

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 03 2023

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. 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-947 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-13306 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Lillian M. Smith, Frank E. Moulton, Frank L. Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Linda Hoalst
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or
- 4550 Van Deusen Rd. Emmett ID 83617
Mailing address City State Zip
- (208)830-9357 cwhoalst@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: August 8, 2020
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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: Linda Hoalst 12/28/22
 Signature of new owner/claimant Title, if applicable Date
Linda Hoalst
 Print name

Signature: _____
 Signature of new owner/claimant Title, if applicable Date

 Print name

Received by KU Date 1.3.23 For IDWR Office Use Only: Receipt No. C115004 Receipt Amt. 50.00

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 dy Date 1/17/23

JAN 19 2023

WHEN RECORDED

RETURN TO:

Belnap Legal, PLLC
12550 W. Explorer Dr., Ste. 100
Boise, Idaho 83713

SEND TAX NOTICES TO:

Linda Hoalst
4550 Van Deusen Rd.
Emmett, ID 83617

CORRECTION PERSONAL REPRESENTATIVE DEED

GRANTOR, Linda Hoalst, in her official capacity as Personal Representative of the Estates of Frank Lewis Smith and Lillian M. Smith, Third Judicial District, Gem County, Idaho, Case No. CV23-20-0550 (Letters Testamentary attached as Exhibit A), does hereby remise, release and forever convey, unto GRANTEE, Linda Hoalst, as her sole and separate property, all of Grantor's right, title and interest in and to the real property situated in Gem County, Idaho, more particularly described as follows:

The East one-half of Section 19, Twp. 7 N., R. 1 W., B.M., Gem County, Idaho

Including all water and ditch rights appurtenant thereto us used in connection therewith, including any easements or rights of ways appurtenant to or used for the benefit of, dedicated to said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

EXCEPTING the following property below pursuant to that certain Quitclaim Deed recorded in Gem County, Idaho on December 27, 2001, as Instrument No. 220096:

A parcel of land situated in a portion of the E ½ of Section 19, Township 7 North, Range 1 West, B.M., Gem County, Idaho, described as follows:

COMMENCING at the Northwest corner of the NE ¼, South 00°38'52" West, a distance of 2873.38 feet to a point from which the Southwest corner of the SE ¼ bears South 00°38'52" West, a distance of 2321.08 feet; thence South 89°21'08" East, a distance of 290.30 feet to a ½ inch steel pin, said pin being the REAL POINT OF BEGINNING; thence South 74°38'41" East, a distance of 590.33 feet to a ½ inch steel pin; thence South 23°12'29" West, a distance of 213.99 feet to a ½ inch steel pin; thence North 81°56'28" West, a distance of 555.06 feet to a ½ inch steel pin; thence North 11°50'29" East, a distance of 184.27 feet to a point; thence North 15°48'01" East, a distance of 98.56 feet to the REAL POINT OF BEGINNING.

SCANNED
JAN 19 2023

WHEN RECORDED**RETURN TO:**

Belnap Legal, PLLC
12550 W. Explorer Dr., Ste. 100
Boise, Idaho 83713

SEND TAX NOTICES TO:

Linda Hoalst
4550 Van Deusen Rd.
Emmett, ID 83617

CORRECTION PERSONAL REPRESENTATIVE DEED

GRANTOR, Linda Hoalst, in her official capacity as Personal Representative of the Estates of Frank Lewis Smith and Lillian M. Smith, Third Judicial District, Gem County, Idaho, Case No. CV23-20-0550 (Letters Testamentary attached as Exhibit A), does hereby remise, release and forever convey, unto GRANTEE, Linda Hoalst, as her sole and separate property, all of Grantor's right, title and interest in and to the real property situated in Gem County, Idaho, more particularly described as follows:

That portion of the NE $\frac{1}{4}$ of Section 30, Twp. 7N. R1 W.B.M., described as follows:

Beginning at the E $\frac{1}{4}$ corner of said Sec. 30 Twp. 7N R. 1W.B.M., run North on Section line 1300 feet more or less to South right of way line of the Emmett Irrigation District ditch; thence following said right of way South 89° 45' W. 501.3 feet; thence South 71° 34' W. 786.2 feet; thence South 61° 54' W. 496.25 feet; thence North 82° 16' W. 207.52 feet; thence N. 52° 52' West 402.9 feet; thence N. 43° 41' W. 598.95 feet; thence N. 19° 33' W. 0.83 feet; to a point on the $\frac{1}{4}$ section line; thence S. 0° 9' E. on $\frac{1}{4}$ Section line 1518.9 feet to the center of said Section 30; thence S. 89° 53' E. on the $\frac{1}{4}$ Section line 2625.7 feet, to said point of beginning. Also the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 30, Twp. 7N. R. 1 W.B.M., together with all water and ditch rights, appurtenant thereto, belonging thereto, or used in the irrigation thereof.

EXCEPTING the following property below pursuant to that certain Quitclaim Deed recorded in Gem County, Idaho, on September 10, 2002, as Instrument No. 224346:

A tract of land in the E $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, Township 7 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

BEGINNING at the South bank of the North side of Emmett Irrigation District Canal (marked by a rock 3 notches on South side and 5 notches on the East side) said point being 1298.46 feet South of the Northeast corner of said Section 30, and also of record as being 1300 feet, more or less, North of the East quarter corner of said Section 30, **THE REAL POINT OF BEGINNING**; thence

West 174 feet; thence

South 16°35' East (formerly and erroneously referred to as South 73°25' East) 595.05 feet to the East line of said Section 30; thence

North along the East line of said Section 30, 570 feet, more or less, to **THE REAL POINT OF BEGINNING**.

FURTHER EXCEPTING the following property below pursuant to that certain Warranty Deed recorded in Gem County, Idaho, on May 7, 2001, as Instrument No. 216382:

TRACT I

That portion of the NE ¼ of Section 30, Township 7 North, Range 1 West, B.M., Gem County, Idaho, described as follows:

COMMENCING at the Southeast corner of the NE ¼ of Section 30, T. 7 N., R. 1 W., B.M., Gem County, Idaho, marked by a found 5/8" iron pin; thence

North 00°34'20" West, 28.72 feet, along the East line of said NE ¼, to a set ½" iron pin with plastic cap PLS 6552 and the **REAL POINT OF BEGINNING**; thence continuing

North 00°34'20" West, 687.57 feet to a set ½" iron pin with plastic cap PLS 6552; thence

North 16°43'49" West, 593.05 feet to a point on the South right of way line of the Northside Main Canal, marked by a set ½" iron pin with plastic cap PLS 6552; thence along said South right of way line the following courses and distances:

North 87°52'14" West, 257.42 feet to the beginning of a tangent 340.00 foot radius curve to the left; Southwesterly along the arc of said curve through a central angle of 19°41'16", a distance of 116.83 feet; tangent to said curve,

South 72°26'30" West, 578.38 feet to the beginning of a tangent 480.00 foot radius curve to the left; Southwesterly along the arc of said curve through a central angle of 12°53'34", a distance of 108.01 feet; tangent to said curve,

South 59°32'56" West, 474.50 feet to the beginning of a tangent 215.00 foot radius curve to the right; Northwesterly along the arc of said curve through a central angle of 64°19'04", a distance of 241.35 feet to a point on the centerline of the "C" Lateral; thence along said centerline the following courses and distances:

South 14°53'14" West, 150.16 feet to the beginning of a tangent 280.00 foot radius curve to the right; Southwesterly along the arc of said curve through a central angle of 31°04'26", a distance of 151.85 feet; tangent to said curve,

South 45°57'39" West, 74.30 feet to the beginning of a tangent 100.00 foot radius curve to the left; Southwesterly along the arc of said curve through a central angle of 44°56'44", a distance of 78.44 feet; tangent to said curve,

South 01°00'55" West, 105.27 feet; thence leaving said centerline,

South 81°44'14" East, 2059.41 feet to the **REAL POINT OF BEGINNING**.

TRACT II

TOGETHER WITH AND RESERVING a 30.00 foot wide irrigation easement lying 15.00 feet each side of the following described centerline:

COMMENCING at the Southwest corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30, Township 7 North, Range 1 West, B.M., Gem County, Idaho, marked by a set 5/8" iron pin with plastic cap PLS 6552; thence South 89°43'55" East, 558.82 feet, along the South line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, to a set $\frac{1}{4}$ " iron pin with plastic cap PLS 6552 and the **REAL POINT OF BEGINNING**; thence along said centerline the following courses and distances:

North 00°49'53" East, 659.44 feet;

North 01°00'55" East, 1079.34 feet to the beginning of a tangent 100.00 foot radius curve to the right; Northeasterly along the arc of said curve through a central angle of 44°56'44", a distance of 78.44 feet; tangent to said curve,

North 45°57'39" East, 74.30 feet to the beginning of a tangent 280.00 foot radius curve to the left; Northeasterly along the arc of said curve through a central angle of 31°04'26", a distance of 151.85 feet; tangent to said curve,

North 14°53'14" East, 150.16 feet to a point on the South right of way of the Northside Main Canal and the terminus of this easement.

The limits of said easement shall be extended or shortened at the beginning, terminus and all angle points so as to make for a continuous and uniform width of access throughout.

FURTHER EXCEPTING the following property below pursuant to that certain Warranty Deed recorded in Gem County, Idaho, on May 7, 2001, as Instrument No. 216383:

TRACT I

That portion of the E $\frac{1}{4}$ of Section 30, Township 7 North, Range 1 West, B.M., Gem County, Idaho, described as follows:

BEGINNING at the Southeast corner of the NE $\frac{1}{4}$ of Section 30, T. 7 N., R. 1 W., B.M., Gem County, Idaho, marked by a found 5/8" iron pin; thence

North 00°34'20" West, 28.72 feet, along the East line of said NE $\frac{1}{4}$ to a set $\frac{1}{4}$ " iron pin with plastic cap PLS 6552; thence

North 81°44'14" West, 2059.41 feet to a point on the centerline of the "C" Lateral; thence

South 01°00'55" West, 974.07 feet along said centerline; thence

South 00°49'53" West, 54.71 feet, along said centerline; thence

South 89°43'26" East, 745.06 feet to a point on the West line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, marked by a set $\frac{1}{4}$ " iron pin with plastic cap PLS 6552; thence

North 00°08'56" East, 54.71 feet, along said West line, to the Southwest corner of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, marked by a set $\frac{1}{4}$ " iron pin with plastic cap PLS 6552; thence

South 89°44'10" East, 1310.58 feet, along the South line of said N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the Southeast corner thereof, marked by a set $\frac{1}{4}$ " iron pin with plastic cap PLS 6552; thence

North 00°03'12" East, 658.85 feet, along the East line of said N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, to the **REAL POINT OF BEGINNING**.

SCANNED
JAN 19 2023

TRACT II

TOGETHER WITH AND RESERVING, a 30.00 foot wide irrigation easement lying 15.00 feet each side of the following described centerline:

COMMENCING at the Southwest corner of the NW ¼ of the SE ¼ of Section 30, Township 7 North, Range 1 West, B.M., marked by a set 5/8" iron pin with plastic cap PLS 6552; thence

South 89°43'55" East, 558.82 feet along the South line of said NW ¼ of the SE ¼, to a set ½" iron pin with plastic cap PLS 6552 and the REAL POINT OF BEGINNING; thence along said centerline the following courses and distances:

North 00°49'53" East, 659.44 feet;

North 01°00'55" East, 1079.34 feet to the beginning of a tangent 100.00 foot radius curve to the right;

Northeasterly along the arc of said curve through a central angle of 44°56'44", a distance of 78.44 feet; tangent to said curve,

North 45°57'39" East, 74.30 feet to the beginning of a tangent 280.00 foot radius curve to the left;

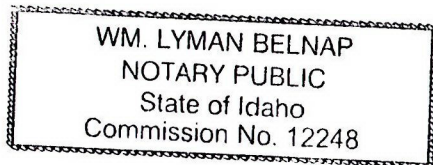
Northeasterly along the arc of said curve through a central angle of 31°04'26", a distance of 151.85 feet; tangent to said curve,

North 14°53'14" East, 150.16 feet to a point on the South right of way line of the Northside Main Canal and the terminus of this easement.

The limits of said easement shall be extended or shortened at the beginning, terminus and all angle points, so as to make for a continuous and uniform width of access throughout.

SUBJECT TO: existing taxes, assessments, liens, encumbrances, covenants, conditions, restrictions, rights of way and easements of record.

DATED this 2nd day of December, 2021.



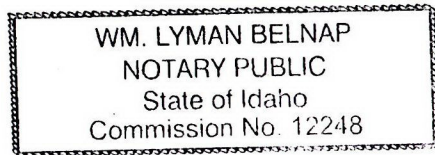
Linda Hoalst, PR

Linda Hoalst, Personal Representative of the Estates
of Frank Lewis Smith and Lillian M. Smith

STATE of IDAHO)
 : ss.
County of Ada)

On this 2nd day of December, 2021, before me, the undersigned, a notary public in and for said state, personally appeared, **Linda Hoalst**, in her official capacity as Personal Representative of the **Estates of Frank Lewis Smith and Lillian M. Smith**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



WM. Lyman Belnap
Notary Public for Idaho
Residing at _____
My Commission Expires _____

Wm. Lyman Belnap, ISB No. 2082
BELNAP LEGAL, PLLC
12550 W. Explorer Drive, Suite 100
Boise, Idaho 83713
Telephone: (208) 375-2100
Facsimile: (208) 375-5444
lyman@belnaplegal.com

Filed: 08/21/2020 13:09:46
Third Judicial District, Gem County
Shelly Tilton, Clerk of the Court
By: Deputy Clerk - Dodson, Laura

Attorney for Applicant Linda Hoalst

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM
MAGISTRATE DIVISION**

IN THE MATTER OF THE ESTATES OF

CASE NO.: CV23-20-0550

FRANK LEWIS SMITH and LILLIAN M.
SMITH

**LETTERS TESTAMENTARY AND
ACCEPTANCE**

Deceased

(I.C. §§ 15-3-602 and 15-3-702)

Linda Hoalst is hereby appointed personal representative of the Estates of Frank Lewis Smith and Lillian M. Smith, deceased, with all authority pertaining thereto. Administration of these estates is unsupervised.

These Letters are issued to evidence the appointment, qualification, and authority of the personal representative.

WITNESS my signature and the seal of the Court: _____

Signed: 8/21/2020 01:02 PM

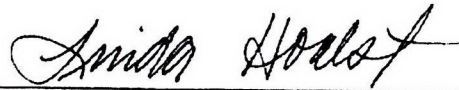


Magistrate Judge

ACCEPTANCE

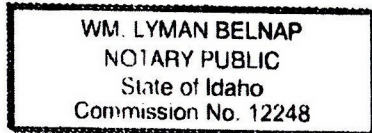
State of Idaho)
 : ss:
County of Ada)

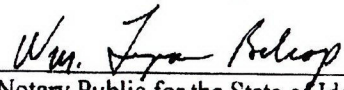
The undersigned hereby accepts the appointment to the office of personal representative of the Estates of Frank Lewis Smith and Lillian M. Smith, deceased, and does solemnly swear that he will perform, according to law, the duties of personal representative of said estate.

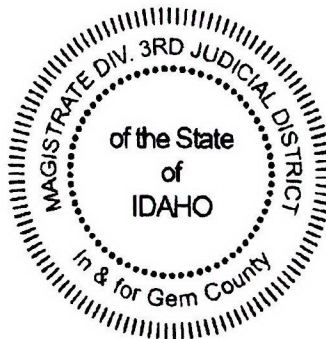


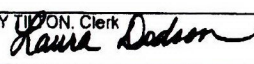
Linda Hoalst
4550 Van Deusen Road
Emmett, Idaho 83617

SUBSCRIBED AND SWORN to before me this 20th day of August 2020.




Notary Public for the State of Idaho
Residing in Burien
My Commission Expires: 2/2/25



STATE OF IDAHO } ss COUNTY OF GEM }
I certify that the foregoing is a true and correct copy of the original on file in this office.
DATED Signed: 8/21/2020 01:12 PM
SHELLY TILTON, Clerk
By  Deputy

Wm. Lyman Belnap, ISB No. 2082
BELNAP LEGAL, PLLC
12550 W. Explorer Drive, Suite 100
Boise, Idaho 83713
Telephone: (208) 375-2100
Facsimile: (208) 375-5444
lyman@belnaplegal.com

Filed: 08/21/2020 13:09:46
Third Judicial District, Gem County
Shelly Tilton, Clerk of the Court
By: Deputy Clerk - Dodson, Laura

Attorney for Applicant Linda Hoalst

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM
MAGISTRATE DIVISION**

IN THE MATTER OF THE ESTATES OF

CASE NO.: CV23-20-0550

FRANK LEWIS SMITH and LILLIAN M.
SMITH

**LETTERS TESTAMENTARY AND
ACCEPTANCE**

Deceased.

(I.C. §§ 15-3-602 and 15-3-702)

Linda Hoalst is hereby appointed personal representative of the Estates of Frank Lewis Smith and Lillian M. Smith, deceased, with all authority pertaining thereto. Administration of these estates is unsupervised.

These Letters are issued to evidence the appointment, qualification, and authority of the personal representative.

WITNESS my signature and the seal of the Court: _____

Signed: 8/21/2020 01:02 PM



Magistrate Judge

ACCEPTANCE

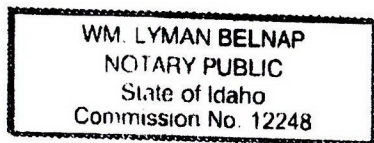
State of Idaho)
 : ss:
County of Ada)

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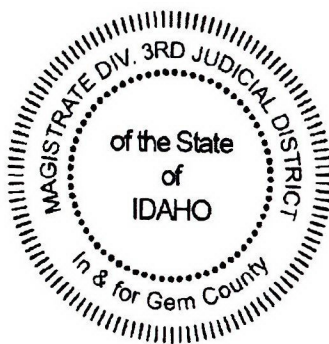
Linda Hoalst

Linda Hoalst
4550 Van Deusen Road
Emmett, Idaho 83617

SUBSCRIBED AND SWORN to before me this 20th day of August 2020.



Wm. Lyman Belnap
Notary Public for the State of Idaho
Residing in Burien
My Commission Expires: 2/2/25



STATE OF IDAHO } ss COUNTY OF GEM }
I certify that the foregoing is a true and correct copy of the original on file in this office.
DATED Signed: 8/21/2020 01:12 PM
SHELLY LYNN, Clerk By <i>Raune Dudson</i> Deputy



Catalog Favorites Visible Super Tab

Search Results



Features Layers Zoom to results

3

1



RP07N01W301400

Q Parcel

Number:RP07N01W

Street Address: 3770 VAN DEUSEN RD

Owner Name: HOALST LINDA

Acre: 26.6220

RP07N01W197890

Q Parcel

Number:RP07N01W

Street Address: 4550 VAN DEUSEN RD

Owner Name: HOALST CHRISTOPHER

Acre: 3.2440

RP07N01W190000

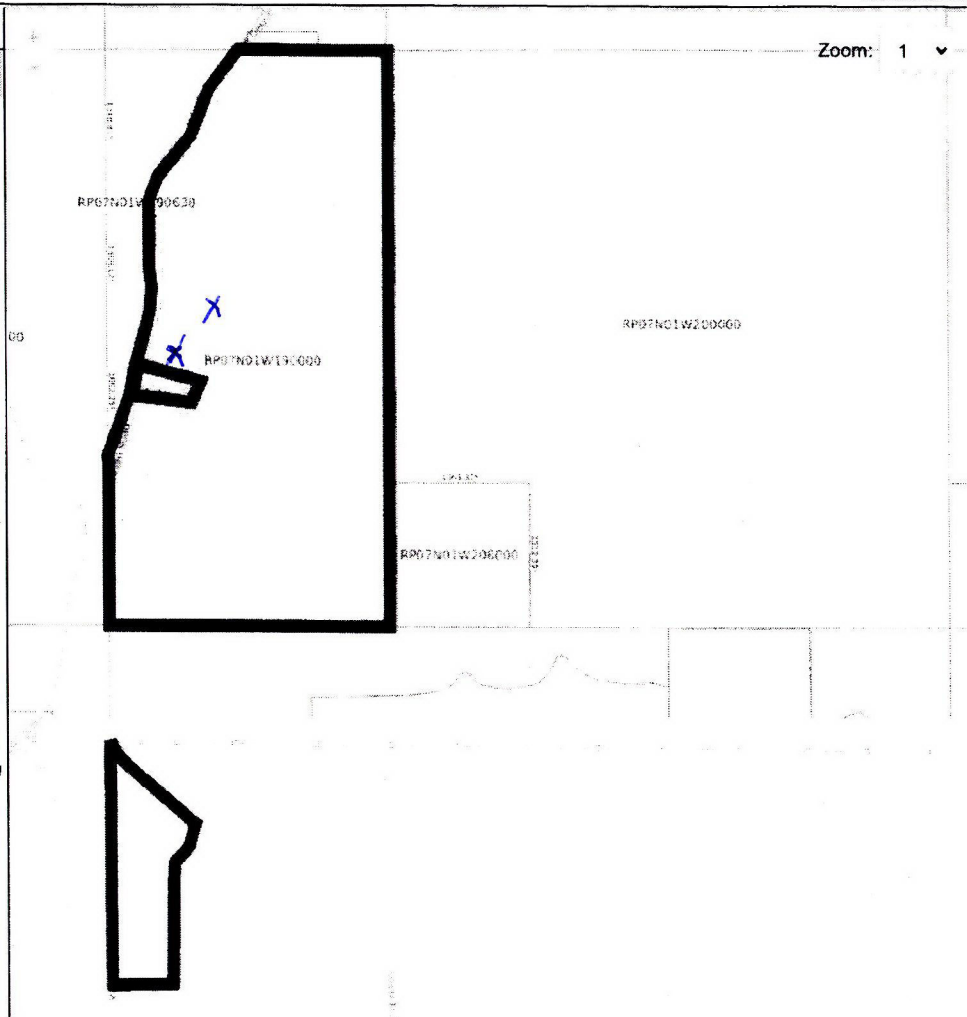
Q Parcel

Number:RP07N01W

Street Address:

Owner Name: HOALST LINDA

Acre: 272.9800



Zoom: 1

SCANNED
JAN 19 2023

3.6.2.IDAHO

The Parcels were last modified: October 18 2022 11:09:34.

X,Y -12966989.0, 5453273.6 USNG 11T NJ 41388 63262 Lat,Lon 43.9213, -116.4844

Zoom to Extent...

IF YOU CAN NOT DOWNLOAD DATA ON THIS WEBSITE, YOU WILL NEED TO CONTACT THE COUNTY ASSESSOR'S OFFICE. NOTE THE 2021 N

Water Right Report : 65-947(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	SMITH, LILLIAN M	3770 VAN DEUSSEN RD	EMMETT ID		83617
Current Owner	MOULTON, FRANK E	620 E 12TH ST	EMMETT ID		83617

Water Right Status

Priority Date : 4/1/1890
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07N	01W	30	0				SW NE GEM	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.02 CFS	2.70 AFA
DOMESTIC	1/01	12/31	0.04 CFS	1.20 AFA
TOTAL			0.04 CFS	3.90 CFS

Places of Use

Place of Use Legal Description : STOCKWATER (GEM county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
07N	01W	30			SW	NE	

Place of Use Legal Description : DOMESTIC (GEM county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
07N	01W	30			SW	NE	

Conditions

Code Conditions

N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
PARCEL NO. 4294.00

Dates

Licensed Date :

Other Information

State or Federal : S

SCANNED
JAN 19 2023

Decreed Date : 8/21/1998

Permit Proof Due Date :

Permit Proof Made Date :

Permit Approved Date :

Permit Moratorium Expiration Date :

Enlargement Use Priority Date :

Enlargement Statute Priority Date :

Application Received Date:

Protest Deadline Date:

Water District Number : EXC

Generic Max Rate Per Acre : 0

Generic Max Volume Per Acre : 0

Civil Case Number :

Decree Plaintiff :

Decree Defendant :

Swan Falls Trust or Nontrust :

Swan Falls Dismissed :

DLE Act Number :

Cary Act Number :

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

12/21/2022

SCANNED
JAN 19 2023

Water Right Report : 65-13306(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	SMITH, FRANK L	3770 VAN DEUSSEN RD	EMMETT	ID	83617
Current Owner	SMITH, LILLIAN M	3770 VAN DEUSSEN RD	EMMETT	ID	83617

Water Right Status

Priority Date : 2/11/1991
Basis : License
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07N	01W	19	0				NW SE GEM	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.62 CFS	139.50 AFA
TOTAL			0.62 CFS	139.50 CFS

Places of Use

Place of Use Legal Description : IRRIGATION (GEM county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
07N	01W	19			NE	NE	12
07N	01W	19			NW	NE	7
07N	01W	19			SW	NE	12

Irrigation Totals

Total Acres Acre Limit
31.00

Conditions

Code Conditions

Rights 65-07506 and 65-13306 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual diversion volume of 306.9 af, and the irrigation of 100 acres. Right 65-07506 is also diverted at the point of diversion described above.

R29 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

SCANNED
JAN 19 2023

Dates

Licensed Date : 11/21/1996
Decreed Date :
Permit Proof Due Date : 5/1/1992
Permit Proof Made Date : 3/30/1992
Permit Approved Date : 4/23/1991
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date: 2/11/1991
Protest Deadline Date:

Other Information

State or Federal :
Water District Number : EXC
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Combined Acre Limit : 100.00
Combined Volume Limit: 306.90
Combined Rate Limit: 0.63
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

12/21/2022

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 65-00947

NAME AND ADDRESS: FRANK L SMITH
LILLIAN SMITH
3770 VAN DUESSEN RD
EMMETT, ID 83617

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
3.90 AFY

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

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION: T07N R01W S30 SWNE Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
			1.20 AFY
	Stockwater	01-01 TO 12-31	0.02 CFS
			2.70 AFY

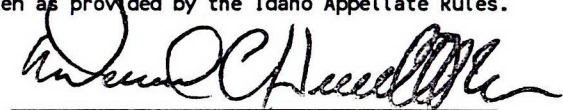
PLACE OF USE:	Stockwater		Within Gem County
	T07N R01W S30	SWNE	
	Domestic		Within Gem County
	T07N R01W S30	SWNE	

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



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 18, 2023

LINDA HOALST
4550 VAN DEUSEN RD
EMMETT ID 83617-9176

Re: Change in Ownership for Water Right Nos: 65-947 and 65-13306

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. Belnap Legal PLLC – *via email*

SCANNED
JAN 19 2023

RECEIVED

JAN 03 2023

DEPARTMENT OF
WATER RESOURCES

BELNAP LEGAL, PLLC

Wm. Lyman Belnap | lyman@belnaplegal.com

December 28, 2022

Sent via US Mail and Certified Mail

Idaho Department of Water Resources
322 E. Front St.
Boise, ID 83702

Re: Notice of Change in Water Right Ownership
Water Rights: 65-947 and 65-13306

To whom it may concern:

We represent Linda Hoalst who is the Personal Representative for the Estates of Frank L. Smith and Lillian M. Smith. Enclosed is the Notice of Change in Water Right Ownership, a Fifty Dollar (\$50.00) check for the fee, and all necessary documentation.

If any additional information is necessary to complete the change in ownership, please contact our office. If no additional information is necessary, please send the confirmation to our office.

Belnap Legal, PLLC
12550 W. Explorer Dr. Ste. 100
Boise, ID 83713

Respectfully submitted,

BELNAP LEGAL, PLLC



Wm. Lyman Belnap

Enclosures

12550 W. Explorer Drive, Suite 100, Boise, Idaho 83713

Office: 208.375.2100 | Facsimile: 208.375.5444 | www.belnaplegal.com

SCANNED
JAN 19 2023