

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 23 2016

Department of Water Resources
Eastern 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
29-73600K	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Ray Phillips
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): David Cynthia Smedley
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 520 E. Green Canyon Inkom ID 83245
Mailing address City State ZIP
- 208-775-4966 dcsmed@gmail.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: 12/28/2012

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature: Dennis Smedley 5/17/16
Signature of new owner/claimant Title, if applicable Date
- Signature: Cynthia Smedley 5/19/16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date May 23, 2016 Receipt No. 1042116 Receipt Amt. \$25.-

Approved by [Signature] Processed by [Signature] Date 7/11/2016

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/2/2016

WATER RIGHT NO. 29-7360

Owner Type	Name and Address
Current Owner	RAY H PHILLIPS PO BOX 5 INKOM, ID 83245 (208)775-3307

Priority Date: 01/28/1977

Basis: Decreed

Status: Active

Source	Tributary
SPRING	SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.02 CFS	9.7 AFA
DOMESTIC	1/01	12/31	0.02 CFS	1.2 AFA
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SPRING	NWNW	Sec. 25	Township 07S	Range 36E	BANNOCK County
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Licensed Diversion Capacity: 0.02

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	36E	26		SWNE	3									

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 3

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
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Dates:

Licensed Date:

Decreed Date: 01/25/2007

Permit Proof Due Date: 2/1/1982

Permit Proof Made Date: 2/22/1982

Permit Approved Date: 2/21/1977

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 29D

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



Amerititle - Pocatello Office

21222335

2012 Dec 28 PM 03:00:59

Electronically Recorded by Simplifile

IDWD
Order No. 0016685

WARRANTY DEED

For Value Received,

Beverly Ann Phillips , an unmarried woman

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

**Greg Smedley, a married man dealing with his sole and separate property
and David Smedley, a married man dealing with his sole and separate property**

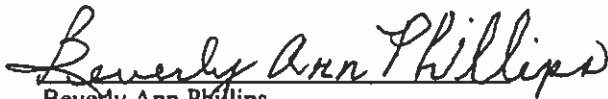
GRANTEE(s), whose address is: **2472 South Old Hwy 91, Inkom, ID 83245**

the following described real property, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

TO HAVE AND TO HOLD the premises with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 28th day of Dec., 2012.

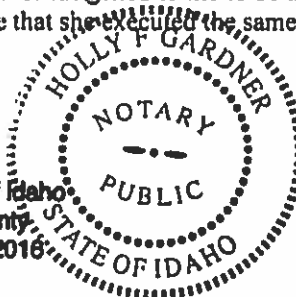

Beverly Ann Phillips

State of Idaho)
 ss
County of Bannock)

On this 28th day of December, 2012 before me Holly F. Gardner, a notary public in and for said State, personally appeared Beverly Ann Phillips known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that she executed the same.


Notary Public
Residing at:
Commission Expires:

Notary Public for the State of Idaho
Residing in Bannock County
Commission Expires 6/21/2016



THIS INSTRUMENT FILED FOR RECORD BY
FIRST AMERICAN TITLE COMPANY AS AN
ACCOMMODATION ONLY AND HAS NOT BEEN
EXAMINED AS TO ITS EXECUTION OR AS
TO ITS EFFECT UPON THE TITLE

QUITCLAIM DEED

For Value Received (Grantor) David Smedley does hereby convey, release, remise and forever quit claim unto (Grantee)

David Smedley and Cynthia R. Smedley, husband and wife

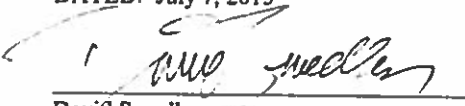
whose address is: 520 E Green Canyon Rd Inkom, ID 83245

the following described premises, to wit:

See attached Exhibit "A"

TOGETHER WITH THEIR APPURTENANCES.

DATED: July 7, 2015


David Smedley

STATE OF IDAHO, COUNTY OF Bannock

ON THIS 7th DAY OF JULY, 2015

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID
STATE, PERSONALLY APPEARED DAVID SMEDLEY
KNOWN TO ME TO BE THE PERSON WHO NAME
SUBSCRIBED TO THE WITHIN INSTRUMENT, AND
ACKNOWLEDGED TO ME THAT HE EXECUTED THE
SAME.

S. GARRETT
NOTARY PUBLIC
STATE OF IDAHO


NOTARY PUBLIC IDAHO

RESIDING AT Inkom

COMM. EXPIRES: 9-30-17

OFFICIAL RECORD BK# 993 FEE 16.00 DEPUTY JMA
BANNOCK COUNTY IDAHO RECORDED AT REQUEST OF
First American Title - Pocatello

21509284 2015 Jul 07 PM 03:28:00
Electronically Recorded by Simplifile

EXHIBIT "A"

Parcel 1:

A TRACT OF LAND IN THE NW1/4 NE1/4 AND THE SW1/4 NE1/4 OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 36 EAST BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MARKING THE NORTH 1/16TH CORNER ON THE MERIDIONAL CENTERLINE OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 36 E., B.M.; THENCE SOUTH 0°09'46" WEST ALONG SAID MERIDIONAL CENTER LINE OF SECTION 26, A DISTANCE OF 170.0 FEET TO THE TRUE POINT OF BEGINNING, MARKED BY AN IRON PIN; THENCE NORTH 89°21'23" EAST, 370.01 FEET TO AN IRON PIN; THENCE NORTH 0°09'46" EAST, 300.00 FEET TO AN IRON PIN; THENCE NORTH 67°20'39" EAST ALONG THE CENTER OF A STREAM, 207.95 FEET; THENCE NORTH 47°43'36" EAST ALONG THE CENTER OF A STREAM, 143.58 FEET; THENCE NORTH 27°40'48" EAST ALONG THE CENTER OF A STREAM, 96.53 FEET; THENCE NORTH 71°10'26" EAST ALONG THE CENTER OF A STREAM, 248.78 FEET; THENCE NORTH 53°16'45" EAST ALONG THE CENTER OF A STREAM, 107.54 FEET; THENCE SOUTH 0°09'46" WEST, 1751.39 FEET, MORE OR LESS, TO THE CENTER LINE OF GREEN CANYON ROAD; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE ON A 20 DEGREE CURVE, HAVING A CENTRAL ANGLE OF 53°54' AND A RADIUS OF 286.5 FEET, AN ARC DISTANCE OF 244.51 FEET TO A POINT OF CURVATURE, STATION 48+53.3; THENCE NORTH 68°16'26" WEST ALONG SAID CENTERLINE, A DISTANCE OF 460.70 FEET TO A POINT OF TANGENCY, STATION 43+86.2 BACK EQUALS 43+92.6 AHEAD; THENCE NORTHWESTERLY ALONG SAID CENTERLINE ON A CURVE HAVING A CENTRAL ANGLE OF 50°24' AND A RADIUS OF 716.3 FEET, A DISTANCE OF 503.42 FEET, MORE OR LESS TO A POINT ON SAID MERIDIONAL CENTER LINE OF SECTION 26; THENCE NORTH 0°09'46" EAST ALONG SAID MERIDIONAL CENTER LINE, 352.19 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A tract of land in the NE1/4 of Section 26, Township 7 South, Range 36 East of the Boise Meridian, Bannock County, Idaho, described as follows:

The NE1/4NE1/4, the N1/2SE1/4NE1/4.

Also Beginning at a point on the West line of said NE1/4NE1/4 which bears S 00°05'47" W, 274.49 feet from the NW corner of said NE1/4NE1/4, said point being at the point of intersection with said West line and the center of an existing drainage and marked with a 1/2" rebar and plastic cap stamped PLS 843;

Thence, S 00°05'47" W, along the West line of said NE1/4NE1/4, a distance of 1050.42 feet to the NW corner of said SE1/4NE1/4 and marked with a 3/8" rebar and aluminum cap stamped PLS 843;

Thence, S 00°05'47" W, along the West line of said SE1/4NE1/4, a distance of 836.67 feet to a 1/2" rebar and plastic cap stamped PLS 843, said point being on the N'ty right-of-way of Green Canyon Road;

Thence, S 59°06'14" W, along said N'ty right-of-way, 334.05 feet to a 1/2" rebar and plastic cap stamped PLS 843, said point being the point of intersection with the East line of Warranty Deed Inst. No. 603362;

Thence, N 00°09'46" E, along said East line, 1734.97 feet to the NE corner of said Warranty Deed, said point being the centerline of the aforementioned drainage;

Thence, N 63°06'28" E, along said centerline, 26.24 feet;

Thence, N 79°15'33" E, continuing along said centerline, 89.48 feet;

Thence, N 24°58'36" E, continuing along said centerline, 263.00 feet;

Thence, N 47°47'31" E, continuing along said centerline, 84.41 feet to the Point of Beginning.

Reserving therefrom the following 60.00 foot access easements:

(1) 60.00 feet wide, being 30.00 feet on each side of the following described centerline:

Commencing at the NW corner of the NE1/4NE1/4 of Section 26;

Thence, S 00°05'47" W, along the West line of said NE1/4NE1/4, a distance of 120.34 feet to the TRUE POINT OF BEGINNING;

Thence, S 84°28'48" E, 29.99 feet;

Thence along a curve to the left, having a radius of 50.00 feet, through a central angle of 18°58'54", for an arc length of 16.56 feet, having a chord bearing and distance of N 86°01'45" E, 16.49 feet;

Thence, N 76°32'18" E, 173.00 feet;

Thence along a curve to the right, having a radius of 50.00 feet, through a central angle of 100°17'47", for an arc length of 87.53 feet, having a chord bearing and distance of

S 53°18'49" E, 76.77 feet;

Thence, S 03°09'55" E, 65.05 feet;

Thence along a curve to the right, having a radius of 615.00 feet, through a central angle of 42°34'29", for an arc length of 471.85 feet, having a chord bearing and distance of

S 18°07'19" W, 461.07 feet;

Thence, S 39°24'34" W, 671.89 feet;

Thence, S 21°09'26" W, 590.17 feet;

Thence, S 29°20'00" W, 142.55 feet;

Thence along a curve to the left, having a radius of 163.22 feet, through a central angle of 80°36'41", for an arc length of 229.78 feet, having a chord bearing and distance of S 10°58'20" E, 211.29 feet;

Thence, S 51°16'41" E, 138.96 feet;

Thence, S 75°03'41" E, 104.33 feet;

Thence, N 74°14'39" E, 88.26 feet;

Thence, N 79°11'20" E, 174.03 feet;

Thence, N 74°14'39" E, 301.51 feet;

Thence along a curve to the right, having a radius of 453.00 feet, through a central angle of 28°53'27", for an arc length of 228.42 feet, having a chord bearing and distance of N 88°41'22" E, 226.00 feet;

Thence, S 76°51'54" E, 8.06 feet more or less to the point of termination, said point being the intersection with the N'ly right-of-way of Green Canyon Road.

(2) 60.00 feet wide, being 30.00 feet on each side of the following described centerline: Commencing at the NW corner of the NE¼NE¼ of said Section 26;

Thence, N 89°20'35" E, along the North line of said NE¼NE¼, a distance of 356.57 feet to the TRUE POINT OF BEGINNING;

Thence, S 46°50'23" W, 138.04 feet more or less to the point of termination at the intersection of the centerline of the aforementioned easement (1), with the sides of said easement being lengthened or shortened to conform to the sides of easement (1) and to the North line of said NE¼NE¼.

(3) 60.00 feet wide, 30.00 feet on each side of the following described centerline:

Beginning at a point on the East line of said Section 26 which bears S 00°01'48" W, 923.57 feet from the NE corner of said Section 26;

Thence, S 89°23'11" W, leaving said East line, 383.35 feet to the point of intersection with the centerline of easement (4);

Thence, N 73°09'53" W, 172.34 feet;

Thence, N 61°09'54" W, 94.18 feet;

Thence, S 88°39'05" W, 174.12 feet;

Thence, S 77°47'06" W, 124.33 feet;

Thence, S 60°45'10" W, 478.42 feet;

Thence, S 75°03'50" W, 272.79 feet to the point of intersection with the centerline of easement (1), said point being the point of termination with the sides of said easement being lengthened or shortened to conform to the east line of said section and the E'ly side of easement (1).

(4) 60.00 feet wide, 30.00 feet on each side of the following described centerline:

Commencing at the NE corner of the NE¼NE¼ of said Section 26;

Thence, S 89°20'35" W, along the North line of said Section 26, a distance of 59.49 feet to the TRUE POINT OF BEGINNING;

Thence, S 22°08'58" W, leaving said North line, 139.50 feet;

Thence along a curve to the right, having a radius of 160.00 feet, through a central angle of 18°46'55", for an arc length of 52.45 feet, having a chord bearing and distance of S 31°32'25" W, 52.31 feet;

Thence, S 40°55'53" W, 156.88 feet;

Thence along a curve to the left, having a radius of 50.00 feet, through a central angle of 96°19'50", for an arc length of 84.06 feet, having a chord bearing and distance of S 07°14'02" E, 74.51 feet;

Thence, S 55°23'57" E, 66.66 feet;

Thence along a curve to the right, having a radius of 100.00 feet, through a central angle of 45°36'01", for an arc length of 79.59 feet, having a chord bearing and distance of S 32°35'57" E, 77.50 feet;

Thence, S 09°47'56" E, 65.29 feet;

Thence, S 00°09'45" W, 82.27 feet;

Thence along a curve to the right, having a radius of 100.00 feet, through a central angle of 42°12'13", for an arc length of 73.66 feet, having a chord bearing and distance of S 21°15'50" W, 72.00 feet;

Thence, S 42°21'56" W, 330.06 feet to the point of intersection with the centerline of easement (3), said point being the point of termination with the sides of said easement being lengthened or shortened to conform to the north line of said section and the N'ly side of easement (3).

(5) 60.00 feet wide described as follows:

Beginning at a point on the East line of said Section 26 which bears S 00°01'48" W, 214.56 feet from the NE corner of said Section;

Thence, S 86°46'52" W, leaving said East line, 97.43 feet;

Thence along a curve to the left, having a radius of 130.00 feet, through a central angle of 45°50'59", for an arc length of 104.03 feet, having a chord bearing and distance of S 63°51'22" W, 101.28 feet to the point of intersection with the E'ly side of easement (4);

Thence, N 40°55'53" E, continuing along said E'ly side, 93.99 feet;

Thence continuing along said E'ly side, along a curve to the left, having a radius of 190.00 feet, through a central angle of 18°46'56", for an arc length of 82.28 feet, having a chord bearing and distance of N 31°32'25" E, 62.00 feet;

Thence, N 22°08'58" E, continuing along said E'ly side, 11.34 feet;

Thence leaving said E'ly side, from a tangent bearing of S 22°08'58" W, along a curve to the left, having a radius of 20.00 feet, through a central angle of 115°22'06", for an arc length of 40.27 feet, having a chord bearing and distance of S 35°32'05" E, 33.80 feet;

Thence, N 86°46'52" E, 70.66 feet to a point on the East line of said Section 26;

Thence, S 00°01'48" W, along said East line, 60.10 feet to the Point of Beginning.

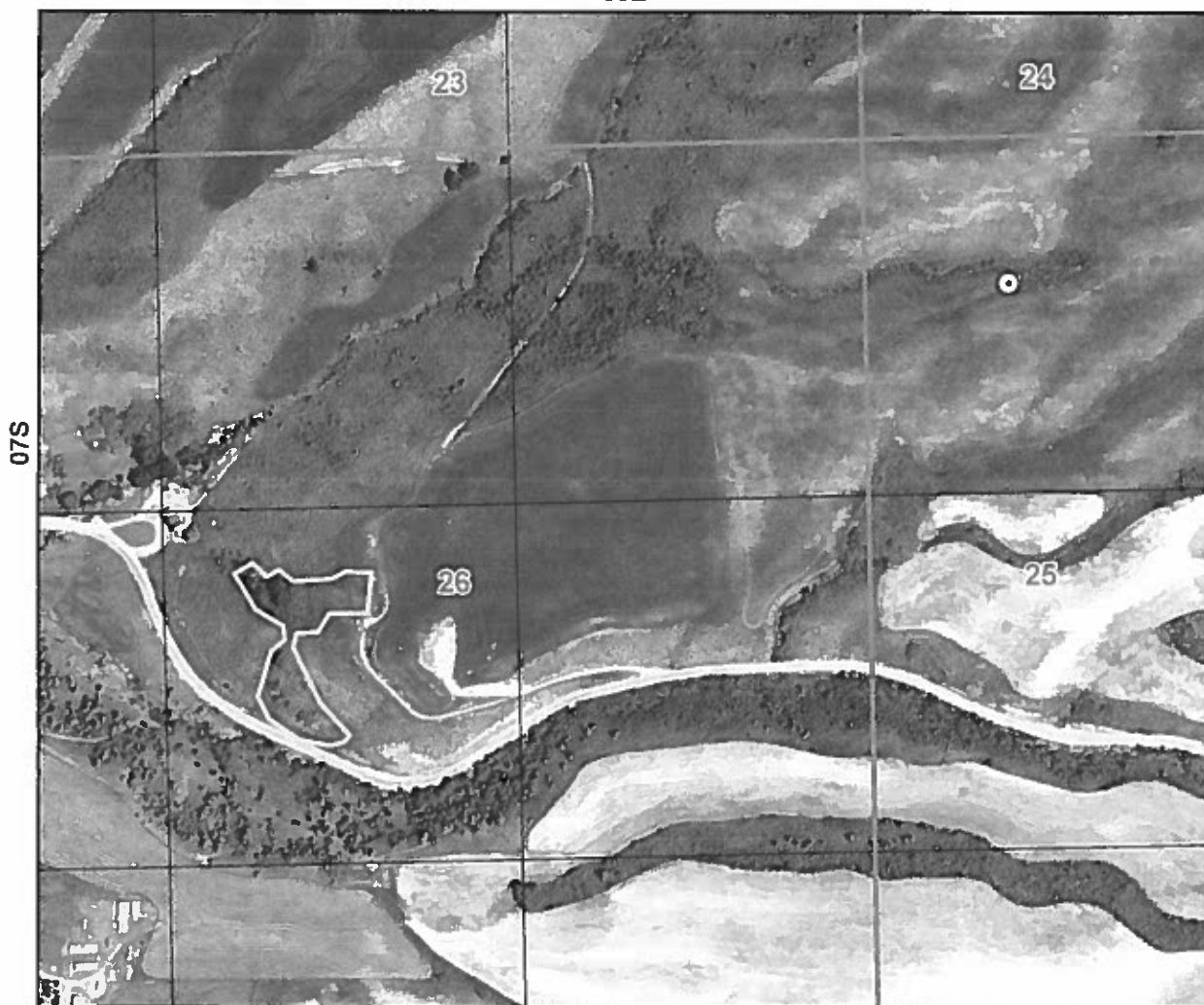
State of Idaho
Department of Water Resources

Water Right
29-7360

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.

36E



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

0 0.075 0.15 0.3 Miles





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

July 12, 2016

Greg Smedley
David & Cynthia Smedley
520 E Green Canyon
Inkom ID 83245

RE: Change of Ownership for Water Right No(s). 29-7360

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. 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 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.

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,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 29D