

RECEIVED

APR 02 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
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?
36-8522	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: CLIFFORD L. SMITH
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): JED A. THOMAS AND TRACEY THOMAS, HUSBAND AND WIFE
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- | | | | |
|----------------------------|------------------------------|-----------|--------------|
| <u>1110 S. RIVER DRIVE</u> | <u>HEYBURN</u> | <u>ID</u> | <u>83336</u> |
| Mailing address | City | State | ZIP |
| <u>208-650-8063</u> | <u>JEDTHOMAS18@GMAIL.COM</u> | | |
| 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: JULY 1, 2015
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.
 - ☐ \$100 per *split* water right.
 - ☐ 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: <u>[Signature]</u>	OWNER	<u>3/29/18</u>
Signature of new owner/claimant	Title, if applicable	Date
Signature: <u>[Signature]</u>	OWNER	<u>3/29/18</u>
Signature of new owner/claimant	Title, if applicable	Date

For IDWR Office Use Only:

Received by Am Date 4-9-2018 Receipt No. 5036680 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 _____ Processed by Am Date 4-11-2018



Order Number: 15252470

Instrument # 532202

MINIDOKA COUNTY, RUPERT, IDAHO
07-02-2016 03:56:18 PM No. of Pages: 2
Recorded for: TITLEONE - RUPERT
PATTY TEMPLE Fee: \$13.00
Ex-Officio Recorder Deputy Diana Wheeler
Electronically Recorded by Simplifile

Warranty Deed

For value received,

Clifford Todd Smith, also known as Todd Smith, a married man as his sole and separate property

the grantor, does hereby grant, bargain, sell, and convey unto

Jed A. Thomas and Tracey Thomas, husband and wife as community property with right of survivorship

whose current address is 2543 Denali Dr Burley, ID 83318

the grantee, the following described premises, in Minidoka County, Idaho, to wit:

PARCEL NO. 1:
TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 27: Part of Lot 5, more particularly described as follows:

Beginning at the Northeast corner of said Section 27, said corner marked by a brass cap; Thence South 0°00'00" East (South 0°25'36" East, rec.) along section line for 183.82 feet (183.94 feet, rec.) to a ½ inch rebar; Thence South 40°45'24" West (South 39°58'24" West, rec.) for 749.37 feet to a ½ inch rebar which shall be the Point of Beginning;

Thence South 40°45'24" West (South 39°58'24" West, rec.) for a distance of 294.21 feet to a ½ inch rebar on the North right of way of River Drive;

Thence North 42°38'46" West (North 43°54' West, rec.) along said North right of way of River Drive for a distance of 234.47 feet (234.20 feet, rec.) to a ½ inch rebar;

Thence North 52°14'56" West (North 53°44' West, rec.) along said North right of way of River Drive for a distance of 66.07 feet (74.45 feet, rec.) to a ½ inch rebar;

Thence North 42°13'09" East (North 41°53' East, rec.) for a distance of 304.51 feet to a ½ inch rebar;

Thence South 42°38'46" East for a distance of 293.07 feet to the Point of Beginning.

PARCEL NO. 2:
TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 27: Part of Lot 5, more particularly described as follows:

Beginning at the Northeast corner of said Section 27; thence South 0°25'36" East along the East section line of said Section 27 for 183.94 feet; thence South 40°24' West for 52.90 feet to a point, which point shall be known as the True Point of Beginning;

Thence South 39°58'24" West for 997.19 feet to a point on the North right of way line of River Drive of the platted Block 1 of the Frank Jensen Subdivision;

Thence North 43°54' West along said right of way line for 234.20 feet;

Thence North 53°44' West along said right of way line for 74.45 feet;

Thence North 41°53' East for 735.39 feet;

Thence South 89°14' East for 364.57 feet to the True Point of Beginning.

SAVE AND EXCEPTING the following described tract:

Beginning at the Northeast corner of said Section 27, said corner marked by a brass cap; Thence South 0°00'00" East (South 0°25'36" East, rec.) along section line for 183.82 feet (183.94 feet, rec.) to a ½ inch rebar; Thence South 40°45'24" West (South 39°58'24" West, rec.) for 749.37 feet to a ½ inch rebar which shall be the Point of Beginning;

Thence South 40°45'24" West (South 39°58'24" West, rec.) for a distance of 294.21 feet to a ½ inch rebar on the North right of way of River Drive;

Thence North 42°38'46" West (North 43°54' West, rec.) along said North right of way of River Drive for a distance of 234.47 feet (234.20 feet, rec.) to a ½ inch rebar;

Thence North 52°14'56" West (North 53°44' West, rec.) along said North right of way of River Drive for a distance of 66.07 feet (74.45 feet, rec.) to a ½ inch rebar;
Thence North 42°13'09" East (North 41°53' East, rec.) for a distance of 304.51 feet to a ½ inch rebar;
Thence South 42°38'46" East for a distance of 293.07 feet to the Point of Beginning.

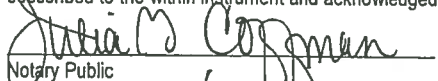
To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: July 1, 2015


Clifford Todd Smith

State of Idaho, County of Cassia, ss.

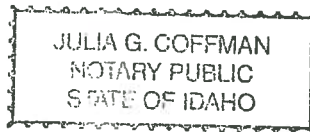
On this 2nd day of July in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Clifford Todd Smith, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.


Notary Public

My Commission Expires: 6-20-2020

(seal)

Residing: Rupert, Id.



QUITCLAIM DEED

For Value Received

**Jed A. Thomas and Tracey Thomas, husband and wife as community property
with right of survivorship**

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

**Jed A. Thomas and Tracey Thomas, husband and wife as community property
with right of survivorship**

ADDRESS: 2543 Denali Dr. Burley, Id. 83318

1110 S. RIVER DRIVE - HEYBURN, ID.

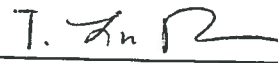
Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:
M. A. H. K.

See attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

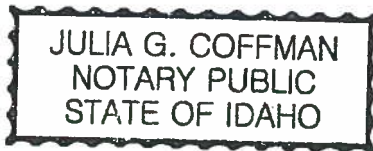
Dated: January 19, 2018

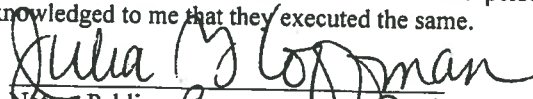

Jed A. Thomas


Tracey Thomas

STATE OF IDAHO)
COUNTY OF Cassia) ss.

On this 31st day of January, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Jed A. Thomas and Tracey Thomas, known or identified to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



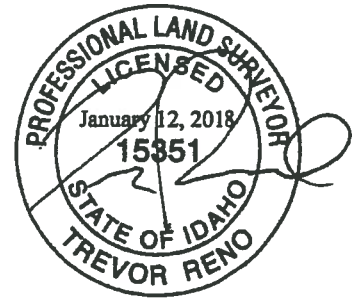

Notary Public
Residing at: Rupert, Idaho
My Commission expires: 6-20-2020

Instrument # 544063

MINIDOKA COUNTY, RUPERT, IDAHO
2-8-2018 02:47:44 PM No. of Pages: 5
Recorded for : ROBERT BRICE
TONYA PAGE Fee: 15.00
Ex-Officio Recorder Deputy *PTJ*

EXHIBIT "A"

January 12, 2018
JOB # 12439-18C1
ROBERT BRICE SURVEY



PARCEL 1

L E G A L D E S C R I P T I O N

Part of Gov't Lot 5 of Section 27 in Township 10 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the Northeast Corner of Section 27 in T.10 S., R.23 E., B.M. said corner marked by a brass cap; Thence South 00 degrees 12 minutes 15 seconds East (S 0°25'36" E, Rec.) along the east line of Section 27 for a distance of 183.82 feet (183.94', Rec.) to a ½" rebar; Thence South 39 degrees 51 minutes 51 seconds West (S 40°24' W, Rec.) for a distance of 52.28 feet (52.90', Rec.) to a ¾" rebar; Thence North 89 degrees 07 minutes 09 seconds West (N 89°14' W, Rec.) for a distance of 178.65 feet to the Point of Beginning;

THENCE South 42 degrees 00 minutes 05 seconds West for a distance of 6.76 feet to a ½" rebar;

THENCE South 42 degrees 00 minutes 05 seconds West for a distance of 852.40 feet to a ½" rebar on the northeasterly right of way of River Drive;

THENCE North 42 degrees 47 minutes 06 seconds West (N 43°54' W, Rec.) along said right of way for a distance of 74.75 feet to a ½" rebar;

THENCE North 52 degrees 34 minutes 56 seconds West (N 53°44' W, Rec.) along said right of way for a distance of 66.07 feet (74.45', Rec.) to a ½" rebar;

THENCE North 42 degrees 00 minutes 05 seconds East (N 41°53' E, Rec.) for a distance of 735.18 feet (735.39', Rec.) to a ¾" rebar;

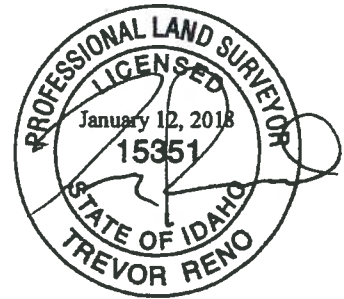
THENCE South 89 degrees 07 minutes 09 seconds East (S 89°14' E, Rec.) for a distance of 186.24 feet to the Point of Beginning.

Said property contains 2.56 acres more or less and is subject to an easement more particularly described as follows; (insert Easement 1 description), and is subject to an easement more particularly described as follows; (insert Easement 2 description), and is subject to any other easements or right of ways, existing or of record.

PREPARED BY:

Desert West Land Surveys 2020 Overland Ave. Burley, Idaho 83318

January 12, 2018
JOB # 12439-18C1
ROBERT BRICE SURVEY



PARCEL 2

L E G A L D E S C R I P T I O N

Part of Gov't Lot 5 of Section 27 in Township 10 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the Northeast Corner of Section 27 in T.10 S., R.23 E., B.M. said corner marked by a brass cap; Thence South 00 degrees 12 minutes 15 seconds East (S 0°25'36" E, Rec.) along the east line of Section 27 for a distance of 183.82 feet (183.94', Rec.) to a ½" rebar; Thence South 39 degrees 51 minutes 51 seconds West (S 40°24' W, Rec.) for a distance of 52.28 feet (52.90', Rec.) to a ¾" rebar which shall be the Point of Beginning;

THENCE South 40 degrees 36 minutes 08 seconds West (S 39°58'24" W, Rec.) for a distance of 697.16 feet to a ½" rebar;

THENCE South 40 degrees 33 minutes 02 seconds West (S 39°58'24" W, Rec.) for a distance of 294.31 feet to a ½" rebar on the northeasterly right of way of River Drive;

THENCE North 42 degrees 47 minutes 06 seconds West (N 43°54' W, Rec.) along said right of way for a distance of 159.72 feet to a ½" rebar;

THENCE North 42 degrees 00 minutes 05 seconds East for a distance of 852.40 feet to a ½" rebar;

THENCE North 42 degrees 00 minutes 05 seconds East for a distance of 6.76 feet to a ½" rebar;

THENCE South 89 degrees 07 minutes 09 seconds East (S 89°14' E, Rec.) for a distance of 178.65 feet to the Point of Beginning. *

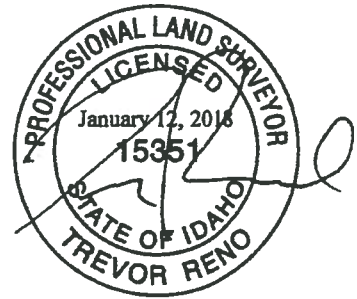
Said property contains 3.13 acres more or less and is TOGETHER WITH an easement more particularly described as follows; (insert Easement 1 description), and is TOGETHER WITH an easement more particularly described as follows; (insert Easement 2 description), and is subject to any other easements or right of ways, existing or of record.

PREPARED BY:

Desert West Land Surveys 2020 Overland Ave. Burley, Idaho 83318

*Together with the 2 following described Easements

January 12, 2018
JOB # 12439-18C1
ROBERT BRICE SURVEY



EASEMENT 1

L E G A L D E S C R I P T I O N

Part of Gov't Lot 5 of Section 27 in Township 10 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the Northeast Corner of Section 27 in T.10 S., R.23 E., B.M. said corner marked by a brass cap; Thence South 00 degrees 12 minutes 15 seconds East along the east line of Section 27 for a distance of 183.82 feet to a ½" rebar; Thence South 39 degrees 51 minutes 51 seconds West for a distance of 52.28 feet to a ¾" rebar; Thence North 89 degrees 07 minutes 09 seconds West for a distance of 364.89 feet to a ¾" rebar; Thence South 42 degrees 00 minutes 05 seconds West for a distance of 337.42 feet to the Point of Beginning;

THENCE South 49 degrees 22 minutes 26 seconds East for a distance of 55.30 feet;

THENCE South 42 degrees 00 minutes 05 seconds West for a distance of 394.64 feet to the northeasterly right of way of River Drive;

THENCE North 52 degrees 34 minutes 56 seconds West along said right of way for a distance of 25.08 feet;

THENCE North 42 degrees 00 minutes 05 seconds East for a distance of 366.05 feet;

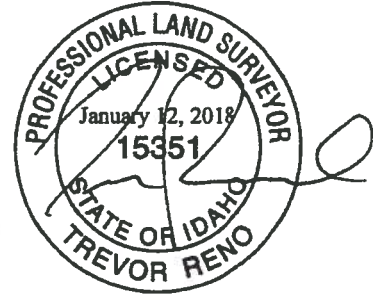
THENCE North 49 degrees 22 minutes 26 seconds West for a distance of 30.29 feet;

THENCE North 42 degrees 00 minutes 05 seconds East for a distance of 30.01 feet to the Point of Beginning.

Said property contains 0.25 acres more or less.

PREPARED BY:
Desert West Land Surveys
2020 Overland Ave.
Burley, Idaho 83318

January 12, 2018
JOB # 12439-18C1
ROBERT BRICE SURVEY



EASEMENT 2

L E G A L D E S C R I P T I O N

Part of Gov't Lot 5 of Section 27 in Township 10 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the Northeast Corner of Section 27 in T.10 S., R.23 E., B.M. said corner marked by a brass cap; Thence South 00 degrees 12 minutes 15 seconds East along the east line of Section 27 for a distance of 183.82 feet to a ½" rebar; Thence South 39 degrees 51 minutes 51 seconds West for a distance of 52.28 feet to a ¾" rebar; Thence North 89 degrees 07 minutes 09 seconds West for a distance of 178.65 feet; Thence South 42 degrees 00 minutes 05 seconds West for a distance of 6.76 feet to a ½" rebar; Thence South 42 degrees 00 minutes 05 seconds West for a distance of 745.45 feet to the Point of Beginning;

THENCE South 42 degrees 00 minutes 05 seconds West for a distance of 15.00 feet;

THENCE North 47 degrees 06 minutes 44 seconds West for a distance of 85.03 feet;

THENCE North 42 degrees 00 minutes 05 seconds East for a distance of 15.00 feet;

THENCE South 47 degrees 06 minutes 44 seconds East for a distance of 85.03 feet to the Point of Beginning.

Said property contains 0.03 acres more or less.

PREPARED BY:
Desert West Land Surveys
2020 Overland Ave.
Burley, Idaho 83318

408282

FURNISHED BY *Land Title and Survey, Inc.*

No #

WARRANTY DEED

For Value Received

CLIFFORD L. SMITH and SARAGENE SMITH, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 CLIFFORD TODD SMITH and MARCI JOE SMITH, husband and wife
 Address: Route #4 Box 4003
 Burley, Idaho 83318

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

See attached Exhibit "A" for legal description

SUBJECT TO:

All reservations in Patents or Deeds in the chain of title.

Accruing taxes, levies and assessments; easements and rights-of-way
 of record, if any.

RECORDED AT REQUEST OF
 Land Title-Burley
 FILE NO. _____
 AUG 18 2 44 PM '93
 MINIDOKA COUNTY, IDAHO
 DUANE SMITH
 RECORDER
 FEE 6-00 DEPOSIT 40

408282

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 16, 1993

Clifford L. Smith
 Clifford L. Smith

Saragene Smith
 Saragene Smith

STATE OF IDAHO, COUNTY OF Cassia

On this 17th day of August, 1993
 before me, a notary public in and for said State, personally appeared

Clifford L. Smith and
 Saragene Smith

known to me to be the persons whose names are
 subscribed to the within instrument, and acknowledged
 to me that they executed the same.

Nancy Garrett
 Notary Public

Residing at _____, _____, Idaho.
 Commission expires _____

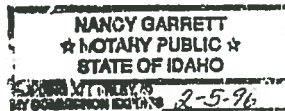


Exhibit "A"

Part of Lot 5 of Section 27 of Township 10 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the NE corner of Section 27 of T.10 S., R.23 E., B.M. said corner marked by a brass cap; Thence S 0°00'00" E (S 0°25'36" E, rec.) along section line for 183.82 feet (183.94', rec.) to a $\frac{1}{2}$ " rebar; Thence S 40°45'24" W, (S 39°58'24" W, rec.) for 749.37 feet to a $\frac{1}{2}$ " rebar which shall be the Point of Beginning;

THENCE South 40 degrees 45 minutes 24 seconds West (S 39°58'24" W, rec.) for a distance of 294.21 feet to a $\frac{1}{2}$ " rebar on the north right of way of River Drive;

THENCE North 42 degrees 38 minutes 46 seconds West (N 43°54' W, rec.) along said north right of way of River Drive for a distance of 234.47 feet (234.20', rec.) to a $\frac{1}{2}$ " rebar;

THENCE North 52 degrees 14 minutes 56 seconds West (N 53°44' W, rec.) along said north right of way of River Drive for a distance of 66.07 feet (74.45', rec.) to a $\frac{1}{2}$ " rebar;

THENCE North 42 degrees 13 minutes 09 seconds East (N 41°53' E, rec.) for a distance of 304.51 feet to a $\frac{1}{2}$ " rebar;

THENCE South 42 degrees 38 minutes 46 seconds East for a distance of 293.07 feet to the Point of Beginning.

Said property contains 2.00 acres more or less and is subject to a 45 foot wide ingress and egress easement along the northwesterly side.

State of Idaho
Department of Water Resources

Water Right

36-8522

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles





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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

April 11, 2018

JED A THOMAS
TRACEY THOMAS
1110 S RIVER DR
HEYBURN ID 83336-7607

Re: Change in Ownership for Water Right No(s): 36-8522

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) 736-3033.

Sincerely,

Denise Maline
Administrative Assistant I

Enclosure(s)