

RECEIVED

AUG 06 2024

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?
25-14532 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
25-14533 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: B & B Farms c/o Bradley Jensen
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): K Darby Smith and Rachelle Smith
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or
- 30 N 3900 E Rigby ID 83442
Mailing address City State Zip
208-317-3641 kds@ida.net
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 May 2024
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: [Signature] Title, if applicable: _____ Date: 2-15-2024
Signature of new owner/claimant
K. Darby Smith

Signature: Rachelle Smith Title, if applicable: _____ Date: 2/15/24
Signature of new owner/claimant
Rachelle Smith
Print name

Received by: JB Date: 8/6/2024 For IDWR Office Use Only: Receipt No. E050277 Receipt Amt: \$50.-
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: 8/6/2024

SUPPORT DATA

IN FILE # 25-14532

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Kristin Moore
Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303
Idaho Falls, ID 83402

Instrument # 486134

RIGBY, JEFFERSON, IDAHO
07-03-2024 10:20:05 AM No. of Pages: 6
Recorded for: PIONEER TITLE CO OF BONNEVILLE CO LLC
COLLEEN C POOLE Fee: \$15.00
Ex-Officio Recorder Deputy: RR
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

PTC 847313

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

BRADLEY B. JENSEN, dba B & B FARMS, whose address is 2509 South 5500 W, Rexburg, Idaho 83440 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto **K. DARBY SMITH and RACHELLE SMITH**, husband and wife, whose address is 30 N 3900 E, Rigby, Idaho 83442 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 15th day of May, 2024.

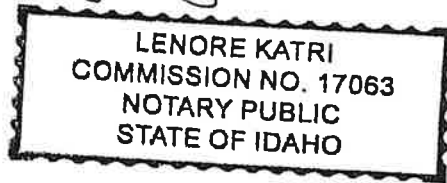
"GRANTOR"

B&B FARMS

Bradley B. Jensen
Bradley B. Jensen, Managing Member

STATE OF IDAHO)
County of Bonneville)ss.

This record was acknowledged before me on the 1st day of may, 2024,
by Bradley B. Jensen as Manager/Member of B & B Farms.



Lenore Katri
Notary Public for Idaho

My Commission Expires: Residing at Idaho Falls, ID
My Commission Expires: 1-30-2027

EXHIBIT A

WATER RIGHT DESCRIPTION

Page 5 of 12

WATER RIGHT NO. 25-14532

As Modified by Transfer No. 87995

In accordance with the approval of Transfer No. 87995, Water Right No. 25-14532 is now described as follows:

Right Holder: B & B FARMS
C/O BRADLEY JENSEN
2509 S 5500 W
REXBURG, ID 83440

Priority Date: 3/4/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.030 cfs 0.030 cfs	11.4 af 11.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L3 (NWSW) Sec 31 Twp 04N Rge 39E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	39E	31																	5.5

POU Total Acres: 5.5

CONDITIONS OF APPROVAL

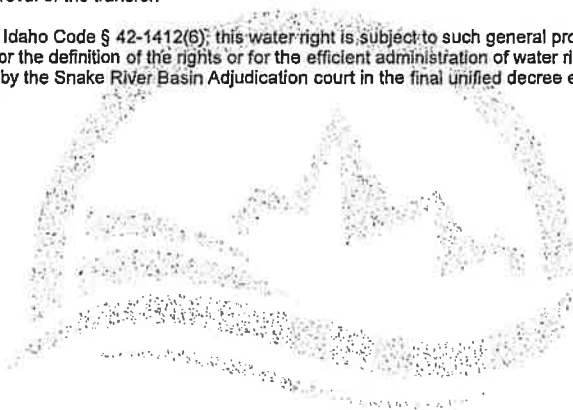
1. Rights 25-14532 and 25-14533 when combined shall not exceed a total annual maximum diversion volume of 19.3 af at the field headgate, and the irrigation of 5.5 acres.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
3. Prior to the diversion and use of water under Transfer approval 87995, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 87995

WATER RIGHT NO. 25-14532
As Modified by Transfer No. 87995

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



Transfer No. 87995

WATER RIGHT NO. 25-14533
As Modified by Transfer No. 87995

In accordance with the approval of Transfer No. 87995, Water Right No. 25-14533 is now described as follows:

Right Holder: B & B FARMS
C/O BRADLEY JENSEN
2509 S 5500 W
REXBURG, ID 83440

Priority Date: 1/25/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.050 cfs	19.3 af
			0.050 cfs	19.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L3 (NWSW) Sec 31 Twp 04N Rge 39E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	39E	31																	5.5

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Transfer No. 87995



IDAHO DEPARTMENT OF
WATER RESOURCES

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 Mathew Weaver

August 06, 2024

K DARBY SMITH
RACHELLE SMITH
30 N 3900 E
RIGBY ID 83442-5739

Re: Change in Ownership for Water Right No(s): 25-14532, 25-14533

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) 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) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 120