

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 23 2018

DEPARTMENT OF
WATER RESOURCES

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?
77-10052	Yes ☐	Yes ☐		Yes ☐	Yes ☐
77-10053	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John and Carol Reid
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Neal and Lindy Smither
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 5081 Swift Rd Shingle Springs CA 95682
Mailing address City State ZIP
- 510-928-0342 A187clean@aol.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: 8/23/18
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 10-11-18
 Signature of new owner/claimant
 Signature: [Signature] Title, if applicable _____ Date 10/16/18
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by [Signature] Date 10-23-18 Receipt No. C10587807 Receipt Amt. 50

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing 4 W-9 received? Yes ☐ No ☒

Name on W-9 _____ Approved by _____ Processed by [Signature] Date 10-31-18

Instrument # 515262

IDAHO COUNTY, IDAHO.

8-23-2018 02:13:43 PM No. of Pages: 2

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Ex-Officio Recorder Deputy

Fee: 15.00

(Space Above For Recorder's Use)

WARRANTY DEED

For value received, JOHN W. REID and CAROL A. REID, husband and wife, ("Grantors"), do hereby convey, grant, bargain, and sell to Neal A. Smither and Lindy E. Smither, Co-Trustees of the NEAL A. SMITHER AND LINDY E. SMITHER FAMILY TRUST, ("Grantees"), whose mailing address is: 5081 Swift Road, Shingle Springs, CA 95682, and Grantees' heirs, successors and assigns forever, the following described real property situated in Idaho County, State of Idaho:

Township 24 North, Range 2 East, Boise Meridian, Idaho County, Idaho,
Section 21: Government Lot 9.

SUBJECT TO taxes and assessments for the year 2018, and all subsequent years, together with any and all existing easements, rights-of-way, reservations, covenants, restrictions and encumbrances of record, and the following matters:

1. Easement Deed, including the terms and provisions thereof, by and between CLARENCE CRUM and ZELDA CRUM, his wife, and THE UNITED STATES OF AMERICA, recorded September 25, 1968, under Instrument No. 232066, Book 109 page 169, records of Idaho County, Idaho.
2. Reservations and exceptions in Patent, including the terms and provisions thereof, recorded December 13, 1973, under Instrument No. 252312, records of Idaho County, Idaho.
4. Easement, including the terms and provisions thereof, by and between JOHN W. REID and CAROL A. REID, husband and wife, and EDWARD D. GARRY and STACEY L. GARRY, husband and wife, and DENNIS JOHNSON and ADRIENNE LARSEN, tenants in common, recorded September 22, 1995, under Instrument No. 382433, records of Idaho County, Idaho.
5. Easement, including the terms and provisions thereof, by and between JOHN W. REID and CAROL A. REID, Grantors, and IDAHO POWER COMPANY, a corporation, Grantee, recorded March 14, 2011, under Instrument No. 477651, records of Idaho County, Idaho.
6. Easement, including the terms and provisions thereof, by and between JOHN W. REID and CAROL A. REID, Grantors, and IDAHO POWER COMPANY, a corporation,

Grantee, recorded August 20, 2012, under Instrument No. 485298, records of Idaho County, Idaho.

7. Rights and easements in favor of the public for recreational uses of the Salmon River and Lake Creek.

8. Any claim arising from the difference in mean high water line of Salmon River and the meander line as shown by Government Survey or the State of Idaho.

9. Access, if any, is by way of Forest Service Road and is subject to the terms, conditions, provisions, restrictions and limitations of the United States Forest Service.

TOGETHER WITH any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the real property herein described.

The Grantors covenant to the Grantees that Grantors are the owners in fee simple of said real property; that the real property is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantors will warrant and defend the same from all lawful claims.

Except as otherwise expressly provided in this instrument, Grantors hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event Grantors shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of Grantors, it was not the intent of Grantors, by permitting or suffering such possession, use or occupation, to thereby define property boundaries or ownership thereof.

DATED this 21 day of August, 2018.

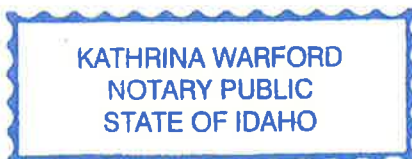
John W. Reid
JOHN W. REID

Carol A. Reid
CAROL A. REID

State of Idaho)
 : ss.
County of Idaho)

This record was acknowledged before me on 21 August, 2018, by JOHN W. REID and CAROL A. REID.

Kathrina Warford
Signature of notary public
My commission expires: 07/05/2023



AFFIDAVIT OF TITLE AND INDEMNITY

State of Idaho)
)ss.
County of Idaho)

The undersigned does(do) hereby declare under penalty of perjury that with respect to the title to the property described in Idaho County Title Co., Inc. commitment for title insurance order no 29046 that;

1. there are no unpaid bills for labor and materials for improvements made upon said land for which a claim of lien may be filed except;
2. subsequent to the effective date of the above referenced commitment for title insurance there have been no judgments or state or federal tax liens recorded in Idaho County, Idaho against the undersigned and no petition in bankruptcy has been file except;
3. there are no leases, agreements of sale or rights of first refusal binding the property except;
4. the undersigned has(have) no knowledge of any lien, defect, encumbrance, encroachment, boundary dispute or adverse claim to title other than as set forth in the above referenced commitment for title insurance except;

The undersigned does(do) hereby agree to indemnify and save harmless Idaho County Title Co., Inc. from any loss or damage under a policy of title insurance which loss or damage has occurred from the issuance of title insurance in reliance upon the accuracy of the foregoing statements.

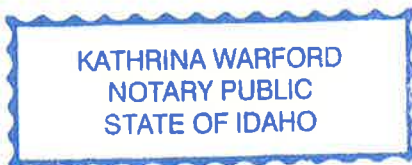
Dated this 21 day of Aug, 2018

John W Reid
JOHN W REID

Carol A. Reid
CAROL A REID

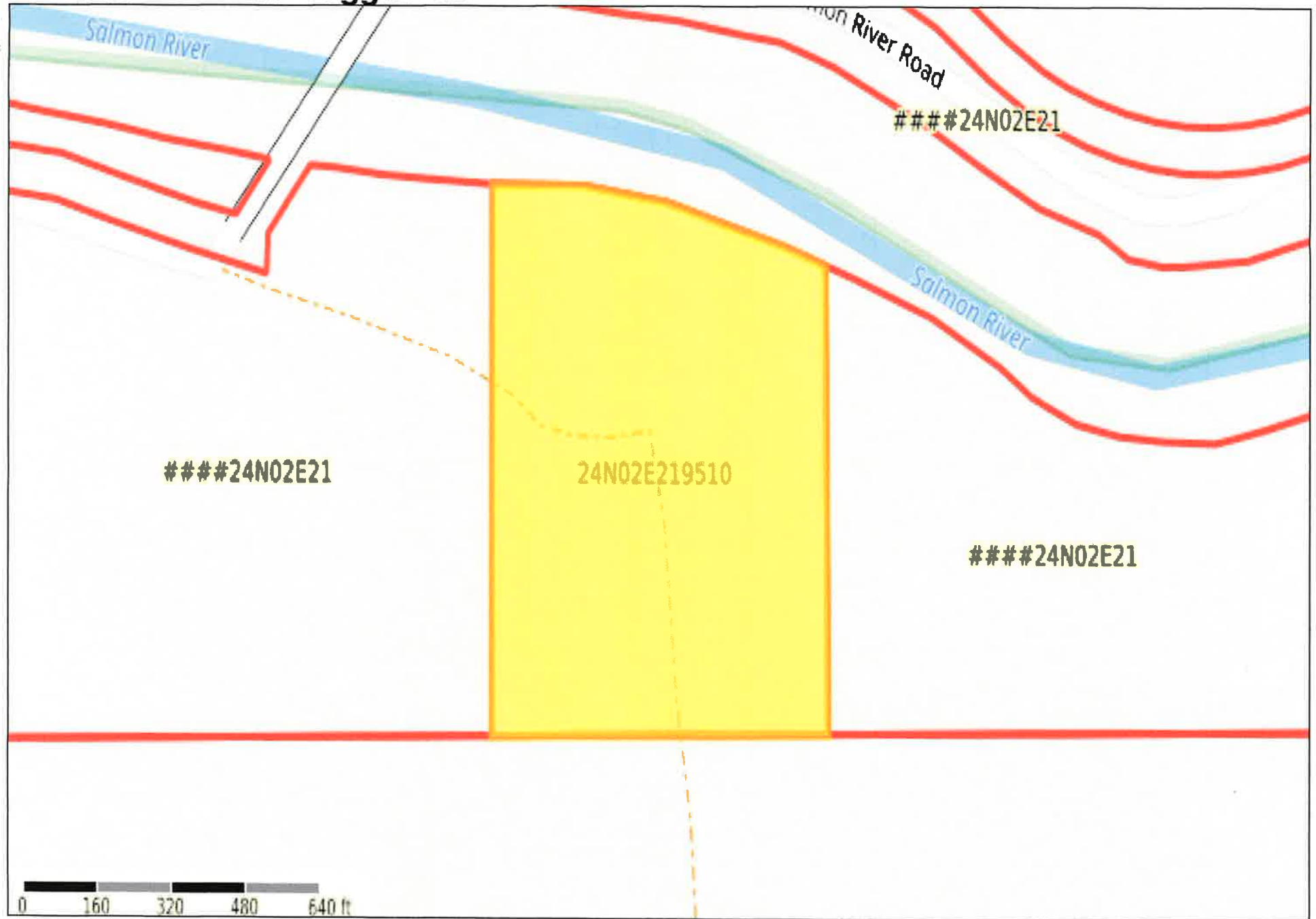
Subscribed and sworn to before me this 21 day of Aug, 2018

SEAL



Kathrina Warford
Notary Public
My commission expires: 07/05/2023
Residing in Grangeville

117 Lake Creek Rd Riggins ID







State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

October 31, 2018

NEAL A SMITHER & LINDY E SMITHER FAMILY TRUST
5081 SWIFT RD
SHINGLE SPGS CA 95682-5126

Re: Change in Ownership for Water Right Nos: 77-10052 and 77-10053

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures