

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 14 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

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?
13-7666 <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: Cynthia Archibald n/k/a Cynthia Keller Smith Murray

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Richard and Stevie Emerson

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or6893 E Cub River RoadPreston

ID

83263

Mailing address

City

State

Zip

801 390-1530richemerson19@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: 12/4/2020
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- ☐ 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):
- ☐ \$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: *Richard Emerson* 3/9/2022

Signature of new owner/claimant

Title, if applicable

Date

RICHARD EMERSON

Print name

- Signature: *Stevie Emerson* 3/9/2022

Signature of new owner/claimant

Title, if applicable

Date

Stevie Emerson

Print name

For IDWR Office Use Only:

Received by: JB Date: 3/14/2022 Receipt No. E047893 Receipt Amt. \$125.-

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: 3/17/2022

State of Idaho
Department of Water Resources

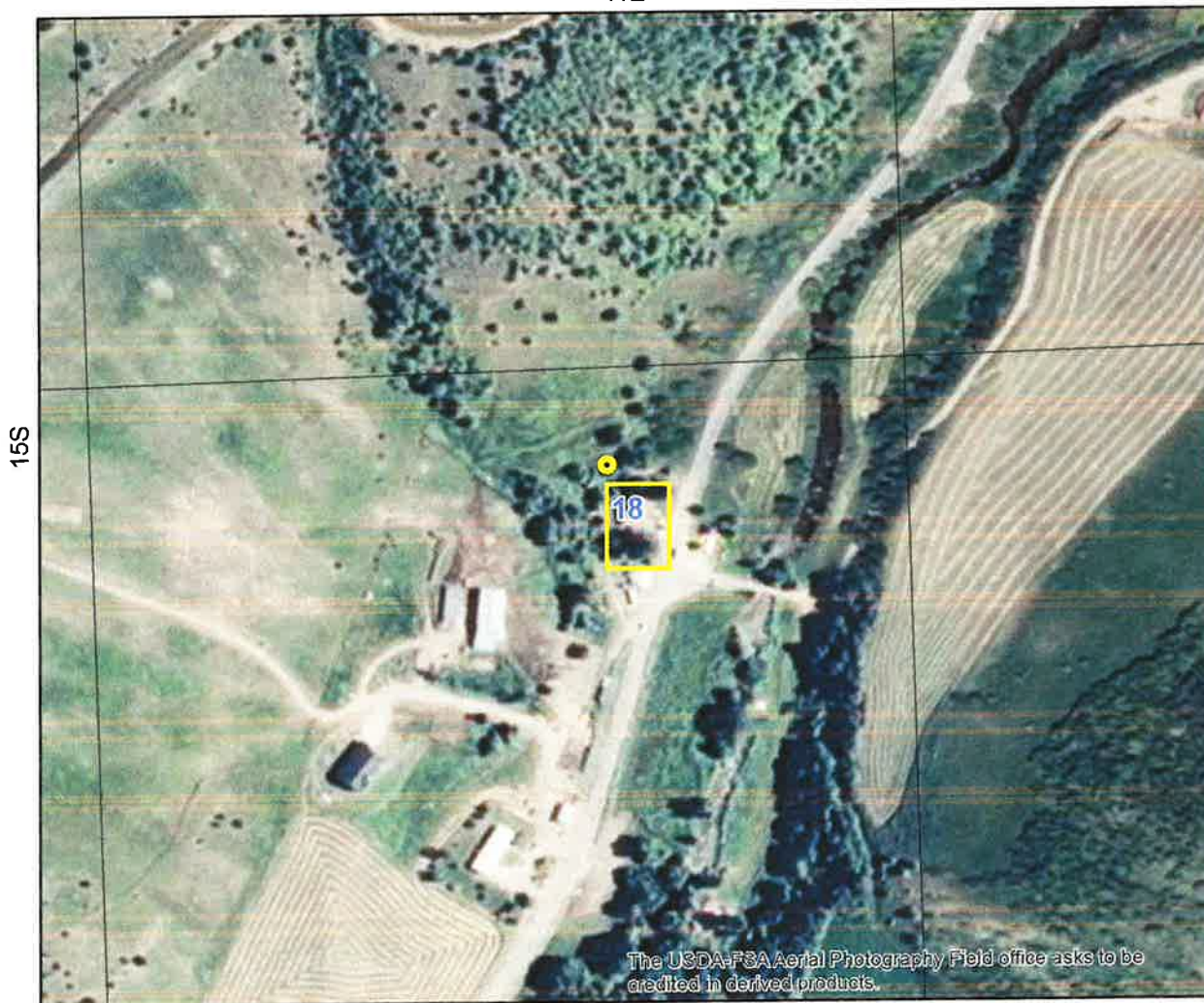
Water Right

13-7666

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

41E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
28 West Oneida/PO Box 148
Preston, ID 83263

284492
1-3
Recorded at the request of
First American Title
Time: 11:22 Amount: \$15⁰⁰

DEC 04 2020

CAMILLE LARSEN, RECORDER
By C. Carter Deputy
Franklin County, Idaho

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **944727-PR (hb)**

Date: **December 03, 2020**

For Value Received, **Cynthia Keller Smith, n/k/a Cynthia Keller Smith Murray, a married woman as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Richard Emerson and Stevie Emerson, husband and wife**, hereinafter called the Grantee, whose current address is **2670 N 275 W, Sunset UT 84015**, the following described premises, situated in **Franklin County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

284492

2-3

Date: 12/03/2020

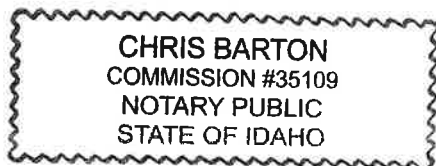
Warranty Deed
- continued

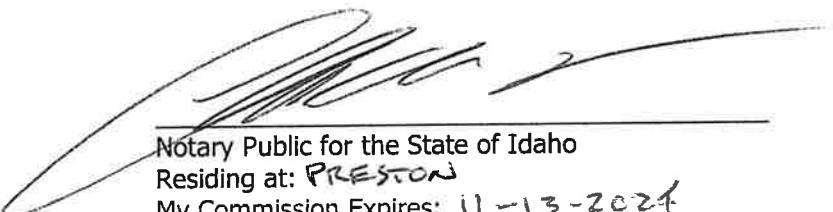
File No.: 944727-PR (hb)

Cynthia Keller Smith-Murray
Cynthia Keller Smith Murray

STATE OF Idaho)
COUNTY OF Franklin)
SS.

On this 4 day of December, 2020, before me, a Notary Public in and for said State, personally appeared **Cynthia Keller Smith Murray**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of Idaho

Residing at: PRESTON

My Commission Expires: 11-13-2024

Date: 12/03/2020

Warranty Deed
- continued

File No.: 944727-PR (hb)

EXHIBIT A

A parcel of land located in the Northwest quarter of Section 18, Township 15 South, Range 41 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:
Commencing at the West quarter corner of Section 18, from which the Southeast corner of the Northwest quarter of Section 18 bears North 89° 09' 25" East;
Thence North 69° 05' 44" East 2408.20 feet to a 5/8" rebar and cap labeled "Allen Land Surveying, PLS 9163" at the intersection of the Westerly right of way line of Cub River Road and the Southeasterly extension of a fence line, the Place of Beginning;
Thence North 62° 19' 50" West 109.10 feet along a fence line to a 5/8" rebar and cap;
Thence North 03° 09' 47" West 107.11 feet along a fence line to a 5/8" rebar and cap;
Thence North 13° 06' 35" West 40.21 feet to a 5/8" rebar and cap;
Thence North 36° 26' 38" West 37.52 feet to a 5/8" rebar and cap;
Thence North 44° 19' 42" West 35.32 feet to a 5/8" rebar and cap;
Thence North 50° 31' 13" West 192.70 feet to a 5/8" rebar and cap at a fence corner;
Thence North 22° 14' 06" East 243.89 feet along a fence line to a 5/8" rebar and cap;
Thence South 89° 24' 30" East 108.80 feet along a fence line to a 5/8" rebar and cap;
Thence South 68° 47' 20" East 301.80 feet to a 5/8" rebar and cap at the Westerly right of way fence line of Cub River Road;
Thence South 22° 34' 40" West 62.98 feet along said right of way line to a 5/8" rebar and cap on a 630.00 foot radius non-tangent curve concave to the Southeast, whose center bears South 63° 11' 12" East;
Thence Southwesterly along said curve (right of way line) through a central angle of 08° 24' 28" a distance of 92.45 feet to the point of tangency (chord = South 22° 36' 34" West 92.37 feet);
Thence South 18° 24' 20" West 365.46 feet along said right of way line to the Point of Beginning.

SUBJECT TO: an access easement described as follows:
Commencing at the West quarter corner of Section 18, Township 15 South, Range 41 East, Boise Meridian, Franklin County, Idaho, from which the Southeast corner of the Northwest quarter of Section 18 bears North 89° 09' 25" East;
Thence North 69° 05' 44" East 2408.20 feet to a 5/8" rebar and cap labeled "Allen Land Surveying, PLS 9163" at the intersection of the Westerly right of way line of Cub River Road and the Southeasterly extension of a fence line, the Point of Beginning;
Thence North 62° 19' 50" West 25.00 feet;
Thence North 35° 24' 00" East 84.42 feet to the Westerly right of way line of Cub River Road;
Thence South 18° 24' 20" West 84.76 feet along said right of way line to the Point of Beginning.



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

RICHARD EMERSON
STEVIE EMERSON
6893 E CUB RIVER RD
PRESTON ID 83263-5709

Re: Change in Ownership for Water Right No(s): 13-7666

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: WATER DISTRICT 13A