

DELOG DC

10-3-01

DC 10/2001

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

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	29-7287	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

- ✓3. Name and Address of Former
Owner/Claimant(s)

Afton A Smith

- ✓4. New Owner/Claimant(s)

Cornell A Smith

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

13260 S. Robin Rd

City, State and ZIP Code

Arimo, ID, 83214

New Telephone Number

(208) 254-9263

- ✓5. Date you acquired the property

9-14-94 and 7-15-98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

WARRANTY DEED

1-68924 TA
For Value Received

98014173

AFTON A. SMITH AND LUELLA P. SMITH AS TRUSTEES OF THE AFTON A. SMITH
FAMILY TRUST, UTA 04/05/90

the grantors, do hereby grant, bargain, sell and convey unto

CORNELL SMITH, a single person

whose current address is

13260 SOUTH ROBIN ROAD

ARIMO, ID 83214

the grantees, the following described premises, in **BANNOCK** County **IDAHO**, to wit:

**TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO. SECTION
16: NE¼ NW¼ AND NW¼ NW¼.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his
heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they
is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to
all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable
building codes, laws and regulations.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: **July 15, 1998**

Afton A. Smith
AFTON A. SMITH AND

Luella P. Smith
LUELLA P. SMITH, TRUSTEE

STATE OF **IDAHO**, COUNTY OF **BANNOCK**

On this **15th** day of **July, 1998**
before me, a Notary Public in and for said State, personally
appeared

**AFTON A. SMITH AND
LUELLA P. SMITH** 8/3

known to me to be the person(s) whose name(s) are
subscribed to the within instrument as Trustees and
acknowledged to me that they executed the same as
such Trustee.

Eileen Breitweg
Notary Public,
Residing at **Pocatello, Idaho**
Comm. Expires **June 7, 2001**

not al for
10/31/96

STATE OF IDAHO, COUNTY OF **Bannock**

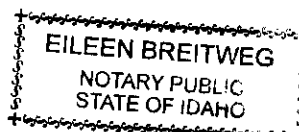
On this **20** day of **July**, 19**98**,
before me, a notary public in and for said State, personally
appeared **Luella P. Smith**

known to me to be the person whose name
subscribed to the within instrument as Trustee and acknowledged
to me that **she** executed the same as such Trustee.

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

Residing at **1-12000**
Comm. Expires

Notary Public
Idaho



Warranty Deed

94016752

For Value Received

AFTON A. SMITH, TRUSTEE AND LUELLA P. SMITH, TRUSTEE OF THE AFTON A. SMITH AND FAMILY TRUST UTA APRIL 5, 1990, AND AFTON A. SMITH AND LUELLA P. SMITH, HUSBAND

AND WIFE
the grantor, do hereby grant, bargain, sell and convey unto

CORNELL SMITH, A SINGLE MAN

whose current address is

13260 S. ROBIN ROAD, ARIMO, ID 83214

the grantee, the following described premises, in BANNOCK County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: SEPTEMBER 14, 1994

Afton A. Smith, Trustee

AFTON A. SMITH, TRUSTEE

Afton A. Smith

AFTON A. SMITH

Luella P. Smith, Trustee

LUELLA P. SMITH, TRUSTEE

Luella P. Smith

LUELLA P. SMITH

STATE OF IDAHO, COUNTY OF BANNOCK

On this 14TH day of SEPTEMBER, 1994
before me, a notary public in and for said State, personally appeared

AFTON A. SMITH
LUELLA P. SMITH

NOTARY SEAL

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that

THEY

executed the same.

Karla O. Parker

Notary Public

Residing at POCATELLO
Comm. Expires 3-29-99

STATE OF IDAHO, COUNTY OF

NOTARY SEAL

before me, a notary public in and for said State, personally

appeared *Afton A. Smith*
Luella P. Smith
known to me to be the persons whose names are
subscribed to the within instrument as Trustee and acknowledged
to me that they executed the same as such Trustee.

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

Karla O. Parker

Notary Public
Idaho

Residing at POCATELLO
Comm. Expires 3-29-99

2-2
94016752
EXHIBIT A

PARCEL 1:

TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN SECTION 10:
BEGINNING AT A POINT 66 RODS EAST OF A POINT 41 RODS SOUTH OF THE
NORTHWEST CORNER OF SECTION 10, THENCE EAST 26 RODS, THENCE SOUTH 57
RODS 14 FEET, THENCE EAST 68 RODS, THENCE SOUTH 61 RODS 2½ FEET TO THE
CENTER OF SECTION 10, THENCE WEST 94 RODS, THENCE NORTH 119 RODS TO
THE POINT OF BEGINNING.

PARCEL 2:

TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN SECTION 10:
BEGINNING AT A POINT 41 RODS SOUTH OF THE NORTHWEST CORNER OF SECTION
10, THENCE EAST 66 RODS, THENCE SOUTH 119 RODS, THENCE WEST 66 RODS,
THENCE NORTH 119 RODS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

BEGINNING AT A POINT 1100 FEET SOUTH OF THE NW CORNER OF SECTION
10, IN TOWNSHIP 10 SOUTH OF RANGE 36 E.B.M., IN BANNOCK COUNTY, IDAHO:
THENCE RUNNING EAST 240 FEET; THENCE RUNNING SOUTH 470 FEET: THENCE
RUNNING WEST 240 FEET; THENCE RUNNING NORTH 470 FEET TO THE PLACE OF
BEGINNING.

PARCEL 3:

TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN;
SECTION 16: NW¼SE¼; NE¼SE¼

NO. 94016752
RECORDED AT REQUEST OF
AMERICAN LAND TITLE CO.

'94 SEP 15 P2:23

OFFICIAL RECORD BOOK NO. 1024
BANNOCK COUNTY IDAHO
LARRY W. GHAN RECORDER
EE. [Signature] DEPUTY [Signature]

