

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.

RECEIVED

SEP 28 2005

DEPARTMENT OF
WATER RESOURCES

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
43-10191					
43-177C					
43-10494					

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**.

Name and Address of Former Owner/Claimant(s)	JODEE WILLETT & OLETA WILLETT	LEVON WILLETT
	2534 South 2400 East	2575 South 2350 East
	Malta, ID 83342	Malta, ID 83342
New Owner/Claimant(s)	LUKE R. SMITH and VIRGINIA K. SMITH	
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or	
New Mailing Address	2534 East 2575 South	
City, State and ZIP Code	Malta, ID 83342	
New Telephone Number	()	
Date you acquired the property	9-20-05	

SUPPORT DATA

IN FILE # 43-177C

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 _____

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)

Luke R. Smith

Virginia K. 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 _____

Date _____

Fee _____

Received by MM

Date 9-28-05

Receipt No. 6079216

Processed by _____

AJ

Date _____

WR _____

Date _____

WARRANTY DEED

304202

304202

CASSIA COUNTY, IDAHO #40708
LARRY A. MICKELSEN
RECORDER
FEE 15.00 DEPUTY bm

For Value Received

J7, LLC, an Idaho limited liability company

2005 SEP 20 PM 3 42

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

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

LUKE R. SMITH and VIRGINIA K. SMITH, Husband and Wife

Address: 3085 S. 1760 E. Wendell, ID 83355

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

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Rights numbers 43-10191, 43-177C and 43-10494.

SUBJECT TO:

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

Taxes for 2005 and subsequent years, a lien, but not yet due or payable.

**Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., as Seller, and J. W. Patterson, as Consumer, dated April 9, 1954 and recorded August 5, 1955 as Instrument No. 187075 in Book 9 of Bills of Sale and Agreements on page 100, records of Cassia County, Idaho.
(E½NW¼ Section 32, Township 14 South, Range 27 East of the Boise Meridian)**

**Agreement contained in Special Warranty Deed executed by Malta Land and Irrigation Company, a corporation, to Shirley R. Barrett and his wife, Lucille Barrett, dated March 21, 1957 and recorded April 4, 1957 as Instrument No. 193121 in Book 59 of Deeds, page 302, records of Cassia County, Idaho, which reads: "This deed is accepted with the understanding and agreement that Malta Land And Irrigation Company shall administer, apportion and distribute all water to which the grantee shall be entitled to and with the further understanding that grantee shall hereafter pay his proportionate share of all water charges and of the maintenance of all conduits and ditches to the use of said waters, and is further accepted in fulfillment of that certain agreement made and entered into between the parties hereto as of the 15 day of March, 1948."
(W½NW¼ and NW¼SW¼ Section 32, all in Township 14 South, Range 27 East of the Boise Meridian and additional property not included herein)**

Agreement for Purchase of Power between Raft River Rural Electric Cooperative, Inc., Seller, and Shirley R. Barrett, Consumer, dated May 10, 1957 and recorded September 12, 1958 as Instrument No. 198522, in Book 10 of Bills of Sale and Agreement, pages 63, 64 and 65, records of Cassia County, Idaho. (NW¼SW¼ and W½NW¼ Section 32, Township 14 South, Range 27 East of the Boise Meridian and additional property not included herein)

Oil, Gas and Mineral Lease between Jodee Willett, a/k/a Jodie Willett and Oleta A. Willett, husband and wife, as Lessor, and Standard American Co., as Lessee, dated August 21, 1973, and recorded September 18, 1973 as Instrument No. 72431 on Film No. 84, records of Cassia County, Idaho. (W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ in Section 32, all in Township 14 South, Range 27, East of the Boise Meridian and additional property not included herein)

Reservation contained in Warranty Deed from M.V. Ranches, LTD., a limited Partnership, to Carl Martin and Donna Martin, husband and wife, dated December 13, 1974 and recorded December 27, 1974 as Instrument No. 80321 on Film No. 92, records of Cassia County, Idaho, which reads as follows: "Reserving unto the Grantor, its successors and assigns, the right to install and maintain a pump for livestock water in the existing well located on the above described property, together with the right to convey the said livestock water over and across the described premises to adjacent property owned by the Grantor, its successors and assigns, with a permanent easement for the installation and maintenance of a conduit therefore."

Easement by and between Jodee W. Willett and Oleta Willett, husband and wife and Arimo Corporation, an Idaho corporation, dated April 20, 2000 and recorded April 26, 2000 as Instrument No. 268864, records of Cassia County, Idaho. (NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32, Township 14 South Range 27 East of the Boise Meridian)

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.

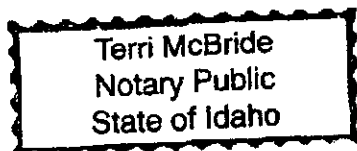
Dated: September 20th, 2005

J7, LLC, an Idaho limited liability company

BY: Jeffrey C. Johnson
JEFFREY C. JOHNSON, Manager

STATE OF IDAHO)
)ss.
COUNTY OF CASSIA)

On this 20th day of September, 2005, before me, the undersigned, a Notary Public, personally appeared JEFFREY C. JOHNSON known or identified to me to be the manager of J7, LLC the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.



Terri McBride
Notary Public
Residing at: Rupert
My Commission Expires: 2-5-08

Exhibit "A"

PARCEL NO. 1:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: Part of the NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the North $\frac{1}{4}$ section corner of said Section 32, said corner marked by a $\frac{5}{8}$ inch rebar with a 3 inch aluminum cap on top; thence South $00^{\circ}24'15''$ West along the North-South $\frac{1}{4}$ section line for a distance of 1789.36 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;
Thence North $88^{\circ}47'51''$ East for a distance of 80.95 feet to the centerline of a county road;
Thence South $00^{\circ}04'43''$ East along said centerline for a distance of 471.25 feet;
Thence South $00^{\circ}00'39''$ West continuing along said centerline for a distance of 365.98 feet to the South line of the NE $\frac{1}{4}$;
Thence North $89^{\circ}57'49''$ West along said line for a distance of 87.41 feet to the Center $\frac{1}{4}$ section corner;
Thence North $00^{\circ}24'15''$ East along the North-South $\frac{1}{4}$ section line for a distance of 835.49 feet to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: Part of Section 32, more particularly described as follows:

Beginning at the North $\frac{1}{4}$ section corner of said Section 32, said corner marked by a $\frac{5}{8}$ inch rebar with a 3 inch aluminum cap on top; thence South $00^{\circ}24'15''$ West along the North-South $\frac{1}{4}$ section line for a distance of 1789.36 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;
Thence South $00^{\circ}24'15''$ West continuing along the North-South $\frac{1}{4}$ section line for a distance of 835.49 feet to the Center $\frac{1}{4}$ section corner;
Thence South $89^{\circ}57'49''$ East along the East-West $\frac{1}{4}$ section line for a distance of 87.41 feet to the centerline of a county road;
Thence South $00^{\circ}00'39''$ West continuing along said centerline for a distance of 6.53 feet;
Thence North $89^{\circ}51'38''$ West for a distance of 87.45 feet to a $\frac{1}{2}$ inch rebar;
Thence North $89^{\circ}51'38''$ West for a distance of 135.10 feet to a $\frac{1}{2}$ inch rebar;
Thence North $01^{\circ}20'35''$ East for a distance of 839.19 feet to a $\frac{1}{2}$ inch rebar;
Thence North $88^{\circ}47'51''$ East for a distance of 121.40 feet to the Point of Beginning.

-Continued-

PARCEL NO. 3:

Access easement for the benefit of Parcel Nos. 1 and 2, more particularly described as follows:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: Part of Section 32, more particularly described as follows:

Beginning at the North $\frac{1}{4}$ section corner of said Section 32, said corner marked by a $\frac{5}{8}$ inch rebar with a 3 inch aluminum cap on top; thence South $00^{\circ}24'15''$ West along the North-South $\frac{1}{4}$ section line for a distance of 2631.22 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;
Thence South $89^{\circ}51'38''$ East for a distance of 87.45 feet to the centerline of a county road;
Thence South $00^{\circ}00'39''$ West along said centerline for a distance of 38.66 feet;
Thence North $89^{\circ}51'38''$ West for a distance of 223.45 feet;
Thence North $01^{\circ}20'35''$ East for a distance of 38.66 feet to a $\frac{1}{2}$ inch rebar;
Thence South $89^{\circ}51'38''$ East for a distance of 135.10 feet to the Point of Beginning.

PARCEL NO. 4:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: Part of SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 32, said corner marked by a $\frac{5}{8}$ inch rebar; thence North $89^{\circ}56'16''$ East along the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 568.91 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;
Thence North $01^{\circ}21'28''$ East for a distance of 157.42 feet to a $\frac{1}{2}$ inch rebar;
Thence North $01^{\circ}21'28''$ East for a distance of 556.58 feet to a $\frac{1}{2}$ inch rebar;
Thence South $88^{\circ}34'44''$ East for a distance of 201.88 feet to a $\frac{1}{2}$ inch rebar;
Thence North $16^{\circ}41'18''$ East for a distance of 593.16 feet to a $\frac{1}{2}$ inch rebar;
Thence South $89^{\circ}48'53''$ East for a distance of 463.63 feet to a $\frac{1}{2}$ inch rebar;
Thence South $00^{\circ}03'41''$ East for a distance of 1274.55 feet to a $\frac{1}{2}$ inch rebar on the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence South $00^{\circ}03'41''$ East for a distance of 59.31 feet to the centerline of a county road;
Thence South $89^{\circ}39'54''$ West along said centerline for a distance of 103.40 feet to the West line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence South $89^{\circ}39'54''$ West continuing along said centerline for a distance of 118.40 feet;
Thence South $82^{\circ}31'23''$ West continuing along said centerline for a distance of 134.98 feet;
Thence South $70^{\circ}14'39''$ West continuing along said centerline for a distance of 240.42 feet;
Thence South $88^{\circ}11'57''$ West continuing along said centerline for a distance of 102.72 feet;
Thence North $80^{\circ}56'40''$ West continuing along said centerline for a distance of

43.05 feet;
Thence North $06^{\circ}16'16''$ East for a distance of 156.05 feet to the South line of the
NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence South $89^{\circ}56'16''$ West along said line for a distance of 144.09 feet to the
Point of Beginning.

QUITCLAIM DEED

304200

CASSIA COUNTY, IDAHO #40708
LARRY A. MICKELSEN
RECORDER

FEE 600 DEPUTY [Signature]

For Value Received

304200

Olene K. Warr and Janis H. Warr, husband and wife

2005 SEP 20 PM 3 37

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

J7, LLC, an Idaho limited liability company

ADDRESS: P. O. Box 147

Malta, Idaho 83342

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

**TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 32: Part of the NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the North $\frac{1}{4}$ section corner of said Section 32, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; thence South 00°24'15" West along the North-South $\frac{1}{4}$ section line for a distance of 1789.36 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning; Thence North 88°47'51" East for a distance of 80.95 feet to the centerline of a county road; Thence South 00°04'43" East along said centerline for a distance of 471.25 feet; Thence South 00°00'39" West continuing along said centerline for a distance of 365.98 feet to the South line of the NE $\frac{1}{4}$; Thence North 89°57'49" West along said line for a distance of 87.41 feet to the Center $\frac{1}{4}$ section corner; Thence North 00°24'15" East along the North-South $\frac{1}{4}$ section line for a distance of 835.49 feet to the Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: August 3, 2005

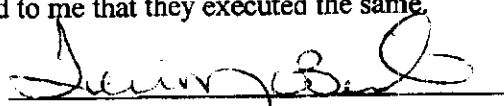
[Signature: Olene K. Warr]
Olene K. Warr

[Signature: Janis H. Warr]
Janis H. Warr

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 19th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **Olene K. Warr and Jani S H. Warr**, 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.

Terri McBride
Notary Public
State of Idaho



Notary Public
Residing at: Rupert
My Commission expires: 2-5-08