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JUL 11 2008
WATER RESOURCES

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)
# 72-10187					
# 72-10188					

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)

Jeff M. BITTON & Debra A. BITTON
Hwy 75 Box 9951
Stanley, ID 83278

4. New Owner/Claimant(s)

Richard D. SMITH HOLLY B. SMITH
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 675

City, State and ZIP Code

Emmett ID 83617

New Telephone Number

(208) 369-1377 Email: N/A

5. Date you acquired the property

AUG 29 2007

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		
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)

Holly B Smith
Richard D Smith

(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 _____ Date 2-15-08
 Received by CM Date "
 Processed by _____ AJ Date _____

Receipt Amt. 50.00
 Receipt No. C085955
 WR ER Date 2-19-08

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237389

WARRANTY DEED

For Value Received JEFFERY M. BITTON AND DEBRA A. BITTON, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto RICHARD D. SMITH AND HOLLY B. SMITH, trustees of the Richard D. Smith and Holly B. Smith Revocable Living trust, dated May 21, 2001, the Grantees, whose current address is P.O. Box 73, Stanley, ID 83278, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and Government Lot 2, Section 14, all in Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the South Quarter corner of said Section 10, from which the Southwest Corner of Section 9 bears South 89°57'43" West; thence 1313.99 feet on a bearing of North 89°35' East, to the Northeast Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15; thence South 0°18'09" East, 301.18 feet to the REAL POINT OF BEGINNING; thence 3653.56 feet on a bearing of North 89°35' East to a point of the Westerly bank of the Salmon River; thence the following courses and distances along said Westerly bank; thence South 5°30' West, 502.68 feet; thence South 30°00' East, 600.0 feet to a point on the South boundary of Lot 2, Section 14; thence South 89°30'45" West, 4537.59 feet to a point on the Easterly right of way of U.S. Highway 93; thence the following courses and distances along said Easterly right of way: North 8°01'31" East along the chord of a curve to the right having a central angle of 3°32'05" and a radius of 3224.30 feet; thence North 8°20'23" East, 733.23 feet; thence North 13°06'12" East, 109.05 feet; thence North 89°35' East, 473.33 feet to the REAL POINT OF BEGINNING.

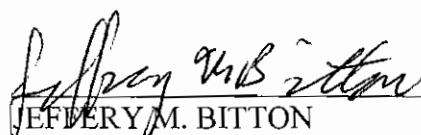
EXCEPTING THEREFROM

A parcel of land located in the NE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Section 15, run thence South 73°51'19" West, a distance of 1943.62 feet to a point on the Easterly right of way of Highway 93 the POINT OF BEGINNING; thence South 87°43'18" East, a distance of 175.56; thence South 02°43'01" West, a distance of 266.13 feet; thence South 89°51'41" East, a distance of 467.85 feet; thence South 02°39'25" East, a distance of 516.44 feet; thence South 89°29'21" West, a distance of 735.00 feet to a point on the Easterly right of way of Highway 93; thence along a curve to the right having a Central angle of 3°08'41.5", a radius of 3224.04 feet, a Tangent of 88.503 feet; thence North 06°05'46" East, a distance of 623.54 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 29 day of Aug, 2007.


JEFFERY M. BITTON


DEBRA A. BITTON

237389

STATE OF IDAHO)
: ss
County of Custer)

On this 29 day of August, 2007,
before me, a Notary Public, personally
appeared Jeffery M. Bitton and Debra A.
Bitton, 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.

Patsy Kindt
Notary Public for Idaho
Residing at Challis
Commission Expires 3/24/10

STATE OF IDAHO, COUNTY OF CUSTER
I hereby certify that this instrument was filed for
record at the request of CCT
at 15 minutes past 2
o'clock P.M., this 5th day of September
2007, in my office.

Barbara C. Breedlove
Ex-Officio Recorder

By Betsy Doughty
Deputy

\$6.00

