

RECEIVED

MAR 16 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment 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, of the instructions. **DE V**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 17-7051 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
✓ 17-2029 OK	Yes ☒	Yes ☐	17-2029	Yes ☐	Yes ☐
✓ 17-4023 OK	Yes ☐	Yes ☐	17-7190	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: 17-7051 Karl Smith & Sons; 17-2029 and 17-4023 Karl M Smith
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kent and Pat Smith Land Co llc
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

1969 S 19000 W

Mailing address

435-730-1597

Telephone

Malad

City

eastholbrk@gmail.com

Email

ID

State

83252

Zip

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: _____
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 # 17-2029

8. Signature: Kent and Pat Smith Land Co llc By Kent D Smith 3/16/22
 Signature of new owner/claimant Title, if applicable Date
Kent D Smith
 Print name

Signature: _____ Title, if applicable _____ Date _____
 Signature of new owner/claimant
 Print name _____

Received by JB Date 3/16/2022 For IDWR Office Use Only: E047953 \$75.-
 Receipt No. E047916 Receipt Amt. \$75.-

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 _____ Processed by _____ Date _____

When Recorded Mail To:

Hallock & Hallock, a professional corporation
40 West Cache Valley Blvd., Suite 9A
Logan, Utah 84341

Send Tax Notices To:

Kent D. and Patsy J. Smith, Trustees
1969 South 19000 West
Malad, Idaho 83252

153610

14 March 16
12:30 pm
Kataui Murphy
Fees 13.00
Hallock & Hallock

WARRANTY DEED

Kent D. Smith and Patsy J. Smith, grantors, of 1969 South 19000 West, County of Oneida, State of Idaho, do hereby grant, bargain, sell, warrant and convey to **Kent and Pat Smith Land Co., LLC**, an **Idaho limited liability company** of 1969 South 19000 West, County of Oneida, State of Idaho, grantee, for the sum of ONE DOLLAR, their undivided interest in the following described real estate in Oneida County, State of Idaho:

See Exhibit "A" attached hereto.

Together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Witness in the hands of said grantors this 22nd day of December 2015.

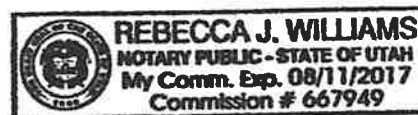
Kent D. Smith
Kent D. Smith

Patsy J. Smith
Patsy J. Smith

STATE OF UTAH)
 :SS
COUNTY OF CACHE)

On the 22nd day of December 2015, before me, the undersigned Notary, personally appeared Kent D. Smith and Patsy J. Smith, who are personally known to me or who proved to me their identities through documentary evidence to be the persons who signed the preceding document in my presence and who swore to me that their signatures are voluntary and document truthful.

Rebecca J. Williams
Rebecca J. Williams, Notary Public
40 West Cache Valley Blvd. Suite 9A
Logan, Utah 84341
My commission expires: 08/11/2017



No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and/or their agents; no boundary survey was made at the time of this conveyance.

Exhibit "A"

Township 14 South, Range 33, East Boise Meridian

Section 32: E1/2SE1/4

Section 34: S1/2

Township 15 South, Range 33, East Boise Meridian

Section 3: NE1/4

Section 9: S1/2NE1/4, SE1/4, E1/2SW1/4

Section 16: NE1/4, E1/2NW1/4, W1/2SW1/4, W1/2NW1/4

Together with a 125 HP US motor, Serial No. C9982-00-1-17-74 85-01005 with and Aurora turbine pump, Serial No. 37570264, and 3340 feet of buried PVC mainline of sizes 6" through 8"; and any replacements thereof; all of which are hereby declared to be appurtenant thereto.

The Southeast Quarter (SE1/4), and part of the South-half of the Northeast Quarter (S1/2NE1/4) Section 36, Township 14 South, Range 33 East, B.M., lying south of Highway #37, described more fully as follows: that portion of the S1/2NE1/4 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, containing 29.40 acres, more or less. Total acreage being conveyed is 189.40 more or less. Subject to State of Idaho Easement No. 1072 to Utah Power Company for a powerline.

The Southwest Quarter (SW1/4), and part of the Northwest Quarter (NW1/4) Section 36, Township 14 South, Range 33 East, B.M., lying south of Highway #37, described more fully as follows: that portion of the NW1/4 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 (E1/4) corner of said section; thence continuing North 76°22' West 2,733 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, containing 68.20 acres of land, more or less. Total acreage being conveyed is 228.20 acres, more or less. Subject to State of Idaho Easement #1072 to Utah Power.

When Recorded Mail To:

Hallock & Hallock, a professional corporation
40 West Cache Valley Blvd., Suite 9A
Logan, Utah 84341

Send Tax Notices To:

Kent D. and Patsy J. Smith, Trustees
1969 South 19000 West
Malad, Idaho 83252

153454
25 January 16
9:00 AM
Natalie Murphy
13.00
Hallock + Hallock

WARRANTY DEED

Kent D. Smith and Patsy J. Smith, grantors, of 1969 South 19000 West, County of Oneida, State of Idaho, do hereby grant, bargain, sell, warrant and convey to **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** of 1969 South 19000 West, County of Oneida, State of Idaho, grantee, for the sum of ONE DOLLAR, their undivided interest in the following described real estate in Oneida County, State of Idaho:

See Exhibit "A"

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Witness in the hands of said grantors this 22nd day of December 2015.

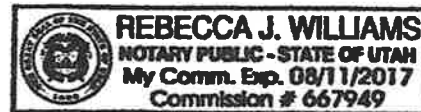
Kent D. Smith
Kent D. Smith

Patsy J. Smith
Patsy J. Smith

STATE OF UTAH)
 :SS
COUNTY OF CACHE)

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Rebecca J. Williams
Rebecca J. Williams, Notary Public
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My commission expires: 08/11/2017



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Exhibit "A"

Township 14 South, Range 33, East Boise Meridian, Section 33: W1/2SW1/4.

Parcel RP0155700

Home



DANIELS, JOSEPH
& EVARDA TRUST
RP0155600A

G6 LAND
COMPANY LLC
RP0155301A

WOOLSTENHULME,
BRAD & LEANN
RP0155400A

G6 LAND
COMPANY LLC
RP0155200A

SMITH, KENT &
PATLAND CO, LLC
RP0155100A

SMITH, KENT D &
PATSY J TRUST
RP0155700A

SMITH, ARTHUR
R TRUST
RP0155500A

SMITH
HOMESTEAD LLC
RP0155800A

WOOLSTENHULME, BRAD R ETUX
RP0156700A
Lot 3

WOOLSTENHULME, BRAD R ETUX
RP0156700A
Lot 2

WOOLSTENHULME, BRAD R ETUX
RP0156700A
Lot 1

WOOLSTENHULME, BRAD R ETUX
RP0156600A
Lot 4

WOOLSTENHULME, BRAD R ETUX
RP0156600A
Lot 3

WOOLSTENHULME, BRAD R ETUX
RP0156600A
Lot 2

This Map is for
reference only.
Not to be used for
any legal purposes.

WOOLSTENHULME,
BRAD R ETUX
RP0156700A

WOOLSTENHULME,
BRAD R ETUX
RP0156600A

33

4

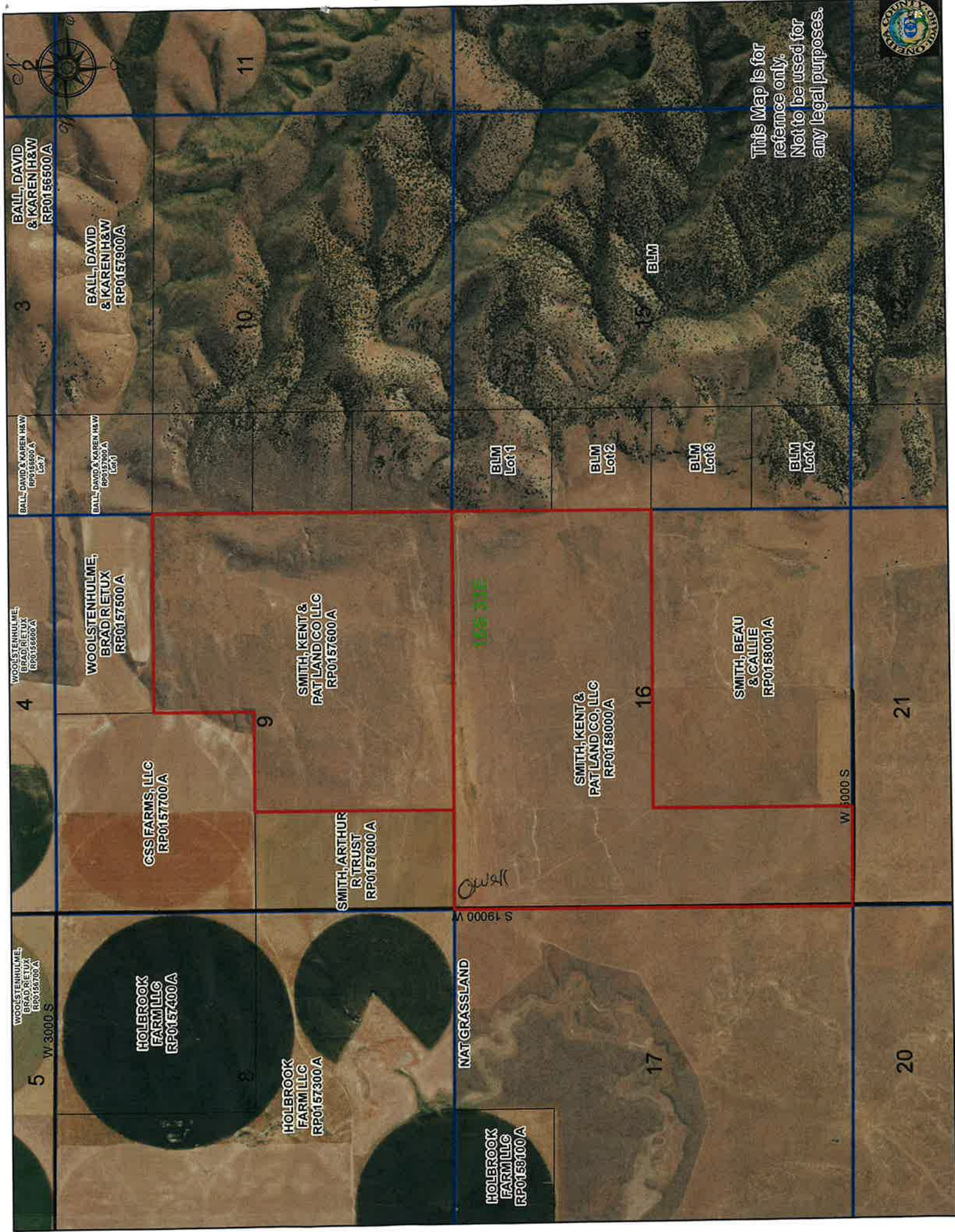
5

M 00051 S

141 33E

W 2000 S

15S 33E



We are applying To Transfer
Our Water Permits

And we are applying for a
Permit for stock Water
it has been used for stock Water

Kent Smith
801 3883999



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

July 26, 2022

KENT AND PAT SMITH LAND CO LLC
1969 S 19000 W
MALAD CITY ID 83252-5100

Re: Change in Water Right Ownership: 17-7051, 17-2029 (Split into 17-2029 and **17-7190**), 17-4023

Dear Water Right Holder:

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) 497-3793.

Sincerely,

Christina Henman
Administrative Asst. I

Enclosure(s)



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

March 17, 2022

KENT AND PAT SMITH LAND CO LLC
1969 S 19000 W
MALAD ID 83252

KENT D AND PAT SMITH LIVING TRUST
1969 S 19000 W
MALAD ID 83252

RE: Change in Ownership Water Right No. 17-7051, 17-2029, 17-4023

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Additional Filing Fee:** The department has sufficient evidence to update 17-7051 and 17-4023. However according to information provided water right number 17-2029 will require a split it appears that a portion of the water right is owned by Kent and Pat Smith Land Co LLC and a portion is owned by Kent D and Pat Smith Living Trust. The department is required to update ownership of the water rights as reflected on the deeds therefore we would be required to split the water right. The split fee is \$100.00 per water right you have already paid \$25.00 therefore an additional \$75.00 is required.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)