

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 06 2021

Department of Water Resources
Eastern Region

MAY 27 2021

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-143130P	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:

Roy Jr. Breshears
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Scott Smith
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

2370 N. 3000 W.
Mailing address

ARCO
City

ID
State

83213
ZIP

208-243-7730
Telephone

SCOTTSMITH1985@Gmail.com
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: 5-10-21

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
• \$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]
Signature of new owner/claimant

Title, if applicable

5-23-21
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JB

Date 5/27/2021

Receipt No. E047006

Receipt Amt. \$25.-

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 10/13/2021

JB 10/6/2021

E047430 \$25.-



First American Title Company
168 West Pacific Street/PO Box 868, Blackfoot, Idaho 83221
Phone (208)785-0320 Fax (208)785-6276

Transmittal

Scott Smith and Joan Smith
2370 North 3000 West
Arco ID 83213

July 20, 2021
File No.: 968244-B

Attn: Scott and Joan

PROPERTY: 2370 N 3000 W, Arco, ID 83213

ENCLOSED please find the following for your records:

- Policy of Title Insurance (to follow)
- Warranty Deed

Should you have any questions or need further assistance, please contact the undersigned. We appreciate the opportunity to serve you.

Sincerely,

Michelle Reay

enc.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

BUTTE COUNTY
Recorded for:
First American Title - Blackfo
02:16:14 PM 05-10-2021
0000-059339
No. Pages: 3 Fee: \$15.00
SHELLY SHAFFER
County Clerk
Deputy: KG

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **968244-B (jcm)**

Date: **May 06, 2021**

For Value Received, **Roy D. Breshears, Jr. and Wanda K. Breshears, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Scott Smith and Joan Smith, husband and wife**, hereinafter called the Grantee, whose current address is **2370 N 3000 W, Arco, ID 83213**, the following described premises, situated in **Butte 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.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

E-RECORDED simplifile

ID: 59339

County: Butte

Date: 5-10-2021 Time: 2:16 pm

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **968244-B (jcm)**

Date: **May 06, 2021**

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Date: **05/06/2021**

Warranty Deed
- continued

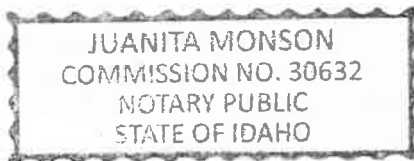
File No.: **968244-B (jcm)**

Roy D. Breshears Jr.
Roy D. Breshears Jr.

Wanda K. Breshears
Wanda K. Breshears

STATE OF Idaho)
COUNTY OF Bingham)
SS.

On this **7th day of May, 2021**, before me, a Notary Public in and for said State, personally appeared **Roy D. Breshears, Jr. and Wanda K. Breshears**, 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.



Juanita Monson
Notary Public for the State of Idaho
Residing at: Blackfoot, ID
My Commission Expires: 01/14/2025

Date: 05/06/2021

Warranty Deed
- continued

File No.: 968244-B (jcm)

EXHIBIT A

A PARCEL OF LAND GENERALLY DESCRIBED AS BEING A PORTION OF LOTS 4 AND 5 OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 27 EAST OF THE BOISE MERIDIAN, BUTTE COUNTY, IDAHO; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6, (SAID CORNER BEING MONUMENTED BY A 1/2 INCH DIAMETER CAPPED STEEL ROD - P.L.S. 1000), FROM WHICH THE WEST 1/4 CORNER OF SAID SECTION 6 (SAID CORNER BEING MONUMENTED BY A 1/2 INCH DIAMETER CAPPED STEEL ROD - P.L.S. 1000) BEARS SOUTH 0°01'06" WEST, A DISTANCE OF 2546.45 FEET;

THENCE FROM THE NORTHWEST CORNER OF SAID SECTION 6, SOUTH 0°01'06" WEST ALONG THE WEST BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 1211.76 FEET TO THE POINT OF BEGINNING OF THIS LAND DESCRIPTION. THENCE SOUTH 89°21'35" EAST, A DISTANCE OF 26.69 FEET TO AN EXISTING FENCE CORNER;

THENCE ALONG AN EXISTING FENCE LINE THE FOLLOWING EIGHT COURSES:

SOUTH 89°21'35" EAST 357.67 FEET;

SOUTH 02°23'50" WEST, 205.08 FEET;

SOUTH 51°36'31" EAST, 37.46 FEET;

SOUTH 30°54'55" EAST, 55.10 FEET;

SOUTH 00°57'12" WEST, 89.71 FEET;

SOUTH 28°32'19" WEST 118.45 FEET;

SOUTH 47°30'05" WEST, 70.49 FEET;

NORTH 87°38'38" WEST, 298.18 FEET TO THE EASTERLY BOUNDARY OF A COUNTY ROAD RIGHT-OF-WAY, AS DEFINED BY AN EXISTING FENCE LINE;

THENCE NORTH 87°38'38" WEST, A DISTANCE OF 25.64 FEET TO THE WEST BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 6;

THENCE NORTH 0°01'06" EAST ALONG THE WEST BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 507.80 FEET 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

October 13, 2021

SCOTT SMITH
JOAN SMITH
2370 N 3000 W
ARCO ID 83213-8794

Re: Change in Ownership for Water Right No(s): 34-14313

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 34
BIG LOST RIVER GROUND WATER DISTRICT