

No Color

Documents

In File

SEP 4 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	29-4065			29-10011 A	- PD'd
	29-4156			29-10011 B	- PD'd
	29-4215				
	29-10010				
	75-10881				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

4. New Owner/Claimant(s)

Carma B Smith

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

5137 W Portneuf RD

City, State and ZIP Code

Inkom ID 83245

New Telephone Number

(208) 775-3604

5. Date you acquired the property

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6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s) Barbara R Smith
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by J. M. M.

Date

SEP 5 - 2001

Fee

50.00

Received by J. M. M.

Date

SEP 5 - 2001

Receipt No.

0055991

Processed by _____

AJ

Date

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Date

AUG 26 2002

CERTIFICATION OF VITAL REC

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTER WITH THIS COPY OF HEALTH & WELFARE HAVING BEEN PLACED IN THE PUBLIC RECORDS, SHALL BE USED AS PROOF FACT.

EVIDENCE OF THIS DEATH LATER BEING CODE 38-3190 & 38-3191

State File No.

Local Reg. No. 6-323

DECEDENT

TYPE OR
PRINT IN
PERMANENT
BLACK INK
DO NOT USE
FELT TIP PEN

NAME OF DECEDENT
For use by physician or informant

DECEDENT - NAME FIRST Theron		MIDDLE J.		LAST Smith		SEX Male	DATE OF DEATH (Month, Day, Year) July 14, 1998
SOCIAL SECURITY NUMBER 519-36-9890		AGE (Years) 64	UNDER 1 YEAR MONTHS 6	UNDER 1 DAY HOURS 0	DATE OF BIRTH (Month, Day, Year) May 6, 1934	BIRTHPLACE (City and State or Foreign Country) Bridgeland, Utah	
WAS DECEDENT EVER IN U.S. ARMED FORCES? ☒ Yes ☐ No		PLACE OF DEATH (Check only one) (1) ☐ Inpatient (2) ☐ ER/Outpatient (3) ☐ DOA		(4) ☐ Long-Term Care Facility (5) ☐ Own Residence		(6) ☐ Other Private Residence (7) ☐ Other (Specify)	
FACILITY NAME AND ADDRESS (If not a hospital, enter name of place, street and number) Own Res. 5137 W. Portneuf Rd.				CITY, TOWN OR LOCATION OF DEATH Inkom		COUNTY OF DEATH Bannock	
MARRITAL STATUS - Married, Never Married, Widowed, Divorced (Specify) Married		SURVIVING SPOUSE (If wife, give maiden name) Carma Bowers		DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.) Teacher/Farmer		KIND OF BUSINESS/INDUSTRY Education/Agriculture	
RESIDENCE STATE ID		COUNTY Bannock		CITY, TOWN OR LOCATION Inkom		STREET AND NUMBER 5137 W. Portneuf Rd.	
ZIP CODE 83245-		WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes - If yes, specify Cuban, Mexican, Puerto Rican, etc.) ☐ Yes ☒ No		RACE - American Indian, Alaska Native, Hawaiian, White, etc. (Specify) White		EDUCATION (Specify highest grade completed) Elementary/Secondary (5-12) ☐ College (14 or 16+) ☒ 5+	

PARENTS

FATHER - NAME Jason Lynn Smith	BIRTHPLACE Utah	MOTHER - FULL MAIDEN NAME Ruby Alice Edwards	BIRTHPLACE Utah
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INFORMANT

INFORMANT'S NAME (Type/print) Carma Smith	MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code) 5137 W. Portneuf Rd., Inkom, Idaho 83245
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DISPOSITION

METHOD OF DISPOSITION ☒ Burial ☐ Cremation ☐ Removal from Idaho ☐ Donation ☐ Other (Specify)	PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) Inkom Cemetery	LOCATION - City or Town, State Inkom, ID
--	--	---

SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH <i>Don Baker</i>	LICENSE NUMBER (of license) MRT 767	NAME AND ADDRESS OF FACILITY Colonial Funeral Home 2005 South Fourth Pocatello, ID 83201
--	--	--

TIME OF DEATH 12:00 PM	DATE PROCLAIMED DEAD (Month, Day, Year) July 14, 1998	WAS CASE REFERRED TO CORONER? ☐ Yes ☒ No	MANNER OF DEATH (Check one) ☒ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ Pending Investigation ☐ Could not be Determined
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27. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line.

IMMEDIATE CAUSE (Final disease or condition resulting in death) a. Renal Cell Carcinoma	Approximate Interval Between Onset and Death 3 mo
DUE TO (or as a consequence of):	
b. _____	
c. _____	
d. _____	

CAUSE OF DEATH

Sequentially list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (disease or injury that initiated events resulting in death) LAST

27. PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I.	WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No	WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? ☐ Yes ☒ No
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CERTIFIER

IF DEATH WAS DUE TO OTHER THAN NATURAL CAUSES, THE CORONER MUST COMPLETE AND SIGN THE CERTIFICATE

CERTIFIER (Check only one) ☒ PHYSICIAN - To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated. ☐ CORONER - On the basis of examination and/or investigation, in my opinion, death occurred at the time, date and place and due to the cause(s) and manner as stated.		
---	--	--

SIGNATURE AND TITLE OF CERTIFIER <i>D. D. Smith</i>	LICENSE NUMBER 0-136	DATE SIGNED (Month, Day, Year) 7/17/98
NAME AND ADDRESS OF CERTIFIER Dr. D. D. Smith, 220 Bannock St., Malad, Idaho 83252		

TO BE USED FOR EXTERNAL CAUSES ONLY

DATE OF INJURY (Mo, Day, Yr) 7/14/98	TIME OF INJURY 12:00 PM	DESCRIBE HOW INJURY OCCURRED
INJURY AT WORK? (If transportation accident, check) ☐ Yes ☒ No ☐ Driver ☐ Passenger ☐ Pedestrian ☐ Other		
PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify)		LOCATION (Street or Route Number, City/Town, or County, and State)

CORONER'S REVIEW AREA

CORONER'S ACTION (Check one) (1) ☐ Reviewed Only (2) ☐ Reviewed and/or Amended and Certified	CORONER'S SIGNATURE <i>[Signature]</i>	DATE SIGNED (Month, Day, Year)
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REGISTRAR

REGISTRAR'S SIGNATURE <i>[Signature]</i>	DATE FILED (Month, Day, Year) July 21, 1998
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This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: July 21, 1998

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR

748621

THIS INDENTURE, made this 2nd day of January in the year of our Lord, One Thousand Nine Hundred and sixty nine, between

Hyrum Martin Palmer and Grace Palmer, husband and wife
of Pocatello, County of Bannock, State of Idaho
the parties of the first part, and Theron J. Smith and Carma Smith, husband and wife
of Pocatello, County of Bannock, State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of

Ten Dollars and other valueable considerations - - - - - DOLLARS,
lawful money of the United States of America, to day in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly

described as follows, to-wit: Parcels of land lying South of the Portneuf River in the East $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, in the North $\frac{1}{2}$ SW $\frac{1}{4}$ Section 24 and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24 all in T.7S., R.35E., B.M., Bannock County Idaho, more particularly described as follows: Beginning at a point on the South $\frac{1}{16}$ line of said Section 23, 546 feet East of the Southeast $\frac{1}{16}$ corner of said Section 23; Thence continuing East along said $\frac{1}{16}$ line 300 feet; Thence at right angles North to the centerline of the Portneuf river; Thence Southeasterly along the centerline of said Portneuf River to the West line of said Section 23; Thence South along the East line of said Section 23, 1542 feet, more or less, to the Southeast corner of said Section 23; Thence West along the South line of said Section 23, 1004 feet, more or less, to a point 316 feet East of the East $\frac{1}{16}$ corner of said Section 23; Thence N $90^{\circ}53'E$, 1320 feet, more or less, to the Point of Beginning, containing 31.4 acres, more or less. And beginning at the South $\frac{1}{16}$ corner on the West line of Section 24, T.7S., R.35E., B.M.; Thence North along said West line of Section 24, 222 feet, more or less, to the centerline of the Portneuf River; Thence Southeasterly along said centerline of the Portneuf River to the South $\frac{1}{16}$ line of said Section 24; Thence West along said South $\frac{1}{16}$ line 2075 feet, more or less, to the Point of Beginning, containing 10 acres, more or less. And the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, T.7S., R.35E., B.M., containing 40 acres, more or less.

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Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

WARRANTY DEED

614649

For Value Received \$7,000.00

Papoose Creek
Barn &
Pasture

I, Hyrum Martin Palmer

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

Theron J. Smith or Carma B. Smith

whose current address is Route 2, Pocatello, Idaho 83245

the grantees, the following described premises, in Bannock County Idaho, to wit:

A parcel of land situated in the Southeast quarter of the Southeast quarter of Section 23, township 7 south, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

COMMENCING AT THE SOUTHEAST 1/16TH CORNER OF SAID SECTION:

THENCE SOUTH 1° 48' EAST ALONG THE EAST 1/16 LINE OF SAID SECTION 25.00 FEET:

THENCE NORTH 88° 11' 30" EAST, 392.00 FEET TO THE TRUE POINT OF BEGINNING:

THENCE NORTH 1° 48' 00" WEST, 25.00 FEET TO THE SOUTH

1/16 LINE OF SAID SECTION:

THENCE NORTH 88° 11' 30" EAST ALONG SAID SOUTH 1/16 LINE, 154.00 FEET:

THENCE SOUTH 09° 57' WEST, 546.01 FEET TO THE NORTHERLY LINE OF PORTNUEF ROAD;

THENCE NORTH 59° 36' 27" WEST ALONG SAID NORTHERLY LINE, 175.00 FEET;

THENCE NORTH 12° 23' 34" EAST, 429.42 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINING 1.8 ACRES MORE OR LESS.

PLUS EXISTING WATER RIGHTS AND RIGHT OF WAYS

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: December 11, 1978

Hyrum Martin Palmer

Grace Palmer

STATE OF IDAHO, COUNTY OF

On this 11th day of December, 1978,

before me, a notary public in and for said State, personally

appeared H. M. Palmer and

Grace Palmer

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JAN 26 2002

614649

RECORDED AT REQUEST

H M -1

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 29-10011A

RECEIVED

JUN 26 1998

NAME AND ADDRESS: THERON SMITH
5137 W PORTNEUF RD
INKOM, ID 83245

Department of Water Resources
Adjudication Bureau

SOURCE: SPRING TRIBUTARY: PAPOOSE CREEK

QUANTITY: 0.01 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NOS. 29-10011B AND 29-10103 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.01 CFS.

PRIORITY DATE: 04/01/1945

POINT OF DIVERSION: T07S R35E S26 NENWNE Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.01 CFS

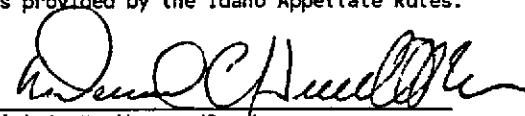
PLACE OF USE: Stockwater Within Bannock County
T07S R35E S23 SESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

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AUG 26 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 25, 2002

CARMA B SMITH
5137 W PORTNEUF RD
INKOM ID 83245

RE: Change of Ownership for Water Right 29-10011A and 29-10011B

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

for Jeff Peppersack, Manager
Water Right Permits Section

JP:dg

Enclosure

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AUG 26 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

August 20, 2001

KARL J. DREHER
DIRECTOR

CARMA B SMITH
5137 W PORTNEUF RD
INKOM ID 83245

RECEIVED

AUG 20 2001

DEPARTMENT OF WATER RESOURCES

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR 29-10011A AND 29-10011B HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

☒ FEE OF \$25.00 PER WATER RIGHT per Idaho Code 42-248 and 42-1409(6)
(FOR A TOTAL OF \$50.00)

☐ SIGNATURE

☐ COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER LEGAL DOCUMENT indicating your ownership of the property and water rights in question,

☐ LEGAL DESCRIPTION OF PROPERTY

☐ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

☐ USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE ENTIRE PACKET TO :

KARI LYNN TOWNSEND
IDAHO DEPT OF WATER RESOURCES
1301 N ORCHARD
BOISE ID 83706

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AUG 25 2002