

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

225
 Bear River
 RECEIVED
 JAN 21 2003

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

Department of Water Resources

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
13-7193		NO			
13-4274	13-7633 (Smith) 13-7634 (Boyack)	yes			
13-969B		yes			

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) DEAN C. SMITH (WENDELL)
"SAME"
4. New Owner/Claimant(s) Bob or Olivia Boyack
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3168 E Hwy 36
- City, State and ZIP Code PRESTON IDAHO 83263
- New Telephone Number (208) 852-0448
5. Date you acquired the property 27 MARCH 1996

See file 13-7193 for support data

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 <u>13-4274</u>		
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	<u>150 CFS</u>	<u>90 ac total</u>
Stock		
Domestic	<u>owner</u>	<u>5 ACRES of sec 20 SESE</u>
Other	<u>plus stockwater</u>	
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 <u>13-969B</u>		
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	<u>owns</u>	<u>13 ACRES of this water right</u>
Stock		
Domestic		
Other		
Total		

7.

Signature of New Owner(s) or Claimant(s) X [Signature]
(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	Date	Fee
Received by <u>Regan</u>	Date <u>1/14/2003</u>	Receipt No. <u>E028434</u>
Processed by	Date	WR
		Date

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-7633

WATER RIGHT NUMBER: 13-7633

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WENDELL H SMITH 2913 E HWY 36 PRESTON, ID 83263 (208) 852-0686

Priority Date: 11/12/1888

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	1.420 CFS	
DOMESTIC	01/01 to 12/31	0.060 CFS	
	<u>Total Diversion:</u>	1.420 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4SW1/4	Sec. 20, Twp 14S, Rge 40E, B.M.
FRANKLIN County		

Place of UseIRRIGATION Within FRANKLIN County

T14S R40E S20	SESW	10.0	T14S R40E S20	SWSE	10.0
T14S R40E S20	SESE	15.0	T14S R40E S29	NENE	20.0
T14S R40E S29	NWNE	20.0	T14S R40E S29	NENW	10.0

Total Acres: 85

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

1. scurtis 3/28/2003 Ownership Change

Comment: Rights 13-7633 and 13-7634 are the result of a split of Right 13-4274 by ownership change.



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

March 28, 2003

WENDELL H SMITH
2913 E HWY 36
PRESTON ID 83263

RE: Change of Ownership for Water Right 13-7633

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report 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,

for Jeff Peppersack
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure