

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 26 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP
Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-14053	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>22-14053</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>22-14053 22-14575</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Tom and Debbie Hunter
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Smit Family Revocable Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 4912 Country Club Dr Victor ID 83455
Mailing address City State Zip
559-553-5776 bigsmalldocs@icloud.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 10/03/2018
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☐ Filing fee (see instructions for further explanation):
☐ \$25 per *undivided* water right.
☐ \$100 per *split* water right.
☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 22-14053

8. Signature: [Signature] Trustee, Smit Fam Revoc 10/23/23
Signature of new owner/claimant Title, if applicable Date
Holly E. Smit Trust
- Signature: [Signature] Trustee, Smit Family 10/23/23
Signature of new owner/claimant Title, if applicable Date
Steven Smit Revocable Trust

For IDWR Office Use Only:
 Received by JB Date 10/26/2023 Receipt No. E049575 Receipt Amt. \$100.-
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 JB Approved by JB Processed by JB Date 10/30/2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/19/2023

Water Right 22-14053

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TOM HUNTER PO BOX 760 DRIGGS, ID 83422 (307) 733-1143
Current Owner	DEBBIE HUNTER PO BOX 760 DRIGGS, ID 83422 (307) 353-2236

Priority Date: 6/1/1890

Basis: Decreed

Status: Active

Source
FOX CREEK

Tributary
TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.730 CFS	
	<u>Total Diversion</u>		0.730 CFS	

Source and Point(s) of Diversion:

FOX CREEK L4(SWSWNE) Sec. 29, Twp 04N, Rge 46E, TETON County

Place Of Use:

IRRIGATION within TETON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	23													14.9			19.5	34.4

POU Total Acres: 34.4

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates and Other Information:

Decreed Date: 11/24/2008

Civil Case Number: 39576

Judicial District: FIFTH

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/19/2023

State or Federal: S
Owner Name Connector: OR
Water District Number: TBD
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:409985

FOR VALUE RECEIVED

C Steven Crow and Naomi Crow, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Steven Smit and Holly L. Smit, as Trustees of the Smit Family Revocable Trust of April 25, 2007

whose current address is

**4912 Country Club Dr.
Victor, ID 83455**

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Lot 38 in Block 1 of Fox Creek Country Club Estates, Teton County, Idaho, as per the plat recorded June 24, 1983, as Instrument No. 92749.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 26, 2018

C. Steven Crow
C Steven Crow

Naomi Crow
Naomi Crow

State of Idaho } ss
County of Teton }

On this 2nd day of October, 2018, before me, Jeanne Fagg, a Notary Public in and for said state, personally appeared C. Steven Crow and Naomi Crow, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Jeanne Fagg
Notary Public for the State of Idaho
Residing at: Teton County
Teton County, ID
March 21, 2019





WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:493715

FOR VALUE RECEIVED

Michael J Bishop and Judy L Bishop, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Steven Smit and Holly L. Smit, as Trustees of the Smit Family Revocable Trust of April 25, 2007 and amended and restated on May 17, 2016

whose current address is

**4912 County Club Dr
Victor, ID 83455**

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Lot 55 in Block 1 of Fox Creek County Club Estates, as per the plat recorded June 24, 1983 as Instrument No. 92749, records of Teton County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 15, 2020

Michael J Bishop

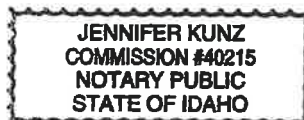
Judy L Bishop

State of Idaho } ss
County of Teton }

On this 17th day of July, 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared Michael J Bishop and Judy L Bishop, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Jennifer Kunz
Notary Public for the State of Idaho
Residing at: Victor
Commission Expires: March 14, 2023



RECORDING REQUESTED BY
First American Title Company

177794

RECEIVED

JUN 15 2006

TETON CO., ID
CLERK/RECORDER

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 177794

DRIGGS, TETON, IDAHO

2006-06-15 12:41:27 No. of Pages: 2

Recorded for : FIRST AMERICAN TITLE

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **166010-T (lb)**

Date: **June 09, 2006**

For Value Received, **Marcia A. Male, a single woman**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Steven Crow and Naomi Crow, husband and wife**, hereinafter called the Grantee, whose current address is **P.O. Box 1277, Driggs, ID 83422**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Lot 38 Block 1, Fox Creek Country Club Estates, Teton County, Idaho, as the same appears on the official plat thereof recorded June 24, 1983 as Instrument No. 92749.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the 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.

177734

Marcia A. Male

Marcia A. Male

STATE OF Idaho)
SS.
COUNTY OF Teton)

On this 12 day of June, 2006, before me, a Notary Public in and for said State, personally appeared **Marcia A. Male**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



LeSette N. Bott
Notary Public for the State of Idaho
Residing at: *Frederia, Id.*
My Commission Expires: *1-3-12*

177734

T-8354

140328

WARRANTY DEED

RECEIVED

NOV 29 2000

TETON CO., ID
CLERK RECORDER

For Value Received FOX CREEK INVESTMENTS, L.L.C.

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

MARCIA A. MALE, a single woman
whose address is: 125 PENNSYLVANIA AVE., SANTA CRUZ, CA, 95062

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

Lot 38, Block 1, Fox Creek Country Club Estates, as per the recorded plat thereof, Teton County, Idaho

SUBJECT TO Declaration of Covenants, Conditions & Restrictions for Fox Creek Country Club Estates Subdivision, Recorded June 24, 1983, Recorder's No. 92750, Records of Teton County, Idaho
AMENDED AND RESTATED recorded November 3, 1995, Recorder's No. 121833, Records of Teton County, Idaho

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the 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: 11-29-00

FOX CREEK INVESTMENTS, L.L.C.

THOMAS R. HUNTER

STATE OF IDAHO, COUNTY OF TETON, SS.

On this 29th day of November, in the year 2000, before me, a notary public, personally appeared THOMAS R. HUNTER, known or identified to me to be the manager of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.



140328

Instrument # 140328

DRIGGS, TETON, IDAHO
2000-11-29 11:38:48 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy *[Signature]*
Index to: DEED, WARRANTY

140328

114976

JAN 07 1994

WARRANTY DEED

TETON Co. Id.
Clerk Recorder

FOR VALUED RECEIVED, THOMAS R. HUNTER, of P. O. Box 334, Wilson, Wyoming 83014 and SHERMAN V. OLSON, of P. O. Box 224, Westborough, Massachusetts 01581, hereinafter called "Grantors", do hereby grant, bargain, sell and convey unto FOX CREEK INVESTMENTS, L.L.C., of 1 South Main, Driggs, Idaho 83422, hereinafter called Grantee, the following described real property in Teton County, Idaho, to-wit:

Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 33, 34, 35, 36, 37, 38, 39, 43, 50, 51, 52, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70 and 71 of Block 1, Fox Creek Country Club Estates, as per the recorded plat thereof, Teton County, Idaho.

ALSO commencing at the East Quarter corner of Section 23, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho and running North 89°27'40" West, 1329.72 feet to the Northwest corner of the East One-Half of the Southeast Quarter and South 0°21'51" West, 233.63 feet to the point of beginning that lies on the South line of Lot 7; thence South 89°56'43" East, 909.75 feet to the Northwest corner of Lot 16; thence South 0°20'45" West, 922.50 feet to the Northeast corner of Lot 25; thence North 89°50'01" West, 415.00 feet to the North corner of Lot 28; thence South 33°00' West, 252.72 feet to the West corner of Lot 28; thence South 33°00' East, 248.00 feet to the South corner of Lot 28; thence South 89°50'01" East, 415.00 feet to the Southeast corner of Lot 31; thence South 0°20'45" West, 644.92 feet to the Northeast corner of Lot 40; thence South 89°55'57" West, 720.83 feet to the Northwest corner of Lot 45; thence North 48°42'05" West, 27.17 feet; thence North 51°56'54" West, 212.92 feet to the point in the North line of Lot 46; thence North 0°20'51" East, 1829.56 feet to the point of beginning.

114976

FILED

AT THE REQUEST OF

Thomas Hunter

25 JAN 7 1994

Ida J. Drake

Alia R. Raby

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.



114976

STATE OF IDAHO,)
County of Madison) ss.

On this 30th day of December, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas R. Hunter, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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 above written.

Merrill W. Riddle
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 10.14.1999

115480 QUILCLAIM DEED

For Value Received, Debbie P. Hunter, of P. O. Box 334, Wilson, Wyoming 83014, hereinafter called the "Grantor"

TETON Co. Id.
Clerk Recorder

do hereby convey, release, remise and forever quit claim unto Thomas R. Hunter, of P. O. Box 334, Wilson, Wyoming 83014 and Sherman V. Olson, of P. O. Box 224 Westborough, Massachusetts 01581, hereinafter called Grantees, an undivided one-half interest each, in and to

the following described premises, to-wit:

Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 33, 34, 35, 36, 37, 38, 39, 43, 50, 51, 52, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70 and 71 of Block 1, Fox Creek Country Club Estates, as per the recorded plat thereof, Teton County, Idaho.

AlSO commencing at the East Quarter corner of Section 23, Township 4 North, Range 12 East, Boise Meridian, Teton County, Idaho and running North 89° 27' 40" West, 1329.2 feet to the Northwest corner of the East One-Half of the Southeast Quarter and South 0° 21' 51" West, 233.63 feet to the point of beginning that lies on the South line of Lot 7; thence South 89° 56' 43" East, 307.75 feet to the Northwest corner of Lot 16; thence South 0° 20' 45" West, 922.50 feet to the Northeast corner of Lot 25; thence North 89° 50' 01" West, 415.00 feet to the North corner of Lot 28; thence South 33° 00' West, 252.72 feet to the West corner of Lot 28; thence South 33° 00' East, 248.00 feet to the South corner of Lot 28; thence South 89° 50' 01" East, 415.00 feet to the Southeast corner of Lot 31; thence South 0° 20' 45" West, 644.92 feet to the Northeast corner of Lot 40; thence South 89° 55' 57" West, 720.83 feet to the Northwest corner of Lot 45; thence North 89° 55' 57" West, 212.92 feet to the point in the North line of Lot 45; thence North 0° 20' 51" East, 1829.56 feet to the point of beginning.

Subject to reservations in United States and State Patents, existing and recorded Right-of-ways, Easements, Easement, Building and Subdivision ordinances, Taxes and Assessments as prorated between the parties hereto.

together with their appurtenances.

Dated: 3-07-94

Debbie P. Hunter

STATE OF IDAHO, COUNTY OF Teton
On this 7th day of March, 1994,
before me, a notary public in and for said State, personally
appeared

Debbie P. Hunter
known to me to be the person who personally
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Donna K. Kees
Notary Public
Residing at Teton, Idaho
Comm. Expires 2/15/98

115480

FILED

AT THE REQUEST OF

Debbie Hunter

AT 45 MINUTES PAST 10 a.m.

DATE March 7, 1994

Donna K. Kees

NOTARY PUBLIC

BY Donna K. Kees

Filed ✓
Indexed ✓
Placed ✓

115480

Warranty Deed Chain for Lot 55, Blk 1 Fox Creek Country Club Estates

After 2.5 hours with Title Company and Teton County Recorder's office (where they dug into their old recorder's books), this is the best we can piece together for the Lot 55 Deed Chain. There is nowhere else to go from here.

Instrument	Date	Grantor	Grantee	Notes
Plat map	6/13/83			FCCCE plat map showing Gladys and Cecil Porter as owners
95559	8/10/84	Gladys Porter	Cecil Porter	Quitclaim (wife to husband post-divorce?) for several FCCCE subdivision lots, including Lots 38 and 55)
107912	5/6/91	HB Hashagen	Craig & Jill Porter	Quitclaim 51% interest in FCCCE lots (new players or son of Gladys/Cecil?)
109629	2/21/92	HB Hashagan	Robert Hashagen	Quitclaim (father to son? Lots 54, 55 specifically)
109738	3/16/92	Craig & Jill Porter	Robert Hashagen	Quitclaim of their 51% ownership of lots 54, 55)
110808	8/20/92	Wyatt Family Trust	Tom & Debbie Hunter	Warranty Deed for the land encompassed by FCCCE development and "all pertinent water rights"
111710	12/7/92	Robert Hashagen	Hashagen Trust	Quitclaim to get property into trust
185659	3/7/07	Hashagen Trust	William & Jennifer Fay	Warranty Deed, Lot 55
246840	8/11/17	William & Jennifer Fay	Michael & Judy Bishop	Warranty Deed Lot 55
261190	7/15/20	Michael & Judy Bishop	Smit Trust	Warranty Deed Lot 55

The Hunters received *water rights* in 1992, with a geographical description of the area that includes the FCCCE subdivision. Is proof of owning a lot in the subdivision thus sufficient for changing the ownership of the water right? (The deed chain is missing documentation of HB Hashagen gaining ownership of Lot 55; otherwise it is complete from inception to present.)

(Optional)		Platted		Key Punched		To Treasurer	
Recorded	☐	Deed Card	☐	Master File	☐		☐
Microfilmed	☐	Compared	☐	Abstracted	☐		
Indexed	☐						

QUITCLAIM DEED

THIS INDENTURE, Made this tenth (10th) day of August
in the year of our Lord one thousand nine hundred and Eighty Four between

Gladys M. Porter, an unmarried woman
of P.O. Box 715, Hawthorne County of Mineral
State of Nevada 89415, the party of the first part, and Cecil E. Porter, an
unmarried man County of Teton
of Rt 1 Box 550
State of Idaho 83455, the party of the second part,
whose current address is Same

WITNESSETH That the said party of the first part, for and in consideration of the sum of
One Dollar and other valuable considerations DOLLARS,
lawful money of the United States of America, to her in hand paid by the said party of
the second part, the receipt whereof is hereby acknowledged, do hereby by these presents remise, release
and forever QUITCLAIM, unto the said party of the second part, and to his heirs and
assigns all those certain lots, pieces or parcels of land, situate, lying and being in
The County of Teton, State of Idaho, bounded and particularly
described as follows, to-wit: Lot 51, Targhee Ranch Subdivision, Division 2

Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11),
Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-One (21),
Twenty-Two (22), Twenty-Three (23), Twenty-Five (25), Thirty (30), Thirty-Two
(32), Thirty-Eight (38), Thirty-Nine (39), Forty-Three (43), Forty-Four (44),
Forty-Five (45), Forty-Seven (47), Forty-Eight (48), Forty-Nine (49), Fifty (50),
Fifty-One (51), Fifty-Two (52), Fifty-Four (54), Fifty-Five (55), Fifty-Seven (57),
Fifty-Nine (59), Sixty-One (61), Sixty-Two (62), Sixty-Three (63), Sixty-Four (64),
Sixty-Five (65), Sixty-Six (66), Sixty-Seven (67), Sixty-Nine (69), Seventy (70),
and Seventy-One (71) in the Fox Creek Country Club Estates, as delineated on the
recorded plat, Teton County Records

Location of above described property

House No.

Street

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name

Address

City & State

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Gladys M. Porter [Seal]
GLADYS M. PORTER [Seal]
[Seal]
[Seal]

STATE OF ~~IDAHO~~ NEVADA
County of MINERAL

On this Eighteenth day of September in the year 1984, before me
a Notary Public
in and for said State, personally appeared GLADYS M. PORTER

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that 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 above written.



Patricia J. [unclear]
Notary Public for the State of ~~XXXXXX~~ Nevada
Residing at Hawthorne, ~~XXXXXX~~ Nevada

No. 98559

QUITCLAIM DEED

Gladys M. Porter

Cecile B. Porter

Dated 18, 19 84
STATE OF IDAHO,
County of Idaho

I hereby certify that this instrument was filed

for record at request of Cecile Porter

at 10 minutes past 4
o'clock P.M., this 25 day
of Sept, A.D. 19 84

in my office, and duly recorded in Book...
of 100 at page...
Cecile Porter Ex-Officio Recorder.
Patricia J. [unclear] Deputy.

Fees, \$

Mail to

CHARLES A. HOMER, ESQ.
HOLDEN, KIDWELL, HAHN & CRAPO
Attorneys at Law
P. O. Box 50130
Idaho Falls, Idaho 83405
(208) 523-0620

Attorneys for Plaintiff.

RECEIVED

SEP 25 1990

TETON Co. Id.
Clerk Recorder

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR TETON COUNTY.

H. B. HASHAGEN, a single man,
Plaintiff,

v.

CECIL E. PORTER, SHARON N. PORTER,
GLADYS M. PORTER, CLARENCE KING,
MATTHEW W. KING a/k/a MATTHEW
KING, PATRICIA J. KING,
ROBERT L. NIXON, DELORES NIXON,
GARY MCKENNA, MARYBETH MCKENNA,
BRENT K. HALL, SHERRI HALL,
MARK S. BOYER, SUZETTE BOYER,
STATE OF IDAHO DEPARTMENT OF
REVENUE AND TAXATION, STATE TAX
COMMISSION, THOMAS F. KNIPPER,
BETTY L. KNIPPER, HAROLD MOODY,
PATRICK D. WALLMAN, JAN W.
STABILE, KIT H. SUMMERS and all
UNKNOWN CLAIMANTS, HEIRS AND
DEVEISEES OF THE FOLLOWING PROPERTY:

The East Half of the Southeast
Quarter (E1/2 SE 1/4) of Section
23, Township 4 North, Range 45
East of the Boise Meridian, Teton
County, Idaho, less county road
rights-of-way, and less beginning
at the East Quarter (E1/4) corner
of Section 23, Township 4 North,
Range 45 East of the Boise

Case No. 2239

QUIET TITLE JUDGMENT

106694

FILED

AT THE REQUEST OF

Charles A. Homer

AT 30 MINUTES PAST 9 A M

DATE *October 5, 1990*

E. Wayne Schuess

CLERK OF RECORDER

BY *Bonnie Reece*

DEPUTY

STATE OF IDAHO

County of Teton

I HEREBY CERTIFY that the above and fore-
going is a full, true and correct copy of the
original thereof, on file in my office.

Oct 12 1990

E. Wayne Schuess

Ex-Officio Auditor & Recorder
Clerk of the District Court

By *Bonnie Reece*

Deputy Clerk

Meridian, thence West 208.71 feet;)
thence South 208.71 feet; thence)
East 208.71 feet; thence North)
208.71 feet to the point of)
beginning, less county road rights-)
of-way, now known as Block 1 of)
Fox Creek Country Club Estates)
as per the recorded plat thereof,)
Teton County, Idaho, Lots 8)
through 45 and Lots 47 through)
71 and those portions of Lots)
7, 46 and 73 which are in the East.)
Half of the Southeast Quarter)
of Section 26, Township 4 North,)
Range 45 East, Boise Meridian,)
Teton County, Idaho. LESS Lots)
29, 32, 42, 48, and 53 of Block)
1 of Fox Creek Country Club)
Estates as per the recorded plat)
thereof, Teton County, Idaho,)

Defendants.)

The Court has reviewed the Complaint to Quiet Title filed herein by plaintiff and the Affidavits of plaintiff's attorney and plaintiff filed herein. The following defendants have failed to appear and answer plaintiff's Complaint and a Default has been entered against such defendants pursuant to Rule 55(a)(1) of the Idaho Rules of Civil Procedure: Robert L. Nixon, Delores Nixon, Gary McKenna, Marybeth McKenna, Brent K. Hall, Sheri Hall, Mark S. Boyer, Suzette Boyer, Harold Moody, Patrick D. Wallman, Kit H. Summers and the unknown claimants, heirs and devisees of the property hereinafter described which is the subject of this Quiet Title action. The following defendants have filed herein a Disclaimer and Waiver of

Interest in all of the property which is the subject of this Quiet Title Action: Cecil E. Porter, Sharon M. Porter, Gladys M. Porter, State of Idaho Department of Revenue and Taxation, State Tax Commission, Thomas F. Knipper, Betty L. Knipper and Jan W. Stabile. The defendants, Matthew W. King, aka Matthew King, and Patricia J. King have filed herein a Disclaimer and Waiver of Interest pertaining to all of the property which is the subject of this Quiet Title action except for Lots 26 and 27, Block 1, Fox Creek Country Club Estates as per the recorded plat thereof, Teton County, Idaho. The Court having determined that a quiet title judgment should be entered in this case at this time, and the Court being fully advised in the premises:

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The property which is the subject of this Quiet Title Judgment and which shall be vested in plaintiff in the manner hereinafter set forth, is particularly described as follows (hereinafter referred to as the "Hashagen Property"):

The East Half of the Southeast Quarter (E1/2 SE 1/4) of Section 23, Township 4 North, Range 45 East of the Boise Meridian, Teton County, Idaho, less county road rights-of-way, and less beginning at the East Quarter (E1/4) corner of Section 23, Township 4 North, Range 45 East of the Boise Meridian, thence West 208.71 feet; thence South 208.71 feet; thence East 208.71 feet; thence North 208.71 feet to the point of beginning, less county road rights-of-way. Such property is now known as Block 1 of Fox Creek Country Club Estates as per the recorded plat thereof, Teton County, Idaho, Lots 8 through 45 and Lots 47 through 71 and those portions of Lots 7, 46 and 73

which are in the East Half of the Southeast Quarter of Section 26, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho.

LESS Lots 29, 32, 42, 48, and 53 of Block 1 of Fox Creek Country Club Estates as per the recorded plat thereof, Teton County, Idaho.

2. Pursuant to a Contract of Sale dated October 2, 1976, entered into by and between Donald Beard, a single man, dealing with his sole and separate property, as the "Seller", and plaintiff as the "Buyer" (the "Beard Contract"), the plaintiff acquired an interest in the Hashagen Property. The interest of plaintiff in the Hashagen Property is subject to the rights of Donald Beard and his heirs, devisees, successors and assigns pursuant to the Beard Contract.

3. The interest of all of the defendants and all persons claiming through or under them as purchasers, encumbrancers, or otherwise, and all persons claiming to have acquired any equity or interest in the Hashagen Property after the recording of a Lis Pendens dated October 6, 1989, and recorded as Instrument No. 104903 on October 10, 1989, records of Teton County, Idaho, is subordinate, junior, inferior, subsequent and subject to the right, title, interest and claim of plaintiff in the Hashagen Property. Title to the Hashagen Property is quieted in the plaintiff subject only to the interest of Donald Beard and his heirs, devisees, successors and assigns pursuant to the Beard Contract. All of the above named defendants and all persons claiming or to claim under them, or any of them, are forever

barred from asserting any claim or claims or any right, title or interest in or to the Hashagen Property or any part thereof. Provided, however, notwithstanding anything contained herein to the contrary, title to Lots 26 and 27, Block 1, Fox Creek Country Club Estates as per the recorded plat thereof, Teton County, Idaho, is not quieted in the plaintiff as against the interest in such lots claimed by Matthew W. King, aka Matthew King, and Patricia J. King, husband and wife.

4. The defendants no longer have any right, title, claim or interest in the Hashagen Property pursuant to the following:

A. Real and Personal Property Sale Agreement dated September 22, 1980, executed by H. P. Hashagen as "Seller" and Cecil E. Porter and Gladys M. Porter as "Buyers", recorded September 12, 1984, recorder's No. 95483, records of Teton County, Idaho.

B. Quitclaim Deed executed by Gladys M. Porter to Cecil E. Porter, recorded October 1, 1984, recorder's number 95579, records of Teton County, Idaho.

C. Any claim of Sharon N. Porter pursuant to Order Granting Interim Conservatorship recorded January 2, 1986, recorder's number 98061, official records of Teton County, Idaho.

D. Quitclaim Deed executed by Cecil E. Porter to Gladys M. Porter, recorded September 12, 1984, recorder's number 95482, records of Teton County, Idaho.

E. Warranty Deed executed by Cecil E. Porter to Clarence and/or Matthew King, recorded August 12, 1983, recorder's number 93112, records of Teton County, Idaho.

F. Warranty Deed executed by Cecil E. Porter to Robert L. Nixon and/or Delores Nixon, recorded July 9, 1984, recorder's number 95116, records of Teton County, Idaho.

G. Memorandum of Contract of Sale executed by Cecil E. Porter to Gary L. and Marybeth McKenna, recorded January 10, 1985, recorder's number 96105, records of Teton County, Idaho.

H. Memorandum of Contract of Sale executed by Cecil E. Porter to Brent K. Hall and Sherri Hall, recorded January 10, 1985, recorder's number 96106, records of Teton County, Idaho.

I. Memorandum of Contract of Sale executed by Cecil E. Porter to Mark S. Boyer and Suzette Boyer, recorded January 10, 1985, recorder's number 96107, records of Teton County, Idaho.

J. State of Idaho Tax Lien against Cecil E. Porter recorded June 8, 1987, recorder's number 100904, records of Teton County, Idaho.

K. Unrecorded Land Sales Agreement dated June 7, 1982, entered into between Cecil E. Porter as the Seller and Thomas F. Knipper and Betty L. Knipper as the Buyer and which refers to Lot 31 of the Fox Creek Country Club Estates Subdivision, Teton County, Idaho.

L. Unrecorded Land Sales Contract dated April 17, 1982, entered into between Cecil E. Porter as the Seller and Donald Moody as the Buyer and which refers to Lot 33 of the Fox Creek Country Club Estates Subdivision, Teton County, Idaho.

M. Unrecorded Land Sales Contract dated July 22, 1982, entered into between Cecil E. Porter as the Seller and Patrick D. Wallman as the Buyer and which refers to Lot 37 of the Fox Creek Country Club Estates Subdivision, Teton County, Idaho.

N. Unrecorded Land Sales Contract dated September 1, 1983, entered into between Cecil E. Porter as the Seller and Jan W. Stabile as the Buyer and which refers to Lot 60 of the Fox Creek Country Club Estates Subdivision, Teton County, Idaho.

O. Unrecorded Contract of Sale between Cecil E. Porter and Kit H. Summers pertaining to Lot 63 of the Fox Creek Country Club Estates Subdivision, Teton County, Idaho.

Dated this 21st day of September, 1990.


District Judge.

CAH/1988/rfs
#8795

RECEIVED

QUITCLAIM DEED

MAY 06 1991

For Value Received

H.B. HASHAGEN, an unmarried man

TETON Co. Id.
Clerk Recorder

do hereby convey, release, remise and forever quit claim unto

CRAIG HOWARD PORTER AND JILL PORTER, husband and wife
1657 Kepler Bend
Virginia Beach, Virginia 23454

the following described premises, to-wit:

AN UNDIVIDED 51% INTEREST IN THE FOLLOWING:

Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 28, 30, 31, 33, 34, 35, 36, 37, 38, 39, 43, 44, 45, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, and 71 of Block 1, Fox Creek Country Club Estates, as per the recorded plat thereof, Teton County, Idaho. ALSO a 20 foot Easement across the West side of Lot 47 to be used as a Greenbelt.

ALSO Commencing at the E1/4 corner of Section 23, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho and running North 89 degrees 27'40" West, 1329.72 feet to the Northwest corner of the E1/2SE1/4 and South 0 degrees 20'51" West, 233.63 feet to the point of beginning that lies on the South line of Lot 7;

Thence South 89 degrees 56'43" East, 922.75 feet to the Northwest corner of Lot 16;

Thence South 0 degrees 20'45" West, 922.50 feet to the Northeast corner of Lot 25;

Thence North 89 degrees 50'01" West, 415.00 feet to the North corner of Lot 28;

Thence South 33 degrees 00' West, 252.72 feet to the West corner of Lot 28;

Thence South 33 degrees 00' East, 248.06 feet to the South corner of Lot 28;

Thence South 89 degrees 50'01" East, 415.00 feet to the Southeast corner of Lot 31;

Thence South 0 degrees 20'45" West, 634.51 feet to the Northeast corner of Lot 40;

Thence South 89 degrees 55'57" West, 720.83 feet to the Northwest corner of Lot 45;

Thence North 48 degrees 42'05" West, 27.17 feet;

Thence North 51 degrees 56'54" West, 212.92 feet to a point in the North line of Lot 46;

Thence North 0 degrees 20'51" East, 1829.56 feet to the point of beginning.

together with their appurtenances.

Dated: May 6, 1991

H.B. Hashagen

STATE OF IDAHO, COUNTY OF Teton

On this 6th day of May, 1991 before me, a notary public in and for said State, personally appeared

H.B. Hashagen

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Judith L. Anderson
Notary Public

Residing at *Logan*
Comm. Expires *12-31-91*

107912

FILED

AT THE REQUEST OF

H.B. Hashagen
AT 25 MINUTES PAST 2 P.M.

DATE *May 6, 1991*

Asa J. Drake
CLERK OF RECORDER
Sonnie Reese



SO TETON Co. Id
Clark Record

THIS INDENTURE, made this 9th day of October, 19 76,
between DONALD BEARD, a single man, dealing with his sole and separate
property
of Victor, County of Teton, State of Idaho,
the party of the first part and H. B. HASHAGEN and MARY ANN HASHAGEN, husband
and wife,
of Victor, County of Teton, State of Idaho,
the party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of
-----Ten and no/100----- Dollars
lawful money of the United States of America and other valuable consideration
to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged,
has granted, bargained, sold, and by these presents, does grant, bargain, sell and convey and confirm unto the said
party of the second part, and to party of the second part's heirs and assigns, forever, all the following described real
estate situated in Victor, County of Teton,
State of Idaho, to-wit:

E½ of the SE¼ of Section 23, Township North,
Range 45 EBM, less County road right-of-ways.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or
in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits
thereof; and all estate, right, title and interest in and to the said property as well in law as in equity, of the said
party of the first part,

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the
appurtenances unto the party of the second part, and to party of the second part's heirs and assigns forever. And the
said party of the first part, and said party of the first part's heirs shall and will warrant and by these presents for-
ever defend the said premises in the quiet and peaceable possession of the said party of the second part, and party
of the second part's heirs and assigns, against the said party of the first part, and party of the first part's heirs, and
against all and every person and persons whomsoever lawfully claiming or to claim the same.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part hereunto has set his hand.

X Donald Beard

STATE OF IDAHO,

County of Teton ss.
On this 9th day of October in the year 19 76, before me
the undersigned
DONALD BEARD, a Notary Public in and for said State, personally appeared

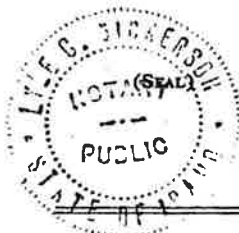
known to me to be the person whose name is subscribed to the within instru-
ment, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year in this certificate first above written.

Lyle H. Dickerson

Notary Public for the State of Idaho
Residing at Dr. 441, Idaho.

My Commission Expires: 5-15-1977



No. 109551

WARRANTY DEED

(FORM No. 221)

Donald Beard

TO

H. B. Hashagen
et ux.

Dated October 9, 19 76

STATE OF IDAHO,

County of Teton ss.

I hereby certify that this instrument
was filed for record at request of

First American

at 30 minutes past

9 o'clock P.M., this 5th day of

February, 19 76, in my

office, and duly entered in Book

of page 1000

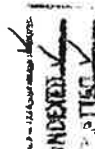
at page 1000

By Anna J. Drake Ex-Officio Recorder.

Nora Rigby Deputy.

Fees, \$ 3.00

Mail to



RECEIVED

FEB 21 1992

QUITCLAIM DEED

TETON Co. Id.
Clerk Recorder

For Value Received

H.B. HASHAGEN, an unmarried man

do hereby convey, release, remise and forever quit claim unto

ROBERT L. HASHAGEN
1041 Sky Loah Way
Redwood Valley, California 98277

the following described premises, to-wit:

Lots 54 and 55, Block 1, Fox Creek Country Club Estates, as per
the recorded plat thereof, Teton County, Idaho.

together with their appurtenances.

Dated: January 31, 1992

H.B. Hashagen

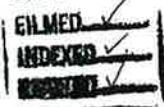
STATE OF IDAHO, COUNTY OF Teton
On this 31st day of January, 1992
before me, a notary public in and for said
State, personally appeared

H.B. Hashagen

known to me to be the person whose name is
subscribed to the within instrument, and
acknowledged to me that he executed the



109629



FILED

AT THE REQUEST OF

H.B. Hashagen

AT 12 MINUTES PAST 9 P M

DATE February 21, 1992

Ask J. Drake

CLERK OF RECORDER

BY Bonnie Kees

DEPUTY

MAR 16 1992

TETON Co. Id.
Clerk Recorder

QUITCLAIM DEED

For Value Received

CRAIG HOWARD PORTER AND JILL PORTER, husband and wife

do hereby convey, release, remise and forever quit claim unto

ROBERT L. HASHAGEN
1041 Sky Loah Way
Redwood Valley California 98277

the following described premises, to-wit:

Lots 54 and 55, Block 1, Fox Creek Country Club Estates, as per
the recorded plat thereof, Teton County, Idaho.

together with their appurtenances.

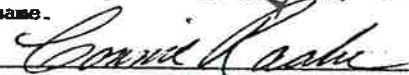
Dated: 3/8/92


Craig Howard Porter


Jill Porter

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
On this 9th day of March, 1992
before me, a notary public in and for said
State, personally appeared

Craig Howard Porter and Jill Porter, who proved
their identities on the basis of self evidence
~~known to me~~ to be the persons whose names
are subscribed to the within instrument, and
acknowledged to me that they executed the
same.


Notary Public
Residing at Agoura Hills, California
Comm. Expires. 9/5/95



109738

FILED

AT THE REQUEST OF

First American

AT 30 MINUTES PAST 9 a.m.

DATE March 16, 1992

Asa J. Drake

CLERK OF RECORDER

BY Nora Rigby

DEPUTY



AUG 26 1992

TETON Co. Id.
Clerk Recorder

WARRANTY DEED

For Value Received THE WYATT SR. FAMILY TRUST, DATED OCTOBER 8, 1991, RUSSELL E. WYATT SR. AND JANICE M. WYATT, TRUSTEES

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
THOMAS R. HUNTER and DEBBIE P. HUNTER, husband and wife
whose address is: P.O. BOX 760, DRIGGS, ID, 83422

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

Beginning 2084 feet West of the East Quarter Corner of Section 23, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence West 357 feet to the East boundary of State Highway 33, thence South alongside said Highway boundary 1220 feet, thence East 357 feet; thence North 1220 feet to the point of beginning.

TOGETHER WITH all pertinent water rights.

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the 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:

THE WYATT SR. FAMILY TRUST, DATED OCTOBER 8, 1991

Russell E. Wyatt Sr.
RUSSELL E. WYATT SR., TRUSTEE

Janice M. Wyatt
JANICE M. WYATT, TRUSTEE

STATE OF Arizona)
COUNTY OF Pima) ss

On this 24th day of August, in the year 1992, before me, a Notary Public in and for said State, personally appeared RUSSELL E. WYATT SR. & JANICE M. WYATT, known or identified to me to be the Trustees of THE WYATT SR. FAMILY TRUST, DATED OCTOBER 8, 1991, whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

Linda E. Barnett
My Commission Expires Oct 16, 1994
Notary Public of
Residing at
Commission Expires

110808

FILED
AT THE REQUEST OF

First American

AT 5 MINUTES PAST 2 P M

DATE August 26, 1992

David J. Drake

CLERK OF RECORDER

BY *Bonnie*

DEPUTY

FILED
INDEXED
SERIALIZED

RECEIVED

DEC 07 1992

111710

FILED

AT THE REQUEST OF

Recorded at the request of:

DAVID E. SHELL

TETON Co. Id.
Clerk Recorder

Return to

DAVID E. SHELL
Attorney at Law
206 South Oak Street
Ukiah, CA 95482-4802

Mail Tax Statements To:

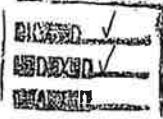
Robert & Patricia Hashagen, Trustees
1041 Skyloah
Redwood Valley, 95470

AT 05 MINUTES PAST 9 a. M.

DATE Dec. 7, 1992

BY Asa J. Drake
CLERK OF RECORDER

BY Nora Rigby
DEPUTY



QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, ROBERT L. HASHAGEN does hereby convey, release, remise and forever quit claim unto

ROBERT L. HASHAGEN and PATRICIA A. HASHAGEN, as Trustees of the HASHAGEN REVOCABLE LIVING TRUST dated December 2, 1992,

the following real property in the County of Teton, State of Idaho, more Particularly described as:

Lots 54 and 55, Block 1, Fox Creek Country Club Estates,
as per the recorded plat thereof, Teton County, Idaho.

together with their appurtenance

This conveyance is to a revocable trust created by the grantors for the benefit of Grantors herein and does not constitute a change of ownership and is not subject to reassessment.

Dated: December 2, 1992

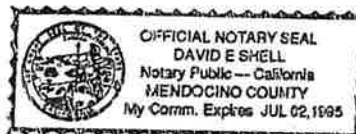
Robert L. Hashagen
ROBERT L. HASHAGEN

State of California,
County of Mendocino)

On December 2, 1992 before me, David E. Shell, a Notary Public in and for said State, personally appeared ROBERT L. HASHAGEN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

David E. Shell
NOTARY PUBLIC



RECORDING REQUESTED BY
First American Title Company

185659

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

RECEIVED

MAR - 7 2007

TETON CO., ID
CLERK RECORDER

Instrument # 185659

DRIGGS, TETON, IDAHO

2007-03-07

02:11:17 No. of Pages: 3

Recorded for : FIRST AMERICAN

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 9.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 201083-T (km)

Date: February 23, 2007

For Value Received, **Robert L. Hashagen and Patricia A. Hashagen, as Trustees of the Hashagen Revocable Living Trust, dated December 2, 1992**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **William E. Fay and Jennifer G. Fay, husband and wife**, hereinafter called the Grantee, whose current address is **P.O. Box 245, Driggs, ID 83422**, the following described premises, situated in **Teton County, Idaho**, to-wit:

LOT 55, FOX CREEK COUNTRY CLUB ESTATES, TETON COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF RECORDED JUNE 24, 1983 AS INSTRUMENT NO. 92749.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current year 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.

185659

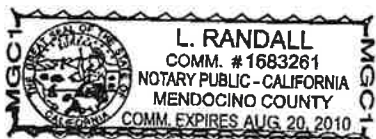
State of CA
County of Mendocino

On February 26, 2007 before me, L. Randall Notary Public
(DATE) (NAME/TITLE OF OFFICER-I.E., "JANE DOE, NOTARY PUBLIC")

personally appeared Robert L. Hashagen and
Patricia A. Hashagen
(NAME(S) OF SIGNER(S))

☐ personally known to me -OR- ☒

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/he/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

(SEAL)

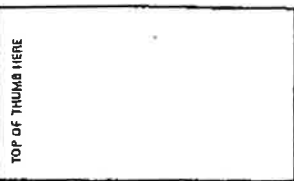
L. Randall
(SIGNATURE OF NOTARY)
L. Randall

ATTENTION NOTARY

The information requested below and in the column to the right is OPTIONAL. Recording of this document is not required by law and is also optional. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:
Title or Type of Document _____
Number of Pages _____ Date of Document _____
Signer(s) Other Than Named Above _____

RIGHT THUMBPRINT (Optional)

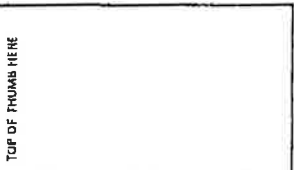


CAPACITY CLAIMED BY SIGNER(S)
☐ INDIVIDUAL(S)
☐ CORPORATE

OFFICER(S) _____ (TITLE)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY IN FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
(Name of Person(s) or Entity(ies))

RIGHT THUMBPRINT (Optional)



CAPACITY CLAIMED BY SIGNER(S)
☐ INDIVIDUAL(S)
☐ CORPORATE

OFFICER(S) _____ (TITLE)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY IN FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
(Name of Person(s) or Entity(ies))

185639



7 67775 63240 3

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:364507

FOR VALUE RECEIVED

William E. Fay and Jennifer G. Fay, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Michael J Bishop and Judy L Bishop, husband and wife

whose current address is

**PO Box 4471
Jackson, WY 83001**

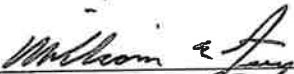
the grantee(s), the following described premises, in Teton County, Idaho. TO WIT:

Lot 55 in Block 1 of Fox Creek Country Club Estates, as per the plat recorded June 24, 1983 as Instrument No. 92749, records of Teton County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, appurtenant or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: August 11, 2017



William E. Fay

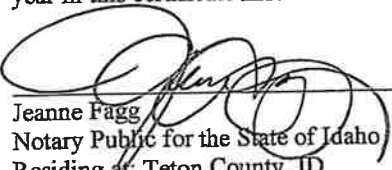


Jennifer G. Fay

State of Idaho } ss
County of Teton }

On this 14th day of August, 2017, before me, Jeanne Fagg, a Notary Public in and for said state, personally appeared William E. Fay and Jennifer G. Fay, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Jeanne Fagg
Notary Public for the State of Idaho
Residing at: Teton County, ID
Commission Expires: March 21, 2019



TRUSTEES' CERTIFICATION OF TRUST

1. We, STEVEN SMIT and HOLLY L. SMIT, husband and wife, certify that we are the Trustors and present Trustees of the SMIT FAMILY REVOCABLE TRUST OF APRIL 25, 2007, and as amended and restated in its entirety by that certain Amended and Restated Declaration of Trust dated May 17, 2016.

2. Said Trust is a revocable inter vivos grantor trust. The Trust is in full force and effect. The Trustors have the power to revoke the Trust.

3. The attached true and correct copies of pages 1-7, 17-21, and 27-29 of the Trust list the identity of the Trustees, define the signature authority of the Trustees, and list relevant powers of the Trustees.

4. U.S. Treasury Regulation Sections 1.671-4, 1.6012-3(a)(9) and 301.6109-1(a)(2) provide that either Trustor's Social Security Number (STEVEN SMIT, Social Security No. 044-82-7351, and HOLLY L. SMIT, Social Security No. 560-99-7823) may be used in lieu of a separate taxpayer identification number for the Trust.

5. Title to trust assets should be taken as follows: STEVEN SMIT and HOLLY L. SMIT, as Trustees of the SMIT FAMILY REVOCABLE TRUST OF APRIL 25, 2007.

6. The Trust has not been revoked, modified or amended in any manner which would cause the representations in this Certification to be incorrect. This Certification is being signed by all currently acting Trustees of the Trust.

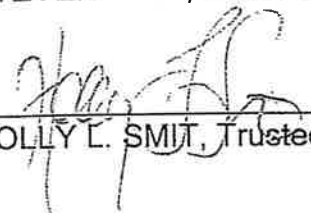
7. This Certification is made pursuant to California Probate Code Section 18100.5 or any successor statute. Any transaction entered into by a person acting in reliance upon this Certification shall be enforceable against the trust assets.

8. Probate Code Section 18100.5(h) provides in part that any person refusing to accept this Certification shall be liable for damages, including attorneys' fees, if the Court determines that the person acted in bad faith.

9. We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 17, 2016, at Visalia, California.



STEVEN SMIT, Trustee

HOLLY L. SMIT, Trustee

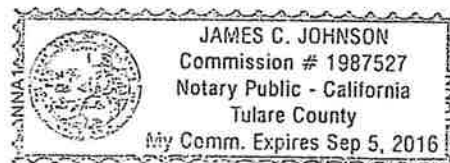
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

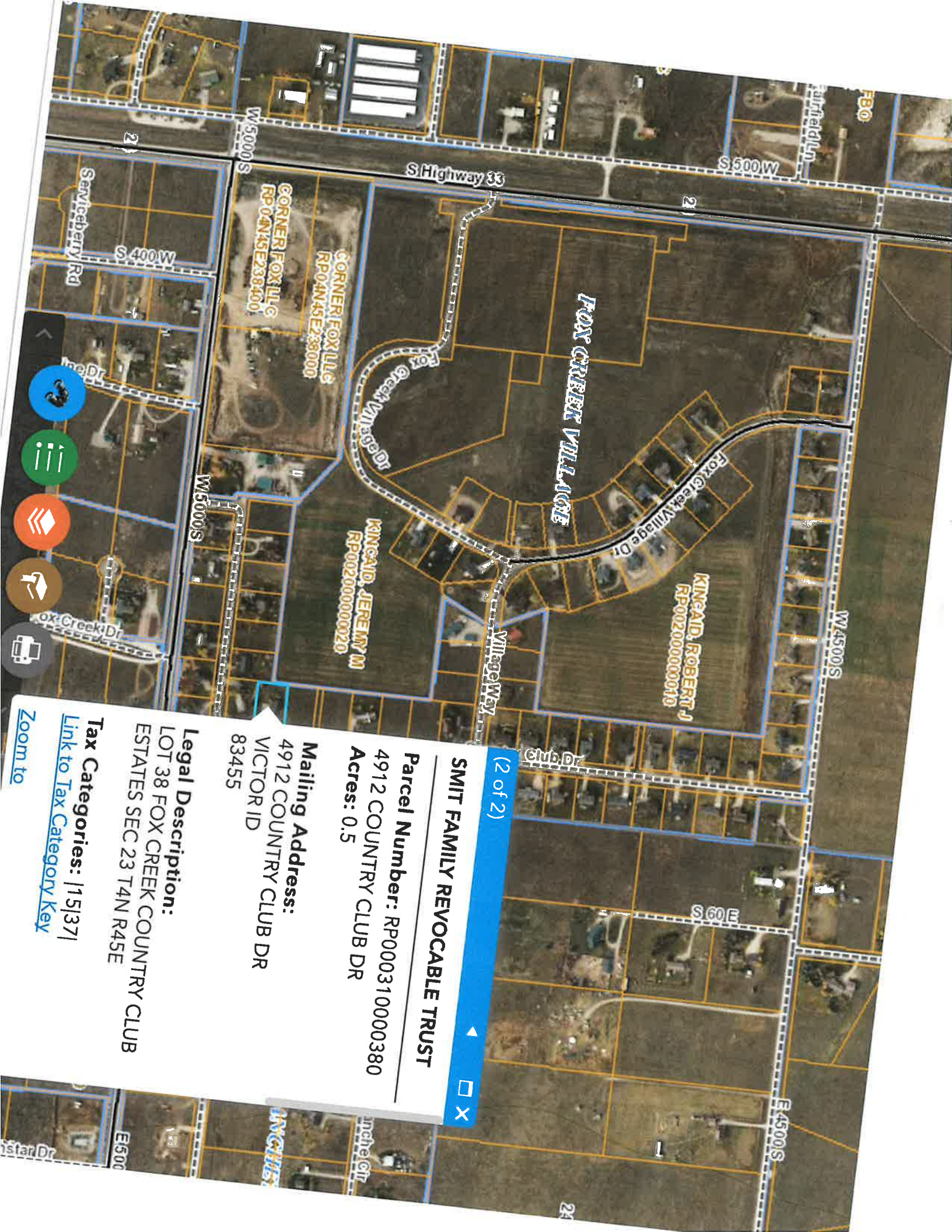
STATE OF CALIFORNIA)
) ss.
COUNTY OF TULARE)

On May 17, 2015, before me, JAMES C. JOHNSON, Notary Public, personally appeared STEVEN P. SMIT and HOLLY L. SMIT, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.





(2 of 2)

SMIT FAMILY REVOCABLE TRUST

Icon:

4912 COUNTRY CLUB RD
4912 COUNTRY CLUB RD

Acres: 0.5

Mailing Address:
4912 COLINA

COUNTRY CLUB DR
VICTOR ID
83455

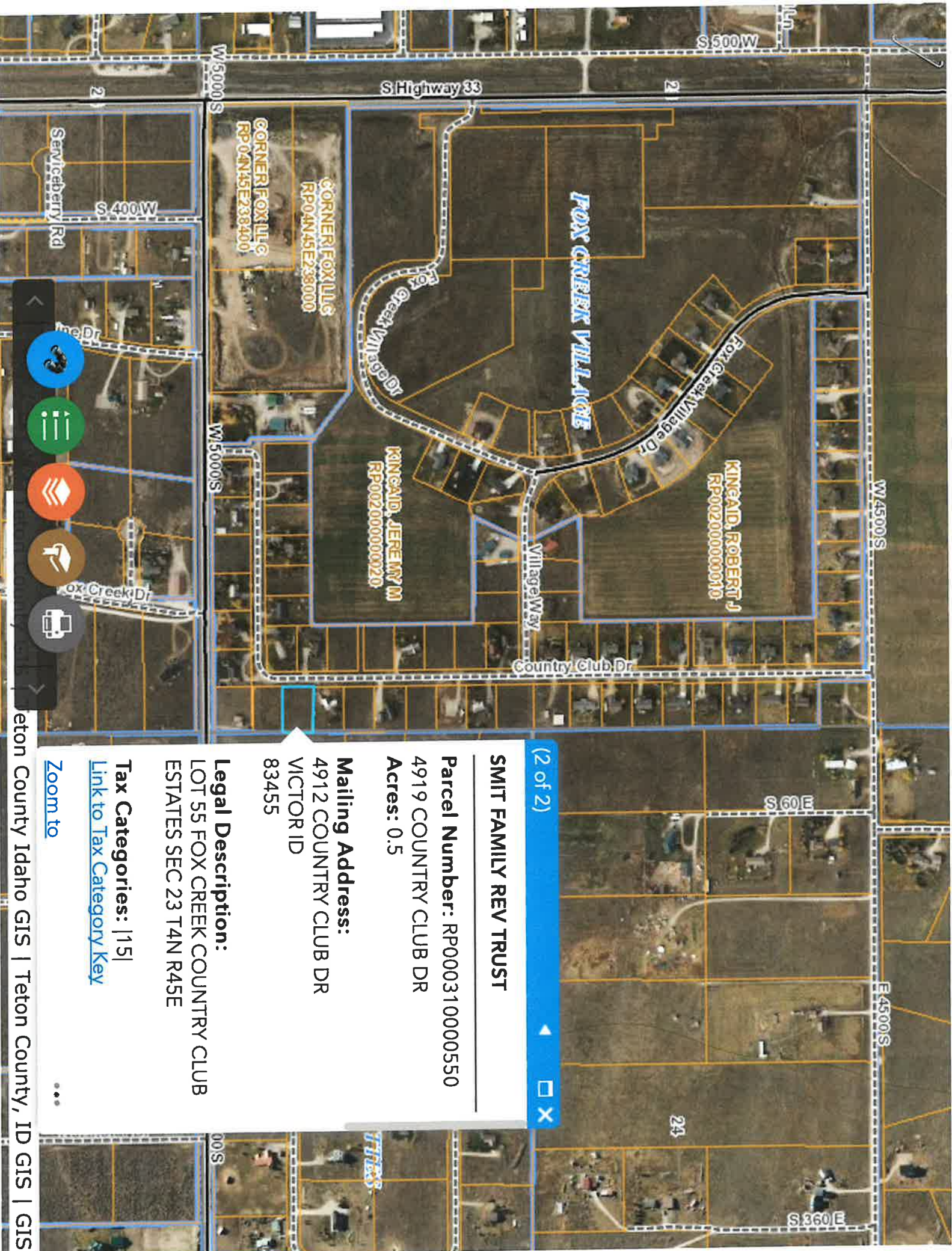
Legal Description:
LOT 38 EOV 2

ESTATES SEC 23 T4N R45E

Tax Categories: |15|37|

Category Key

Zoom to



(2 of 2)

SMIT FAMILY REV TRUST

Parcel Number: RP000310000550

4919 COUNTRY CLUB DR

Acres: 0.5

Mailing Address:

4912 COUNTRY CLUB DR
VICTOR ID
83455

Legal Description:

LOT 55 FOX CREEK COUNTRY CLUB
ESTATES SEC 23 T4N R4SE

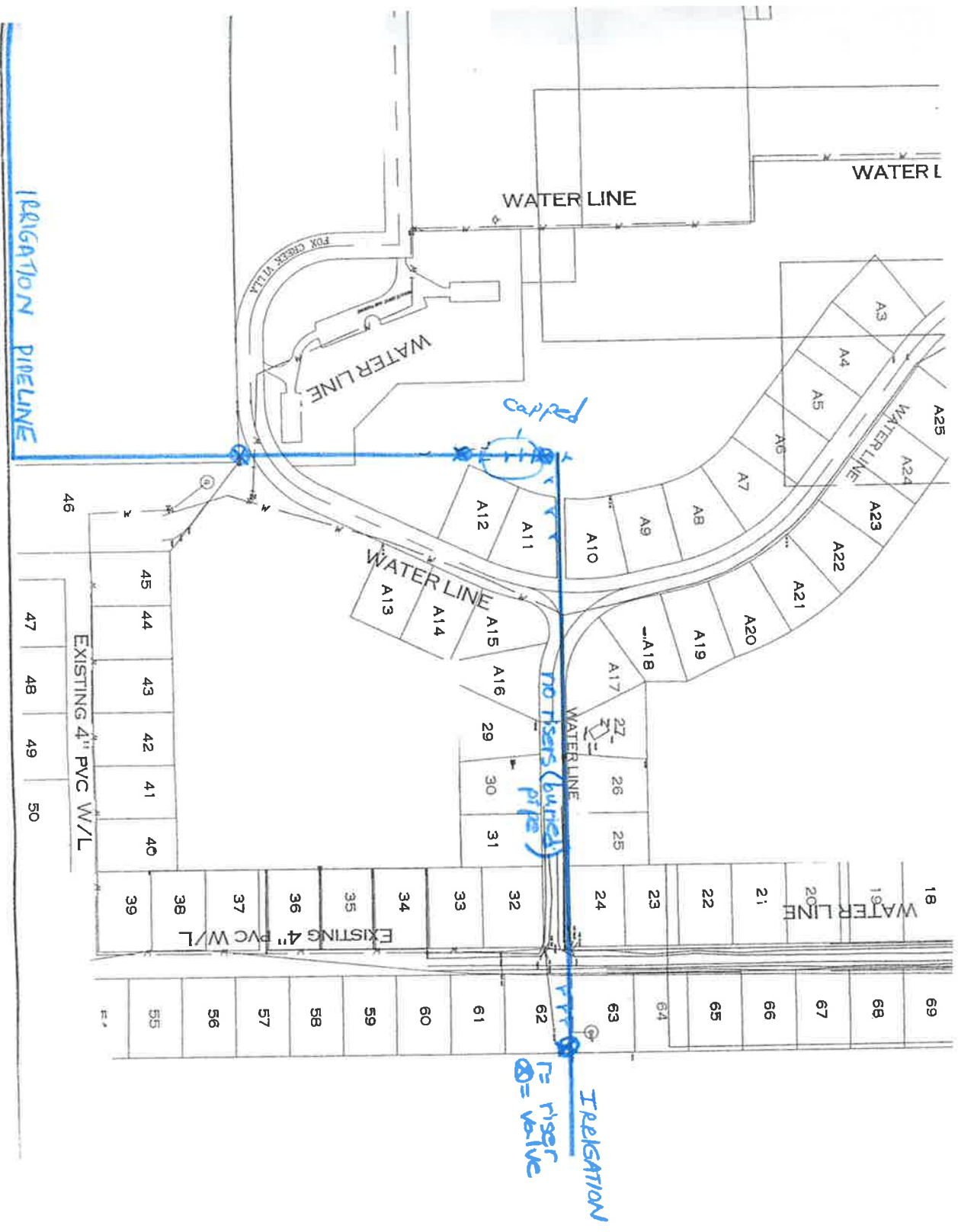
Tax Categories: |15|

[Link to Tax Category Key](#)

[Zoom to](#)

This aerial map displays a rural landscape with a grid overlay. A blue-outlined polygon highlights a specific land parcel. The map is labeled with various directional abbreviations (e.g., NENE, SENE, NWSE, NESE, SWSW, NWSW, NWNW, NENW, SENW, NESW, SSW) and section numbers (23, 24, 25, 26). A red label '04N451' is visible within the highlighted area.

 Irrigation
 Township/Range
 Sections





IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 30, 2023

SMIT FAMILY REVOCABLE TRUST
4912 COUNTRY CLUB DR
VICTOR ID 83455-5338

Re: Change in Water Right Ownership: 22-14053 (Split into 22-14053 and 22-14575)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Bailly
Technical Records Specialist 1

Enclosure(s)

cc: TOM HUNTER
DEBBIE HUNTER
WATER DISTRICT 01