

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 24 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. 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?
22-74600 OK	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: Clayton and Madaline Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Braident and/or Emily C. Morton
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 7621 W 4000 S Alexburg ID 83440
Mailing address City State ZIP
- 208-339-8273 themortons007@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: Dec. 21, 2015
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: Emily C Morton 3-21-16
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 3/24/2016 Receipt No. E041953 Receipt Amt. \$25. -

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 JB Processed by JB Date 4/7/2016

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
535 First American Circle
Rexburg, ID 83440

First American Title Company

Microfile No. 399475
21 DAY Dec 2015
At 03 O'Clock 24 PM
KIM H. MUIR
MADISON CO RECORDER
Fee \$13.00
Deputy
Recorded at Request of
FIRST AMERICAN TITLE - REXBURG

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **570746-RX (ns)**

Date: **December 18, 2015**

For Value Received, **Clayton Lynn Smith and Madaline R. Smith**, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Braiden T. Morton and Emily C. Morton**, husband and wife, hereinafter called the Grantee, whose current address is **7621 West 4000 South, Rexburg, ID 83440**, the following described premises, situated in **Madison County, Idaho**, to-wit:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 38 EAST, BOISE MERIDIAN, AND LOCATED IN THE SOUTHWEST QUARTER SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 39 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1: BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 39 EAST, THENCE SOUTH 89°48'24" WEST FOR A DISTANCE OF 2568.72 FEET; THENCE NORTH 21°05'03" WEST FOR A DISTANCE OF 115.51 FEET; THENCE NORTH 02°25'00" WEST FOR A DISTANCE OF 555.50 FEET TO THE TRUE POINT OF BEGINNING. THENCE NORTH 82°37'28" WEST FOR A DISTANCE OF 204.60 FEET, SAID POINT FALLS IN SECTION 12, TOWNSHIP 5 NORTH, RANGE 38 EAST; THENCE NORTH 00°12'00" WEST FOR A DISTANCE OF 179.00 FEET; THENCE SOUTH 82°44'59" EAST FOR A DISTANCE OF 197.50 FEET, SAID POINT FALLS IN SECTION 7, TOWNSHIP 5 NORTH, RANGE 39 EAST; THENCE SOUTH 02°25'00" EAST FOR A DISTANCE OF 180.50 FEET TO THE TRUE POINT OF BEGINNING.

TRACT 2: TOGETHER WITH A 20 FOOT ROAD EASEMENT DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 39 EAST, THENCE SOUTH 89°48'24" WEST FOR A DISTANCE OF 2568.72 FEET TO THE EAST SIDE OF A 20 FOOT ROAD EASEMENT; THENCE NORTH 21°05'03" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 115.51 FEET; THENCE NORTH 02°25'00" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 555.50 FEET TO THE END OF SAID EASEMENT.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 12/18/2015

Warranty Deed
- continued

File No.: 570746-RX (ns)

Clayton Lynn Smith
Clayton Lynn Smith

Madalene R. Smith
Madalene R. Smith

STATE OF Idaho)
ss.

COUNTY OF Madison)

On this ^{18 KM} ~~Twenty-first~~ day of December, 2015, before me, a Notary Public in and for said State, personally appeared **Clayton Lynn Smith and Madalene R. Smith**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Kori Moody
Notary Public for the State of Idaho
Residing at: Gem County
My Commission Expires: 08/24/2020



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

April 8, 2016

Braiden Morton
Emily Morton
7621 W 4000 S
Rexburg ID 83440

RE: Change of Ownership for Water Right No(s). 22-7460

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 100