

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

RECEIVED

FEB 27 2004

WATER RESOURCES  
WESTERN DIVISION  
RECEIVED

MAR 02 2004

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

Department of Water Resources

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<br>Right No(s).       | Adjudication<br>Claim No(s). | Split       | Water<br>Right No(s).       | Adjudication<br>Claim No(s). | Split       |
|-----------------------------|------------------------------|-------------|-----------------------------|------------------------------|-------------|
| <u>63-26284</u>             | <u>A63-26284</u>             | <u>    </u> | <u>                    </u> | <u>                    </u>  | <u>    </u> |
| <u>                    </u> | <u>                    </u>  | <u>    </u> | <u>                    </u> | <u>                    </u>  | <u>    </u> |
| <u>                    </u> | <u>                    </u>  | <u>    </u> | <u>                    </u> | <u>                    </u>  | <u>    </u> |
| <u>                    </u> | <u>                    </u>  | <u>    </u> | <u>                    </u> | <u>                    </u>  | <u>    </u> |

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) SMITH FAMILY FIDUCIARY TRUST  
610 West Columbia Rd Meridian, Idaho 83642
4. New Owner/Claimant(s) SMITH PROPERTIES, L.L.C.  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 610 West Columbia Road
- City, State and ZIP Code Meridian, Idaho 83642
- New Telephone Number (208) 888-2079
5. Date you acquired the property Apr 19, 2001

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) Marion Smith Brigham  
(include title if applicable) Barbara Smith Mattson

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 DAN Date 2-27-04 Fee \$ 25.00  
 Received by DAN Date 2-27-04 Receipt No. W 031332  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

ADA COUNTY RECORDER  
J. DAVID NAVARRO  
BOISE, IDAHO

RECORDED-REQUEST OF

FEE 6.00 DEPUTY White, Peterson et al

2001 AP 19 PM 3:08

TRUSTEES' DEED 01036673

101036673

SMITH FAMILY FIDUCIARY TRUST U/T/A dated June 26, 1997, of which Glen T. Smith, Jr., Barbara Smith Mattison, and Marian Smith Bringham are Trustees, hereinafter referred to as the "Grantor," hereby bargains, sells and conveys to SMITH PROPERTIES, L.L.C., hereinafter referred to as the "Grantee," whose mailing address is 610 West Columbia Road, Meridian, ID 83642, for good and valuable consideration, the following described real property, situated in Ada County, State of Idaho, to-wit:

The SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 1, Township 2 North, Range 1 West of the Boise Meridian, in Ada County, Idaho.

EXCEPTING THEREFROM:

Beginning at the Southeast corner of Section 1; thence N.  $89^{\circ}55'8''$  W., along the South boundary of said Section 1 a distance of 1849.5 feet to the Real Point of Beginning; thence continuing along the South boundary of said Section 1, N.  $89^{\circ}55'8''$  W., a distance of 210.0 feet to a point; thence N.  $0^{\circ}04'2''$  E., a distance of 250.0 feet; thence S.  $89^{\circ}55'8''$  E., a distance of 210.0 feet; thence S.  $0^{\circ}04'2''$  W., a distance of 250.0 feet to the real point of beginning.

Excepting an Ada County road right-of-way along the South boundary of the above-described parcel.

SUBJECT TO taxes and assessments for the year 2001 and all subsequent years, together with any and all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

The Grantor hereby fully warrants title to said land and will defend the same against all lawful claims of all persons whomsoever.

TRUSTEES' DEED - 1

The Trustees execute this instrument solely in their fiduciary capacity and covenant only that they are authorized to make this conveyance in such fiduciary capacity. The Trustees hereby disclaim any and all other warranties and covenants, whether express or implied. Any further recourse hereunder is to be only against the aforementioned Trust.

DATED this 13th day of April, 2001.

SMITH FAMILY FIDUCIARY TRUST

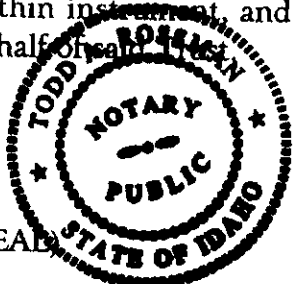
By: *Glen T. Smith, Jr.*  
Glen T. Smith, Jr., Trustee

By: *Barbara Smith Mattison* TTEE  
Barbara Smith Mattison, Trustee

By: *Marian Smith Brigham*  
Marian Smith Brigham, Trustee

STATE OF IDAHO            )  
                                          :SS  
County of Canyon        )

On this 13th day of April, 2001, before me, a Notary Public, personally appeared Glen T. Smith, Jr., Barbara Smith Mattison, and Marian Smith Brigham, as Trustees of the Smith Family Fiduciary Trust, dated June 26, 1997, 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 for and on behalf of said Trust.



(SEAL)

*Todd Ross*

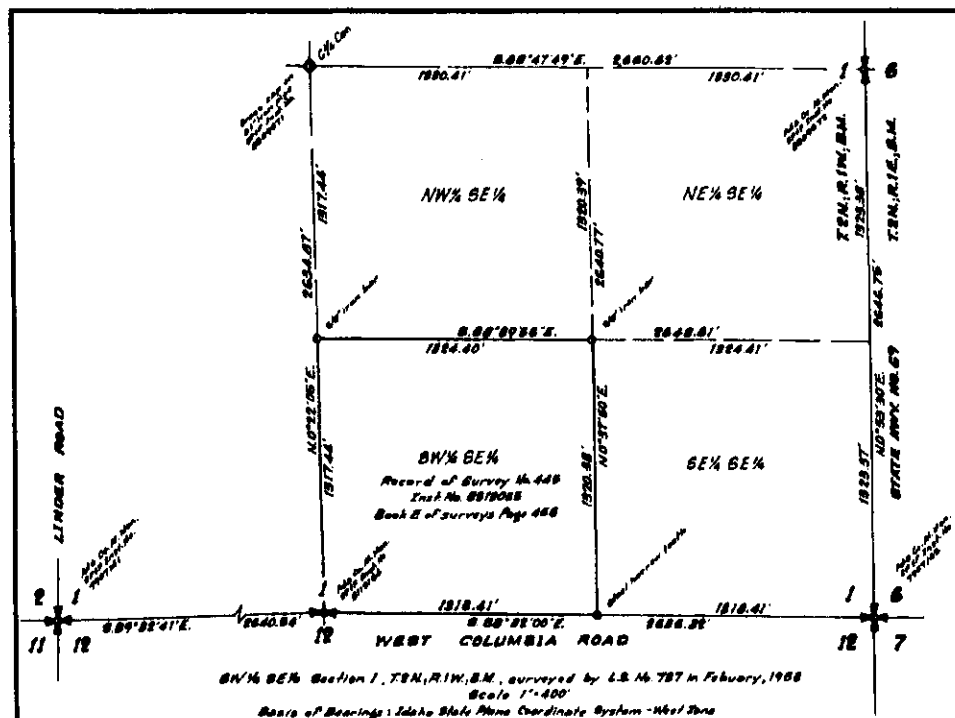
Notary Public for Idaho

Commission expires: 1-4-2003

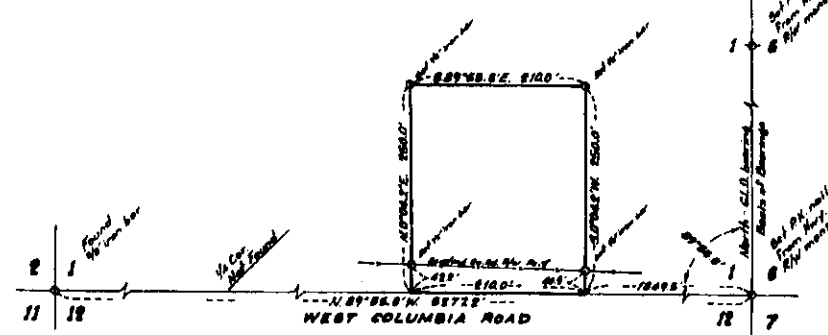
ig\Z:\Work\Smith Properties\trusteesdeed.frm

TRUSTEES' DEED - 2





# RECORD OF SURVEY NO. 834 PART OF THE SW 1/4 SE 1/4 SECTION 1, T2N, R1W, B.M.



A part of the SW 1/4 SE 1/4 Section 1, T2N, R1W, B.M., surveyed by L.S. No. 787 in January, 1988. This survey was the basis of the description recorded in Book 280 Page 527, Inst. No. 6917988 Records of Ada County, Idaho. At the time this survey was performed the South 1/4 corner of Section 1 had not been found, and the "South boundary of Section 1" referred to in the description was a straight line between the SE and SW corners of Section 1.

## CERTIFICATE OF SURVEYOR

I, Glen T. Smith Jr., L.S. No. 787, State of Idaho, do hereby certify that the surveys represented herein were performed by me or under my supervision during January 1988, February 1988 and January 1988, and to the normal standard of care of Land Surveyors practicing in the State of Idaho.



## CERTIFICATE OF COUNTY RECORDER

Instrument No. 8602355  
Time 2:11 P.M. Date January 14, 1988  
Book E of Surveys Page 846  
Records of Ada County, Idaho  
At the request of Glen T. Smith Jr.  
Signed Glen T. Smith Jr. County Clerk  
Advised me

INDEX NO. 214-1-2-3

|                                                                                                                                         |                          |         |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------|
| RECORD OF SURVEY<br>for<br><b>GLEN T. SMITH JR.</b><br>of<br>A Part of the SW 1/4 SE 1/4 Section 1, T2N, R1W, B.M.<br>Ada County, Idaho |                          |         |
| ME Carter / Tuller - Consulting Engineers<br>227 N. 27th St.<br>Boise, Idaho                                                            |                          |         |
| Scale<br>As Shown                                                                                                                       | Date<br>January 14, 1988 | 85-1209 |

