

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
OCT 15 2020
DEPT OF WATER RESOURCES
SOUTHERN 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?
37-22765	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: Sandor Szombathy and Teri Szombathy
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Cory Wesslund Smith and Jennifer Hoey Smith
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 6409 Ketchum ID 83340
Mailing address City State ZIP
208-720-8610 jennifer@jenniferhoey.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: 10/9/20
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 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] Title, if applicable: _____ Date: 10/12/20
 Signature of new owner/claimant

Signature: Cory Smith by GJB attorney Title, if applicable: _____ Date: 10/12/20
 Signature of new owner/claimant in fact

For IDWR Office Use Only:

Received by SC Date 10/15/20 Receipt No. 5038206 Receipt Amt. \$25.00
 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 bm Date 12/31/2020



WARRANTY DEED

FOR VALUE RECEIVED

Sandor Szombathy and Teri Szombathy, husband and wife

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Jennifer Hoey Smith and Cory Wesslund Smith, wife and husband, as community property with right of survivorship

GRANTEE(S) whose current address is: P.O. Box 6409, Ketchum, ID 83340

the following described premises, to-wit:

Lot 28 in Block 2 of HYNDMAN PEAK SUBDIVISION, as shown on the official plat thereof, recorded as Instrument No. 208275, records of Blaine County, Idaho.

Together with Idaho Department of Water Resources water right number 37-22765.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject to and those made, suffered or done by the Grantee; and subject to all existing patent reservations; restrictions in railroad deeds of record; easements and rights of way established and of record; protective covenants of record; zoning ordinances and applicable building codes, use restrictions, ordinances, laws and regulations of any governmental unit; general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable; and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated this 7th day of October, 2020.


Sandor Szombathy


Teri Szombathy

State of Idaho
County of Blaine

This record was acknowledged before me on TH day of OCT, 2020, by
Sandor Szombathy and Teri Szombathy.



Notary Public Curtis S. Chambers
My Commission Expires: 5.18.22

(STAMP)



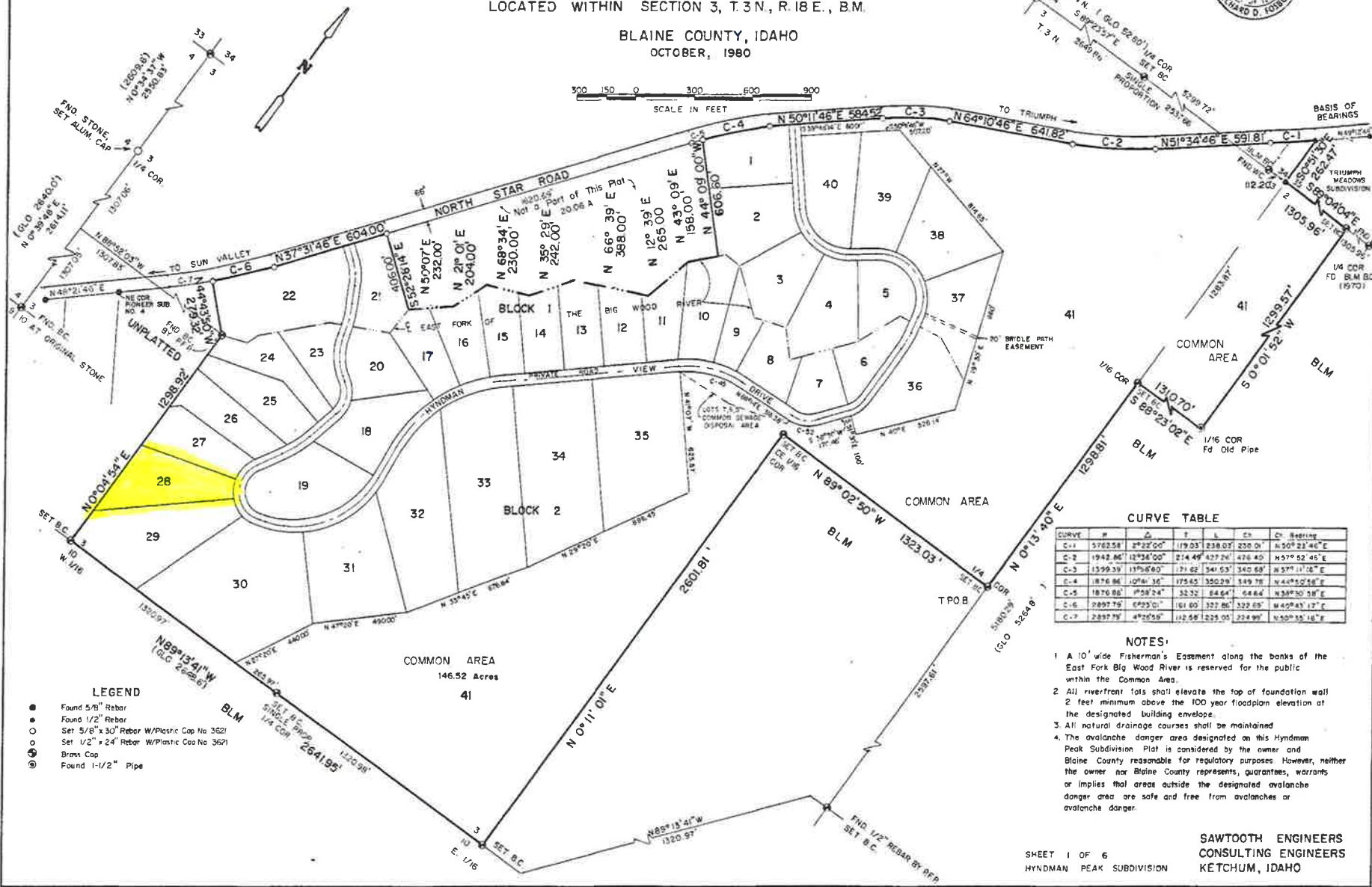
PLAT SHOWING HYNDMAN PEAK SUBDIVISION

LOCATED WITHIN SECTION 3, T.3 N., R.18 E., B.M.

BLAINE COUNTY, IDAHO
OCTOBER, 1980



SCALE IN FEET
0 150 300 450 600 750 900



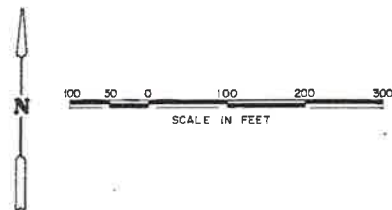
- LEGEND**
- Found 5/8" Rebar
 - Found 1/2" Rebar
 - Set 5/8" x 30" Rebar W/Plastic Cap No 3621
 - Set 1/2" x 24" Rebar W/Plastic Cap No 3621
 - Brass Cap
 - Found 1-1/2" Pipe

CURVE TABLE

CURVE	M	Δ	T	L	CS	C _s	Bearing
C-1	5762.58	2°22'00"	119.03	238.03	230.01		N 50°23'46" E
C-2	1942.86	12°38'00"	214.48	427.26	426.40		N 57°52'45" E
C-3	1359.39	13°56'00"	171.82	341.53	340.68		N 57°11'16" E
C-4	1876.86	10°48'36"	175.65	350.29	349.78		N 44°52'58" E
C-5	1876.86	10°48'24"	32.32	64.64	64.64		N 38°30'58" E
C-6	2897.75	6°25'01"	161.80	322.86	322.85		N 42°43'17" E
C-7	2897.75	4°26'29"	112.58	225.05	224.99		N 50°15'16" E

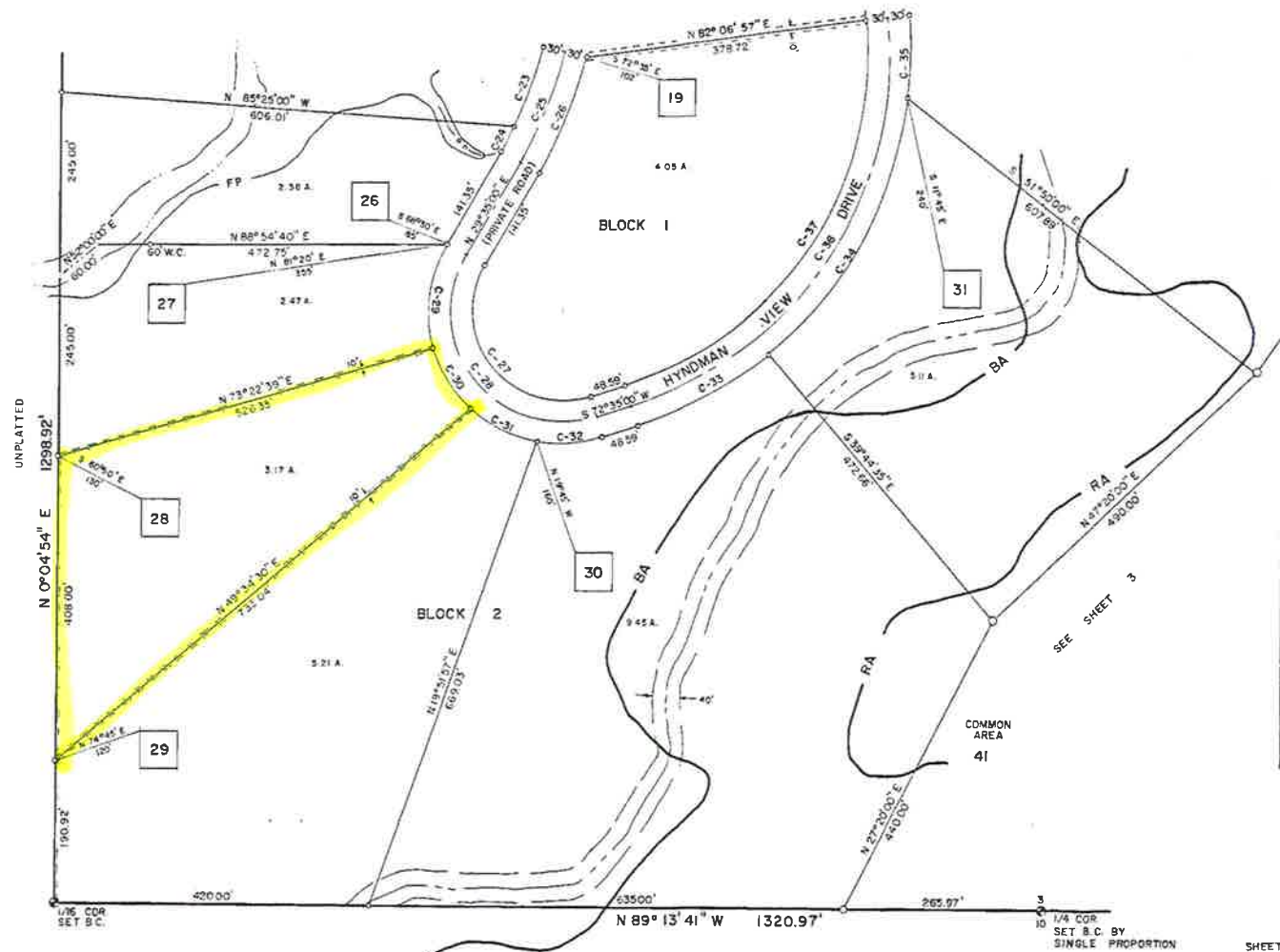
- NOTES:**
- A 10' wide Fisherman's Easement along the banks of the East Fork Big Wood River is reserved for the public within the Common Area.
 - All riverfront lots shall elevate the top of foundation wall 2 feet minimum above the 100 year floodplain elevation at the designated building envelope.
 - All natural drainage courses shall be maintained.
 - The avalanche danger area designated on this Hyndman Peak Subdivision Plat is considered by the owner and Blaine County reasonable for regulatory purposes. However, neither the owner nor Blaine County represents, warrants, or implies that areas outside the designated avalanche danger area are safe and free from avalanches or avalanche danger.

SHEET 1 OF 6
HYNDMAN PEAK SUBDIVISION
SAWTOOTH ENGINEERS
CONSULTING ENGINEERS
KETCHUM, IDAHO



SEE SHEET 5

SEE SHEET 3



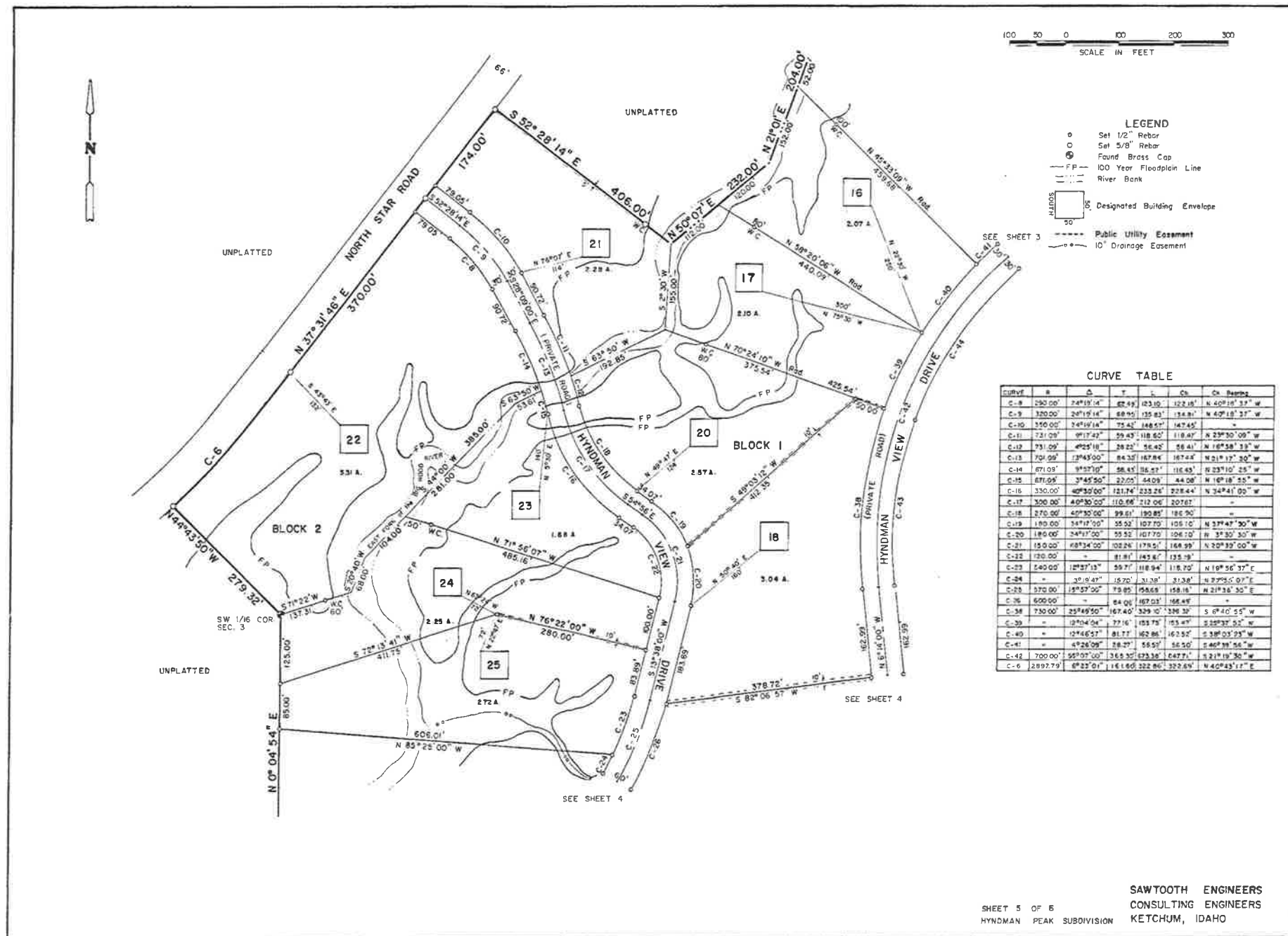
- LEGEND**
- o Set 1/2" Rebar
 - o Set 5/8" Rebar
 - o Found Brass Cap
 - 100 Year Floodplain Line
 - River Bank
 - Designated Building Envelope
 - Public Utility Easement
 - Irrigation and Homeowners Pedestrian Easement
 - BA Blue Avalanche Zone (Low Hazard)
 - RA Red Avalanche Zone (High Hazard)
 - 10' Drainage Easement

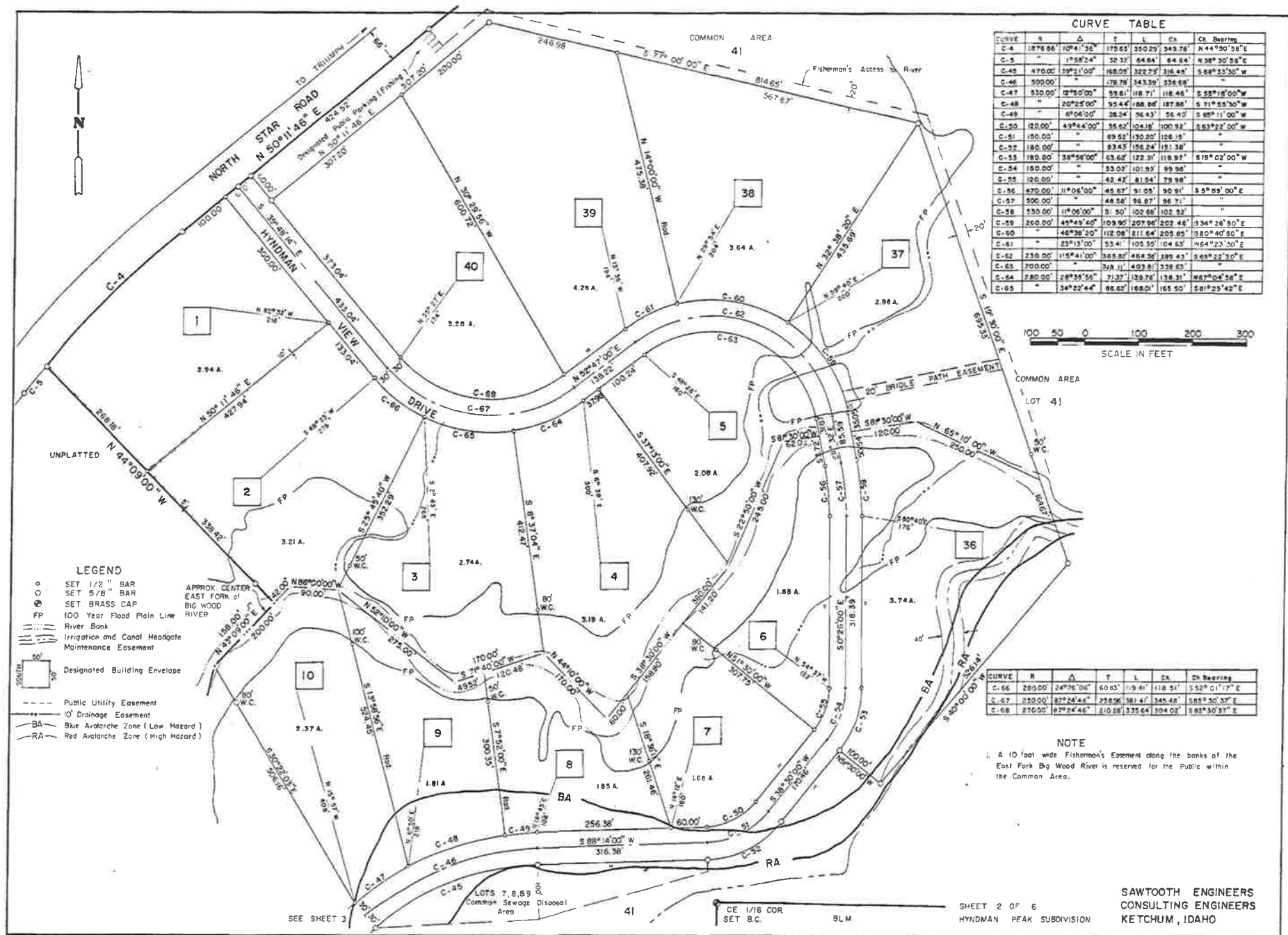
CURVE TABLE

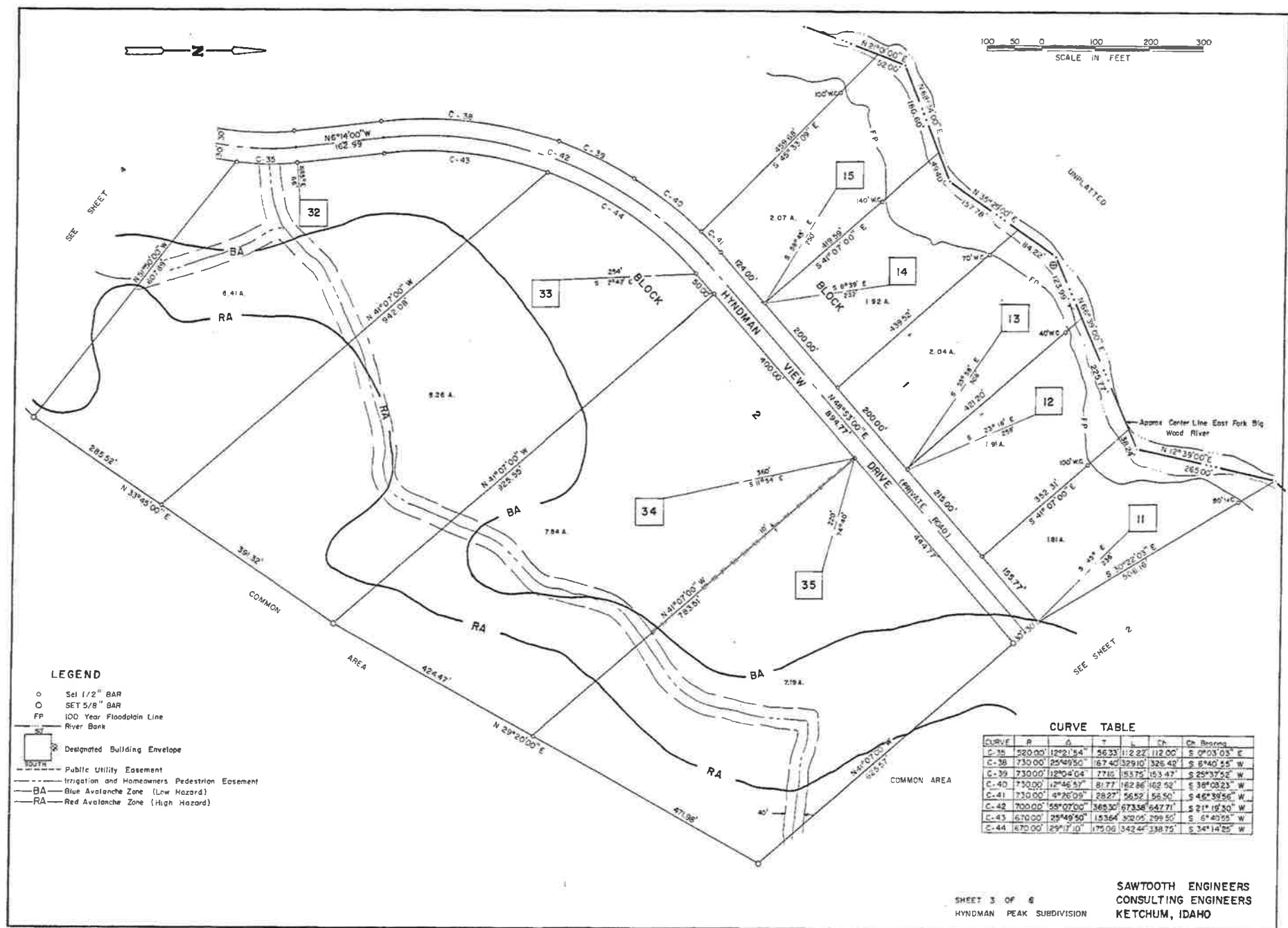
CURVE	R	Δ	T	L	Ch	Ch Bearing
C-23	540.00	12°37'13"	98.71	118.94	118.72	N 18°56'37" E
C-24	"	3°13'47"	15.70	31.36	31.38	N 27°55'01" E
C-25	570.00	15°57'00"	79.67	158.68	158.16	N 21°36'30" E
C-26	600.00	"	84.06	167.03	166.49	"
C-27	120.00	137°00'00"	304.64	286.92	223.30	N 38°55'00" W
C-28	150.00	"	140.85	356.67	279.13	"
C-29	180.00	46°12'21"	76.79	145.16	141.06	N 6°28'48" W
C-30	"	31°49'52"	51.33	100.00	98.72	N 32°32'17" W
C-31	"	"	"	"	"	N 64°22'06" W
C-32	"	27°08'50"	44.43	89.34	84.48	S 86°06'58" W
C-33	520.00	21°19'31"	100.41	202.10	200.35	S 61°25'15" W
C-34	"	44°03'31"	210.76	400.47	390.64	S 28°11'40" E
C-35	"	12°21'54"	56.33	112.27	112.00	S 0°03'03" E
C-36	490.00	78°49'00"	408.41	874.06	822.35	S 33°10'30" W
C-37	460.00	"	577.96	632.78	584.06	"

SHEET 4 OF 6
HYNDMAN PEAK SUBDIVISION

SAWTOOTH ENGINEERS
CONSULTING ENGINEERS
KETCHUM, IDAHO







LEGEND

- Set 1/2" BAR
- SET 5/8" BAR
- FP 100 Year Floodplain Line
- River Bank
- Designated Building Envelope
- Public Utility Easement
- Irrigation and Homeowners Pedestrian Easement
- BA Blue Avalanche Zone (Low Hazard)
- RA Red Avalanche Zone (High Hazard)

CURVE TABLE

CURVE	R	Δ	T	L	Ch	Ch Bearing
C-35	520.00'	122°54'	56.33'	112.22'	112.00'	S 0°03'03" E
C-36	730.00'	25°49'50"	67.40'	329.10'	326.42'	S 6°40'55" W
C-39	730.00'	122°04'04"	77.16'	153.75'	153.47'	S 25°37'52" W
C-40	730.00'	12°46'57"	81.77'	162.86'	162.52'	S 36°08'23" W
C-41	730.00'	4°26'09"	28.27'	56.52'	56.50'	S 46°38'56" W
C-42	700.00'	55°07'00"	365.30'	673.38'	647.71'	S 21°18'30" W
C-43	670.00'	25°49'50"	153.64'	302.05'	299.50'	S 6°40'55" W
C-44	670.00'	29°17'10"	175.06'	342.44'	338.75'	S 34°14'25" W

SHEET 3 OF 6
HYNDMAN PEAK SUBDIVISION

SAWTOOTH ENGINEERS
CONSULTING ENGINEERS
KETCHUM, IDAHO

CERTIFICATE OF OWNERSHIP

This is to certify that we the undersigned, are the owner in fee simple of the following described parcel of land lying within Section 2 and 3, T. 3N., R. 18E., and Section 34, T. 4N., R. 18E., B.M., more particularly described as follows: Beginning at the 1/2" Bar marking the Section Corner common to 34, 35, T. 4N., R. 18E., and 2 and 3, T. 3N., R. 18E., thence S 0° 13' 40" W 2582.68 feet; to the T.P.O.B.; thence N 89° 02' 50" W 1323.03 feet; thence S 0° 11' 01" W 2601.81 feet; thence N 89° 13' 41" W 2641.95 feet; N 0° 04' 54" E 1298.92 feet; thence N 44° 43' 50" W 279.32 feet; thence 322.86 feet along a curve to the left to a point which bears N 40° 43' 17" E 322.69 feet; thence N 37° 31' 46" E 604.00 feet; thence S 52° 28' 14" E 406.00 feet; thence along the center of East Fork of Big Wood River the next 7 courses, N 50° 07' E 232.00 feet; thence N 21° 01' E 204.00 feet; thence N 68° 34' E 230.00 feet; thence N 35° 29' E 242.00 feet; thence N 66° 39' E 388.00 feet; thence N 12° 39' E 265.00 feet; thence N 43° 09' 00" E 158.00 feet; N 44° 09' W 606.60 feet; thence 350.29 feet along a curve to the right to a point which bears N 44° 50' 58" E 349.78 feet; thence N 50° 11' 46" E 584.52 feet; thence 341.53 feet along a curve to the right to a point which bears N 57° 11' 16" E 340.68 feet; thence N 64° 10' 46" E 641.82 feet; thence 427.26 feet along a curve to the left to a point which bears N 57° 52' 46" E 426.40 feet; thence N 51° 34' 46" E 591.81 feet; thence 238.03 feet along a curve to the left to a point which bears N 50° 23' 46" E 238.01 feet; thence S 0° 51' 30" E 262.47 feet; thence S 89° 04' 04" E 1305.96 feet; thence S 0° 01' 52" W 1299.57 feet; thence N 88° 23' 02" W 1310.70 feet; thence S 0° 13' 40" W 1298.81 feet to the T.P.O.B., containing 293.00 acres, more or less.

It is the intent of the owners to hereby include said land in this plat.

The purchaser and/or owner of this parcel understands and agrees that private road construction, maintenance, and snow removal shall be the obligation of the owner, his successors in interest, or homeowners' association, and that Blaine County is in no way obligated to accept, maintain or improve these roads until the roads are brought up to county standards, dedicated, and accepted by the county, and that each owner shall notify in writing any successor in interest of these facts.

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements.

The restrictive covenants governing this subdivision are recorded under instrument No. _____ in the Blaine County Recorder's office.

Robert M. Brennan

Rupert House

Bonnie House

COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and this plat of is hereby approved this 22nd day of October, 1980.

Marilyn Janier
Blaine County Treasurer



ACKNOWLEDGEMENT

STATE OF Idaho
COUNTY OF Blaine } ss

On this 22nd day of October, 1980, before me, a Notary Public in and for said state personally appeared the persons whose names are subscribed to the Owner's Certificate and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

Walter L. Hays
Notary Public Blaine & Hailey, Idaho

SURVEYOR'S CERTIFICATE

I, Richard D. Fosbury, a duly licensed land surveyor in the State of Idaho, do hereby certify that this plat of Hyndman Peak Subdivision is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.



SANITARY RESTRICTIONS

COUNTY ENGINEER'S APPROVAL

I, Jim W. Koonce, County Engineer for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.



APPROVAL OF BLAINE COUNTY PLANNING AND ZONING

The foregoing plat was approved by the Blaine County Planning and Zoning Commission on this 14 day of October, 1980.

James D. Slette
Administrator

APPROVAL OF BLAINE COUNTY COMMISSIONERS

The foregoing plat was approved by the Blaine County Board of Commissioners on this 27 day of October, 1980.

Ray Stulcat
Chairman

COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO }
COUNTY OF BLAINE } ss

This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho on this _____ day of _____, 19____, at _____ M., and duly recorded in Plat Book _____, at page _____.

Ex-officio Recorder



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 12, 2021

CORY WESSLUND SMITH
JENNIFER HOEY SMITH
PO BOX 6409
KETCHUM ID 83340-6409

Re: Change in Ownership for Water Right No(s): 37-22765

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) 293-9908.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Jill Eshman Law
Sandor & Teri Szombathy
Water District 37

JILL ESHMAN LAW

October 13, 2020

RECEIVED

OCT 15 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

Via FedEx 2Day:

Idaho Department of Water Resources
IDWR Southern Region
650 Addison Avenue West, Ste. 500
Twin Falls, ID 83310

Re: Notices of Change of Water Right Ownership
Water Right 37-22765 and Water Right 37-22766

To Whom It May Concern;

Enclosed please find the Notices of Change of Water Right Ownership for Water Right Nos. 37-22765 and 37-22766.

Should you have any questions, please contact me (208-727-1700 or leigh@jeshmanlaw.com).

Sincerely,

JILL ESHMAN LAW



D. Leigh Koonce, ACP
Paralegal to Jill W. Eshman, J.D., LL.M.