

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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FEB 09 2015

DEPARTMENT OF  
WATER RESOURCES

## 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 #6 of the instructions.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 94-7876               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Miriam N. Wagner  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Chad & Theresa Smith  
New owner(s) as listed on the conveyance document
- Name connector ☒ and ☐ or ☐ and/or
- N. 3824 E street Spokane WA 99205  
Mailing address City State ZIP
- 509 328 5612 chadteri@gmail.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: Dec. 7, 2011
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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.
8. Signature: [Signature] Title, if applicable \_\_\_\_\_ Date \_\_\_\_\_  
Signature of new owner/claimant
- Signature: Theresa M. Smith Title, if applicable \_\_\_\_\_ Date 2-4-15  
Signature of new owner/claimant

## For IDWR Office Use Only:

Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_ Receipt Amt. \_\_\_\_\_

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 SCC Processed by SCC Date 2/24/15

# WARRANTY DEED

For Value Received

Miriam N. Wagner, an unmarried person

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto  
Chad L. Smith and Theresa M. Smith, husband and wife

hereinafter referred to as Grantee, whose current address is

N 3821 E St., Spokane, WA 99205

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 7, 2011

Miriam N. Wagner

Miriam N. Wagner

STATE OF AK

COUNTY OF Benton

ss.

On this 9th day of December, in the year of 2011, before me, the undersigned, a Notary Public, personally appeared Miriam N. Wagner, known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Mary F. Hoffman  
Notary Public - State of Arkansas  
Benton County  
My Commission Expires 06-15-2021  
Commission #12383233

Mary F. Hoffman  
Notary Public of AK (state)  
Residing at Ray (city)  
Commission expires 6/15/21

465601

EXHIBIT "A"

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FEB 24 2015

DEPARTMENT OF  
WATER RESOURCES

121322

PARCEL 1:

From Corner No. 4 of Claim No.1, Mineral Survey No. 1672, which is a 3 inch iron pipe with a brass cap, lying South 19°46' 30" West a distance of 810.08 feet from the Northeast Corner of Section 33, Township 48 North, Range 5 E. B. M., go South 0°02' East a distance of 600.00 feet to corner No.1 of Mineral survey No. 1672 an inaccessible point, thence

South 10°50' East a distance of 227.96 feet to Corner No. 1, an iron pin, and the place of beginning, thence

North 79°10' East a distance of 100.00 feet to Corner No. 2, an iron pin; thence

South 38°23'30" East a distance of 118.45 feet to Corner No. 3, an iron pin; thence

South 79°10' West a distance of 154.80 feet to Corner No. 4, an iron pin; thence

North 10°50' West along the East end line of the Arlington Claim, Mineral Survey No. 2248, a distance of 105.00 feet to Corner No. 1 the place of beginning all lying within Lot 4, Section 33, Township 48 North, Range 5 East, B. M., Shoshone County, Idaho.

TOGETHER WITH

An easement for egress and ingress rrorc fully described as follows:

From Corner No. 4 of Claim No. 1, Mineral Survey No. 1672, which is a 2 inch iron pipe with a brass cap, lying South 19°46' 30" West a distance of 810.00 feet from the Northeast corner of Section 33, Township 48 North, Range 5 East, . B. M., go South 0°02' East a distance of 600.00 feet to Corner No. 1 of Mineral Survey No. 1672, an inaccessible point, thence

South 10°50' East a distance of 227.96 feet to Corner No. 1, an iron pin, and the place of beginning; thence

North 79°10' East a distance of 100.00 feet to Corner No. 2, an iron pin; thence

South 38°23'30" East a distance of 118.45 feet to Corner No. 3, an iron pin; thence

South 79°10' West a distance of 154.80 feet to Corner No. 4, an iron pin; thence

North 10°50' West along the East end line of the Arlington Claim, Mineral Survey No. 2248, a distance of 105.00 feet to Corner No. 1 the place of beginning all lying within Lot 4, Section 33, Township 48 North, Range 5 East, B. M., Shoshone County, Idaho; as disclosed by instrument No. 329555, records of Shoshone County, Idaho.

PARCEL 2:

A tract situated in Government Lot 4, Section 33, Township 48 North, Range 5 East, B. M., Shoshone County, State of Idaho and being more particularly described as follows:

BEGINNING at a point on the East endline of the Arlington Claim, M.S. 2248 situated in Hunter Mining District from whence the Northeast Corner of Section 33, Township 48 North, Range 5 East, B. M., bears North 7°07'43.4" East, a distance of 1,702.28 feet and from whence Corner No. 4 of Tract A described in Deed recorded as Instrument No. 360500, records of Shoshone County, State of Idaho bears North 10°50' West, a distance of 295.26 feet; thence

North 79°10' East, a distance of 154.80 feet to Corner No. 2, an iron pin; thence

South 10°50' East, a distance of 134.00 feet to Corner No. 3, an iron pin; thence

South 79°10' West, a distance of 154.80 feet to Corner No. 4, an iron pin on the East endline of the Arlington Claim; thence

North 10°50' West along the East endline of the Arlington Claim, a distance of 134.00 feet to Corner No. 1, the PLACE OF BEGINNING.

**Instrument # 465601**

WALLACE, SHOSHONE COUNTY, IDAHO

12-13-2011 03:38:00 No. of Pages: 3

Recorded for: ALLIANCE TITLE CO.

PEGGY DELANGE-WHITE

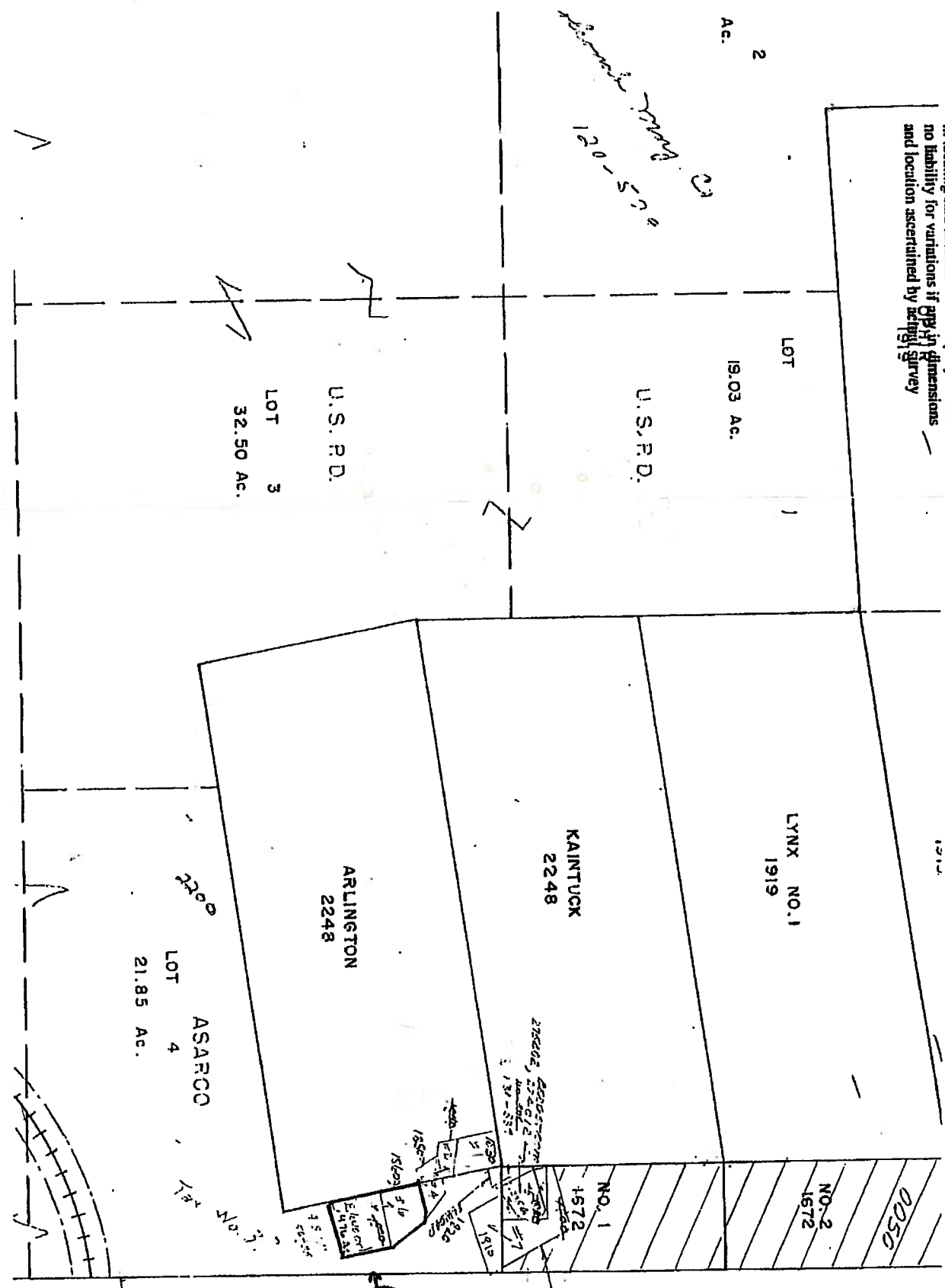
Fee: 16.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Re: CSPBA claim 94-7876

This plat is made solely for the purpose of assisting in locating said land and the Company assumes no liability for variations in dimensions and location ascertained by actual survey



ON 33  
N., R 5E

PIQ

BR 63-7201  
2-15-63

ALLIANCE WALLACE

## Clelland, Steve

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**From:** CenturyLink Customer [chadteri@q.com]  
**Sent:** Tuesday, February 24, 2015 10:46 AM  
**To:** Clelland, Steve  
**Subject:** Re: Change of ownership documents for 94-7876  
**Attachments:** exhibit a.jpg; exhibit a 001.jpg

Hi Steve.. Here are the documents you requested... Thanks for your patience.

Theresa Smith

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**From:** "Steve Clelland" <[Steve.Clelland@idwr.idaho.gov](mailto:Steve.Clelland@idwr.idaho.gov)>  
**To:** [chadteri@q.com](mailto:chadteri@q.com)  
**Sent:** Wednesday, February 18, 2015 10:35:42 AM  
**Subject:** Change of ownership documents for 94-7876

Hello,  
I received your papers for the change of ownership of this water right. I need one more piece of paper to finish the process. Your deed refers to an attachment: Exhibit A. This page provides a legal description of the land conveyed and is part of the warranty deed document. Would you please copy that exhibit A and forward it to me? You could even scan it and send it via email if possible.

Thanks for your help.

Steve  
Steve Clelland  
IDWR  
322 East Front St  
PO Box 83720  
Boise ID 83720-0098  
(208) 287-4913  
[steve.clelland@idwr.idaho.gov](mailto:steve.clelland@idwr.idaho.gov)