

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 15 2016

DEPT OF WATER RESOURCES
SOUTHERN 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?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
45-14108	Yes ☐	Yes ☐	45-14108	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: DEAN SMART & MARLY ELLEN SMART
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): MARSH CREEK ESTATES, LLC
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

3094 ADDISON AVE. EAST TWIN FALLS ID 83201
Mailing address City State ZIP

208-734-2838 208-251-9300 jaymickelsen@hotmail.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: 01-04-2010

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: Jay R. Mickelson PRESIDENT 6-15-2016
Signature of new owner/claimant Title, if applicable Date

Signature: Tina C. Mickelson Secretary 6-15-2016
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by OBarnes Date 6/15/2016 Receipt No. 5035528 Receipt Amt. \$25.00

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 _____

QUITCLAIM DEED

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW -
12:13:42 PM 01-04-2010
2010-000012
NO. PAGES: 1 FEE: \$3.00
LARRY A. MICKELSEN
COUNTY CLERK
DEPUTY: viki
Electronically Recorded by Simplifile

For Value Received

Dean Smart and Mary Ellen Smart, husband and wife

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

Marsh Creek Estates, LLC, an Idaho limited liability company
ADDRESS: 3094 Addison Avenue East
Twin Falls, Idaho 83301

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: Part of the W $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the W $\frac{1}{4}$ section corner of Section 33, said corner marked by a 5/8 inch rebar; Thence North 00°34'00" West along the west line of Section 33 for a distance of 300.00 feet to a 5/8 inch rebar which shall be the Point of Beginning;
Thence North 00°34'00" West along the west line of Section 33 for a distance of 2357.27 feet to a 5/8 inch rebar at the Northwest corner of Section 33;
Thence North 89°37'30" East along the north line of Section 33 for a distance of 846.09 feet to a 5/8 inch rebar;
Thence South 12°23'46" East for a distance of 318.21 feet to a 5/8 inch rebar;
Thence South 00°10'07" East for a distance of 408.88 feet to a 5/8 inch rebar;
Thence South 02°52'13" East for a distance of 304.75 feet to a 5/8 inch rebar;
Thence South 23°43'58" West for a distance of 289.65 feet to a 5/8 inch rebar;
Thence South 38°36'16" West for a distance of 285.99 feet to a 5/8 inch rebar;
Thence South 19°56'13" East for a distance of 290.84 feet to a 5/8 inch rebar;
Thence South 13°38'07" East for a distance of 592.02 feet to a 5/8 inch rebar;
Thence South 89°54'56" West for a distance of 826.10 feet to a 1/4 inch rebar;
Thence South 89°54'57" West for a distance of 25.16 feet to the Point of Beginning.

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

Dated: January 4, 2010

Dean Smart

Mary Ellen Smart

STATE OF IDAHO)

COUNTY OF Twin Falls) ss.

On this 4th day of January, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Dean Smart and Mary Ellen Smart, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at: Jerome, ID

My Commission expires: 7-30-15

RICK BERNSEN
NOTARY PUBLIC
STATE OF IDAHO

2010-000012



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 16, 2016

MARSH CREEK ESTATES LLC
3094 ADDISON AVE E
TWIN FALLS ID 83301

RE: Change of Ownership for Water Right Nos. 45-14108

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,

Trish Fawcett
Technical Records Specialist

Enclosure(s)