

Form 42-248/42-1409(6) Rev. 03/13

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
34-10838	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Ted & Lynn Rothwell
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rich or Cindy Smyer
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☐ and/or
- Mailing address: P.O. Box 43 City: MacKay State: Id ZIP: 83257
- Telephone: 208-541-1962 Email: Smyer@atcnr.net

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: Oct 4, 2001
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: Rich L Smyer Title, if applicable: _____ Date: 9-5-13
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable: _____ Date: 9-5-13
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: [Signature] Date: 9/11/2013 Receipt No.: E039088 Receipt Amt.: \$25.-
 Approved by: [Signature] Processed by: [Signature] Date: 9/18/2013

FILE No. 10563C

INSTRUMENT NO.

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED RICHARD T. STOCKING and MAURINE C. STOCKING, husband and wife Grantor(s), do hereby grant, bargain, sell and convey unto RICK L. SMYER and CINDY L. SMYER, husband and wife Grantee(s), whose current address is PO Box 43, Mackay ID 83251, the following described real estate situated in Custer County, State of Idaho, to wit:

TO HAVE AND TO HOLD the described premises, together with all tenements, hereditaments and appurtenances thereto belonging, unto the Grantee, his/her successors and assigns forever, Grantor does hereby covenant to and with the Grantee that he/she is the owner in fee simple of said premises and that he/she will warrant and defend the same from all lawful claims whatsoever.

DATED: October 4, 2001

Richard T. Stocking
RICHARD T. STOCKING

Maurine C. Stocking
MAURINE C. STOCKING

STATE OF Idaho

COUNTY OF Bonneville

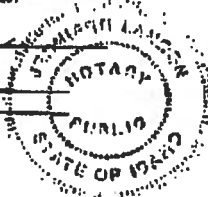
On this 4th day of October, 2001, before me, the undersigned, a Notary Public in and for the State, personally appeared RICHARD T. STOCKING and MAURINE C. STOCKING, Husband and Wife, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he executed the same.

THIS SPACE FOR COUNTY RECORDERS USE ONLY

0223600

County Clerk's Office
Idaho Falls
Title 1.50 P.M. 10-5-2001
Book 11 Page 26, 27
Index

Suzanne Jordan
Notary Public
Residing at MEHAM, ID
My Commission Expires: 8-18-03



Idaho Title & Trust
400 Memorial Drive, PO BOX 50367, Idaho Falls, ID 83402

A tract of land lying in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Township 6 North, Range 25 East, Boise Meridian, Custer County, State of Idaho, said tract lying Southwesterly of U.S. Highway #93A and Westerly of the County Road running South from the Townsite of Leslie, being more particularly described as follows:

Commencing at a 5/8" x 30" rebar with aluminum cap (P.L.S. #3577) marking the center quarter corner of Section 10, Township 6 North, Range 25 East, Boise Meridian; from which a 5/8" rebar marking the North quarter corner of said Section 10 bears North 0°32'15" West, 2660.61 feet; thence North 0°32'15" West on or along the East line of the NW $\frac{1}{4}$ said Section 10, to a point lying on or along the Southwesterly right-of-way line of U.S. Highway 93A; thence North 65°06'12" West 35.74 feet on or along said right-of-way line to a set 5/8" x 30" rebar with plastic cap (P.L.S. #3577) lying on or along an existing fence, the Point of Beginning; thence leaving said right-of-way line South 0°00'22" West, 277.12 feet on or along said fence to a set 5/8" x 30" rebar with plastic cap (P.L.S. #3577); thence South 89°25'12" West 512.06 feet on or along an existing fence to a set 5/8" x 30" rebar with plastic cap (P.L.S. #3577); thence leaving said fence North 30°29'09" East 473.89 feet to a set 5/8" x 30" rebar with plastic cap (P.L.S. #3577) lying on or along the Southwesterly right-of-way line of U.S. Highway 93A; thence South 65°06'12" East, 299.48 feet on or along said right-of-way line to the Point of Beginning.