

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 22 2019
Department of Water Resources
Eastern Region

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?
13-4145	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
13-4145 13-8032	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Larry D. Dahle
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Burke and Gloria R Smith
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 1997 South 600 West Preston Id. 83263
Mailing address City State ZIP
- (208) 221-5438 rbsmith.23@icloud.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: August 26, 2009
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: 1/8/2019
Signature of new owner/claimant

Signature: [Signature] Title, if applicable: _____ Date: 1/8/2019
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: [Signature] Date: 1/22/2019 Receipt No. E044663 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: MH Processed by: MH Date: 2/14/2019

SUPPORT DATA

IN FILE # 13-4145

NTF-52381
Robert B. Smith
1997 South 600 West
Preston, ID 83263

247202 1-2

Recorded at the request of
Northern Title

WARRANTY DEED

^{10:58} a.m. NOV 12 2009 p.m.

V. ELLIOTT LARSEN, RECORDER
By C. Larsen Deputy
FRANKLIN COUNTY IDAHO

Steven E. Gneiting and Teri L. Gneiting, Husband and Wife,

Grantor(s) of Preston, County of Franklin, State of ID hereby *CONVEY AND WARRANT* to

Robert B. Smith and Alicia R. Smith,

Grantee(s) of Preston, County of Franklin, State of ID for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of ID:

See Exhibit A

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

Witness, the hand(s) of said Grantor(s), this November 10, 2009.

Steven E. Gneiting
Steven E. Gneiting

Teri L. Gneiting
Teri L. Gneiting

State of Idaho)
County of Franklin)

On November 10, 2009, personally appeared before me, Steven E. Gneiting and Teri L. Gneiting, the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.



Janice Shumway
Notary Public

Resides: Preston, ID
Expires: 03/12/2011

Exhibit "A"

Parcel 1

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho
 Section 3: Commencing at a point 42 rods South from the Northeast Corner of Lot 2 and running thence West 140 rods; thence South 40 rods; thence West 47.75 feet; thence South 70 rods; thence East 691.25 feet, more or less, to the Cub River Canal; thence in a Northeasterly direction following the Westerly boundary of said canal to a point 6 rods, more or less, South of the point of beginning; thence North 6 rods, more or less, to the point of beginning.

Excepting therefrom: Commencing at a point 282.25 feet East and 70 rods North of the Southwest Corner of the Northeast Quarter of the Southwest Quarter of Section 3, and running thence East 47.75 feet; thence Southeasterly 455 feet; thence Southwesterly 670 feet to a point 360.25 feet East and 175 feet North of the Southwest Corner of the Northeast Quarter of the Southwest Quarter; thence West 78 feet; thence North 980 feet to the point of beginning.

Excepting therefrom:

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho
 Section 3: Beginning at a point 330 feet East and 70 rods North of the Southwest Corner of the Northeast Quarter of the Southwest Quarter of Section 3; running thence East 23 feet to a point on the West bank of a drainage ditch; thence Southeasterly 455 feet along said drainage ditch to a point where said drainage ditch intersects another drainage ditch coming from a Southwesterly direction; thence Northwesterly in a straight line to the point of beginning.

Excepting therefrom:

A parcel of land located in the Government Lot 2 of Section 3, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the Northeast Corner of said Lot 2, from which the Northeast Corner of Section 3 bears South 89°31'38" East;
 thence South 00°19'20" West 692.42 feet along the East boundary line of said Lot 2 to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at the South boundary line of Parcel 4, depicted and described on Record of Survey Instrument Number 207846, the point of beginning.

Thence North 89°31'25" West 385.14 feet along the South boundary line of said parcel to a 5/8" rebar and cap at the Southwest Corner thereof;
 thence South 00°29'34" West 363.95 feet to a 5/8" rebar and cap in a fence line, said line being the North boundary line of Parcel 1, depicted and described on Record of Survey Instrument Number 230355;
 thence North 62°06'00" East 438.32 feet along said fence line to a 5/8" rebar and cap at the East boundary line of said Lot 2;
 thence North 00°19'20" East 155.63 feet along said East boundary line to the point of beginning.

Excepting therefrom:

All parcels located in The Minor Partition for Lois Nash recorded in the records of Franklin County, Idaho on December 16, 2004 as Instrument No. 228419.

Parcel 2

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho
 Section 3: Commencing at the Southwest Corner of the Northeast Quarter of the Southwest Quarter, running thence North 175 feet; thence East 282.25 feet; thence South 175 feet; thence West 282.25 feet to the point of beginning.

Excepting therefrom:

All parcels located in The Minor Partition for Lois Nash recorded in the records of Franklin County, Idaho on December 16, 2004 as Instrument No. 228419.

276658

Recorded at the request of
Alicia R Smith
Time: 11:05 Amount \$ 15.00

JAN 17 2019

CAMILLE LARSEN, RECORDER
By [Signature] Deputy
Franklin County, Idaho

WARRANTY DEED

For Value Received, Larry D. Dahle

Hereinafter called the Grantors, hereby grant, bargain, sell and convey unto

Burke Smith

whose address is:

Hereinafter called the Grantee, the following described premises situated in Franklin County, Idaho, to-wit:

Water Right Claim No. 13 4145

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 their 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.

Dated: 01-15-2019

Larry D Dahle

State of Idaho
County of Franklin

On this 15 day of January, 2019, before me, a Notary Public in and for said State, personally appeared Larry D Dahle 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. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.



Susan Blair
Notary Public State of Idaho
Residing at: Weston, ID
Commission Expires: 12-07-21



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

February 14, 2019

Robert Smith
Alicia Smith
1997 S 600 w
Preston ID 83263

RE: Change of Ownership for Water Rights 13-4145 (Split into 13-4145 & 13-8032)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

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 this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Larry Dahle
Garth Hebdon
Water District 13A