

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 11 2019

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-14620 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Audrey L Weight

Name of current water right holder/claimant

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

Scott H and Mary Lou Smith

New owner(s) as listed on the conveyance document

Name connector

☒ and ☐ or ☐ and/or*4158 W 4200 N*

Mailing address

Mackay

City

ID

State

83251

ZIP

208-220-2055

Telephone

THUNT001@yahoo.com

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: *9/26/19*

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature:

Scott H Smith

Signature of new owner/claimant

Title, if applicable

12/4/19

Date

Signature:

Mary Lou Smith

Signature of new owner/claimant

Title, if applicable

11/13/19

Date

For IDWR Office Use Only:

Received by

JB

Date

12/11/2019

Receipt No.

ED45500

Receipt Amt.

\$25.-

Approved by

JB

Processed by

OK

Date

OK 1/10/2020

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 257129
CHALLIS, CUSTER, IDAHO
09-26-2019 04:02:36 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: TV

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **857765-B (vb)**

Date: **September 23, 2019**

For Value Received, **Audrey L Wright, also shown of record as Audrey Wright, an unmarried woman**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Scott H Smith and Mary Lou Smith, husband and wife**, hereinafter called the Grantee, whose current address is **4158 West 4200 North, Mackay, ID 83251**, the following described premises, situated in **Custer County, Idaho**, to-wit:

LOT 1, BLOCK 1, CROWS NEST ESTATES, CUSTER COUNTY, IDAHO, AS SHOWN ON THE PLAT RECORDED OCTOBER 15, 1991, AS INSTRUMENT NO. 200401.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



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168 West Pacific Street/PO Box 868
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Instrument # 257129

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RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

E-RECORDED

simplifile

ID: 257129

County: CLUSTER

Date: 9-26-19 Time: 4:03pm

Space Above This Line for Recorder's Use Only

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Date: 09/23/2019

Warranty Deed
- continued

File No.: 857765-B (vb)

Audrey L. Wright
Audrey L Wright

STATE OF Idaho)
COUNTY OF Custer)
SS.

On this 24th day of September, 2019, before me, a Notary Public in and for said State, personally appeared **Audrey L Wright**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Trish M Carlson
Notary Public for the State of Idaho
Residing at: Mackay
My Commission Expires: 4/4/2020



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

January 10, 2020

SCOTT SMITH
MARY LOU SMITH
4158 W 4200 N
MACKAY ID 83251-4518

Re: Change in Ownership for Water Right No(s): 34-14620

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) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Water District 34
Big Lost River Ground Water District



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 12, 2019

SCOTT & MARY LOU SMITH
4158 W 4200 N
MACKAY, ID 83251

RE: Change in Water Right Ownership Water Right No. 34-14620

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

***** **Evidence of Water Right Ownership:** copy of Recorded Deed or other legal document indicating your ownership of the property and/or water rights in question

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Cher Ramos
Technical Records Specialist

SCANNED

DEC 12 2019