

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 10 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. 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?
11-7015 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Dean & Dolores Smith and McKay & Gwen Loveland
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lazy Bay Owners Family Ties (LOFT) LLC Terry C. Smith, Manager
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 4701 Liberation Drive Herriman UT 84096
Mailing address City State ZIP
801 201-8190 tcs131@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: 5 October 2007
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.
 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: T.C. Smith Manager June 6, 2019
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 6/10/2019 Receipt No. E045058 Receipt Amt. \$25 -
 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 JB Processed by CR Date 6/18/19

Recorded at Request of Dean C. Smith 4698 Brown Brook SLK 84117

at M. Fee Paid \$ **197663**

by Dep. Book Page Ref.:

Mail tax notice to Address

BEAR LAKE COUNTY RECORDER
JOAN P. BROWN

QUIT-CLAIM DEED

'88 DEC 27 AM 10 25

Joan P. Brown
DEPUTY

McKay M. Loveland and Gwen P. Loveland, his wife, as joint tenants grantor
of Salt Lake City, County of Salt Lake, State of Utah, hereby
QUIT-CLAIM to

Dean C. Smith and Delores L. Smith, his wife

of Fish Haven, Idaho grantee
Ten And no/100----- for the sum of
and other good and valuable consideration DOLLARS,
the following described tract of land in Bear Lake County,
State of ~~Idaho~~ Idaho:

A parcel of land located in Section 22, Township 16 South, Range 43 East, B.M., Bear Lake County and further described as follows:

Beginning at a 5/8" rebar with cap labelled AAH LS 4735 set at a fence corner which is South 10°44'40" West 2161.80 feet from the Northeast corner of said Section 22, said point is at a boundary fence corner between the Richard E. and Lou Jean C. Shaw property (Inst. No. 114084), the Fern Pope property (Inst. No. 134226) and the Dean C. and Delores L. Smith property (Inst. No. 79895, which has a bad point of beginning); Thence South 21°40'43" West 81.98 feet to the True Point of Beginning which is a 1/2" rebar with a cap set in a fence line; Thence South 77°28'32" East 296.08 feet to a 1/2" rebar with a cap set on the westerly right of way of Highway 89; Thence South 21°27'29" West 67.49 feet to a state highway right of way monument; Thence South 24°55'21" West 16.23 feet to a 5/8" rebar with a cap; Thence North 77°10'05" West 295.16 feet (North 76°55' West 297 feet by rec.) along an existing fence line to a 5/8" rebar with cap set at a fence corner; Thence North 21°40'43" East 81.98 feet to the True Point of Beginning.

WITNESS the hand of said grantor, this 18th day of

December, A. D. one thousand nine hundred and

December 1988

Signed in the presence of

STATE OF UTAH,
County of Salt Lake

ss.

On the 23rd day of December, A. D. one
thousand nine hundred and eighty-eight, personally appeared before me

McKay M. Loveland and Gwen P. Loveland, his wife
the signers of the foregoing instrument, who duly acknowledge to me that they executed the
same.

My commission expires January 20, 1989

Address: Salt Lake City, Utah

Wanda Harris
Notary Public.

199601

91 JUN 19 AM 10 39
 Cindy Symon #9.20
 DEED FEE

BEAR LAKE COUNTY RECORDS
 JUN 19 1991

152649

MAILING ADDRESS OF GRANTERS:

Dean C. Smith
 Dolores L. Smith
 4698 BronBreck St.
 Holladay, Utah 84117

QUITCLAIM DEED

Dean C. Smith and Dolores Smith, Grantors, of SALT LAKE County, Utah, hereby QUITCLAIM to Dean Calder Smith and Dolores L. Smith, Trustees of THE SMITH CLAN TRUST, dated the 20th day of SEPTEMBER, 1991, Grantee, for the sum of TEN DOLLARS (\$10.00), the following described tract of land located in BEAR LAKE, County, Idaho, subject to the encumbrances owed thereon:

A Parcel of land located in Section 22, Township 16 South, Range 43 East, Boise Meridian, Bear Lake County, and further described as follows:

Beginning at a 5/8" rebar with cap labelled AAH LS 4735 set at a fence corner which is South 10 44'40" West 2161.80 feet from the Northeast Corner of said Section 22, said point is at a boundary fence corner between the Richard E. and Lou Jean C. Shaw property (Instrument #114084), the Fern Pope property (Instrument #134226) and the Dean C. and Dolores L. Smith property (Instrument #79895, which has a bad point of beginning); thence South 77 49'04" East 123.98 feet, to a 5/8" rebar with a cap labelled AAH LS 4735 set at a fence corner; thence North 26 19'18" East 73.29 feet along a fence to a 5/8" rebar with cap set at a fence corner; thence South 77 50'37" East 165.77 feet along an existing fence to a 5/8" rebar with cap set on the West Right of Way line of Highway 89; thence continuing South 77 50'37" East 127.31 feet to the high water line of Bear Lake; thence along said high water line South 05 08'15" West 71.98 feet; thence South 37 03'19" West 88.35 feet; thence South 28 56'37" West 90.41 feet to a point on the Easterly Right of Way of Highway 89; thence North 76 50'54" West 112.50 feet to a 5/8" rebar with cap set on the Westerly Right of Way of said Highway; thence North 77 10'05" West 295.16 feet (North 76 55' West 297 feet by record) along said fence line to a 5/8" rebar; thence North 21 40'43" East 163.96 feet along an existing fence to the Point of Beginning.

EXCEPTING the State Highway Right of Way described as follows: Beginning at the Point of Beginning of the above described parcel; thence South 77 49'04" East 123.98 feet to a 5/8" rebar with cap labelled AAH LS 4735 set at a fence corner; thence North 26 19'18" East 73.29 feet along a fence to a 5/8" rebar with cap set at a fence corner; thence South 77 50' 37" East 165.77' along an existing fence to a 5/8" rebar with cap set on the West Right of Way line of Highway 89, the TRUE POINT OF BEGINNING; thence South 77 50'37" East 120.09 feet to the Easterly Right of Way line, which is on a 2874.37 foot radius nontangent curve concave to the Northwest, whose center point bears North 69 01'57" West; thence

Exhibit A
 1 of 3

199601

152649

Southwesterly along said curve through a central angle of 04 50'28", a distance of 242.86 feet; thence North 76 50'54" West 112.50 feet to a 5/8" rebar with cap set on the Westerly Right of Way; thence along said Westerly Right of Way North 24 55'21" East 16.23 feet; thence North 21 27'29" East 223.29 feet to the True Point of Beginning.

The surviving trustee and successor trustees have full right to sell or encumber the above property.

WITNESS the hands of the Grantors this 8th day of APRIL, 19 91.

Dean Calder Smith
Dean Calder Smith

Dolores L. Smith
Dolores L. Smith

State of Utah)
County of SALT LAKE) : ss.

The foregoing instrument was acknowledged before me this 8th day of APRIL, 19 91 by Dean Calder Smith and Dolores L. Smith.

[Signature]
Notary Public

Residing at: 428 E 6400 S SLV UT

My Commission Expires:

1-10-94

Exhibit A
2 of 3

0151115
199601 152649

Alvando H. Smith
7/1/90

LEGAL DESCRIPTION

DEAN C. SMITH
(Revised April 27, 1990)

A parcel of land located in Section 22, T 16 S, R 43 E, B.M., Bear Lake County and further described as follows:

Beginning at a 5/8" rebar with cap labelled AAH LS 4735 set at a fence corner which is S 10° 44' 40" W 2161.80 ft. from the Northeast corner of said Section 22, said point is at a boundary fence corner between the Richard E. and Lou Jean C. Shaw property (Inst. No. 114084), the Fern Pope property (Inst. No. 134226) and the Dean C. and Dolores L. Smith property (Inst. No. 79895, which has a bad point of beginning); Thence S 77° 49' 04" E 123.98 ft. to a 5/8" rebar with cap labelled AAH LS 4735 set at a fence corner; Thence N 26° 19' 18" E 73.29 ft. along a fence to a 5/8" rebar with cap set at a fence corner; Thence S 77° 50' 37" E 165.77 ft. along an existing fence to a 5/8" rebar with cap set on the west right of way line of Highway 89; Thence continuing S 77° 50' 37" E 127.31 ft. to the high water line of Bear Lake; Thence along said high water line S 05° 08' 15" W 71.98 ft.; Thence S 37° 03' 19" W 88.35 ft.; Thence S 28° 56' 37" W 90.41 ft. to a point on the easterly right of way of Highway 89; Thence N 76° 50' 54" W 112.50 ft. to a 5/8" rebar with cap set on the westerly right of way of said Highway; Thence N 77° 10' 05" W 295.16 ft. (N 76° 55' W 297 ft. rec) along said fence line to a 5/8" rebar; Thence N 21° 40' 43" E 163.96 ft. along an existing fence to the point of beginning.

Excepting the State Highway right of way as described as follows: Beginning at the Point of Beginning of the above described parcel: Thence S 77° 49' 04" E 123.98 ft. to a 5/8" rebar with cap labelled AAH LS 4735 set at a fence corner; Thence N 26° 19' 18" E 73.29 ft. along a fence to a 5/8" rebar with cap set at a fence corner; Thence S 77° 50' 37" E 165.77 ft. along an existing fence to a 5/8" rebar with cap set on the west right of way line of Highway 89, the True Point of Beginning; Thence S 77° 50' 37" E 120.09 ft. to the easterly right of way line, which is on a 2874.37 ft. radius non-tangent curve concave to the northwest, whose center point bears N 69° 01' 57" W; Thence southwesterly along said curve through a central angle of 04° 50' 28", a distance of 242.86 ft.; Thence N 76° 50' 54" W 112.50 ft. to a 5/8" rebar with cap set on the westerly right of way; Thence along said westerly right of way N 24° 55' 21" E 16.23 ft.; Thence N 21° 27' 29" E 223.29 ft. to the True point of Beginning;

Net parcel contains 1.4 acres. The basis of bearings is Astronomic North.

This description represents an exception to Inst. No. 86780 retained by Dean C. and Dolores L. Smith to Richard E. and Lou Jean C. Shaw and Inst. No's 79895 and 136443.

Exhibit A
3 of 3

Instrument # 199601

BEAR LAKE COUNTY

2007-10-05

02:02:10 No. of Pages: 5

Recorded for : LOFT LLC

KERRY HADDOCK

Ex-Officio Recorder Deputy

Fee: 15.00

Index to: WARRANTY DEED

WARRANTY DEED

This Warranty Deed is made this 5th day of October, 2007 between Dean C. Smith, aka Dean Calder Smith and Dolores L. Smith, aka Dolores Loveland Smith, 4698 Bron Breck Drive, Salt Lake City, Utah 84117 individually and as Trustees of The Smith Clan Trust dated September 20, 1990, Grantors, and Lazy-Bay Owners Family Ties (LOFT), Limited Liability Company, a Utah Limited Liability Company, c/o Terry Calder Smith, Manager, 4701 Liberation Drive, Herriman, Utah 84096, Grantee.

WITNESS that Grantors, for and in consideration of the sum of \$10.00 and other valuable consideration to Grantors in hand paid by Grantee, the receipt and sufficiency whereof is hereby acknowledged, have granted, bargained, sold and by this Warranty Deed do grant, bargain, sell, convey and confirm unto said Grantee and Grantees successors and assigns forever all of that certain real property located in Bear Lake County, State of Idaho described on Exhibit "A" hereto.

Together with all and singular the tenements, hereditaments and appurtenances including all water and water rights pertaining thereto and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

To have and to hold all and singular the premises, together with the appurtenances, unto Grantee, any successor grantee, and Grantee's successors and assigns forever.

IN WITNESS whereof, Grantors have hereunto set their hands the day and year first above written.

GRANTORS:



Dean C. Smith, aka Dean Calder Smith,
Individually and as Trustee of The
Smith Clan Trust



Dolores L. Smith, aka Dolores Loveland
Smith, Individually and as Trustee of The
Smith Clan Trust.

STATE OF UTAH)

:SS

COUNTY OF SALT LAKE)

On this 5th day of October, 2007 personally appeared before me, the undersigned Notary Public in and for the State of Utah, Dean C. Smith, aka Dean Calder Smith and Dolores L. Smith, aka Dolores Loveland Smith, individually and as Trustees of The Smith Clan Trust, Grantors, known to me to be the persons whose names are subscribed to the forgoing Warranty Deed, each of whom duly acknowledged to me that they executed the same.

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




NOTARY PUBLIC

Residing at: Montpelier, IdahoMy commission expires: 5-25-2011



Well



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

June 18, 2019

LAZY BAY OWNERS FAMLY TIES LLC
C/O TERRY CALDER SMITH
4701 W LIBERATION DR
HERRIMAN UT 84096-7764

Re: Change in Ownership for Water Right No(s): 11-7015

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 11