

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 01 2019

DEPT OF WATER RESOURCES
SOUTHERN 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?
37-368B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-409B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-2076B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Smokey Dome LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dallas Smith and Candice Smith
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 518 Fairfield ID 83327
Mailing address City State ZIP
- (208)-539-5900 dallas and candice smith @ yahoo.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: October 28, 2019
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: [Signature] Title, if applicable: _____ Date: 10/30/2019
Signature of new owner/claimant
- Signature: Candice Smith Title, if applicable: _____ Date: 10/30/2019
Signature of new owner/claimant

For IDWR Office Use Only:

Received by DM Date 11-1-2019 Receipt No. S037615 Receipt Amt. \$75-

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 11-20-2019

AFTER RECORDING MAIL TO:

Dallas Smith and Candice Smith
PO Box 518
Fairfield, ID 83327

CAMAS COUNTY
RECORDED FOR:
Clerk
03:11:19 PM 10-30-2019
2019-089195
No. PAGES: 3 FEE: \$15.00
KORRI BLODGETT
COUNTY CLERK
DEPUTY: KB

WARRANTY DEED

File No.: 867458GO (lr)

Date: **October 23, 2019**

For Value Received, **Smokey Dome LLC, a Washington limited liability company**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Dallas Smith and Candice Smith, husband and wife**, hereinafter referred to as Grantee, whose current address is **PO Box 518, Fairfield, ID 83327**, the following described premises, situated in **Camas County, Idaho**, to wit:

LEGAL DESCRIPTION: Real property in the County of Camas, State of Idaho, described as follows:

Section 23, Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho

A legal description for Tract 7, and being more particularly described as follows:

Commencing at a 5/8" rebar with Aluminum Cap, marking the South Quarter Corner of Section 23, from which the Southwest Corner of Section 23, marked by a 5/8" rebar with Aluminum Cap, lies N89°33'36"W, 2656.46 feet distant; Thence Proceeding N00°23'43"E, 993.01 Feet, to a 5/8" rebar by LS 865, and being the TRUE POINT OF BEGINNING:

Thence N89°29'12"W, 663.06 Feet, to a 5/8" rebar by LS 865;
Thence N00°25'47"E, 1656.18 Feet, to a 5/8" rebar by LS 16670;
Thence N00°26'09"E, 1329.00 Feet, to a 5/8" rebar by LS 16670;
Thence N00°06'17"W, 33.97 Feet, to a 5/8" rebar, being a Witness Corner to the Centerline of the West Fork of Threemile Creek;
Thence N00°26'09"E, 60.95 Feet, to the Centerline of the West Fork of Threemile Creek;
Thence along the Centerline of the West Fork of Threemile Creek;
Thence N28°29'15"E, 46.74 Feet;
Thence N39°28'56"E, 60.59 Feet;
Thence N02°58'34"E, 67.57 Feet;
Thence N70°34'11"E, 56.05 Feet;
Thence N22°34'57"E, 76.41 Feet;
Thence N18°18'33"E, 104.77 Feet;
Thence N48°24'59"E, 66.02 Feet;
Thence N22°40'51"E, 39.51 Feet;
Thence N35°24'33"E, 39.30 Feet;
Thence N20°02'53"E, 28.85 Feet;
Thence N14°40'36"W, 39.17 Feet;

APN: RP01N3E233150A

Warranty Deed
- continued

File No.: 867458GO (1r)
Date: 10/23/2019

Thence N22°52'47"E, 49.55 Feet, witnessed by a 5/8" rebar that lies S89°28'05"E, 50.00 Feet distant;
Thence leaving said Centerline of the West Fork of Threemile Creek, S89°28'05"E, 379.48 Feet, to a 5/8" rebar by LS 865;
Thence S00°23'58"W, 31.15 Feet, to a 5/8" rebar by LS 16670;
Thence S00°23'58"W, 633.53 Feet, to a 5/8" rebar by LS 16670;
Thence S00°02'35"W, 1329.45 Feet, to the Center Quarter Corner, marked by a 5/8" rebar with Aluminum Cap;
Thence S00°23'54"W, 186.50 Feet, to a 5/8" rebar by LS 16670;
Thence S06°38'12"W, 358.93 Feet, to a 5/8" rebar by LS 16670;
Thence S00°13'25"W, 164.02 Feet, to a 5/8" rebar by LS 16670;
Thence S04°06'11"E, 490.57 Feet, to a 5/8" rebar by LS 16670;
Thence S00°23'54"W, 458.94 Feet, to the TRUE POINT OF BEGINNING:

APN: RP01N3E233150A

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto 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.

APN: RP01N3E233150A

Warranty Deed
- continued

File No.: 86745860 (lr)
Date: 10/23/2019

Smokey Dome LLC, a Washington limited liability
company

By: 
Name: Chris J. Pollak
Title: Vice President

STATE OF Washington)
COUNTY OF KING)
ss.

On this 23rd day of October, 2019, before me, a Notary Public in and for said State, personally appeared **Chris J. Pollak**, known or identified to me to be the person whose name is subscribed to the within Instrument as the Vice President of **Smokey Dome LLC, a Washington limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.




Notary Public of Washington
Residing at: KIRKLAND, WA
Commission Expires: 4-29-20



ADDENDUM # 4 (All addendums shall be numbered sequentially.)

JULY 2019 EDITION
Page 1 of 1

RE-11 ADDENDUM

THIS IS A LEGALLY BINDING CONTRACT, READ THE ENTIRE DOCUMENT, INCLUDING ANY ATTACHMENTS.
IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY AND/OR ACCOUNTANT BEFORE SIGNING.



Today's Date: 10/28/2019

This is an **ADDENDUM** to the ☒ Purchase and Sale Agreement ☐ Other
("Addendum" means that the information below is added material for the agreement {such as lists or descriptions} and/or means the form is being used to change, correct or revise the agreement {such as modification, addition or deletion of a term}).

AGREEMENT DATED: 08/24/2019 ID # TCR082419

ADDRESS: TAX # 1834 Fairfield ID 83327

BUYER(S): Dallas Smith, Candice Smith

SELLER(S): Smokey Dome LLC

The undersigned parties hereby agree as follows:

Buyers and Seller hereby extend the closing date of this transaction to October 30, 2019.

-----END-----

To the extent the terms of this ADDENDUM modify or conflict with any provisions of the Purchase and Sale Agreement including all prior Addendums or Counter Offers, these terms shall control. **All other terms of the Purchase and Sale Agreement including all prior Addendums or Counter Offers not modified by this ADDENDUM shall remain the same.** Upon its execution by both parties, this agreement is made an integral part of the aforementioned Agreement.

BUYER: [Signature] Dallas Smith Date: 10/29/19

BUYER: [Signature] Candice Smith Date: 10/29/19

SELLER: [Signature] Smokey Dome LLC Date: 10-29-2019

SELLER: _____ Date: _____



First American Title Company
301 Main Street, Gooding, ID 83330
Phone (208)934-4427 Fax (208)934-4741

RECEIVED

NOV 01 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave W., Ste 500
Twin Falls, ID 83301-5858

October 30, 2019
File No.: 867458GO (lr)

Attn: Water Transfer
Phone: 208-736-3033 Fax:

Property: **Bare Land, Fairfield, ID 83327**

Parcel No.: **RP01N3E233150A**

Our Check No. **10880** in the amount of **\$75.00**, representing **Payment of the Water Right Transfer for Water Right No. 37-368B, 37-409B, 37-2076B.**

Legal Description of Property in question:

Section 23, Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho

A legal description for Tract 7, and being more particularly described as follows:

Commencing at a 5/8" rebar with Aluminum Cap, marking the South Quarter Corner of Section 23, from which the Southwest Corner of Section 23, marked by a 5/8" rebar with Aluminum Cap, lies N89°33'36"W, 2656.46 feet distant; Thence Proceeding N00°23'43"E, 993.01 Feet, to a 5/8" rebar by LS 865, and being the TRUE POINT OF BEGINNING:

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Thence N00°26'09"E, 60.95 Feet, to the Centerline of the West Fork of Threemile Creek;
Thence along the Centerline of the West Fork of Threemile Creek;
Thence N28°29'15"E, 46.74 Feet;
Thence N39°28'56"E, 60.59 Feet;
Thence N02°58'34"E, 67.57 Feet;
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Thence S04°06'11"E, 490.57 Feet, to a 5/8" rebar by LS 16670;
Thence S00°23'54"W, 458.94 Feet, to the TRUE POINT OF BEGINNING:**

Prior vested owner of property: **Smokey Dome LLC, a Washington limited liability company**

TO WHOM IT MAY CONCERN:

Please be advised that the above referenced property has been sold and title is now vested as follows:

Dallas Smith and Candice Smith, husband and wife

as per copy of 2019-089195 recorded Warranty Deed attached hereto. Please change your records accordingly and bill the new owners at:

Mailing Address: **PO Box 518, Fairfield, ID 83327**

Sincerely,

Lisa Ritter, Escrow Officer

jc/lr



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

November 20, 2019

DALLAS E SMITH
CANDICE SMITH
PO BOX 518
FAIRFIELD ID 83327-0518

Re: Change in Ownership for Water Right No(s): 37-368B, 37-409B, 37-2076B

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
Administrative Assistant 1

Enclosure(s)

c: First American Title Co, Gooding (File #867458GO)
Water District 37B