

STATE OF IDAHO
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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
17-4023 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: KENT AND PAT SMITH LAND CO LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): LEX DAVID SMITH AND BO JANE SMITH
New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or

5337 S. 21000 W. HOLBROOK ID 83243
Mailing address City State Zip

801-430-1651 BO-SMITH@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: 06/28/2022
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.

8. Signature: *LEX DAVID SMITH* 06/28/2022
Signature of new owner/claimant Title, if applicable Date
LEX DAVID SMITH
Print name

Signature: *BO JANE SMITH* 06/28/2022
Signature of new owner/claimant Title, if applicable Date
BO JANE SMITH
Print name

Received by *M Pettis* Date 7/11/22 For IDWR Office Use Only: Receipt No. 5048302 Receipt Amt. \$25. - for this app
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 8/17/2022

NTO-118742
 Lex David Smith
 5337 South 21000 West
 Holbrook, ID 83243

Microfilm No. 163540
 28 Day Jun 20 22
 At 04 10 O'clock PM
Northern Title Company
 Oneida Co. Recorder
 Fee \$ 15.00 Deputy
 Recorded at Request of
Northern Title Company- Malad

WARRANTY DEED

PARCEL 1: Kent and Pat Smith Land, Co., LLC, an Idaho limited liability company
PARCEL 2: Kent and Pat Smith Land, Co., LLC, an Idaho limited liability company
PARCEL 3 : Kent D. Smith and Patsy J. Smith, Trustees of the Kent D. and Pat Smith Living Trust dated December 22, 2015, and any amendments thereto
PARCEL 4: Kent and Pat Smith Land, Co., LLC, an Idaho limited liability company

Grantor(s) of Holbrook, County of Oneida, State of Idaho, hereby **CONVEY AND WARRANT** to

Lex David Smith and Bo Jane Smith, husband and wife as community property with right of survivorship

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

See Exhibit "A" attached and made a part hereto

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 June 28, 2022

Kent D. Smith
 Kent and Pat Smith Land, Co., LLC, an Idaho limited liability company
 Kent D. Smith, Manager

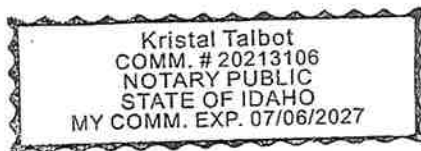
Patsy S. Smith
 Kent and Pat Smith Land, Co., LLC, an Idaho limited liability company
 Patsy S. Smith, Manager

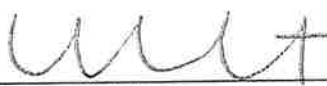
Kent D. Smith
 Kent D. Smith, Trustee of the Kent D. and Pat Smith Living Trust dated December 22, 2015, and any amendments thereto

Patsy J. Smith
 Patsy J. Smith, Trustee of the Kent D. and Pat Smith Living Trust dated December 22, 2015, and any amendments thereto

State of Idaho }
 County of Oneida }§

On 28th day of June, 2022, personally appeared before me, a Notary Public, **Kent D. Smith and Patsy S. Smith**, who, being by me duly sworn, did say that he/she is the Manager/Member of Kent and POat Smith Land, Co., LLC, and Idaho limited liability company and that said instrument was signed in behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individuals acknowledged to me that said Company executed the same.




 Notary Public
 Resides: Malad, ID
 Commission Expires: 7/10/2027

State of Idaho)
 County of Oneida)§

On this 28th day of June, 2022, personally appeared before me **Kent D. Smith, Trustee, and Patsy J. Smith, Trustee**, who, being by me duly sworn, did say that they are the Trustees of the **Kent D. and Pat Smith Living Trust dated December 22, 2015, and any amendments thereto**, and that said instrument was signed in behalf of said Trust by the authority of its Trust Agreement, and the aforesaid individuals acknowledged to me that said Trust executed the same.




 Notary Public

EXHIBIT A**PARCEL 1:**

Township 14 South, Range 33 East Boise Meridian, Oneida County, Idaho
 Section 34; S 1/2 (RP0156000)

Township 15 South, Range 33, East Boise Meridian, Oneida County, Idaho
 Section 3: NE 1/4 (RP0156400)
 Section 9: S 1/2 NE 1/4, SE 1/4 E1/2 SW 1/4 (RP0157600)
 Section 16: NE1/4, E1/2 NW 1/4, W1/2 SW1/4, W 1/2 NW 1/4 (RP0158000)

Together with Easement for Ingress and Egress Recorded April 14, 2022 under instrument number 163213

PARCEL 2:

The Southeast Quarter (SE 1/4), and part of the South- half of the Northeast Quarter (S1/2 NE1/4), Section 36, Township 14 South, Range 33 East B.M., lying south of Highway #37 described more fully as follows: that portion of the S1/2 NE 1/4 Section 36, lying South of the following described centerline of the State Highway #37: Beginning at Highway Station No. 532+00 said station being on the East line of said Section 36, North 165 feet of the East Quarter corner ; thence North 76° 22' West 2,733 feet more or less to the north-south centerline of said Section 36, which is approximately Highway Station 559+33, Subject to State of Idaho Easement No. 1072 to Utah Power Company for a power line.

The Southwest Quarter (SW1/4), and part of the Northwest Quarter (NW 1/4) Section 36, Township 14 South, Range 33 East, B.M., lying South of Highway #37, described more fully as follows: That portion of the NW 1/4 Section 36 lying Southerly of the following described centerline of State Highway #37, described as follows: Beginning at approximately Highway Station 559+33, which is the intersection point of the North-South centerline of said Section 36, and of the highway, which point is approximately North 165 feet and North 76° 22' West 2,733 feet from the East Quarter (E 1/4) corner of said section; thence continuing North 76° 22' West 2733 feet to Station approximately 586+66 which is the intersection point of the centerline of said highway and West Line of said Section 36. Station is approximately 1,195 feet South of the Northwest corner of said Section 36, acres more or less. Subject to State of Idaho Easement #1072 to Utah Power.

PARCEL 3:

Township 14 South, Range 33, East Boise meridian, Oneida County, Idaho, Section 33: W1/2 SW1/4. (RP0155700)

EXCEPTING THEREFROM: (HOME)

Commencing at a corner fence post on the North line of the County Road, approximately 330 feet North of the Southwest corner of Section 33, Township 14 South, Range 33 East, Boise Meridian, Oneida County, Idaho; thence running North 480 feet; thence East 380 feet; thence South 200 feet; thence East 40 feet; thence South 280 feet; thence West 400 feet to the point of beginning.

PARCEL 4:

Township 14 South, Range 33, East Boise meridian, Oneida County, Idaho, Section 32: E1/2SE1/4 (RP0155100)



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 Gary Spackman

August 17, 2022

LEX SMITH
BO J SMITH
5337 S 21000 W
HOLBROOK ID 83243-5119

Re: Change in Ownership for Water Right No(s): 17-4023

Dear Water Right Holder(s):

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

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 Barg
Technical Records Specialist 1

Enclosure(s)

cc: USDA FARM SERVICE AGENCY