

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 26 2017
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?
15-4163	Yes ☒	Yes ☐		Yes ☐	Yes ☐
15-4163	Yes ☐	Yes ☐		Yes ☐	Yes ☐
15-7127	Yes ☐	Yes ☐		Yes ☐	Yes ☐
15-7130	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: J. Lynn Staynor
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Beau and Callie Smith
New owner(s) as listed on the conveyance document
- 924 North 300 East Malad City ID 83252
Mailing address City State ZIP
- (801) 388-6768 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: _____
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.

SUPPORT DATA

IN FILE # 15-4163

8. Signature: [Signature] Title, if applicable: _____ Date: 1-23-2017
 Signature: Callie Smith Title, if applicable: _____ Date: 01/23/2017
 Signature of new owner/claimant Signature of new owner/claimant

For IDWR Office Use Only:

Received by: JB Date: 1/26/2017 Receipt No.: E042709 Receipt Amt.: \$100. -
 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: [Signature] Processed by: JB Date: _____

NTO-74867
Beau D. Smith
924 North 300 East
Malad City, ID 83252

Microfilm No. 153201
3 Day November 20 15
At 2:15 O'clock P.M.
Lola Bott
Oneida Co. Recorder
Fee \$ 13.00 Deputy
Recorded at Request of Northern Title Co.

WARRANTY DEED

Anton H. Jensen and Lacie J. Jensen, husband and wife as community property with right of survivorship

Grantor(s) of Malad City, County of Oneida, State of ID hereby **CONVEY AND WARRANT** to

Beau D. Smith and Callie J. Smith, husband and wife

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

See Attached 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 3, 2015.

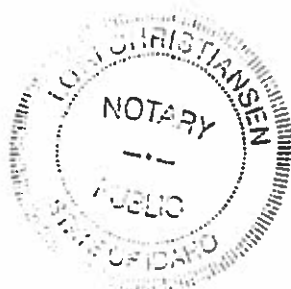


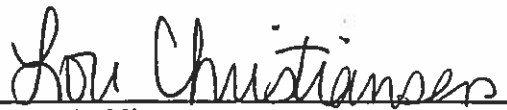
Anton H. Jensen


Lacie J. Jensen

State of: ID)
County of: Oneida) ss:

On November 3, 2015, before me the undersigned, a Notary Public, in and for said state, personally appeared **Anton H. Jensen and Lacie J. Jensen**, known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that they executed the same. IN WITNESS WHEREOF I have set my hand and official seal on the date shown above.





Notary Public
Residing: Malad City
Commission Expiration: 11/22/2018

Exhibit "A"

A parcel of land located in the Southeast quarter of the Southeast quarter of Section 23, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho and further described as follows:

Beginning at the Southeast corner of said Section 23, from which the South quarter corner of Section 23 bears North 89° 40' 33" West 2653.73 feet;
Thence North 00° 40' 17" West 817.04 feet along the east line of said Section 23 to the True Point of Beginning;
Thence North 89° 40' 33" West 1286.97 feet to a point on the east right of way fence line of 4400 West Street;
Thence North 89° 40' 33" West 33.00 feet to the west line of said Southeast quarter of the Southeast quarter;
Thence North 00° 11' 16" West 328.55 feet along said west line;
Thence South 89° 47' 52" East 33.00 feet to said east right of way fence line; Thence South 89° 47' 52" East 1284.15 feet to said east line of Section 23;
Thence South 00° 40' 17" East 331.39 feet along said east line to the True Point of Beginning.

Subject to a right of way for 4400 West Street located in the Southeast quarter of the Southeast quarter of Section 23, Township 14 South, Range 35 East, Boise Meridian, Oneida County, Idaho and further described as follows:

Beginning at the Southeast corner of said Section 23, from which the South quarter corner of Section 23 bears North 89° 40' 33" West 2653.73 feet;
Thence North 00° 40' 17" West 817.04 feet along the east line of said Section 23;
Thence North 89° 40' 33" West 1286.97 feet to a point on the east right of way fence line of 4400 West Street, the True Point of Beginning;
Thence North 89° 40' 33" West 33.00 feet to the west line of said Southeast quarter of the Southeast quarter;
Thence North 00° 11' 16" West 328.55 feet along said west line;
Thence South 89° 47' 52" East 33.00 feet to said east right of way fence line;
Thence South 00° 11' 16" East 328.62 feet along said right of way line to the True Point of Beginning.

NTO-74061A
Beau D. Smith
924 North 300 East
Malad City, ID 83252

Microfilm No. **153213**
Day 16 November 20 15
At 2:55 O'clock P.M.
Debra Bott
Oneida Co. Recorder
Fee \$ 13.00 Deputy
Recorded at Request of Northern Title Co.

WARRANTY DEED

Anton H. Jensen and Lacie J. Jensen, Husband and Wife as community property with right of survivorship

Grantor(s) of Malad City, County of Oneida, State of ID hereby **CONVEY AND WARRANT** to

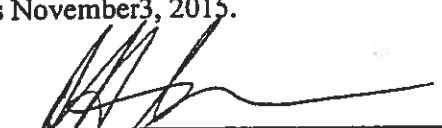
^{D.}
Beau Smith and Callie Smith, husband and wife

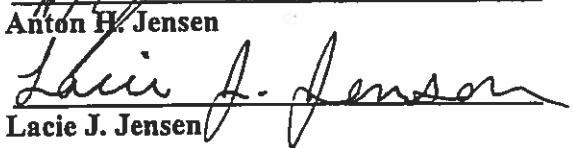
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See Attached Exhibit "A"

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 3, 2015.


Anton H. Jensen


Lacie J. Jensen

State of: ID)
)ss:
County of: Oneida)

On November 3, 2015, before me the undersigned, a Notary Public, in and for said state, personally appeared **Anton H. Jensen and Lacie J. Jensen**, known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that they executed the same. IN WITNESS WHEREOF I have set my hand and official seal on the date shown above.



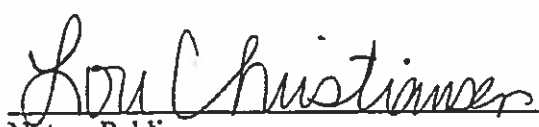

Notary Public
Residing: Malad City
Commission Expiration: 11/22/2018

Exhibit "A"

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 23, FROM WHICH THE SOUTH QUARTER CORNER OF SECTION 23 BEARS NORTH 89°40'33" WEST 2653.73 FEET; THENCE NORTH 00°40'17" WEST 1148.43 FEET ALONG THE EAST LINE OF SAID SECTION 23 TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°47'52" WEST 1284.15 FEET TO A POINT ON THE EAST RIGHT OF WAY FENCE LINE OF 4400 WEST STREET; THENCE NORTH 89°47'52" WEST 33.00 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00°11'16" WEST 165.54 FEET ALONG SAID WEST LINE; THENCE SOUTH 89°47'52" EAST 33.00 FEET TO SAID EAST RIGHT OF WAY FENCE LINE; THENCE SOUTH 89°47'52" EAST 1282.75 FEET TO SAID EAST LINE OF SECTION 23; THENCE SOUTH 00°40'17" EAST 165.55 FEET ALONG SAID EAST LINE TO THE TRUE POINT OF BEGINNING.

SUBJECT TO A RIGHT OF WAY FOR 4400 WEST STREET LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 23, FROM WHICH THE SOUTH QUARTER CORNER OF SECTION 23 BEARS NORTH 89°40'33" WEST 2653.73 FEET; THENCE NORTH 00°40'17" WEST 1148.43 FEET ALONG THE EAST LINE OF SAID SECTION 23; THENCE NORTH 89°47'52" WEST 1284.15 FEET TO A POINT ON THE EAST RIGHT OF WAY FENCE LINE OF 4400 WEST STREET, THE TRUE POINT OF BEGINNING; THENCE NORTH 89°47'52" WEST 33.00 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00°11'16" WEST 165.54 FEET ALONG SAID WEST LINE; THENCE SOUTH 89°47'52" EAST 33.00 FEET TO SAID EAST RIGHT OF WAY FENCE LINE, THENCE SOUTH 00°11'16" EAST 165.54 FEET ALONG SAID RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 16, 2017

Beau Smith
Callie Smith
924 N 300 E
Malad ID 83252

RE: Change of Ownership for Water Rights 15-4163 (Split into 15-4163, 15-7429 and 15-7430)

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: J Lynn Stayner
Anton Jensen
Lacie Jensen