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JUN 16 2017

Form 42-248/42-1409(6) Rev. 1/15

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 13 2017

WATER RESOURCES
WESTERN 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?	Lensed to Water Supply Bank?	Water Right/Claim No.	Split?	Lensed to Water Supply Bank?
37-19846	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-21149	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John K. Colgate, Jr.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Clayton Oscar Smith and Anne J. Smith
New owner(s) as listed on the conveyance document
- PO Box 314
Mailing address
(107) 972-3112
Telephone
- Comptche
City
annesm@mcn.org
Email
- Name connector ☐ and ☐ or ☐ and/or
CA
State
95427
ZIP

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: 06/09/2017
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.

SUPPORT DATA

IN FILE # 37-19846

8. Signature: Clayton Oscar Smith
Signature of new owner/claimant
Title, if applicable
Date 6-2-17
- Signature: Anne J. Smith
Signature of new owner/claimant
Title, if applicable
Date 6/2/17

For IDWR Office Use Only:

Received by [Signature] Date 6/13/17 Receipt No. W045373 Receipt Amt. \$50⁰⁰

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 _____ Date _____

WARRANTY DEED

17196

For Value Received,

JOHN K COLGATE JR., A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY

the Grantor does hereby grant, bargain, sell, convey and warrant unto

ANNE J SMITH AND CLAYTON OSCAR SMITH, WIFE AND HUSBAND AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP

the Grantees whose current address is:
PO Box 314, Comptche, CA 95427

the following described real property in Gooding County, State of Idaho more particularly described as follows, to-wit:

Township 3 South, Range 15 East of the Boise Meridian, Gooding County, Idaho

Section 13: SW1/4SW1/4

Section 14: SE1/4SE1/4

Section 23: N1/2NE1/4; SW1/4NE1/4; SE1/4NW1/4; E1/2SW1/4; SW1/4SW1/4; NW1/4SE1/4

Section 26: NW1/4

Together with water right numbers 37-19846 and 37-21149

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that he will warrant and defend the same from all lawful claims whatsoever, except those of record.

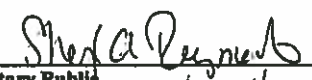
Date: June 2, 2017

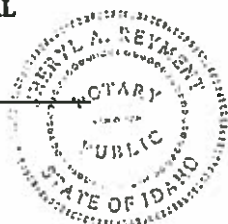

John K Colgate, Jr.

State of Idaho
County of Elmore

On this 6th day of June, 2017, before me, the undersigned, a Notary Public, in and for said State, personally appeared JOHN K COLGATE JR., known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL


Notary Public
Residing at: Mountain Home
Commission Expires: 1-6-18



COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 23, 2017

CLAYTON OSCAR SMITH
ANNE J SMITH
PO BOX 314
COMPTCHE CA 95427

RE: Change of Ownership for Water Right Nos. 37-19846 and 37-21149

Dear Water Right Holder(s):

The Department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

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 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.

Also, 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,

Jim Bitzenburg
Senior Water Right Agent

Enclosure(s)