Grantor's heirs, successors, assigns, purchasers, or transferees of any kind, covenants and agrees with grantee and Grantee's heirs, successors, assigns, purchasers, or transferees of any kind, that the provisions of this Grant of Easement (i) shall run with and bind the Easement Area, and (ii) shall inure to the benefit of, and be enforceable (at law or in equity) by any owner of all or part of the Dominant Estate. This Grant of Easement shall be binding upon and inure to the benefit of the parties and their respective successors, assigns, heirs, personal representatives, purchasers, or transferees of any kind.

IN WITNESS WHEREOF, the parties have executed this easement upon the date following their respective signatures

GRANTOR

GRANTEE

Larry A. Smith
Larry Smith,

Virgil Moore
Gal Green, Director- VIRGIL MOORE, DEPUTY
Secretary, Idaho Fish and Game Commission

Alda L. Smith
Alda Smith

4-14-08
Date

4/15/08
Date

STATE OF IDAHO

County of Ada

On this 14th day of April, 2008, before me, a Notary Public for the State of Idaho, personally appeared Larry R. Smith & Hla, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she 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 hereinabove written.

S
E
A
L

[Signature]
Notary Public for the State of Idaho

Residing at _____

My Commission Expires October 18, 2013
Commission Expires 10-18-13
Residing in Boise, Idaho



ACKNOWLEDGMENT - Fiduciary/Official

STATE OF IDAHO, County of ADA, ss.

On this 15th day of APRIL, in the year of 2008, before me Rachel J. Byington, a notary public personally appeared VIRGIL MOORE

known or identified to me to be the person whose name is subscribed to the within instrument as DEPUTY DIRECTOR and acknowledged to me that HE executed the same as such

DEPUTY DIRECTOR
(trustee, sheriff, etc.)



Notary Public: Rachel J. Byington

Residing at: Boise

My Commission Expires: October 18, 2013

Exhibit B Easement Area

SUBJECT TO: A 30 foot wide ingress and egress easement for the benefit of adjacent westerly and southerly parcel, located in the SE ¼ of the SE ¼ of Section 19 and the SW ¼ of the SW ¼ of Section 20, Township 3 North, Range 4 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the corner common to sections 19, 20, 29 and 30 of Township 3 North, Range 4 East; Thence along the East line of said Section 19, North 00°06'08" East, 555.50 feet to a 5/8" iron pin on the southerly right-of-way line of State Highway 21, said point also being the REAL POINT OF BEGINNING;

Thence South 33°47'51" East, 197.03 feet;

Thence South 42°51'54" East, 53.64 feet;

Thence South 47°08'06" West, 76.30 feet;

Thence South 57°04'19" West, 85.75 feet;

Thence North 12°32'43" West, 32.00 feet;

Thence North 57°04'19" East, 51.98 feet;

Thence North 47°08'06" East, 43.89 feet;

Thence North 42°51'54" West, 26.02 feet;

Thence North 33°47'51" West, 202.26 feet to a point on said southerly right-of-way line;

Thence along said southerly right-of-way line North 81°39'22" East, 30.14 feet to the POINT OF BEGINNING. Containing 0.24 acres, more or less.

Exhibit C

Dominant estate

Larry Smith
Parcel B Description
6.75 Acres

A parcel of land located in the SE ¼ of the SE ¼ of Section 19 and the SW ¼ of the SW ¼ of Section 20, Township 3 North, Range 4 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the corner common to sections 19, 20, 29 and 30 of Township 3 North, Range 4 East; Thence along the East line of said Section 19 North 00°06'08" East, 423.06 feet to the REAL POINT OF BEGINNING;

Thence departing said East line North 12°32'43" West, 121.02 feet to a point on the southerly right-of-way of State Highway 21;

Thence along said right-of-way North 61°39'22" East, 30.14 feet to a point on said East line;

Thence continuing North 61°39'22" East, 94.60 feet to a point of spiral, said point being 80.00 feet right of the centerline of State Highway 21;

Thence 198.60 feet along a centerline 200-foot spiral curve to the right having a central angle of 1°00' and a long chord of 198.60 feet which bears North 61°59'17" East to the point of spiral in curve;

Thence 107.26 feet along the arc of a curve to the right, having a radius of 5649.58 feet, a central angle of 1°05'16", and a long chord bearing North 63°12'00" East, 107.26 feet;

Thence North 58°57'50" East, 45.00 feet;

Thence departing said right-of-way South 22°20'00" East, 642.69 feet;

Thence South 48°49'41" West, 196.23 feet;

Thence North $89^{\circ}55'02''$ West, 221.43 feet,

Thence North $20^{\circ}21'28''$ West, 205.36 feet;

Thence South $73^{\circ}00'15''$ West, 151.55 feet;

Thence North $12^{\circ}32'43''$ West, 238.62 feet to the Point of Beginning. Containing 6.75 acres, more or less.