

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 22 2020

Department of Water Resources
Eastern Region

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?
13-7633	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	13-7633	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	13-7633 13-8053	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: Bob Boyack & Olivia Boyack
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert & Olivia Boyack Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- Mailing address: 3168E Hwy 36 City: Preston ID 83263
Telephone: 208-852-0448 Email: bobboyack@hotmail.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: 2009-2018
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: owner Date: 16 JAN 2020
 Signature: Olivia Boyack Title, if applicable: Owner Date: 16/1/2020

For IDWR Office Use Only:

Received by: JB Date: 1/22/2020 Receipt No.: E045583 Receipt Amt.: \$225.-

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

Name on W-9: 13-7633 Transfer being filed/Amended Claim Approved by: Partial JB Processed by: Partial JB Date: 2/11/2020

Robert & Olivia Boyack
3168 E. Highway 36
Preston ID 83263

CORRECTED
QUITCLAIM DEED
RE-RECORDED TO ADD
BOUNDARY LINE AGREEMENTS

275755

Recorded at the request of
Bob Boyack
Time 9:35A Amount \$ 15.00

RE 275961

OCT 15 2018

SHAUNA T. GEDDES, RECORDER
By Shauna T. Geddes Deputy
Franklin County, Idaho

FOR VALUE RECIEVED:

David Elmo Smith of Evanston Wyoming does hereby convey, warrant, release, remise and forever quit claim unto Robert and Olivia Boyack Living Trust whose current address is 3168 East Highway 36, Preston Idaho 83263, the following described tract of land in Franklin County, State of Idaho:

A PARCEL OF LAND LYING AND BEING IN FRANKLIN COUNTY, STATE OF IDAHO, AND BOUNDED AND PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 14 SOUTH, RANGE 40 EAST OF BOISE MERIDIAN, RUNNING THENCE NORTH 370 FEET TO A POINT OF BEGINNING; THENCE NORTH 574 FEET; THENCE WEST 26 FEET; THENCE NORTH 131 FEET; THENCE NORTH 70 DEG. WEST 102-1/3 FEET; THENCE SOUTH 64° 42' WEST 288 FEET; THENCE SOUTH 31° 34' WEST 183-1/3 FEET; THENCE SOUTH 107 FEET; THENCE SOUTHWESTERLY ALONG THE SOUTH SIDE OF COUNTY ROAD 104-2/3 FEET; THENCE SOUTH 280.5 FEET MORE OR LESS TO A POINT DUE WEST OF THE POINT OF BEGINNING; THENCE EAST 556 FEET TO THE PLACE OF BEGINNING, WHICH IS 22 RODS 7 FEET NORTH OF SOUTHEAST CORNER OF SOUTHWEST QUARTER OF SOUTHEAST QUARTER OF SECTION 20. SUBJECT TO BOUNDARY LINE AGREEMENT NO. 4 AND QUIT CLAIM DEED #242545 RECORDED AUGUST 13, 2008 AND BOUNDARY LINE AGREEMENT NO. 3 AND TOGETHER WITH ALL APPURTENANCES AND WATER RITES THERETO. QUIT CLAIM DEED #246104 RECORDED JULY 30, 2009

Subject to easements, restrictions, rights of way of record, and taxes for the year 2018 and thereafter.

Dated October 11, 2018



David Elmo Smith

State of Wyoming

County of Uinta ^{11th} 21

On this 18th day of October, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared David Elmo Smith, know or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

RE Recorded at the request of
Bob Boyack
Time 4:57 Amount \$ 15.00

NOV 05 2018

SHAUNA T. GEDDES, RECORDER
By C. Carter Deputy
Franklin County, Idaho



Yolanda J. Gurule
NOTARY PUBLIC for the State of Wyoming

Residing at: 410 Darby Alley, Remonerer
Comm. Exp: 02/12/2020

Original



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

March 25, 2020

ROBERT & OLIVIA BOYACK LIVING TRUST
3168 E HIGHWAY 36
PRESTON ID 83263-5148

Re: Change in Water Right Ownership: 13-7633 (Split into 13-7633 and 13-8053)

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: WENDELL H SMITH
DALENE SMITH