

RECEIVED

DEC 05 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGION

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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?
13-7631	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
13-7631 13-9979	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Hyrum J. Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): KC and Ashley Smith
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 2808 East Hwy 36 Preston ID 83263
Mailing address City State Zip
- 208-847-5750 Ashkc09@hotmail.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: 10-27-2020
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o 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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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 # 13-7631

8. Signature: KC Smith 11-15-24
Signature of new owner/claimant Title, if applicable Date
- KC Smith
Print name
- Signature: Ashley Smith 11-15-24
Signature of new owner/claimant Title, if applicable Date
- Ashley Smith
Print name

Received by JB Date 12/5/2024 For IDWR Office Use Only: Receipt No. E050505 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 _____ Approved by JB Processed by JB Date 3/4/2025

KC Smith
5868 Dry Fork Canyon Rd.
Vernal Ut 84078

283922
1-4
Recorded at the request of
KC Smith
Time: 4:47 Amount \$ 15.00

OCT 27 2020

CAMILLE LARSEN, RECORDER
By KC Smith Deputy
Franklin County, Idaho

WARRANTY DEED

DaLene Smith

Grantor(s) of Preston, County of Franklin, State of Idaho, hereby **CONVEY AND WARRANT** to

KC Smith and Ashley Smith

Grantee(s) of Preston, County of Franklin, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of ID:

See Attache "Exhibit A"

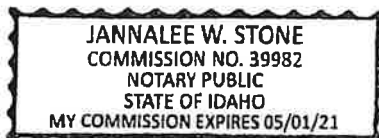
Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this October 26, 2020.

Dalene Smith
Dalene Smith

State of ID)
County of Franklin)§

On October 26, 2020, before me, a Notary Public in and for said county and state, personally appeared Dalene Smith, known or proved to me to be the person(s) who executed the foregoing instrument, and duly acknowledged to me that he/she/they executed the same.



Jannalee W. Stone
Notary Public
Resides: Preston, ID

"EXHIBIT A"

243542 2-4

PARCEL 3

A parcel of land located in the North half of the Northwest quarter of Section 29, Township 14 South, Range 40 East, Boise Meridian, the same being a portion of the lands described in Warranty deed instrument No. 199144 of the David H. and Ruth P. Smith Family Trust as recorded in the official records of Franklin County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 29, Township 14 South, Range 40 East, Boise Meridian, the same being marked and witnessed by a 2 inch Aluminum cap monument per that Corner Perpetuation and Filing Record Instrument No. 192780 as recorded in the official records of Franklin County, Idaho, the same being South 89°05'41" West a distance of 5247.28 feet from the Northeast corner of said section; Thence North 89°05'41" East a distance of 2123.28 feet to a point on the southeasterly right of way line of State Highway No. 36; Thence North 60°08'56" East for a distance of 32.77 feet to a found 5/8" rebar with cap tagged, "LS 7381", the same being the north corner of the lands described in deed instrument No. 227940 of Steven Smith as recorded in the official records of Franklin County, Idaho; Thence South 03°12'19" East along the east boundary line of said lands for a distance of 234.31 feet to a 5/8" rebar with cap tagged, "LS 7381"; Thence South 16°17'59" East along said line for a distance of 335.00 feet to a 5/8" rebar with cap tagged, "LS 7381", the same being the southeast corner of said lands, the True Point of Beginning;

Thence South 00°39'35" East for a distance of 421.35 feet to the Mean High Waterline on the Right Bank of the Bear River;

Thence along said High Waterline for the following Six (6) courses:

1. South 77°56'16" West for a distance of 355.54 feet;
2. Thence South 82°18'23" West for a distance of 454.77 feet;
3. Thence South 83°07'24" West for a distance of 242.27 feet;
4. Thence South 73°14'26" West for a distance of 793.73 feet;
5. Thence South 48°23'46" West for a distance of 390.48 feet;
6. Thence South 40°57'14" West for a distance of 243.37 feet to a point on the West boundary line of said section;

Thence North 00°25'20" West for a distance of 146.34 feet to a found 5/8" rebar with cap tagged, "BJA PLS 9163" set on the southeasterly right of way line of State Highway No. 36, the same being a point on a 8559.37 foot nontangent radius curve whose center bears South 42°15'08" East;

Thence northeasterly along said curve to the right through a central angle of 03°50'55" for an arc distance of 574.93 feet (cb N 49°40'20" E 574.82'), to a found 3 inch Brass cap right of way monument, Idaho Transportation Department;

Thence continuing along the southeasterly right of way line of said highway for the following Four (4) courses:

North 67°55'53" East nontangent to the previous curve for a distance of 90.46 feet to a found 3 inch Brass cap right of way monument, Idaho Transportation Department;

Thence North 52°10'45" East for a distance of 150.59 feet;

Thence North 40°52'09" East for a distance of 50.99 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169";

Thence North 52°10'45" East for a distance of 815.31 feet to a found 5/8" rebar with cap tagged, "LS 7381" at the Northwest corner of the lands of said instrument No. 227940;

Thence along the westerly and southerly boundary lines of said lands for the following Three (3) courses:

South 42°12'46" East for a distance of 191.66 feet to a found 5/8" rebar with cap tagged, "LS 7381";

Thence North 72°23'21" East for a distance of 680.61 feet to a found 5/8" rebar with cap tagged, "LS 7381";

Thence North 86°04'41" East for a distance of 151.10 feet to the True Point of Beginning.

PARCEL 4

243542 3-4

A parcel of land located in the Southeast quarter of the Southwest quarter of Section 20, and in the Northeast quarter of the Northwest quarter of Section 29, all in Township 14 South, Range 40 East, Boise Meridian, the same being a portion of the lands described in Warranty deed Instrument No. 199144 of the David H. and Ruth P. Smith Family Trust as recorded in the official records of Franklin County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of the Northwest quarter of Section 29, Township 14 South, Range 40 East, Boise Meridian, the same being marked and witnessed by a 2 inch Aluminum cap monument, the same being North 89°05'41" East a distance of 2623.64 feet from the Northwest corner of said section;

Thence South 00°39'35" East for a distance of 876.37 feet to the Mean High Waterline on the Right Bank of the Bear River;

Thence along said High Waterline for the following Two (2) courses:

South 72°06'01" West for a distance of 125.22 feet;

Thence South 77°56'16" West for a distance of 256.50 feet;

Thence North 00°39'35" West for a distance of 421.35 feet to a found 5/8" rebar with cap tagged, "LS 7381", the same being the Southeast corner of the lands described in deed instrument No. 227940 of Steven Smith as recorded in the official records of Franklin County, Idaho;

Thence North 16°17'59" West along the easterly boundary line of said lands for a distance of 335.00 feet;

Thence North 03°12'19" West along said line for a distance of 234.31 feet to a found 5/8" rebar with cap tagged, "LS 7381" on the southeasterly right of way line of State Highway No. 36;

Thence Northeasterly along said right of way line for the following Three (3) courses:

North 60°08'56" East for a distance of 100.86 feet;

Thence North 52°10'45" East for a distance of 50.00 feet;

Thence North 45°31'29" East for a distance of 256.91 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the centerline of an access road;

Thence South 08°59'32" West along said centerline for a distance of 275.89 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the North boundary line of said Section 29;

Thence North 89°05'41" East along said boundary line for a distance of 204.73 feet to the Point of Beginning.

PARCEL 4 ACCESS EASEMENT

An access easement for the purposes of ingress and egress located in the Southeast quarter of the Southwest quarter, of Section 20, Township 14 South, Range 40 East, Boise Meridian, said easement being 15.00 wide on the right side of the following described centerline:

Commencing at the Southeast corner of the Southwest quarter of Section 20, Township 14 South, Range 40 East, Boise Meridian, the same being marked and witnessed by a 2 inch Aluminum cap monument, the same being North 89°05'41" East a distance of 2623.64 feet

from the Southwest corner of said section; Thence South 89°05'41" West along the South boundary line of said Section for a distance of 204.73 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the centerline of an access road, the True Point of Beginning;

Thence North 08°59'32" East along said centerline for a distance of 275.89 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the southeasterly right of way line of State Highway No. 36, the terminus of this easement.

The sidelines of this easement are to lengthen or shorten as needed to terminate on said right of way line.

KC Smith
5868 Dry Fork Canyon Rd.
Vernal Ut 84078

283922
1.4
Recorded at the request of
KC Smith
Time: 4:47 Amount \$ 15.00

OCT 27 2020

CAMILLE LARSEN, RECORDER
By KC Smith Deputy
Franklin County, Idaho

WARRANTY DEED

DaLene Smith

Grantor(s) of Preston, County of Franklin, State of Idaho, hereby **CONVEY AND WARRANT** to

KC Smith and Ashley Smith

Grantee(s) of Preston, County of Franklin, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of ID:

See Attache "Exhibit A"

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this October 26, 2020.

Dalene Smith
Dalene Smith

State of ID)
County of Franklin)§

On October 26, 2020, before me, a Notary Public in and for said county and state, personally appeared Dalene Smith, known or proved to me to be the person(s) who executed the foregoing instrument, and duly acknowledged to me that he/she/they executed the same.



Jannalee W. Stone
Notary Public
Resides: Preston, ID

283542

4-4

Nov 6 2008 15:33

P004/004

PARCEL 5

283542 4-4

A parcel of land located in the in the Southwest quarter of the Southeast quarter of Section 20, and in the Northwest quarter of the Northeast quarter of Section 29, all in Township 14 South, Range 40 East, Boise Meridian, the same being a portion of the lands described in Warranty deed instrument No. 199144 of the David H. and Ruth P. Smith Family Trust as recorded in the official records of Franklin County, Idaho, more particularly described as follows:
Beginning at the Northeast corner of the Northwest quarter of Section 29, Township 14 South, Range 40 East, Boise Meridian, the same being marked and witnessed by a 2 inch Aluminum cap monument, the same being North 89°05'41" East a distance of 2623.64 feet from the Northwest corner of said section;
Thence North 00°29'38" East along the west boundary line of the Southeast quarter of said section for a distance of 404.03 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Southeasterly right of way line of State Highway 36;
Thence North 52°10'45" East along said right of way line for a distance of 5.10 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169", marking the beginning of a 1397.39 foot radius tangent curve concave southeasterly;
Thence northeasterly along said curve to the right through a central angle of 12°59'17" for an arc distance of 316.77 feet to a found 3 inch Brass cap right of way monument, Idaho Transportation (cb N 68°40'24" E 316.09');
Thence North 54°37'23" East nontangent to the previous curve along said right of way line for a distance of 26.82 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set at a fence line;
Thence South 00°00'00" East along said fence line for a distance of 1369.88 feet to the Mean High Waterline on the Right Bank of the Bear River;
Thence South 72°06'01" West along said waterline for a distance of 304.02 feet to a point on the westerly boundary line of Northeast quarter of said Section 29;
Thence North 00°39'35" West along said boundary line for a distance of 876.37 feet to the True Point of Beginning.

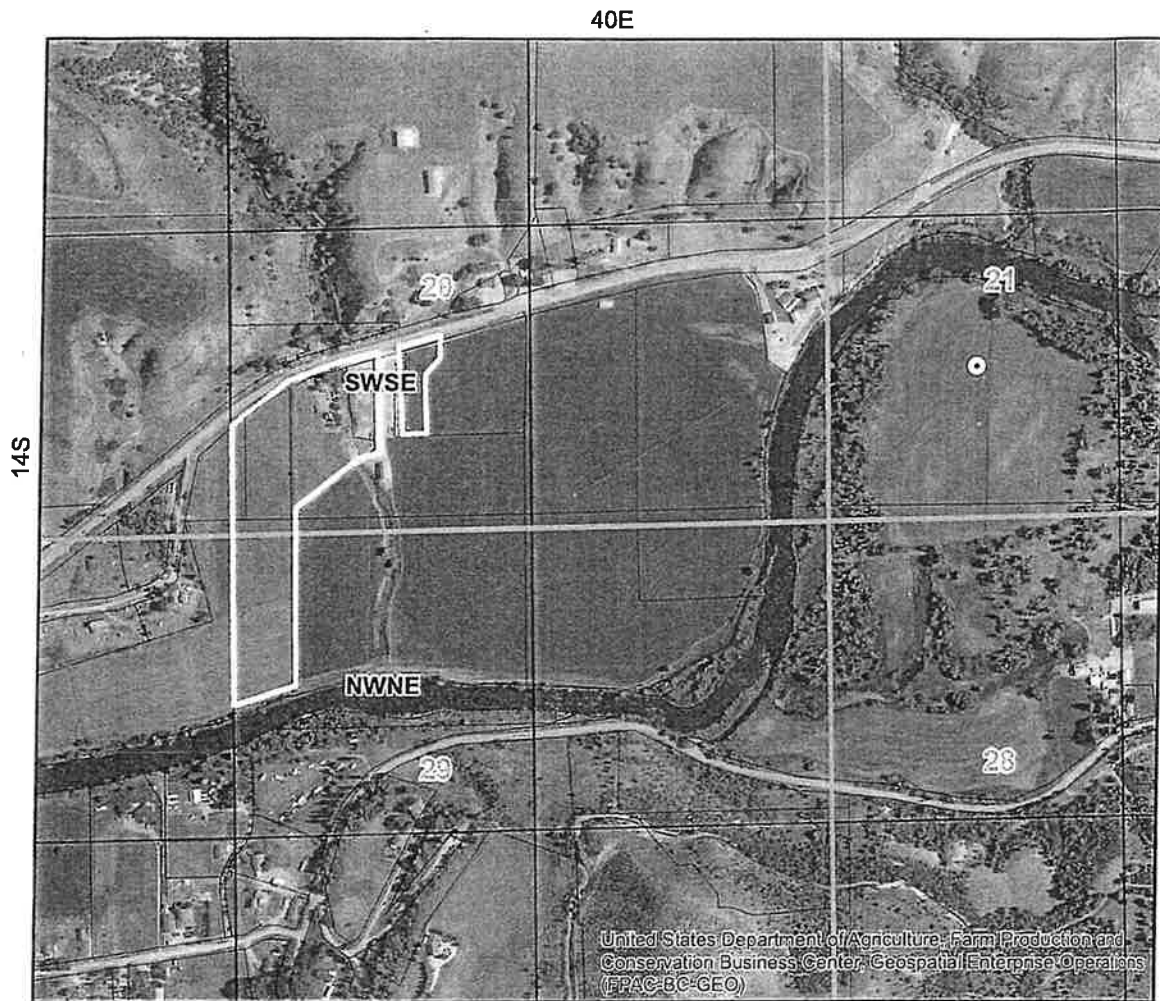
State of Idaho
Department of Water Resources

Water Right

13-7631

Hyrum J Smith

September 23, 2024



0 0.075 0.15 0.3 Miles

Place Of Use Boundary

⊙ Point of Diversion

State Outline

Taxlots

Townships

PLS Sections

Quarter Quarters



243542 1-4

When recorded mail to:
DALENE SMITH
2808 EAST HIGHWAY 36
PRESTON, IDAHO 83263

Recorded at the request of

Northern Title

11:33

a.m. NOV 25 2008 p.m.

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY IDAHO

QUIT CLAIM DEED

DAVID ELMO SMITH, SUCCESSOR TRUSTEE, OF THE SMITH FAMILY TRUST U/A/D MAY 8, 1997, grantor of FRANKLIN COUNTY, IDAHO hereby Quit Claims to DALENE SMITH grantee of FRANKLIN COUNTY, IDAHO for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in FRANKLIN County, State of Idaho

See Attached Exhibit "A"

THIS DEED HAS BEEN PREPARED AS AN ACCOMMODATION ONLY WITHOUT ANY EXAMINATION WITH REGARD TO TITLE

WITNESS, the hands of said grantors, 11/12/08 2008.

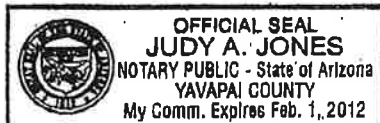
David Elmo Smith
DAVID ELMO SMITH, TRUSTEE OF
THE SMITH FAMILY TRUST CREATED
MAY 8, 1997

State of Arizona }
County of Yavapai } ss:

On Nov 12, 2008, before me, a Notary Public in and for the State, personally appeared before me DAVID ELMO SMITH, known or identified to me to be the person whose name is subscribed to the within instrument as the trustee of THE SMITH FAMILY TRUST CREATED MAY 8, 1987 who duly acknowledged to me that HE executed the same as such trustee.

Judy A. Jones
Notary Public

Residing:
Expires:



"EXHIBIT A"

243542 2-4

PARCEL 3

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Thence South 00°39'35" East for a distance of 421.35 feet to the Mean High Waterline on the Right Bank of the Bear River;

Thence along said High Waterline for the following Six (6) courses:

1. South 77°58'16" West for a distance of 355.54 feet;
2. Thence South 82°18'23" West for a distance of 454.77 feet;
3. Thence South 83°07'24" West for a distance of 242.27 feet;
4. Thence South 73°14'26" West for a distance of 793.73 feet;
5. Thence South 48°23'46" West for a distance of 390.48 feet;
6. Thence South 40°57'14" West for a distance of 243.37 feet to a point on the West boundary line of said section;

Thence North 00°25'20" West for a distance of 146.34 feet to a found 5/8" rebar with cap tagged, "BJA PLS 9163" set on the southeasterly right of way line of State Highway No. 36, the same being a point on a 8559.37 foot nontangent radius curve whose center bears South 42°15'08" East;

Thence northeasterly along said curve to the right through a central angle of 03°50'55" for an arc distance of 574.93 feet (cb N 49°40'20" E 574.82'), to a found 3 inch Brass cap right of way monument, Idaho Transportation Department;

Thence continuing along the southeasterly right of way line of said highway for the following Four (4) courses:

North 67°55'53" East nontangent to the previous curve for a distance of 90.46 feet to a found 3 inch Brass cap right of way monument, Idaho Transportation Department;

Thence North 52°10'45" East for a distance of 150.58 feet;

Thence North 40°52'09" East for a distance of 50.99 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169";

Thence North 52°10'45" East for a distance of 815.31 feet to a found 5/8" rebar with cap tagged, "LS 7381" at the Northwest corner of the lands of said instrument No. 227940;

Thence along the westerly and southerly boundary lines of said lands for the following Three (3) courses:

South 42°12'49" East for a distance of 191.66 feet to a found 5/8" rebar with cap tagged, "LS 7381";

Thence North 72°23'21" East for a distance of 680.61 feet to a found 5/8" rebar with cap tagged, "LS 7381";

Thence North 86°04'41" East for a distance of 151.10 feet to the True Point of Beginning.

PARCEL 4

243542 3-4

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Thence along said High Waterline for the following Two (2) courses:

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Thence North 03°12'19" West along said line for a distance of 234.31 feet to a found 5/8" rebar with cap tagged, "LS 7381" on the southeasterly right of way line of State Highway No. 36;

Thence Northeasterly along said right of way line for the following Three (3) courses:

North 60°08'56" East for a distance of 100.86 feet;

Thence North 52°10'45" East for a distance of 50.00 feet;

Thence North 45°31'29" East for a distance of 256.91 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the centerline of an access road;

Thence South 08°59'32" West along said centerline for a distance of 275.89 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the North boundary line of said Section 29;

Thence North 89°05'41" East along said boundary line for a distance of 204.73 feet to the Point of Beginning.

PARCEL 4 ACCESS EASEMENT

An access easement for the purposes of ingress and egress located in the Southeast quarter of the Southwest quarter, of Section 20, Township 14 South, Range 40 East, Boise Meridian, said easement being 15.00 wide on the right side of the following described centerline:

Commencing at the Southeast corner of the Southwest quarter of Section 20, Township 14 South, Range 40 East, Boise Meridian, the same being marked and witnessed by a 2 inch Aluminum cap monument, the same being North 89°05'41" East a distance of 2623.64 feet from the Southwest corner of said section; Thence South 89°05'41" West along the South boundary line of said Section for a distance of 204.73 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the centerline of an access road, the True Point of Beginning;

Thence North 08°59'32" East along said centerline for a distance of 275.89 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the southeasterly right of way line of State Highway No. 36, the terminus of this easement.

The sidelines of this easement are to lengthen or shorten as needed to terminate on said right of way line.

PARCEL 5

243542 4-4

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Beginning at the Northeast corner of the Northwest quarter of Section 29, Township 14 South, Range 40 East, Boise Meridian; the same being marked and witnessed by a 2 inch Aluminum cap monument, the same being North $89^{\circ}05'41''$ East a distance of 2623.64 feet from the Northwest corner of said section;

Thence North $00^{\circ}29'38''$ East along the west boundary line of the Southeast quarter of said section for a distance of 404.03 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Southeasterly right of way line of State Highway 36;

Thence North $52^{\circ}10'45''$ East along said right of way line for a distance of 5.10 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169", marking the beginning of a 1397.39 foot radius tangent curve concave southeasterly;

Thence northeasterly along said curve to the right through a central angle of $12^{\circ}59'17''$ for an arc distance of 316.77 feet to a found 3 inch Brass cap right of way monument, Idaho Transportation (cb N $58^{\circ}40'24''$ E 316.09');

Thence North $54^{\circ}37'23''$ East nontangent to the previous curve along said right of way line for a distance of 26.82 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set at a fence line;

Thence South $00^{\circ}00'00''$ East along said fence line for a distance of 1369.88 feet to the Mean High Waterline on the Right Bank of the Bear River;

Thence South $72^{\circ}06'01''$ West along said waterline for a distance of 304.02 feet to a point on the westerly boundary line of Northeast quarter of said Section 29;

Thence North $00^{\circ}39'35''$ West along said boundary line for a distance of 876.37 feet to the True Point of Beginning.

199144 1-3

When Recorded Mail To:
DAVID H. SMITH
2808 East Hwy 36
Preston, ID 83263

Recorded at the request of
Skabelund Law Offices

4:15
a.m. MAY 29 1997 p.m.

V. ELLIOTT LARSEN, RECORDER
By Shirley Gaddes Deputy
FRANKLIN COUNTY, IDAHO

WARRANTY DEED

DAVID H. SMITH and RUTH P. SMITH, husband and wife, grantors of Preston, Franklin County, State of Idaho, hereby WARRANT AND CONVEY all of their interest to DAVID H. SMITH and RUTH P. SMITH, Trustees (and to their Successors in trust) of the SMITH FAMILY TRUST U/A/D May 8, 1997, grantee of 2808 East Hwy 36, Preston, Idaho 83263, for the sum of \$10.00, and other valuable consideration, in the following described tract of land in Franklin County, State of Idaho:

See Exhibit "A" attached hereto and incorporated herein.

The Grantees have full power to sell, mortgage, or otherwise hypothecate the property described.

WITNESS the hand of said grantors, this 8 day of May, 1997.

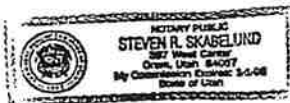
David H. Smith
DAVID H. SMITH

Ruth P. Smith
RUTH P. SMITH

STATE OF UTAH)
COUNTY OF CACHE) ss.

On the 8 day of May, 1997, personally appeared before me, DAVID H. SMITH and RUTH P. SMITH, the signers of the foregoing instrument, who duly acknowledge to me that they executed the same.

Notary Public



199144 2³

Exhibit A

Parcel 1:

A portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, T. 14 S., R. 40 E.B.M. described as:

Commencing at a point 46 rods S of the NE corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20, thence running S 34 rods; thence W 40 rods; thence NE to the place of beginning.

A portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T. 14 S., R. 40 E.B.M. described as:

Commencing at the SW corner of SE $\frac{1}{4}$ of said Section 20, thence running East 20 rods; thence N 40 rods; thence SW to a point 33 rods N of the place of beginning; thence South 33 rods to place of beginning.

A portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T. 14 S., R. 40 E.B.M. described as:

Commencing at the NW corner of the NE $\frac{1}{4}$ of said Section 29, thence running E 20 rods; thence S 43 rods, more or less, to the N bank of Bear River; thence SWesterly to a point on quarter section line that is 50 rods, more or less, S of the place of beginning; thence N 50 rods, more or less, to the place of beginning.

A portion of the NW $\frac{1}{4}$ of Section 29, T. 14 S., R. 40 E.B.M. described as:

Commencing at the NW corner of said Section 29' thence running E 160 rods; thence S to the center of Bear River; thence W along the center of said river to a point in the W line of said Section 29' thence N to the place of beginning.

Parcel 2:

Township 14 South, Range 40 East, Boise Meridian

Section 19: The E 20 rods of SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 20: The SW $\frac{1}{4}$ SW $\frac{1}{4}$; the W 4 rods of SE $\frac{1}{4}$ SW $\frac{1}{4}$

Together with 54 shares of Twin Lakes Canal Company water stock.

Exhibit A continued

Parcel 3:

Commencing at the Southeast corner of the Southwest quarter of the Southeast quarter of Section 20, Township 14 South, Range 40 East of Boise Meridian, running thence North 370 feet to a point of beginning; thence North 574 feet; thence West 26 feet; thence North 131 feet; thence North 70° West 102-1/3 feet; thence South 64°42' West 288 feet; thence South 31°34' West 183 1/3 feet; thence South 107 feet; thence Southwesterly along the South side of County Road 104-2/3 feet; thence South 280.5 feet more or less to a point due West of the point of beginning; thence East 556 feet to the place of beginning, which is 22 rods, 7 feet North of Southeast corner of Southwest quarter of Southeast quarter of said Section 20.

Together with all water, water stock, and water rights appurtenant to said land or which have been used on said land, with access to ditch. Also, all right of the party of the first part in and to the spring or springs and the water therefrom and the pipe line conveying the same to the home on the above described premises which spring or springs are situated Northwest from the land above described, and which water is used for culinary, household and irrigation purposes.

2. That so long as the loan made or insured by the Government remains unpaid, vendor and her successors will not exercise, upon default by the purchaser of the performance of the provisions of the security instrument, the power granted to vendor in said security instrument to cancel and terminate the security instrument and purchase agreement therein contained, without first giving the Government 60 days' written notice of vendor's intention to terminate the security instrument; said notice to be mailed to State Director, Farmers Home Administration, United States Department of Agriculture, Room 350, Sonna Building, 910 Main Street, Boise, Idaho 83702;

3. The vendor consents that a duplicate original of this agreement shall be deposited with the escrow holder, the J. N. Larsen Company, Preston, Idaho, and the same shall become a part of said security instrument;

4. The vendor expressly consents that a duplicate original of this agreement and of the security instrument may be recorded in the real estate records of Franklin County, Idaho at the expense of the purchaser.

IN WITNESS WHEREOF, vendor has hereunto affixed her signature this 15th day of March, 1966.

NaDean McFarland

Grace NaDean McFarland a/k/a

Nadine McFarland, a Widow

ACKNOWLEDGMENT

STATE OF UTAH) ss.
COUNTY OF Cache)

On this 15th day of March, in the year of 1966, before me, the undersigned, a Notary Public in and for said State, personally appeared GRACE NADEAN MCFARLAND, also known as NADINE MCFARLAND, a Widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same as her free act and deed for the uses, purposes and consideration therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the said

date.

Seal

(SEAL)

Linda Godfrey

Notary Public in and for the State of Utah

Residing at Logan, Utah

My commission expires:

June 24, 1968

STATE OF IDAHO) ss.
County of Franklin)

Recorded at the request of J. N. Larsen Co. at 3:55 P.M., April 11, 1966.

Fee: \$2.10

C. L. Swenson: Ex-Officio Recorder

By Oliver Ransom Deputy

-- Compared --

Inst. No. 118526

A G R E E M E N T

DATE THIS AGREEMENT made and entered into this 22nd day of March, 1962, by and between
Grantor Minnie M. H. Smith, a widow, of Riverdale, County of Franklin, State of Idaho, hereinafter called grantor and
Grantee David H. Smith, of Riverdale, County of Franklin, State of Idaho, hereinafter called grantee
WITNESSETH, That whereas, the said grantor, has this day sold and deeded by Warranty Deed to the said grantee the following described tract of land, being situated in the county of Franklin, State of Idaho, to-wit:

DESCRIPTION A portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, T. 14 S., R. 40 E.B.M. described as:
Commencing at a point 46 rods S of the NE corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20, thence running: S 34 rods; thence W 40 rods; thence NE to the place of beginning.
A portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T. 14 S., R. 40 E.B.M. described as:
Com at the SW corner of the SE $\frac{1}{4}$ of said Section 20, thence running E 20 rods; thence N 40 rods; thence SW to a point 33 rods N of the place of beginning; thence S 33 rods to the place of beginning.
A portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T. 14 S., R. 40 E.B.M. described as:
Com at the NW corner of the NE $\frac{1}{4}$ of said Section 29, thence Running: E 20 rods; thence S 43 rods, more or less, to the N bank of bear river; thence SWesterly to a point on quarter section line, that is 50 rods, more or less, S of the place of beginning; thence N 50 rods, more or less, to the place of beginning.
A portion the NW $\frac{1}{4}$ of Section 29, T. 14 S., R. 40 E.B.M. described as:
Commencing at the NW corner of said Section 29; thence running E 160 rods; thence S to the

center of Bear River; thence W along the center of said river to a point in the W line of said Section 29; thence N to place of beginning.

The Grantor herein shall hold a life estate in and to the above described property. The grantee herein shall have the right to farm all of the property above described with the exception of the orchard and garden, and to receive all of the proceeds therefrom. The grantee shall also have the full use and management of the outbuildings. The grantee herein agrees to set up a separate light meter for electricity in connection with the outbuildings. In the event that this farm as above described is offered for sale by the grantee herein, then the children of the grantor are to have the first option to purchase said farm at the asking price.

WATER RIGHT Together with the following described water rights, to-wit: Together with all water and water rights used in connection with the above described land, and especially, but not limited to, the following: 1/8th interest in the Smith-Bosen Ditch. 5 shares in the Nelson Ditch. All grantors interest in the water hollow ditch.

CONSIDERATION For and in consideration of the sum of THIRTEEN THOUSAND AND NO/100—DOLLARS, to be paid by the grantee, to the grantor, as follows:

DOWN PAYMENT TWO THOUSAND FIVE HUNDRED AND NO/100—DOLLARS at the time of signing this contract, the receipt whereof is hereby acknowledged by the said grantor.

BALANCE DUE The remaining balance due, namely \$10,500.00 to be paid as follows:

Balance Due	Interest only December 1, 1962.	290.53	Pd
	\$700.00 plus interest December 1, 1963;	1120.00	Pd 11-1-63
9,800.00	\$700.00 plus interest December 1, 1964;	1092.00	Pd 10-13-64
9,100.00	\$700.00 plus interest December 1, 1965;	1155.00	Pd 11-1-65
8,400.00	\$700.00 plus interest December 1, 1966;		
	\$700.00 plus interest December 1, 1967;		
	\$700.00 plus interest December 1, 1968;		
	\$700.00 plus interest December 1, 1969;		
	\$700.00 plus interest December 1, 1970;		
	\$700.00 plus interest December 1, 1971;		
	\$700.00 plus interest December 1, 1972;		
	\$700.00 plus interest December 1, 1973;		
	\$700.00 plus interest December 1, 1974;		
	\$700.00 plus interest December 1, 1975;		
	\$700.00 plus interest December 1, 1976;		
	\$700.00 plus interest December 1, 1977;		

INTEREST All of the above deferred payments bearing interest at the rate of four (4%) per cent per annum from the 22nd day of March, 1962. Both interest and principal payable at the office of the escrow holder.

PREPAYMENT CLAUSE The said grantee reserves the privilege of paying all or any of said deferred payments at any interest pay day and thus stop interest on amounts paid.

TAXES AND ASSESSMENTS Grantor shall pay all of the taxes and assessments to the 1st day of January, 1962, and the grantee shall pay all taxes and assessments thereafter.

RENTS, INSURANCE & INTEREST Rents, insurance and interest on mortgage or contract indebtedness shall be prorated to the 22nd day of March, 1962, and the grantee shall keep the buildings on said land insured against fire in favor of the grantor with sales contract clause favor the grantee, in the full insurable amount, in some solvent Fire Insurance Company to be approved by the Grantor, and not commit, or allow, suffer or permit any other person to commit waste or damage to the land or the appurtenances thereon, or thereto belonging.

TITLE EVIDENCE The said grantor does hereby agree to furnish the said grantee with an abstract of title, or title insurance, showing title clear and free from all liens or encumbrances of every name and nature, except as above enumerated.

POSSESSION DATE The grantee shall have possession of said premises from the 22nd day of March, 1962, and the said grantee agrees to each and every year, in a good husbandlike manner, farm and cultivate and care for all of the above described land, to keep all buildings, fences and other improvements in as good state of repair as at present, reasonable wear and tear, only excepted.

ESCROW HOLDER It is mutually agreed by and between the grantor and the grantee, to this contract, that this contract shall be drawn in triplicate, and the WARRANTY DEED herein above mentioned shall be held in escrow by FIRST SECURITY BANK OF IDAHO, N.A. PRESTON, IDAHO known as the escrow holder, and the said escrow holder is hereby instructed to deliver said WARRANTY DEED to the said grantee, his heirs or assigns, upon satisfactory proof that the terms of the within contracts have been complied with in full, but in the event the said grantee shall neglect or refuse to comply with the terms of this agreement or any one of said terms AND sixty (60) days

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

(Seal)

C. L. Swenson

Notary Public, Residing at Preston, Idaho

STATE OF IDAHO.

COUNTY OF FRANKLIN--ss.

I hereby certify that this instrument was filed for record at the request of Minnie Smith at 11:20 A. M. Dec. 22, 1958.

Fee: \$1.50

C. L. Swenson: Ex-Officio Recorder

By Larkin Long Deputy

- - Compared - -

Inst. No. 103429

QUIT CLAIM DEED

This Indenture, made this 23rd day of May in the year, A. D., one thousand nine hundred fifty-eight, between Hyrum W. Smith of Route #2, Preston, Idaho, Clotilda S. Packer of Route #2, Preston, Idaho, Lewis W. Smith of Woods Cross, Utah, Lafayette W. Smith of Route #2, Preston, Idaho, ElRoy W. Smith of Route #2, Preston, Idaho, Minnie H. Smith of Route #2, Preston, Idaho, Dean C. Smith of Route #2, Preston, Idaho, Theo L. Smith of Route #2, Preston, Idaho, David H. Smith of Route #2, Preston, Idaho, Odessa S. McGregor of Cleveland, Idaho, Relda S. McGregor of 8801 Geraldine Avenue, San Diego, California, Opal Smith of Route #2, Preston, Idaho, Jewel Horton of Pocatello, Idaho, Ray Horton of Pocatello, Idaho, Hyrum Horton of Pocatello, Idaho, Vernal Horton of Pocatello, Idaho, Keith Smith of Pocatello, Idaho, Thelma S. Horton of Pocatello, Idaho, Roma Robinson of Centerville, Utah, Reva Smith of Irwin, Idaho, Patsy Kesler, Jr. of Toole, Utah, Zelda Ertter of 1721 N. 15th, Boise, Idaho, Zella Baker of Anchorage, Alaska, and Mamie Jean Misson of 933 Meadowbrook Land, Pocatello, Idaho, parties of the first part, grantors, being all the heirs at law and the only heirs at law of Hyrum James Smith and his wife, Cornelia Elvira Walker Smith, now deceased, and Minnie H. Smith, grantee, of Franklin County, Idaho, party of the second part.

WITNESSETH:--That the said parties of the first part, for and in consideration of the sum of One Dollar and other valuable consideration lawful money of the United States of America, to them in hand paid, by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents demise, release and forever quitclaim unto the said party of the second part, and to her heirs and assigns forever, all the certain lot, piece, or parcel of land, situate, lying and being in Franklin County, State of Idaho, and bounded and particularly described as follows to-wit:

Commencing at the Southwest corner of the Southeast quarter of Section 20, Township 14 South, Range 40 East of the Boise Meridian and running thence North 33 rods more or less to the County Road; thence Northeasterly following the County Road to a point 20 rods East and 40 rods North more or less of the place of beginning; thence South 40 rods; thence West 20 rods to the place of beginning.

Also Commencing at the Northwest corner of the Northeast quarter of Section 29, Township 14 South, Range 40 East of the Boise Meridian and running thence East 20 rods; thence South 43 rods more or less to the north bank of Bear River; thence Southwesterly to a point on the quarter section line that is 50 rods more or less South of the point of beginning; thence North 50 rods more or less to the point of beginning.

Together with all and singular, the tenements, water rights, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion, reversions, remainder, and remainders, rents, the issues and the profits thereof;

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

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Hyrum W. Smith
Hyrum W. Smith
Clotilda S. Packer
Clotilda S. Packer

Lewis W. Smith
Lewis W. Smith
Lafayette W. Smith
Lafayette W. Smith

ElRoy W. Smith
ElRoy W. Smith

Minnie H. Smith
Minnie H. Smith

Dean C. Smith
Dean C. Smith

Theo L. Smith
Theo L. Smith

David H. Smith
David H. Smith

Jewel Horton
Jewel Horton

Ray Horton
Ray Horton

Hyrum Horton
Hyrum Horton

Vernal Horton
Vernal Horton

Keith Smith
Keith Smith

Thelma S. Horton
Thelma S. Horton

Roma Robinson
Roma Robinson

Reva Smith
Reva Smith

Patsy Kesler
Patsy Kesler

IN THE PROBATE COURT OF THE COUNTY OF FRANKLIN, STATE OF IDAHO

In the Matter of the Estate of)
 SAMUEL L. SMITH,)
 Deceased.)

DECREE DETERMINING TIME OF DEATH OF
 DECEDENT, THE HEIRS OF DECEDENT, THEIR
 DEGREES OF KINSHIP, AND THE RIGHT TO
 DESCENT OF REAL PROPERTY.

This matter coming on regularly for hearing this 27th day of December, 1961, upon the petition of Minnie H. Smith, praying for the decree of this Court determining the time of death of Samuel L. Smith, the above named decedent, and determining the heirs of decedent, their degrees of kinship, and the right of descent of real property of which the decedent died seized;

And it appearing to the Court that said petition is in due form and that notice of hearing the same has been given by publication in the Preston Citizen, a weekly newspaper printed and published in Preston, Idaho, Franklin County, Idaho, for the time and in the manner provided by law and as directed by order of this Court; and it also appearing that a Inventory and Appraisement has been filed as provided by law, and that the Court has made it's order to the effect that there is no transfer or inheritance tax due from said estate; and the said matter being ready for hearing and there being no object on the part of any person, the Court proceeded to hear said matter; and from the evidence introduced by the petitioner the Court finds the facts as set out in the petition to be true; and the Court being fully advised in the premises;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

That Samuel L. Smith, the above named decedent, died intestate on the 5th day of June, 1955, at Logan, County of Cache, Utah, and that Samuel L. Smith was a resident of Preston, Franklin County, State of Idaho, at the time of his death; that at the time of his death the decedent was the owner of the following described real property situated in Franklin County, to-wit:

The West three Quarters of the Southwest Quarter of the Southwest Quarter of Section 20, Township 14 South, Range 40 East of the Boise Meridian.

Commencing at the Southeast Corner of the Southeast Quarter of Section 19, Township 14 South, Range 40 East of the Boise Meridian, running thence West 20 rods; thence North 80 rods; thence East 20 rods; thence South 80 rods to the place of beginning.

Commencing at the Northwest Corner of the Northwest Quarter of Section 29, Township 14 South, Range 40 East of the Boise Meridian, and running thence East 160 rods; thence South to the center of the Bear River, thence West along said river to a point in the center of the river on the west line of the named section, thence North to the place of beginning.

That there are no creditors of said decedent; that more than two years have elapsed since the death of said decedent, and no proceedings have been instituted for the appointment of an administrator or for other administration of said estate;

That the decedent left surviving him as his heirs at law the following named persons, to-wit:

Minnie H. Smith - Widow
 Dean C. Smith - Son
 Odessa S. McGregor - Daughter
 Theo L. Smith - Son
 David H. Smith - Son
 Belda Ane S. McGregor - Daughter
 Opal S. McKay - Daughter

and that said persons were the persons and the only persons entitled to the descent of the said real property.

That under and by virtue of Section 14-113 of the Idaho Code, the above named surviving widow and surviving heir is entitled to the distribution of the whole of the above described real property.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED That the whole of the above described property is hereby distributed to the surviving widow, Minnie H. Smith.

DATED This 27th day of December, 1961.

Seal

Orval D. Robinson
 PROBATE JUDGE

STATE OF IDAHO)
) ss
 COUNTY OF FRANKLIN)

I, the undersigned, hereby certify that the foregoing is a full, true and correct copy of the Decree Determining Time of Death of Decedent, the Heirs of Decedent, Their Degrees of Kinship, and the Right to Descent of Real Property in the above estate.

WITNESS MY HAND and seal of the Probate Court aforesaid this 27th day of December, 1961.

Seal

Orval D. Robinson
 PROBATE JUDGE

STATE OF IDAHO,
 COUNTY OF FRANKLIN—ss.

Recorded at the request of Dell W. Smith at 2:45 P. M., December 28, 1961.

Fee: \$2.70

C. L. Swenson: Ex-Officio Recorder
 By Charles Henderson Deputy

said territory, personally appeared Zella Baker 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.

My commission expires 1/3/60.

(Seal)

Zoe S. Howard
Notary Public for Alaska
Address Anchorage, Alaska

STATE OF Idaho

County of Bannock, ss.

On this 12th day of November in the year of 19 58, before me, Marven Reynolds a Notary Public in and for said County, personally appeared Vernal Horton 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.

My commission expires March 26, 1961.

(Seal)

Marven Reynolds
Notary Public
Address 866 Wayne
Alameda, Idaho

State of Idaho) ss.
County of Franklin)

I hereby certify that this instrument was filed for record at the request of Hyrum W. Smith at 10:40 A. M., Dec. 22, 1958.
Fee: \$6.25

C. L. Swenson: Ex-Officio Recorder
By Ed. Ross Leag Deputy

-- Completed --

Inst. No. 103428

WARRANTY DEED

THIS INDENTURE, made this 3rd day of December in the year of our Lord one thousand nine hundred and Fifty-eight between Hyrum W. Smith and Christine L. Smith, his wife, of Preston County of Franklin State of Idaho the parties of the first part, and Minnie M. Hansen Smith of Preston County of Franklin State of Idaho the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar and other valuable considerations lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to her heirs and assigns forever, all the following described real estate, situated in the County of Franklin, State of Idaho, to-wit:

Beginning at a point 76 rods West of the Southeast corner of the Southeast quarter of the Southwest quarter of Section 20, Township 14 South, Range 40 East of the Boise Meridian, and running thence North 80 rods, thence West 24 rods, thence south 80 rods: thence East 24 rods to the place of beginning.

Also: Beginning at the Southeast corner of the Southeast quarter of the Southwest quarter of Section 20, Township 14 South, Range 40 East of the Boise Meridian and running thence North 34 rods; thence Southwesterly to a point 40 rods west of the place of beginning, thence east 40 rods to the place of beginning.

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; and all estate, right, title and interest in and to said property, as well in law as in equity, of the said parties 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 her heirs and assigns forever, And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part her heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

C. L. Swenson

STATE OF IDAHO,

County of Franklin--ss.

Hyrum W. Smith (SEAL)

Christine L. Smith (SEAL)

On this 22nd day of December in the year 1958, before me C. L. Swenson a Notary Public in and for said State, personally appeared Hyrum W. Smith and Christine L. Smith, his wife known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

forever, all the following described real estate, situate in Oneida County, State of Idaho, to-wit:-

Commencing at the Northwest corner of the Northwest quarter of section twenty-nine (29) in Township fourteen (14) South of Range forty (40) East Boise Meridian, and running thence East 150 rods; thence South to the center of the Bear River, thence west along said river to a point in the center of the river on the west line of the said section, thence North to the place of beginning. This conveyance hereby made covers all land in said quarter section north of the Bear River containing 80 acres more or less.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, 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 his heirs and assigns forever. And the said party of the first part, and her heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said party of the first part, and her heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever Defend.

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 the Presence of

A.M. Nealey

Chloie A. Waters (SEAL)

Joseph Davis

STATE OF IDAHO)
(ss.
COUNTY OF ONEIDA)

On this 15th day of October 1909, before me Joseph Davis a Notary Public in and for said County, personally appeared Chloie A. Waters 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 above written.

(SEAL)

Joseph Davis, Preston Idaho

My Commission expires May, 1912

Recorded at request F.J. Watters at 3:25 P.M. this 20th day of Mar, 1910

John A. Kofoed
John A. Kofoed, Ex-officio Recorder

Fees, \$1.25

By Wm.M. Deines, Deputy

Compared *W.M.*

W A R R A N T Y D E E D

NO 8787

THIS INSTRUMENT made the 20th day of March in the year of our Lord, one thousand nine hundred and Eighteen between Leslie A. Nealey and his wife Mary E. Nealey of the County of Franklin and State of Idaho the parties of the first part, and Samuel L. Smith of the County of Franklin and the State of Idaho the party of the second part.

IN WITNESS WHEREOF: That the said parties of the first part, for and in consideration of the sum of Two Thousand and no/100 Dollars lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell, convey and confirm unto the said

party of second part, and to his heirs and assigns forever all that certain lot, piece or parcel of land situated, lying and being in the County of Franklin and state of Idaho, and bounded and described as follows, to-wit:

Commencing at the Northwest corner of the Northwest Quarter of Section Twenty-nine (29) in Township (14) South of Range forty (40) East Boise Meridian, and running thence East 160 rods; thence South to the center of the Bear River, then a West along said river to a point in the center of the river on the west line of the named section, thence North to the place of beginning. This conveyance hereby made covers all land in said quarter section north of the Bear River containing 80 acres more or less.

(\$2.00 Internal revenue stamps duly cancelled.)

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining and the rents, issues and profits thereof, together with all ditch and water-rights of every nature, however evidenced, used with said land or belonging to same.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to his heirs and assigns forever, and the said parties of the first part and their heirs, the said premises to a quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall, and will warrant and by these presents forever defend.

IN WITNESS WHEREOF the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered in the presence of

A.W. Hart

Leslie A. Neeley (seal)

STATE OF IDAHO)
(ss.
COUNTY OF FRANKLIN

Mary E. Neeley (seal)

On this 30th day of March, in the year 1918, before me Arthur W. Hart a notary public in and for said County and State, personally appeared Leslie A. Neeley and his wife Mary E. Neeley known to me to be the persons whose names are subscribed to the within and foregoing 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 first above written.

(SEAL)

Arthur W. Hart, Notary Public.

My Commission expires March 1, 1920

Preston, Idaho.

Recorded at request of Samuel L. Smith at 3:30 P.M. this 30th day of March, 1918.

John A. Daines
John A. Daines, County Recorder

Fees, \$1.25

By Wm.M. Daines, Deputy

Compared *m.m.*

W A R R A N T Y D E E D

NO 8788

THIS INDENTURE made the 29th day of March in the year of our Lord, one thousand nine hundred and Eighteen between Francis J. Waters of the County of Franklin and State of Idaho the party of the first part, and Hyrum W. Smith of the County of Franklin and the State of Idaho the party of the second part.

WITNESSETH: That the said part of the first part, for and in consideration of the sum of Nine hundred and no/100 Dollars lawful money of the United States of America, to him in

This Indenture, Made this 25th day of April In the year of our Lord, one thousand nine hundred and twelve between Hyrum J. Smith and his wife Elvira Smith of Riverdale County of Oneida State of Idaho the part 108 of the first part, and Hyrum J. Smith of Riverdale County of Oneida State of Idaho the part Y of the second part

Witnesseth: That the said part 108 of the first part, for and in consideration of the sum of Two hundred and Fifty Dollars, lawful money of the United States of America, to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, he has granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said part Y of the second part, and to his heirs and assigns forever, all the following described real estate situated in Oneida County, State of Idaho, to-wit:

Commencing at the North-west corner of the south-west quarter of the South-east quarter of section twenty (20) township fourteen (14) South of range forty (40) east of Boise Meridian Idaho. and running thence east forty (40) rods. thence south sixty (60) rods thence west sixteen (16) rods. thence north twenty (20) rods. thence west twenty-four (24) rods. thence north forty (40) rods to the place of beginning containing twelve (12) acres.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estates, right, title and interest in and to the said property, as well in law as in equity, of the said part 108 of the first part.

To Have and to Hold all and singular the above mentioned and described premises together with the appurtenances, unto the said part Y of the second part, and to his heirs and assigns forever. And the said part 108 of the first part, and their heirs, the said premises in a quiet and peaceable possession of the said part Y of the second part, his heirs and assigns, against the said part 108 of the first part, and their heirs and against all and every person and persons whomsoever lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

In Witness Whereof, the said part 108 of the first part has hereunto set their hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of

A. V. Hart
T. W. Smith.

Hyrum J. Smith
Elvira Smith

(SEAL)
(SEAL)
(SEAL)

State of Idaho, } ss. On this 25th day of April in the year 1912 before me
County of Oneida
Arthur W. Hart a Notary Public. In and for said County, personally appeared
Hyrum J. Smith and his wife Elvira Smith

known to me to be the person whose name are 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.

(SEAL)
Commission Expires 29th 1916

Arthur W. Hart.
Notary Public.

Filed for record this 12th day of December A. D. 1912 at 1:10'clock P.M.

John J. Evans
County Recorder

By

Deputy

HOMESTEAD RECORD

Reference Book "A" of Homesteads page 206, Original Oneida County Records.

THE UNITED STATES OF AMERICA
TO

Hyrum J. Smith

Filed for record and recorded this 12th day of

November 1894 at 4:40 o'clock P.M.

C. T. Koons Recorder.

By Deputy Recorder.

Homestead Certificate No. 328

Application 15

The United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Oxford Idaho Territory, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Hyrum J. Smith has been established and duly consummated, in conformity to law for the North half of the South West quarter and the South West quarter of the South West quarter of section twenty one and the North East quarter of the South east quarter of section twenty in township fourteen South of Range forty, east of Boise Meridian in Idaho Territory containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said

Hyrum J. Smith the Tract of Land above described.

TO HAVE AND TO HOLD the said Tract of Land with the appurtenances thereof, unto the said

Hyrum J. Smith and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the Lands hereby granted a right of way thereon for ditches or canals constructed by authority of the United States.

IN TESTIMONY WHEREOF, I, Chester A. Arthur

PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the thirteenth day of November, in the year of our Lord one thousand eight

(SEAL)

and eighty four, and of the Independence of the United States the One hundred and ninth

BY THE PRESIDENT, Chester A. Arthur

By M. McKeane Secretary.

S. W. Clark Recorder of the General Land Office.

Recorded, Vol. 1, Page 316

COMPARED



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

March 04, 2025

KC SMITH
2808 E HIGHWAY 36
PRESTON ID 83263-5146

Re: Change in Water Right Ownership: 13-7631 (Split into 13-7631 and 13-9979)

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: WATER DISTRICT 11