

RECEIVED

SEP 03 2020

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-21496	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-21498	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Colter Ingram
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Gary M. Smith and Patricia M. Smith
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 150 Bartholomew Rd Hailey ID 83333
Mailing address City State ZIP
(208) 515-1426 Trisnickers@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: 8/28/2020
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):
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: Gary M. Smith 8/27/2020
Signature of new owner/claimant Title, if applicable Date
Signature: Patricia M. Smith 8/27/2020
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SG Date 9/3/20 Receipt No. 5038119 Receipt Amt. 150.00
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 9-8-2020

SUPPORT DATA

IN FILE # 37-21496



491 N. Main Street, Suite 102
Ketchum, ID 83340

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 736889 /HH

Instrument # 672447

HAILEY, BLAINE, IDAHO
08-28-2020 12:34:54 PM No. of Pages: 1
Recorded for: PIONEER TITLE COMPANY OF BLAINE COUNT
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: GWB
Electronically Recorded by Simplifile

WARRANTY DEED

For Value Received Colter Ingram, an unmarried man
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Gary M. Smith and Patricia M. Smith, husband and wife, as community property with right of
survivorship

hereinafter referred to as Grantee, whose current address is 150 Bartholomew Rd Hailey, ID 83333

The following described premises, to-wit:

Lot 3, Block 1, Gannett Ranch Subdivision, according to the plat thereof, filed as Instrument No.
514806, records of Blaine County, Idaho.

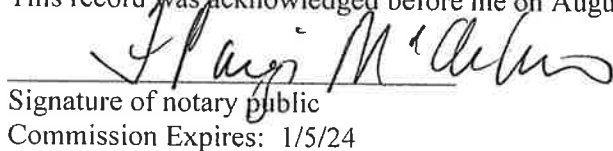
To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable,
and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: August 27, 2020


Colter Ingram

State of Idaho, County of Blaine

This record was acknowledged before me on August 27, 2020 by Colter Ingram.


Signature of notary public
Commission Expires: 1/5/24





THIS IS NOT A SURVEY. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. PIONEER TITLE COMPANY MAKES NO REPRESENTATIONS AS TO THE ACCURACY OF THE MAP AND ASSUMES NO LIABILITY FOR IT.

TAX LOT 7798
UNPLATTED

GANNETT RANCH SUBDIVISION

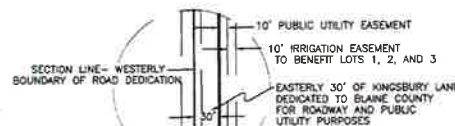
WHEREIN TAX LOT 7151 IS DIVIDED INTO 4 LOTS.
LOCATED WITHIN SECTION 20, TOWNSHIP 1 NORTH, RANGE 19 EAST,
BOISE MERIDIAN, BLAINE COUNTY, IDAHO
NOVEMBER, 2004

NOTES:

1. WATER RIGHTS SHALL BE DISTRIBUTED TO EACH INDIVIDUAL LOT.
2. THE AGRICULTURAL WATER RIGHT SHALL BE USED FOR AGRICULTURAL AND LANDSCAPE IRRIGATION. ANY NEW DOMESTIC PERMIT SHALL BE FOR POTABLE IN HOUSE WATER ONLY.
3. ALL NEW UTILITIES SHALL BE UNDERGROUND.
4. FIRE PROTECTION REQUIREMENTS ARE THOSE OF THE WOOD RIVER RURAL FIRE DISTRICT. BLAINE COUNTY CODE TITLE 7 CHAPTER 7. THE CURRENT ADOPTED EDITION OF THE FIRE AND BUILDING CODE, INCLUDING, BUT NOT LIMITED TO, WATER SUPPLY, ACCESS (INCLUDING TURNAROUNDS) AND CLEAR ZONES, SHALL BE COMPLIED WITH PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.
5. PURSUANT TO STATE REGULATIONS, MAINTENANCE AND WEED CONTROL FOR ALL LOTS ARE THE RESPONSIBILITY OF THE DEVELOPER UNTIL THE LOT IS SOLD, AT WHICH TIME RESPONSIBILITY IS TRANSFERRED TO THE INDIVIDUAL LOT OWNER.
6. A 40 FOOT WIDE CANAL MAINTENANCE EASEMENT IS GRANTED TO BIG WOOD DISTRICT NO. 45 CANAL. SAID EASEMENT SHALL BE OF A WIDTH NECESSARY FOR CANAL MAINTENANCE PURSUANT TO IDAHO CODE SEC. 42-1204, BUT SHALL BE NO LESS THAN 40' IN WIDTH.
7. STATE LAW (42-111) LIMITS DOMESTIC IRRIGATION TO ONE-HALF ACRE OF LAND, IF THE TOTAL DOMESTIC USE IS NOT IN EXCESS OF THIRTEEN THOUSAND GALLONS PER DAY.
8. **MARKETING DISCLOSURE:** THIS PROPERTY INCLUDES AND IS ADJACENT TO ACTIVE AGRICULTURAL USES, WHICH MAY INVOLVE ACTIVITIES OCCURRING DAY OR NIGHT, THESE ACTIVITIES MAY RESULT IN THE PRODUCTION OF NOISE, ODOR, AND DUST AND MAY INVOLVE LIGHTS, AERIAL SPRAYING, MACHINERY AND OTHER INCONVENIENCES ALL DEEDS CONVEYING TITLE TO THIS PROPERTY WILL CONTAIN A RESTRICTION PROHIBITING PROPERTY OWNERS FROM CHALLENGING LAWFULLY CONDUCTED AGRICULTURAL OPERATIONS OCCURRING WITHIN ONE (1) MILE OF THE PROPERTY.
DEED RESTRICTION: ALL DEEDS CONVEYING TITLE TO REAL PROPERTY WITHIN THIS SUBDIVISION SHALL INCLUDE THE FOLLOWING DEED RESTRICTION: EACH GRANTEE TAKING THIS PROPERTY OR ANY PORTION THEREOF COVENANT AND AGREE FOR THE GRANTEE AND GRANTEE'S HEIRS, EXECUTORS AND ASSIGNS, TO NOT CHALLENGE ANY AGRICULTURAL USES OR OPERATIONS THAT ARE AUTHORIZED BY THE BLAINE COUNTY ZONING ORDINANCE AND CONDUCTED WITHIN ONE (1) MILE OF THE PROPERTY, AND THAT WERE LAWFULLY OCCURRING, OR AUTHORIZED BY ANY GOVERNMENT AGENCY, AS OF THE DATE OF EACH DEED CONVEYING ANY RIGHT, TITLE OR INTEREST IN THIS PROPERTY OR ANY PORTION THEREOF.
GRANTEE'S ACKNOWLEDGMENT AND WAIVER: EACH GRANTEE SHALL CONTEMPORANEOUSLY WITH THE EXECUTION OF ANY DEED CONVEYING TITLE TO REAL PROPERTY WITHIN THIS SUBDIVISION, SIGN AND RECORD WITH THE BLAINE COUNTY RECORDER THE FOLLOWING ACKNOWLEDGMENT AND WAIVER, WHICH SIGNING SHALL BE DULY ACKNOWLEDGED BY A NOTARY PUBLIC: THE UNDERSIGNED ACKNOWLEDGE AND AGREE THAT THE PROPERTY DESCRIBED IN EXHIBIT A (LEGAL DESCRIPTION OF PROPERTY BEING CONVEYED) IS EITHER LOCATED IN, OR NEAR, AN AGRICULTURAL ZONE, AND THAT LAWFUL ACTIVITIES WITHIN AN AGRICULTURAL ZONE MAY OCCUR DURING THE DAY OR NIGHT, AND MAY RESULT IN THE PRODUCTION OF NOISE, ODORS AND DUST, AND MAY INVOLVE LIGHTS, AERIAL SPRAYING, MACHINERY AND OTHER INCONVENIENCES EACH OF THE UNDERSIGNED ACKNOWLEDGES THAT THE DEED CONVEYING TITLE WILL CONTAIN A RESTRICTION THAT WILL PROHIBIT CHALLENGING ALL AGRICULTURAL USES OR OPERATIONS AUTHORIZED BY THE BLAINE COUNTY ZONING ORDINANCE AND CONDUCTED WITHIN ONE (1) MILE OF THIS PROPERTY DESCRIBED IN EXHIBIT A THAT WERE LAWFULLY OCCURRING, OR AUTHORIZED BY ANY GOVERNMENT AGENCY, AS OF THE DATE OF EACH DEED CONVEYING ANY RIGHT, TITLE OR INTEREST IN THE PROPERTY DESCRIBED IN EXHIBIT A. EACH OF THE UNDERSIGNED, FOR THE BENEFIT OF ANY OWNER OF REAL PROPERTY WITHIN ONE (1) MILE OF THE PROPERTY DESCRIBED IN EXHIBIT A, HEREBY WAIVES ANY RIGHT OR CAUSE OF ACTION THE UNDERSIGNED MAY HAVE UNDER LAW TO CHALLENGE ANY SUCH LAWFULLY OCCURRING OR AUTHORIZED AGRICULTURAL USES OR OPERATIONS.
9. **DENSITY STATEMENT:** WITH FOUR LOTS (3 CLUSTER LOTS INCLUDING AN ALLOWABLE BONUS LOT AND 1 AG. LOT) ON 77.55 ACRES, NO FURTHER SUBDIVISION OR REDUCTION IN THE SIZE OF THE AG. PARCEL IS PERMITTED.
10. a) ALL NEW FENCING, EXCEPT LIVESTOCK CORRALS, SHALL MEET THE STANDARDS OF THE IDAHO FISH & GAME TO ALLOW FOR UNRESTRICTED MOVEMENT OF WILDLIFE. POST AND POLE DESIGN IS RECOMMENDED. MAXIMUM TOP RAIL HEIGHT SHALL BE 42 INCHES AND MINIMUM BOTTOM RAIL HEIGHT SHALL BE 16 INCHES. b.) DOMESTIC PETS INCLUDING CATS SHALL BE KEPT INDOORS, IN KENNELS, LEASHED, OR OTHERWISE IN CONTROL OF THEIR OWNERS TO MINIMIZE PET-LIVESTOCK AND WILDLIFE CONFLICTS. DOGS RUNNING AT LARGE DRAMATICALLY INCREASE THE NEGATIVE EFFECTS OF HOUSING DEVELOPMENTS ON WILDLIFE AND DOMESTIC CATS ARE PROVEN TO BE VERY EFFICIENT PREDATORS ON WILD BIRD POPULATIONS. c.) HAY OR OTHER LIVESTOCK FEED SHOULD BE STORED AND FED SO IT IS NOT AVAILABLE TO BIG GAME. THIS WILL MINIMIZE THE CHANCES OF ATTRACTING WILDLIFE AWAY FROM WINTER RANGE AND WILL REDUCE THE DEPRECIATION POTENTIAL. d.) FEEDING OF BIG GAME OR WILDLIFE SHOULD BE ALLOWED ON THE PROPERTY. e.) WILDLIFE DAMAGE TO ORNAMENTAL TREES AND SHRUBS COULD OCCUR FROM BIG GAME. THE COSTS OF RESOLVING PROBLEMS CAUSED BY WILDLIFE DAMAGE TO PRIVATE PROPERTY SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER(S). ACTIONS TAKEN TO ALLEVIATE WILDLIFE DEPRECIATIONS SHALL BE THOSE PRESCRIBED OR APPROVED BY THE IDAHO FISH & GAME, WHO WILL PROVIDE CONSULTATION IN A TIMELY MANNER UPON NOTIFICATION.
11. SEE R.O.S. INST.#380595 BY SAWTOOTH ENGINEERING SHOWING SECTION BREAKDOWN.
12. TIES TO BLAINE COUNTY GIS MONUMENTS ARE IN NAD 83 IDAHO CENTRAL ZONE AT GRID BASE ON POINT PERO.
13. NO MORE THAN ONE ACCESSORY DWELLING IS ALLOWED ON LOTS 1-3 AND EMPLOYEE HOUSING IS ONLY ALLOWED ON LOT 4.

LEGEND

- FOUND 5/8" REBAR
- FOUND BRASS CAP
- SET 1/2" REBAR
- SET 5/8" REBAR
- NEW RESIDENTIAL BUILDING SETBACK



DETAIL "A"
NOT TO SCALE

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.

Date: 12-27-2004

South Central District Health Dept., DHS



PREPARED BY: BENCHMARK ASSOCIATES, P.A.
P.O. BOX 733, KETCHUM, ID 83340
(208) 726-9512 : 726-9514 (FAX)
E-MAIL: mail@bma5b.com



GANNETT RANCH SUBDIVISION

LOCATED WITHIN
SECTION 20, TOWNSHIP 1 NORTH, RANGE 19 EAST
BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PREPARED FOR: ROBERT STRUTHERS

FINAL PLAT	DRAWN BY: SWS	DATE: 11/2004
PROJECT NO. 03836	PLAT FILE 03836FP.DWG	SHEET 1 OF 2

37-21496 & 37-21498

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that Robert J Struthers Jr, does hereby certify that he is the owner of the Real Property described as follows:

All of the SW1/4NW1/4 and the NW1/4SW1/4 of Section 20, Township 1 North, Range 19 East, Boise Meridian, Blaine County, Idaho.

It is the intention of the undersigned to include said land in this plat.

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

Pursuant to Idaho Code 50-1334, we the undersigned as the owners, further certify that the lots 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 individual wells.

The portion of the 30' road right of way for Kingsbury Lane as shown on this plat is hereby dedicated to Blaine County in perpetuity.

IN WITNESS WHEREOF, we hereunto set our hands.

Robert J. Struthers Jr.
Robert J. Struthers Jr.

Signed this 2nd day of AUGUST, 2004.

ACKNOWLEDGMENT

STATE OF Idaho
COUNTY OF Blaine

On this 2nd day of August, 2004, before me, the undersigned, a Notary Public for said State, personally appeared Robert J. Struthers Jr., 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 official seal the day and year in this certificate first above written.

My commission expires: 11/23/2009

Carolyn Baird
Notary Public



SURVEYOR'S CERTIFICATE

I, STEVEN W. SCHWARZ, a duly registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plat 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.

STEVEN W. SCHWARZ

PLS 8806



COUNTY ENGINEER'S APPROVAL

This is to certify that 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.

Jim W. Koonce
JIM W. KOONCE

ACCEPTANCE OF DEDICATION BY BLAINE COUNTY

Dedication of the 30' right-of-way for Kingsbury Lane as shown on this plat is approved and accepted this 14th day of December, 2004 by Blaine County.

By: Dennis Wright
Chairman, Blaine County Commissioners

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

The foregoing plat was approved and accepted this 15th day of December, 2004, by the Blaine County Planning and Zoning Commission

By: Spide H. Smith

APPROVAL OF COUNTY COMMISSIONERS

The foregoing plat was approved and accepted this 14th day of December, 2004, by the Blaine County Board of Commissioners.

By: Dennis Wright

BLAINE COUNTY TREASURER'S CERTIFICATE

On this 4 day of January, 2005, the foregoing plat was approved and accepted by the Blaine County Treasurer, Blaine County, Idaho.

By: Vicki L. Dick by Kellie England

COUNTY RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed at the request of _____ at _____ minutes past _____ o'clock, _____ m., on this _____ day of _____, 2004, A.D., in my office and duly recorded in book _____ of plats at page _____.

Instrument No. _____ Fee: \$ _____

By: _____

Instrument # 514806
HAILEY, BLAINE, IDAHO
2005-01-05 10:45:00 No. of Pages: 2
Recorded for: BENCHMARK ASSOCIATES
MARSHA RIEMANN Fee: 15.00
Ex-Officio Recorder Deputy
mailed by: PS 812

PREPARED BY: BENCHMARK ASSOCIATES, P.A.
P.O. BOX 733, KETCHUM, ID 83340
(208) 726-9512 : 726-9514 (FAX)
E-MAIL: mail@bma5b.com

		
GANNETT RANCH SUBDIVISION		
LOCATED WITHIN SECTION 20, TOWNSHIP 1 NORTH, RANGE 19 EAST BOISE MERIDIAN, BLAINE COUNTY, IDAHO.		
PREPARED FOR: ROBERT STRUTHERS		
PROJECT NO. 03886	DRAWN BY: SWS	DATE: 8/2004
PLOT FILE 03886FP.DWG		SHEET 2 OF 2



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

September 8, 2020

GARY M SMITH
PATRICIA M SMITH
150 BARTHOLOMEW RD
HAILEY ID 83333-7709

Re: Change in Ownership for Water Right No(s): 37-21496 & 37-21498

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: Pioneer Title Company of Blaine County (File #736889)
Water District 37