

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?
37-22766	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]

Signature of new owner/claimant

Title, if applicable

Date 10/12/20

Signature: Cory Smith by JLS attorney in fact

Signature of new owner/claimant

Title, if applicable

Date 10/12/20

For IDWR Office Use Only:

Received by SG

Date 10/15/20

Receipt No. 5038207

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 DM

Date 12-31-2020

Instrument # 674214

HAILEY, BLAINE, IDAHO
10-08-2020 3:15:35 PM No. of Pages: 2
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRACE Fee: \$15.00
Ex-Officio Recorder Deputy: GWB
Electronically Recorded by Simplifile

**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 29A, Block 2 of HYNDMAN PEAK SUBDIVISION: BLOCK 2, LOTS 29A & 30A & PIONEER MOUNTAIN RANCH SUBDIVISION: LOT 10A, as shown on the official plat thereof, recorded as Instrument No. 662165, records of Blaine County, Idaho.

Together with IDWR water right no.37-22766

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 07th day of OCT, 2020.


Sandor Szombathy


Teri Szombathy

State of Idaho
County of Blaine

This record was acknowledged before me on 6TH day of 00T, 2020 by
Sandor Szombathy and Teri Szombathy.


Notary Public Curtis S. Chambers
My Commission Expires: 5.18.22

(STAMP)



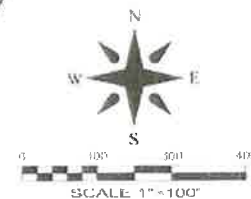
LOCATED WITHIN SECTIONS 7 & 10 TOWNSHIP 3 NORTH RANGE 18 EAST, B.M. BLAINE COUNTY, IDAHO

JULY 2019

THE PURPOSE OF THIS PLAN IS TO MODIFY THE DIMENSIONS IN FIGS 29 AND 30, TO PROVIDE SPARK GUTS AND LUGS TO PROVIDE MAXIMUM TORQUE SUBJECT TO THE REQUIREMENT OF THE DRIVING CONDITIONS ON SAE LOG 29 (SEE PLAN NO. 29) AND TO MAINTAIN DIMENSIONS AS FOUND AND INDICATED. ALL FOUND DIMENSIONS WERE MEASURED AS EITHER ORIGINAL OR REPLACEMENTS OF ORIGINAL. DIMENSIONS MISSING CORNER, WERE SET USING PAIRED DIMENSIONS ADJUSTED AS NECESSARY TO MAINTAIN THE MAXIMUM AND MINIMUM DIMENSIONS AS FOUND AND INDICATED.



- [illegible]



Secretary instructions as required by Idaho Code Title 34, Chapter 13, have been submitted. Secretary instructions may be resubmitted in accordance with Idaho Code Title 34, Chapter 13, Section 14-1326, by the issuance of a certificate of disapproval.

Date 07/29/2019

South Central Public Health District, NEMS

Curve	Age	Length	Weight	Delta	Angle	Core	Beam	Range	Depth
1	100.00	180.00	174.00	0.00	0.00	0.00	0.00	0.00	0.00
2	99.92	180.00	174.00	0.00	0.00	0.00	0.00	0.00	0.00
3	100.00	180.00	174.00	0.00	0.00	0.00	0.00	0.00	0.00
4	80.29	180.00	174.00	0.00	0.00	0.00	0.00	0.00	0.00
5	6.54	180.00	174.00	0.00	0.00	0.00	0.00	0.00	0.00
6	302.35	300.00	270.00	0.00	0.00	0.00	0.00	0.00	0.00
7	302.35	300.00	270.00	0.00	0.00	0.00	0.00	0.00	0.00
8	14.58	300.00	270.00	0.00	0.00	0.00	0.00	0.00	0.00


 EYENMAN PEAK SURD BLOCK 2 LOTS 29A & 30A
 &
 PIONEER MOUNTAIN RANCH SURD LOT 15A
 LOCATED WITHIN
 SECTIONS 3 & 4 TOWNSHIP 3 NORTH RANGE 18 EAST
 B.M. BLAINE COUNTY IDAHO
 PREPARED FOR THE BUREAU OF LAND MANAGEMENT
 1960 BY NO. 1217-B
 1961 BY 12-10-21
 1962 BY 12-10-21

[illegible][illegible]

FLOOD PLAIN TYPES ARE SUBJECT TO CHANGE, AND ARE NOT SHOWN ON THIS MAP. CONSULT THE CURRENT FLOOD STUDY FOR THE LATEST FLOODPLAIN INFORMATION.

1. AVAILABLE LIMUS SLOAN - REGION FOR STUDIES BY ALPINE ENTERPRISES & WILSON STARK, AS ABOVE

10 THE AVALANCH DANGER AREA DESIGNATED ON THIS MAP IS CONTROLLED BY THE TOWN OF BUNNE COUNTY
REASONABLE FOR REGULATORY PURPOSES. HOWEVER NEITHER THE OWNER NOR BUNNE COUNTY REPRESENTS, GUARANTEES,
WARRANTS OR ENDORSES THAT ANY OF THESE ARE THE DESIGNATED AVALANCHE DANGER AREA AND NOT FROM
ANY OTHER SOURCE OR AVALANCHE DANGER

[illegible]

LINE DATA		
LINE	BEARING	DISTANCE
1	S 41° 24' 30" W	41.91
2	S 41° 01' 48" W	42.05
3	N 71° 01' 20" W	80.25
4	N 17° 22' 00" E	20.01
5	N 41° 34' 12" E	24.93
6	N 11° 10' 22" E	5.50
7	S 69° 34' 17" E	66.94
8	S 89° 03' 48" E	68.55
9	S 77° 25' 04" W	70.30
10	S 74° 01' 00" E	15.43
11	N 88° 05' 15" E	14.29
12	S 67° 56' 12" W	24.15
13	N 7° 25' 30" E	18.52
14	S 24° 34' 00" E	18.29

**HYNDMAN PEAK SUBDIVISION: BLOCK 2, LOTS 29A & 30A
&
PIONEER MOUNTAIN RANCH SUBDIVISION: LOT 10**

OWNER'S CERTIFICATE

This is to certify that the DBLS LEGACY TRUST, DATED JUNE 1, 2011, David C. Bjerke and Lisa R. Bjerke, as Trustees, is the fee simple owner of Real Property described as follows:

A parcel of land located within Sections 3 & 10, Township 3 North, Range 18 East, Boise Meridian, more particularly described as follows:

Lot 10 of PIONEER MOUNTAIN RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 334390, records of Blaine County, Idaho.

Pursuant to Idaho Code 50-1334, the undersigned, as owner, does hereby state that the lot described in this plat will not be served by any water system common to one or more of the lots, but will be served by an individual well.

The easements shown hereon are not dedicated to the public, but the right to use said easements for the intended purposes is hereby reserved. No structures other than for such utility and other designated uses are to be erected within the lines of said easements.

It is the intention of the undersigned to, and they do hereby include said land in this plat.

Signed this 18TH day of JULY, 20 19

DBLS LEGACY TRUST, DATED JUNE 1, 2011

BY: David C. Bjerke
DAVID C. BJERKE, Trustee

BY: Lisa R. Bjerke
LISA R. BJERKE, Trustee

ACKNOWLEDGEMENT

COUNTY OF BLAINE }
STATE OF IDAHO }

On this 18 day of JULY, 20 19, before me, the undersigned, a Notary Public in and for said State, personally appeared DAVID C. BJERKE and LISA R. BJERKE, known or identified to me to be the Trustees of the DBLS LEGACY TRUST, DATED JUNE 1, 2011, and acknowledged to me that they and said trust executed the same.

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

My commission expires: 09/26/2020

Residing at: KETCHUM, IDAHO

Cinda P. Lewis
Notary Public



OWNER'S CERTIFICATE

This is to certify that SANDOR SZOMBATHY and TERI SZOMBATHY, husband and wife, are the fee simple owners of Real Property described as follows:

A parcel of land located within Section 3, Township 3 North, Range 18 East, Boise Meridian, more particularly described as follows:

Lot 29 and Lot 30 in Block 2 of HYNDMAN PEAK SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 208273, records of Blaine County, Idaho.

Pursuant to Idaho Code 50-1334, the undersigned, as owner, does hereby state that the lot described in this plat will not be served by any water system common to one or more of the lots, but will be served by an individual well.

The easements shown hereon are not dedicated to the public, but the right to use said easements for the intended purposes is hereby reserved. No structures other than for such utility and other designated uses are to be erected within the lines of said easements.

It is the intention of the undersigned to, and they do hereby include said land in this plat.

Signed this 12TH day of JULY, 20 19

Sandor Szombathy
SANDOR SZOMBATHY
Teri Szombathy
TERI SZOMBATHY

ACKNOWLEDGEMENT

COUNTY OF BLAINE }
STATE OF IDAHO }

On this 12 day of JULY, 20 19, before me, the undersigned, a Notary Public in and for said State, personally appeared SANDOR SZOMBATHY and TERI SZOMBATHY, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

My commission expires: 09/26/2020

Residing at: KETCHUM, IDAHO

Cinda P. Lewis
Notary Public



	HYNDMAN PEAK SUBD. BLOCK 2, LOTS 29A & 30A & PIONEER MOUNTAIN RANCH SUBD. LOT 10A	
	LOCATED WITHIN SECTIONS 3 & 10, TOWNSHIP 3 NORTH, RANGE 18 EAST BLAINE COUNTY, IDAHO	
	PREPARED FOR: BJERKE/SZOMBATHY	
	PROJECT NO. 18136 FINAL PLAT	DRAWN BY: CPL DATE: 07/10/2019

HYNDMAN PEAK SUBDIVISION: BLOCK 2: LOTS 29A & 30A
&
PIONEER MOUNTAIN RANCH SUBDIVISION: LOT 10

SURVEYOR'S CERTIFICATE

I, Larry Jones, a duly Registered Professional Land Surveyor in the State of Idaho, do hereby certify that this is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with Idaho State Code relating to plats and surveys.

LARRY JONES, P.L.S. #13764



COUNTY COMMISSIONER'S APPROVAL

The foregoing plat was approved and accepted this 28 day of January, 2019, by the County Commissioners, Blaine County, Idaho.

[Signature]

COUNTY SURVEYOR'S APPROVAL

This is to certify that I, SAN YOUNG County Surveyor 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.

By: *[Signature]*

7/17/19
(Date)

COUNTY TREASURER'S CERTIFICATE

On this 25th day of July, 2019, the foregoing plat was approved and accepted by the Blaine County Treasurer, Blaine County, Idaho.

By: *[Signature]*

COUNTY PLANNING & ZONING APPROVAL

The foregoing plat was approved and accepted this 24th day of JULY, 2019, by the Blaine County P & Z Administrator.

By: TOM BERGIN

COUNTY RECORDER'S CERTIFICATE

Instrument # 662165
PAULET BLAKE (Clerk)
BL-2018 10-20-18 Exp. No. of Pages: 3
Recorded by: BENCHMARK ASSOCIATES
JULIAN BRADY File: 12.30
Ex Officer Record: Safety File: 12.30
File to: PLATS

	HYNDMAN PEAK SUBD : BLOCK 2, LOTS 29A & 30A		
	& PIONEER MOUNTAIN RANCH SUBD LOT 10A		
	LOCATED BY: JIM		
	SECTIONS: 3 & 10, TOWNSHIP 3 NORTH RANGE 18 EAST BLAINE COUNTY, IDAHO		
PREPARED FOR: BULKLI/SZOMBATHY			
PROJECT NO: 18156	DWG. BY: JCB	DATE: 8/7/2019	TITLE: 1 OF 3
FINAL PLAT			



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): 37-22766

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.

Please note, the department also received a Change in Ownership on October 22, 2020 which conveyed the property and water rights associated with 37-22766 from TASZO LLC to Sandor and Teri Szombathy. This transaction took place in April, 2019, prior to the Smith's acquiring the property and water rights in October, 2020. The department records have been updated accordingly to reflect both transactions.

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
Blaine County Title Inc. (File #2022836)
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.