

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 31 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?
36-8181	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:

Jerry and Suzanne Burton
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Stacy L. Smith

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

19 S 300 E

Rupert

ID

83350

Mailing address

City

State

ZIP

406-546-7285

S_Smith39@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: 2/5/2016

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.

8. Signature:

Stacy L. Smith
Signature of new owner/claimant

Title, if applicable

3/24/2016
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by Z. Walker

Date 4/11/2016

Receipt No. 5035379

Receipt Amt. \$2500

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

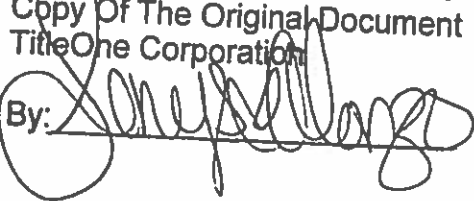
Approved by

Processed by

Date



Certified To Be True And Exact
Copy Of The Original Document
TitleOne Corporation

By: 

Instrument # 534978

MINIDOKA COUNTY, RUPERT, IDAHO
02-06-2016 01:48:07 PM No. of Pages: 2
Recorded for: TITLEONE - RUPERT
PATTY TEMPLE Fee: \$13.00
Ex-Officio Recorder Deputy Susan Aston
Electronically Recorded by Simplifile

Order Number: 15263115

Warranty Deed

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

For value received,

Jerry Leon Burton and Suzanne LaVerne Burton, husband and wife

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

Stacy Smith, an unmarried woman

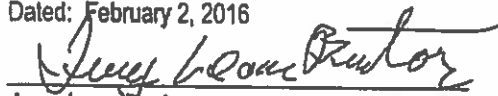
whose current address is 19 South 300 East, Rupert, ID 83350

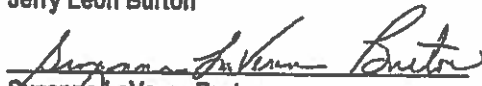
the grantee, the following described premises, in Minidoka County, Idaho, to wit:

See attached Legal Description Exhibit "A"

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: February 2, 2016


Jerry Leon Burton


Suzanne LaVerne Burton

State of Idaho, County of Minidoka, ss.

On this 2 ^{Feb 10} day of ~~January~~ in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry Leon Burton and Suzanne LaVerne Burton, 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 In: Burley, ID
My Commission Expires: 08/02/20
(seal)

TERRI L. SMITH
NOTARY PUBLIC
STATE OF IDAHO



710 G Street
Rupert, ID 83350
Ph. (208)436-0606
Fx. (866)440-6329
www.titleonecorp.com

Acknowledgment and Approval of Title Commitment, CCR's, and Plat Map

To: Land Title and Escrow, Inc. dba TitleOne

Order Number: 15263115

Legal Description: TOWNSHIP 9 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 26: Part of the E $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northeast Corner of Section 26, said corner marked by a brass cap; thence South 00°31'03" East (South, rec.) for a distance of 980.00 feet to a point on the east line of said Section 26, which shall be the Point of Beginning;

Thence South 89°10'56" West (West, rec.) for a distance of 14.28 feet to a $\frac{1}{4}$ inch rebar;

Thence South 89°10'56" West (West, rec.) for a distance of 361.72 feet to a $\frac{1}{2}$ inch rebar;

Thence South 00°31'03" East (South, rec.) for a distance of 192.00 feet to a $\frac{1}{2}$ inch rebar;

Thence North 89°10'56" East (East, rec.) for a distance of 358.36 feet to a $\frac{1}{4}$ inch rebar;

Thence North 89°10'56" East (East, rec.) for a distance of 17.64 feet to a point on the east line of Section 26;

Thence North 00°31'03" West (North, rec.) for a distance of 192.00 feet to the Point of Beginning.

Property Address: 19 South 300 East, Rupert, ID 83350

The undersigned buyer herein acknowledges receipt of the title commitment, any applicable CCR's, and plat map to the real property referenced above. The undersigned further acknowledge they have read and approved said title commitment, CCR's, and plat map and hold Land Title and Escrow, Inc. dba TitleOne harmless and without liability for the same.

Date: 02/02/2016


Stacy Smith



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

April 12, 2016

STACY SMITH
19 S 300 E
RUPERT ID 83350

RE: Change of Ownership for Water Right Nos. 36-8181

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,

A handwritten signature in cursive script, appearing to read "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

March 31, 2016

STACY SMITH
19S 300 E
RUPERT ID 83350

Re: Change in Water Right Ownership for Water Right 36-8181

Dear Ms. Smith:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

☒ **Filing Fee** of \$25 per water right

☐ **Evidence of Water Right Ownership:** copy of your Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

Because the Department cannot process the ownership change without proper fee, we will hold any action on your notice pending receipt of the necessary fee. If we do not receive the necessary fee within 30 days, we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water rights ownership and/or mailing address to the Department within 120 days of the change. Failing to report these changes could result in a \$100 late filing fee. Please feel free to contact this office if you have any questions.

Sincerely,

Trish Fawcett
Technical Records Specialist