

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/31/2023

Water Right 35-2164A *After Split*

Owner Type **Name and Address**
Current Owner MERLIN SMITH JR
399 N 500 W
BLACKFOOT, ID 83221-5443
(208) 317-3514

Current Owner JENNIFER SMITH
399 N 500 W
BLACKFOOT, ID 83221-5443
(208) 317-3514

Current Owner MERLIN SMITH SR
833 S STOUT AVE
BLACKFOOT, ID 83221
(208) 317-3513

Security Interest IDAHO AGRICULTURAL CREDIT
ASSN FLCA
PO BOX 985
BLACKFOOT, ID 83221-0985
(800) 686-8910

Priority Date: 2/23/1950

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

4/01

To

10/31

Diversion Rate

1.240 CFS

Volume

252.0 AF

Total Diversion

1.240 CFS

252.0 AF

Source and Point(s) of Diversion:

GROUND WATER

SWNE

Sec. 7, Twp 02S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	34E	7	27.0	28.0	2.0	6.0													63.0

POU Total Acres: 63.0

Conditions of Approval:

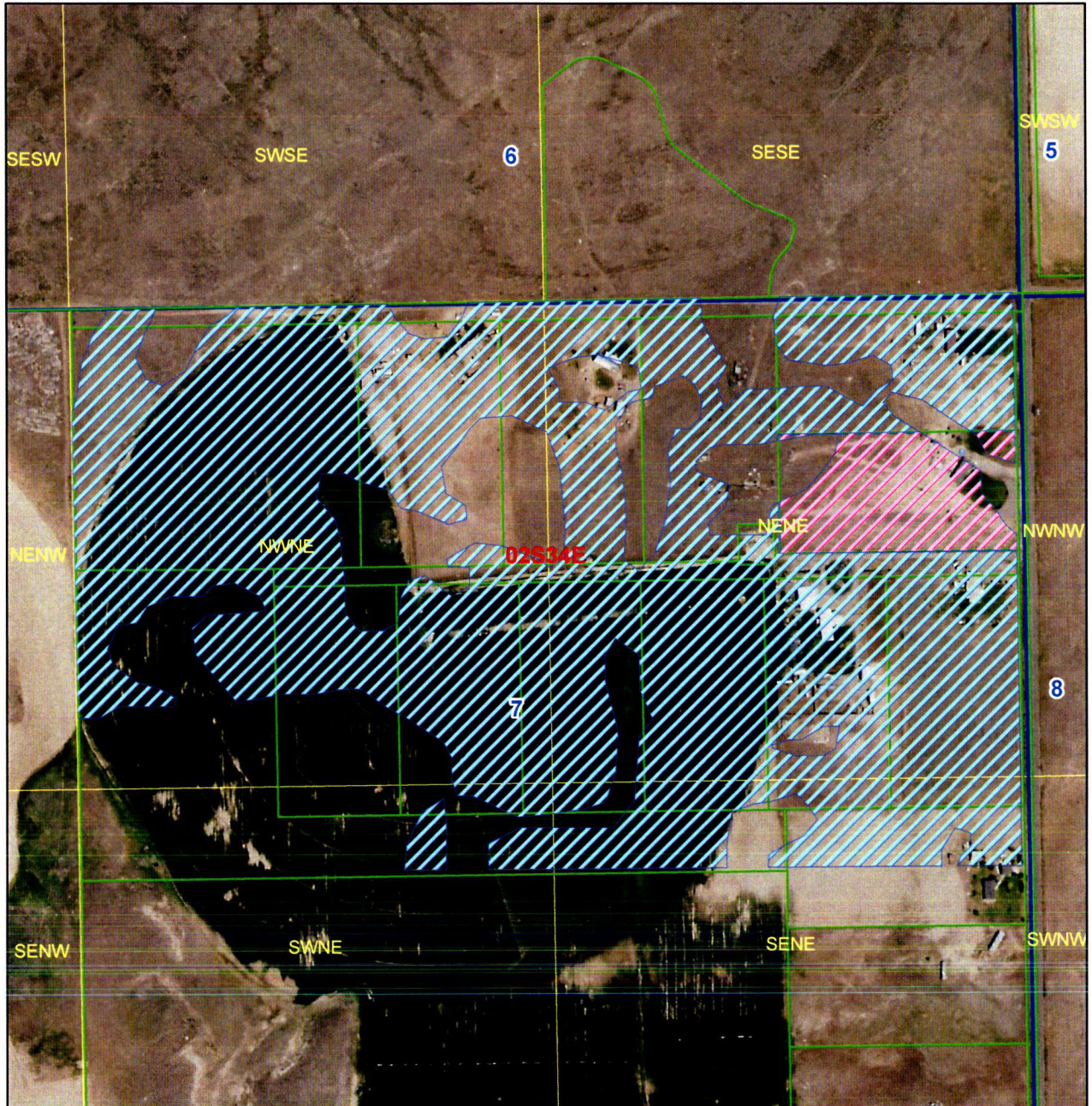
1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. RIGHT NO. 35-02164B, 35-14837 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Comments:

6 jbailey 5/31/2023 Ownership change
water right 35-2164A was split into 35-2164A and 35-14837.

SCANNED
JUN 11 2023

Idaho Department of Water Resources



Legend

-  POU 35-14837
-  POU 35-2164A After Split
-  Parcels
-  Township/Range
-  Sections
- QQ

SCANNED

MAY 31 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/25/2023

Water Right 35-2164A *Before Split*

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MERLIN SMITH JR 399 N 500 W BLACKFOOT, ID 83221-5443 (208) 317-3514
Current Owner	JENNIFER SMITH 399 N 500 W BLACKFOOT, ID 83221-5443 (208) 317-3514
Current Owner	MERLIN SMITH SR 833 S STOUT AVE BLACKFOOT, ID 83221 (208) 317-3513

Priority Date: 2/23/1950

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>		<u>Diversion Rate</u>	<u>Volume</u>
GROUND WATER				
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>		
IRRIGATION	4/01	10/31	1.320 CFS	268.0 AF
	<u>Total Diversion</u>		1.320 CFS	268.0 AF

Source and Point(s) of Diversion:

GROUND WATER SWNENE Sec. 7, Twp 02S, Rge 34E, BINGHAM County

Place Of Use:

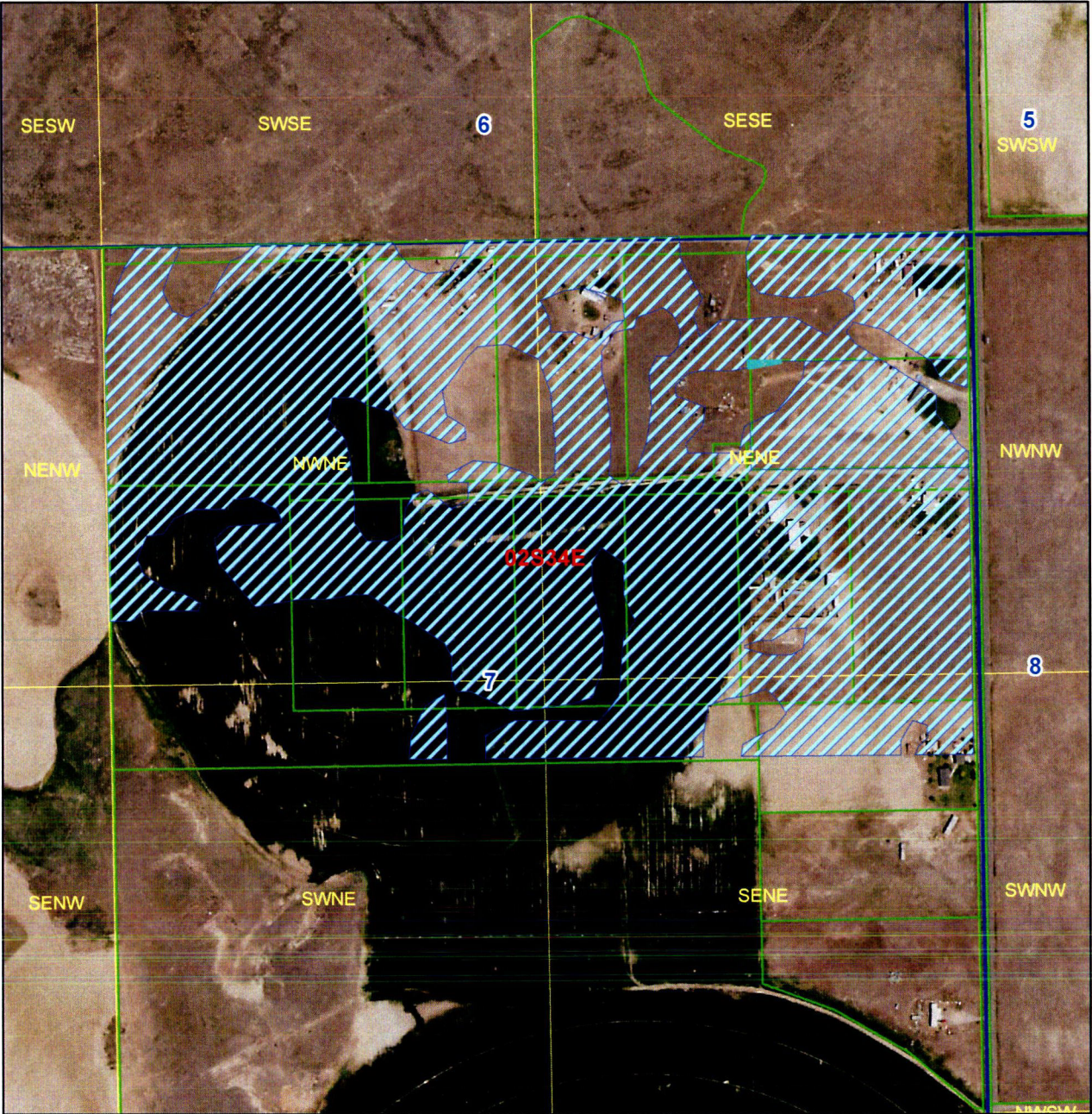
IRRIGATION within BINGHAM County

				NE		NW		SW		SE						Totals	
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
02S	34E	7		31.0	28.0	2.0	6.0									67.0	
																POU Total Acres: 67.0	

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. RIGHT NO. 35-02164B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Idaho Department of Water Resources



Legend

-  POU 35-2164A Before Split
-  Parcels
-  Township/Range
-  Sections
- QQ

SCANNED

MAY 31 2023

MAY 22 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-2164A	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>35-2164A</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>35-2164A 35-14837</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Merlin Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jeremy Naillon & Camille Naillon
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 492 N 1100 W Blackfoot ID 83221
Mailing address City State Zip
208-960-5116 jeremynaillon@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: 01/13/2023
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.

SUPPORT DATA

IN FILE # 35-2164A

8. Signature: Jeremy Naillon 5/17/2023
Signature of new owner/claimant Title, if applicable Date
Jeremy Naillon
Print name
- Signature: Camille Naillon 5-17-2023
Signature of new owner/claimant Title, if applicable Date
Camille Naillon
Print name

Received by JB Date 5/22/2023 For IDWR Office Use Only: Receipt No. E049203 Receipt Amt. \$100.-
 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 5/31/2023

MAY 31 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/16/2023

Water Right 35-2164A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MERLIN SMITH JR 399 N 500 W BLACKFOOT, ID 83221-5443 (208) 317-3514
Current Owner	JENNIFER SMITH 399 N 500 W BLACKFOOT, ID 83221-5443 (208) 317-3514
Current Owner	MERLIN SMITH SR 833 S STOUT AVE BLACKFOOT, ID 83221 (208) 317-3513

Priority Date: 2/23/1950

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	1.320 CFS	268.0 AF
	<u>Total Diversion</u>		1.320 CFS	268.0 AF

Source and Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 7, Twp 02S, Rge 34E, BINGHAM County
--------------	------	--

Place Of Use:

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
02S	34E	7	31.0	28.0	2.0	6.0											67.0		

POU Total Acres: 67.0

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/16/2023

2. 1412(6), IDAHO CODE.
RIGHT NO. 35-02164B IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates and Other Information:

Decreed Date: 2/19/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 120
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

SubCaseNumber: 35-2164A
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: License
Date Filed: 6/2/1999
Objection Status: Active

Water Supply Bank:

N/A

3400 1200

442749

300 300
BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

Warranty Deed

96 MAR 29 AM 11:16
RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE

For Value Received MERLIN SMITH, a single man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
DARWIN R. PARK and SHEILA PARK, husband and wife
whose address is: PO Box Moreland Idaho 83256

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 2 South, Range 34 E.B.M., Bingham County, Idaho, described as:

Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 2 South, Range 34 E.B.M., Bingham County, Idaho, described as:
Beginning at a point that is S. 00°07'10" E. 380.00 feet along the Section line and S. 89°55'08" W. 25.00 feet from the NE corner of said Section 7; and running thence S. 00°07'10" E. 330.00 feet; thence S. 89°55'08" W. 662.00 feet; thence N. 00°07'10" W. 330.00 feet; thence N. 89°55'08" E. 662.00 feet parallel to the N. line of said Section 7, to the Point of Beginning.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their 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.

Dated: MARCH 29, 1996

Merlin Smith
MERLIN SMITH

STATE OF IDAHO)
COUNTY OF BINGHAM) ss.

On this 29TH day of MARCH, 1996 before me the undersigned, a Notary Public in and for the said county and state, personally appeared MERLIN SMITH, known or proved to me to be the person who executed the foregoing instrument, and acknowledged to me that he executed the same

Anta M. Christy
Notary Public for Idaho
Residing at: BLACKFOOT
My Commission Expires: 5-20-2000

442749

50 APR 11 2000
MAY 31 2023

519878

QUIT CLAIM DEED

FOR VALUE RECEIVED Darwin R. Park, a single man, does hereby convey, release, remise and forever quit claim unto Sheila Park, a single woman, whose current address is 492 N. 1100 W., Blackfoot, Idaho, all of his right, title, and interest, in and to the following described premises, to-wit:

Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 2 South, Range 34 E.B.M., Bingham County, Idaho, described as:

Beginning at a point that is S. 00°07'10" E. 380.00 feet along the Section line and S. 89°55'08" W. 25.00 feet from the NE corner of said Section 7; and running thence S. 00°07'10" E. 330.00 feet; thence S. 89°55'08" W. 662.00 feet; thence N. 00°07'10" W. 330.00 feet; thence N. 89°55'08" E. 662.00 feet parallel to the N. line of said Section 7, to the Point of Beginning.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

DATED this 26 day of November, 2002.

Darwin R. Park
DARWIN R. PARK

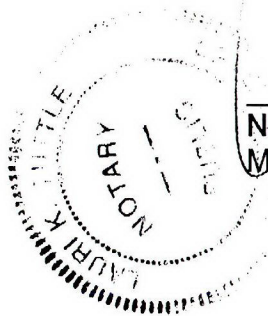
RECORDED AT THE REQUEST OF

2002 DEC -3 PM 4:33

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE \$22.00
BOOK 33766
PAGE 83221

STATE OF IDAHO)
County of Burley) ss.

On this 26th day of November, 2002, before me, a notary public in and for said State, personally appeared Darwin R. Park, known to me to be the person, whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



[Signature]
Notary Public for Idaho
My Cm Exps: 12/21/04

519878

Mrs Darwin R. Park
75 E. Jackson
Blackfoot ID 83221

SCANNED

MAY 31 2003

Instrument # 676621
BINGHAM COUNTY, IDAHO
2016-05-26 11:28:15 AM No. of Pages: 2
Recorded for: ALLIANCE TITLE - BLACKFOOT OFF
PAMELA W. ECKHARDT Fee: \$13.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:311223

FOR VALUE RECEIVED

Sheila Park a single woman

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Dustin Crumley and Felicia Crumley husband and wife

whose current address is

**492 North 1100 West
Blackfoot, ID 83221**



the grantee(s), the following described premises, in Bingham County, Idaho, TO WIT:

**Part of the Northeast Quarter Northeast Quarter of Section 7, Township 2 South,
Range 34 East, Boise Meridian, Bingham County, Idaho, described as:**

**Beginning at a point that is S. 00°07'10" E. 380.00 feet along the Section line and S.
89°55'08" W. 25.00 feet from the Northeast corner of said Section 7; and running
thence S. 00°07'10" E. 330.00 feet; thence S. 89°55'08" W. 662.00 feet; thence N.
00°07'10" W. 330.00 feet; thence N. 89°55'08" E. 662.00 feet parallel to the North
line of said Section 7, to the POINT OF BEGINNING.**

**Property includes Nashua Spring Manor Manufactured Home, Serial No. NNID
38036 AB 7028 3TL 603 which is affixed to and taxes as part of the land as real
property, pursuant to Idaho.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the
said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free
from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions,
reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: May 26, 2016


Sheila Park

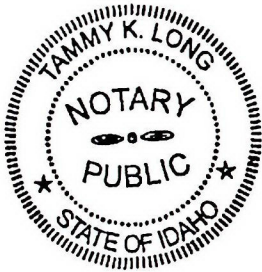
SCANNED

MAY 31 2023

State of Idaho } ss
County of Bingham }

On this 26th day of May, 2016, before me, the undersigned a Notary Public in and for said state, personally appeared Sheila Park, 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 same.

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





Notary Public for the State of Idaho
Residing at: Blackfoot
Commission Expires: April 30, 2017

SCANNED

MAY 31 2023



Instrument # 751884
BINGHAM COUNTY, IDAHO
2023-01-13 11:42:30 AM No. of Pages: 1
Recorded for: ALLIANCE TITLE - POCAATELLO OFF
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

WARRANTY DEED

Alliance Title & Escrow, LLC Order No.: 627170

FOR VALUE RECEIVED

Dustin Crumley and Felicia Crumley, husband and wife
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Jeremy J Naillon and Camille Naillon, a married couple
whose current address is

492 N 1100 W

Blackfoot, ID 83221

the grantee(s), the following described premises, in Bingham County, Idaho, TO WIT:

Part of the Northeast ¼ of the Northeast ¼ of Section 7, Township 2 South, Range 34 East, Boise Meridian, Bingham County, Idaho, described as:

BEGINNING at a point that is South 00°07'10" East 380.00 feet along the Section line and South 89°55'08" West 25.00 feet from the Northeast corner of said Section 7 and running;

Thence South 00°07'10" East 330.00 feet;

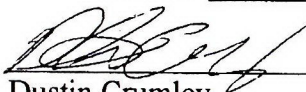
Thence South 89°55'08" West 662.00 feet;

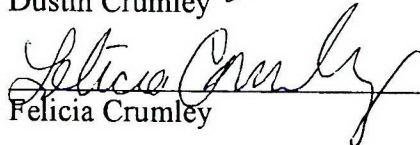
Thence North 00°07'10" West 330.00 feet;

Thence North 89°55'08" East 662.00 feet parallel to the North line of said Section 7 to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 12, 2023


Dustin Crumley

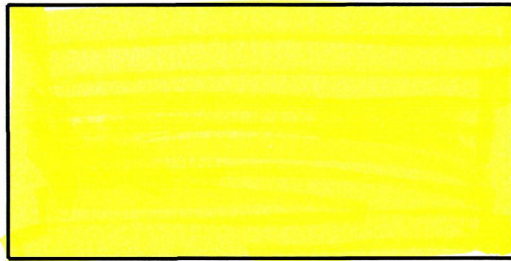

Felicia Crumley

State of Idaho } ss
County of Bingham }

On this 12 day of January, 2023, before me, Liz Piva, a Notary Public in and for said state

SCANNED

MAY 31 2023



Naillon Property

5/22/2023

Scale: 1 inch= 250 feet

File: 35-2164A

Tract 1: 5.0152 Acres (218460 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=1984 ft.

01 /ne,7,2s,34e

07 n89.5508e 662.00

02 /s00.0710e 380

03 /s89.5508w 25.00

04 s00.0710e 330.00

05 s89.5508w 662.00

06 n00.0710w 330.00

SCANNED

MAY 31 2023



Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 31, 2023

JEREMY NAILLON
492 N 1100 W
BLACKFOOT ID 83221-5151

Re: Change in Water Right Ownership: 35-2164 A (Split into 35-2164 A and 35-14837),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: IDAHO AGRICULTURAL CREDIT ASSN FLCA
MERLIN SMITH JR
JENNIFER SMITH
MERLIN SMITH SR
WATER DISTRICT 120
BINGHAM GROUND WATER DISTRICT

SCANNED

MAY 31 2023