

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 31 2022

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?
15-7427 OK	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: MYRON P & BUELAH SORENSEN TRUST

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): BEAU DUKES SMITH AND CALLIE JO SMITH LAND LLC, BEAU DUKES SMITH AND CALLIE JO SMITH

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

924 N 300 E

MALAD

ID 83252

Mailing address

City

State

Zip

208-240-1616

callie_smith@rocketmail.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: 01/24/2022

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: Callie Jo Smith Title, if applicable: Member Date: 01/24/2022

Signature of new owner/claimant

Print name

Signature: Beau P. Smith Title, if applicable: Member Date: 1-24-2022

Signature of new owner/claimant

Print name

Received by: JB Date: 1/31/2022 For IDWR Office Use Only: \$25. - for this app. Receipt No. E047754 Receipt Amt. \$50. -

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: JB Approved by: JB Processed by: JB Date: 2/25/2022

NTO-112779
 Beau Dukes Smith & Callie Jo Smith Land LLC
 924 North 300 East
 Malad City, ID 83252

Microfilm No. 162868
 26 Day Jan 20 22
 At 10 15 O'clock AM
 Oneida Co. Recorder
 Fee \$ 15.00 Deputy
 Recorded at Request of
 Northern Title Company- Malad

WARRANTY DEED

Beverly A. Clark and Michael L. Clark Family Protection Trust, dated December 19, 1995,

Grantor(s) of South Weber, County of Weber, State of Utah, hereby **CONVEY AND WARRANT** to

Beau Dukes Smith and Callie Jo Smith Land LLC, an Idaho limited liability company

Grantee(s) of Malad City, 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.

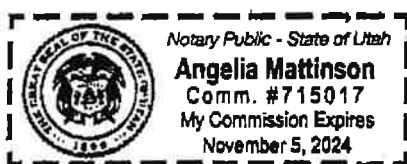
Witness, the hand(s) of said Grantor(s), this January 24, 2022.


Beverly A. Clark, Trustee of the Beverly A. Clark and Michael L. Clark Family Protection Trust, dated December 19, 1995


Michael L. Clark, Trustee of the Beverly A. Clark and Michael L. Clark Family Protection Trust, dated December 19, 1995

State of Idaho)
 County of Oneida)§

On this 24th day of January, 2022, personally appeared before me **Beverly A. Clark, Trustee, and Michael L. Clark, Trustee**, who, being by me duly sworn, did say that they are the Trustees of **Beverly A. Clark and Michael L. Clark Family Protection Trust, dated December 19, 1995**, 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.



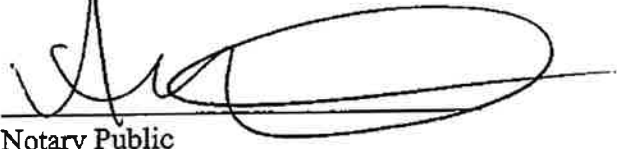

 Notary Public

EXHIBIT A

Beginning at a point 50 feet West of the Southwest Corner of the Southeast Quarter of Section 28, Township 14 South, Range 36 East, Boise Meridian, Oneida County, Idaho and running thence North 01°30' West 732 feet, thence East 239 feet, thence North 12°30' East 910 feet, thence North 2°45' East 1147 feet, thence East 897 feet, thence North 578.92 feet, thence North 63°30' West 503.25 feet, thence North 25°30' West 177 feet, thence North 25°23' West 185 feet, to center of County Road, thence South 58°00' West 85 feet, thence South 59°00' West 745.5 feet, thence South 825 feet to center of Section 28, thence South 56°00' West 703.5 feet, thence South 2224 feet, thence East 478 feet to the point of beginning. (T-824 & T-823)

Subject to a private right of roadway two rods wide along the East and Northeast sides of said land.

Also, Commencing at center of Section 28, Township 14 South, Range 36 East, Boise Meridian, Oneida County, Idaho thence running North 765.4 feet; thence South 58°00' West 263 feet; thence South 1°00' East 816 feet; thence North 60°00' East 250 feet; thence North 44.2 feet; thence East 9.2 feet to the place of beginning. (T-1831 & T-1830)

Subject to Boundary Line Agreement recorded November 6, 1997 under instrument number 125127

Subject to Boundary Line Agreement recorded January 14, 2011 under instrument number 146499

Subject to Boundary Line Agreement recorded January 19, 2011 under instrument number 146518

EXCEPTING THEREFROM:

Commencing at a point 825 feet North and 200 feet North 59°00' East from the center of Section 28, Township 14 South, Range 36 East Boise Meridian, thence running South 31°00' East 190 feet, thence North 59°00' East 180 feet, thence North 31°00' West 190 feet, thence South 59°00' West 180 feet to the point of beginning. (T-2708)

EXCEPTING THEREFROM:

Beginning at a point 50 feet West of the Southwest Corner of the Southeast Quarter of Section 28, Township 14 South, Range 36 East, Boise Meridian, in Idaho, and running thence North 1°30' West 732 feet; thence East 239 feet, thence North 12°30' East 910 feet; thence North 2°45' East 1147 feet; thence East 897 feet for the true point of beginning; thence running North 150 feet, thence West 291 feet; thence South 150 feet; thence East 291 feet to the true point of beginning. (T-3789)

EXCEPTING THEREFROM:

Section 28, Township 14 South, Range 36 East of the Boise Meridian
Beginning at a point in the center of a 33.00 foot right of way for a road and utilities, said point being 265 feet North of the Southeast Corner of the Southwest Quarter of the Northeast Quarter of Section 28, Township 14 South, Range 36 East, Boise Meridian; thence running West 291 feet; thence North 150 feet; thence East 291 feet to said center of a 33.00 foot right of way; thence South 150 feet to the point of beginning. (T-3795)

EXCEPTING THEREFROM:

Beginning at a point in the center of a 33.00 foot right of way for a road and utilities, said point being 490 feet North of the Southeast Corner of the Southwest Quarter of the Northeast Quarter of Section 28, Township 14 South, Range 36 East of the Boise Meridian, thence running North 204 feet more or less to a corner, thence North 63°30' West 325 feet, more or less, thence South 350 feet, more or less to a point 291 feet West of the point of beginning, thence East 291 feet to the point of beginning. (T-4034)

EXCEPTING THEREFROM:

Beginning at a point in the center of a 33.00 foot right of way for a road and utilities, said point being 415 feet North of the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 28, Township 14 South, Range 36 East, Boise Meridian; thence running West 291 feet, thence North 75 feet, thence East 291 feet to said center of a 33.0 foot right of way thence South 75 feet to the point of beginning.

EXCEPTING THEREFROM:

A parcel of land located in the Northeast quarter of Section 28, Township 14 South, Range 36 East, Boise Meridian, Oneida County, Idaho and further described as follows:

Beginning at the North quarter corner of said Section 28, from which the Northeast corner of Section 28 bears North 89° 49' 29" East 2652.10 feet;

Thence South 00° 17' 04" East 1487.25 feet along the meridional centerline of said Section 28; Thence North 89° 42' 56" East 554.54 feet to the centerline of Highway 38, the True Point of Beginning;

Thence North 57° 38' 23" East 201.96 feet along said centerline to the extension of a fence line; Thence South 24° 22' 09" East 33.32 feet along said extension of a fence line to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173" set on the southeasterly right of way line of said Highway 38;

Thence South 24° 22' 09" East 246.73 feet along said extension and a fence line to a 5/8" rebar with cap set at an angle point in said fence line;

Thence South 28° 52' 44" East 25.42 feet along said fence line to a 5/8" rebar with cap; Thence South 76° 48' 07" West 205.90 feet to a 5/8" rebar with cap;

Thence North 24° 22' 09" West 204.10 feet to a 5/8" rebar with cap set on said southeasterly right of way line of Highway 38;

Thence North 24° 22' 09" West 33.32 feet to the True Point of Beginning.

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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

February 25, 2022

BEAU DUKES SMITH AND CALLIE JO SMITH LAND LLC
924 N 300 E
MALAD CITY ID 83252-1171

Re: Change in Ownership for Water Right No(s): 15-7427

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: FARM SERVICE AGENCY



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

February 9, 2022

BEAU DUKES SMITH AND CALLIE JO SMITH LAND LLC
924 N 300 E
MALAD ID 83252

RE: Change in Ownership Water Right No. 15-7427

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:

**** **Evidence of Ownership:** The current owner of water right 15-7427 is Myron P & Buelah Sorensen Trust. The department received a copy of a recorded Warranty Deed from Beverly A Clark and Michael L Clark Family Protection Trust to Beau Dukes Smith and Callie Jo Smith Land LLC, however, to update the ownership a full chain of title back to the current owner listed on the water right is required. Please supply a full chain of title.

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)

SCANNED

FEB 10 2022