

RECEIVED

JUL 13 2020

WATER RESOURCES
WESTERN REGION

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JUL 17 2020

Department of Water Resources
Eastern Region

Form 42-248/42-1409(6) Rev. 1/15

STATE 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?
22-13796 > 22-13796 OK	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
22-14385 > 22-13794 OK	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: JB Teton Valley, LLC Julie Bryan

Name of current water right holder/claimant

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

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

Mailing address

City

State

ZIP

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: _____

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:

Edward S. Smith

Signature of new owner/claimant

Title, if applicable

7/8/2020 | 8:59 AM MDT

Signature:

Edward S. Smith

Signature of new owner/claimant

Title, if applicable

Date 7/8/2020 | 8:16 AM PDT

Date

For IDWR Office Use Only:

Received by CEDate 07/13/2020Receipt No. W046504Receipt Amt. \$200Active 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 JBProcessed by JBDate 7/22/20

SUPPORT DATA

22-13794

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-13796	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
22-13794	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: JB Teton Valley, LLC Julie Bryan
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): EDWARD S. SMITH AND/OR PHUONG B. SMITH
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☒ and/or
- Mailing address PO Box 6015 City TWIN FALLS State ID ZIP 83303
- Telephone (208) 326-3270 or 208 420-4621 Email edphuong@FILERTEL.COM

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: _____
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: Edward S. Smith 7/8/2020 | 8:59 AM MDT
Signature of new owner/claimant Title, if applicable
- Signature: Phuong B. Smith 7/8/2020 | 8:16 AM PDT
Signature of new owner/claimant Title, if applicable
- Date

For IDWR Office Use Only:

Received by LE Date 07/13/2020 Receipt No. W048504 Receipt Amt. \$200

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing

Name on W-9 _____ Approved by JB Processed by JB Date 7/22/20

W-9 received? Yes ☐ No ☐



Instrument # 260835
TETON COUNTY, IDAHO
07-08-2020 12:53:00 No. of Pages: 2
Recorded for: ALLIANCE TITLE - DRIGGS OFFICE
KIM KEELEY Fee: \$15.00
Ex-Officio Recorder Deputy, Kim Keeley
Index to: DEED, WARRANTY

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:494175

FOR VALUE RECEIVED

JB Teton Valley LLC, an Idaho Limited Liability Company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Edward S Smith and Phuong B Smith, husband and wife

whose current address is

**PO Box 6015
Twin Falls, ID 83303**

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Tract 1:

Parcel 2A as reflected in the Boundary Adjustment Record of Survey recorded as Instrument No. 257430 described as follows:

A parcel of land lying along the South side of Government Lot 4, Section 20, and the North side of Government Lot 1, Section 29, Township 5 North, Range 46 East Boise Meridian, Teton county, Idaho being further described as:

**From the Southeast corner of said Section 20, South 00°27'39" East, 121.27 feet along the East Section line of said Section 29,
and North 89°55'10" West, 660.82 feet to the point of beginning;
thence South 00°27'37" East, 503.92 feet to a point;
thence North 89°49'37" West, 1277.94 feet to a point;
thence North 00°27'35" West, 911.86 feet to a point;
thence South 89°55'10" East, 1277.95 feet to a point;
thence South 00°27'14" East, 410.00 feet to the point of beginning.**

Tract II:

Easement Interest as created by that certain Record of Survey recorded as Instrument No. 250407 and Warranty Deed recorded as Instrument No. 250409 more particularly described as follows: Together with an a 60 foot wide road and utility easement being further described

as:

From the Northeast corner of Section 29, Township 5 North, Range 46 East of the Boise Meridian, Teton County, Idaho; South 00°27'38" East, 121.27 feet to the point of beginning;


**thence North 89°55'10" West, 720.82 feet;
thence North 00°27'38" West, 60.00 feet;
thence South 89°55'10" East, 720.82 feet;
thence South 00°27'38" East, 60.00 feet to the point of beginning.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 2, 2020

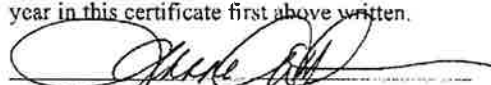
JB Teton Valley, LLC


Julie Bryan, member

State of Idaho} ss
County of Teton}

On this 6th day of July, 2020, before me, Jeanne Atkinson, a Notary Public in and for said state, personally appeared Julie Bryan known or identified to me to be the Managing Member in the Limited Liability Company known as JB Teton Valley, LLC who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

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


Jeanne Atkinson
Notary Public for the State of Idaho
Residing at: Teton County, ID
Commission Expires: March 21, 2025

JEANNE ATKINSON
COMMISSION NO. 61308
NOTARY PUBLIC
STATE OF IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 22, 2020

EDWARD S SMITH
PO BOX 6015
TWIN FALLS ID 83303-6015

Re: Change in Water Right Ownership: 22-13794 (Split into 22-13794 & 22-14385) and 22-13796 (Split into 22-13796 and 22-14383),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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: JB TETON VALLEY LLC
WATER DISTRICT 01