

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

RECEIVED

FEB 19 2002

RECEIVED

FEB 14 2002

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

- i. 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
67-4079		no			

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)

THE EDDY & DONNA SMITH TRUST
THE DONALD & EDNA BAIR TRUST

1045 Hwy 95, Indian Valley, ID 83632

New Owner/Claimant(s)

Matthew D. Miller, Carol A. Miller, or James B. Miller

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

17113 100th St. NE

City, State and ZIP Code

Granite Falls, WA 98252

New Telephone Number

(360) 691-3817

Date you acquired the property

1/25/02

If the change in ownership affects the entire 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)

Matthew D. Smith X *Carol A. Smith*
X *Jan B. 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 _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

For Value Received, DONALD E. BAIR and EDNA I. BAIR, as Co-Trustees of THE DONALD & EDNA BAIR TRUST, as to an UNDIVIDED 1/2 INTEREST, and EDDY R. SMITH and DONNA D. SMITH, as Co-Trustees of THE EDDY & DONNA SMITH TRUST, as to an UNDIVIDED 1/2 INTEREST

the grantors, do hereby grant, bargain, sell and convey unto MATTHEW D. MILLER and CAROL A. MILLER, husband and wife, and JAMES B. MILLER, an unmarried man, as joint tenants

the grantees, whose current address is 17113 100th St. NE, Granite Falls, WA 98252

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

TOGETHER WITH 1.31 acres Little Weiser Water

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 for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: January 24, 2002

THE DONALD & EDNA BAIR TRUST

BY: Donald E. Bair
DONALD E. BAIR, Trustee

THE EDDY & DONNA SMITH TRUST

BY: Eddy R. Smith
EDDY R. SMITH, Co-Trustee

BY: Donna D. Smith
DONNA D. SMITH, Co-Trustee

STATE OF Idaho)
COUNTY OF Adams) : ss

On this 24 day of January, in the year of 2002, before me, a Notary Public in and for said State, personally appeared DONALD E. BAIR

known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of THE DONALD & EDNA BAIR TRUST, and acknowledged to me that he executed the same as Trustee of THE DONALD & EDNA BAIR TRUST.

Christy A. Ward
Notary Public
Residing at: Sadon Valley
Commission expires: 9-17-04

STATE OF Idaho)
COUNTY OF Adams) : ss

On this 24 day of January, in the year of 2002, before me, a Notary Public in and for said State, personally appeared EDDY R. SMITH & DONNA D. SMITH

known or identified to me to be the persons whose names are subscribed to the within instrument as Co-Trustees of THE EDDY & DONNA SMITH TRUST, and acknowledged to me that they executed the same as Co-Trustees of THE EDDY & DONNA SMITH TRUST.

Christy A. Ward
Notary Public
Residing at: Sadon Valley
Commission expires: 9-17-04

#01-582

Instrument # 101082

COUNCIL, ADAMS, IDAHO

2002-01-31

04:16:57 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED

INSTRUMENT NO. 101082
PAGE 2 OF 2

EXHIBIT 'A'

PARCEL 3:

A parcel of land situated within the NW1/4NE1/4 and the SW1/4NE1/4 of Section 32, T15N R1W, Boise Meridian, more particularly described as follows:
Beginning at the southwest corner of the NW1/4NE1/4 of Section 32, T15N R1W, BM;

Thence N 0° 05' 48" E 189.36 feet along the west line of said NW1/4NE1/4;
Thence N 87° 07' 15" E 173.47 feet;

Thence S 0° 27' 08" W (formerly S 0° 27' 20" W) 275.81 feet to a point within the SW1/4NE1/4 of said Section 32, which point is on the northerly right-of-way line (1985 right-of-way line) of U.S. Highway 95;

Thence S 80° 04' 30" W (formerly S 80° 04' 42" W) 120.73 feet along the northerly right-of-way line (1985 right-of-way line) of U.S. Highway 95 to a point which bears N 70° 01' 45" E 21.18 feet from a certain brass cap monument marking the former (1937) northerly right-of-way line of U.S. Highway 95, which monument is marked STA. P.C. 135+72.7;

Thence N 28° 02' 13" W 111.63 feet to the POINT OF BEGINNING.

For Value Received, EDDY R. SMITH AND DONNA D. SMITH, Co-Trustees of
THE EDDY & DONNA SMITH TRUST under Trust Agreement dated May 6, 1993

the grantors, do hereby grant, bargain, sell and convey unto
MATTHEW D. MILLER and CAROL A. MILLER, husband and wife, and JAMES B.
MILLER, an unmarried man, as joint tenants

the grantees, whose current address is 17113 100th St. NE, Granite Falls, WA 98252
the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

TOGETHER WITH .02 acres Little Weiser Water

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 for all easements of record, rights of way, matters
visible, and all matters of record and title and that they will warrant and defend the
same from all lawful claims whatsoever.

Date: January 24, 2002

THE EDDY & DONNA SMITH TRUST

BY: Eddy R Smith
EDDY R. SMITH, Co-Trustee

BY: Donna D. Smith
DONNA D. SMITH, Co-Trustee

Instrument # 101081

COUNCIL, ADAMS, IDAHO

2002-01-31

04:15:42 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee 6.00

Ex-Officio Recorder Deputy

Index to: DEED

STATE OF Idaho)
COUNTY OF Adams) : SS

On this 24 day of January, in the year of 2002, before me, a Notary Public in and for said State, personally appeared
EDDY R. SMITH & DONNA D. SMITH

known or identified to me to be the persons whose names are subscribed to the within instrument as Co-Trustees of THE
EDDY & DONNA SMITH TRUST, and acknowledged to me that they executed the same as Co-Trustees of the THE
EDDY & DONNA SMITH TRUST.

Christy A. Ward
Notary Public
Residing at: Indian Valley
Commission expires: 9-17-04

INSTRUMENT NO. 101081

PAGE 2 OF 2 EXHIBIT 'A'

PARCEL 1:

A parcel of land as situated within the NE1/4NW1/4, SE1/4NW1/4, and the SW1/4NE1/4 of Section 32, T15N R1W, Boise Meridian, more particularly described as follows:

Beginning at the southeast corner of the NE1/4NW1/4 of Section 32, T15N R1W, BM

Thence N 0° 05' 48" E 189.36 feet along the east line of said NE1/4NW1/4;

Thence S 87° 07' 15" W 100.13 feet to a point which is 100.00 feet west of the east line of said NE1/4NW1/4;

Thence S 0° 05' 48" W parallel to the east line of said NE1/4NW1/4 and the east line of the SE1/4NE1/4 of said Section 32, a distance of 309.58 feet to a point within said SE1/4NE1/4, which point is on the northerly right-of-way line (1985 right-of-way line) of U.S. Highway 95;

Thence N 80° 04' 30" E (formerly N 80° 04' 42" E) 155.00 feet along the northerly right-of-way line (1985 right-of-way line) of U.S. Highway 95 to a point within the SW1/4NE1/4 of said Section 32, which point bears N 70° 01' 45" E 21.18 feet from a certain brass cap monument marking the former (1937) northerly right-of-way line of U.S. Highway 95, which monument is marked STA. P.C. 135+72.7;

Thence N 28° 02' 13" W 111.63 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

A parcel of land situated within the NE1/4NW1/4 of Section 32, T15N R1W, Boise Meridian, more particularly described as follows:

Beginning at the southeast corner of the NE1/4NW1/4 of Section 32, T15N R1W, BM;

Thence N 0° 05' 48" E 183.79 feet along the east line of said NE1/4NW1/4 to the TRUE POINT OF BEGINNING, which point is N 0° 05' 48" E 300.00 feet along the east line of said NE1/4NW1/4 and the east line of the SE1/4NW1/4 of said Section 32 from the former (1937) northerly right-of-way line of U.S. Highway 95;

Thence N 0° 05' 48" E 5.58 feet along the east line of said NE1/4NW1/4;

Thence S 87° 07' 15" W 100.13 feet;

Thence S 89° 41' 08" E, parallel to the south line of said NE1/4NW1/4 a distance of 100.00 feet to the TRUE POINT OF BEGINNING.