



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

April 8, 2025

KRISTI BALDWIN
5177 S MARSH CREEK RD
MCCAMMON ID 83250

RE: Change in Ownership Water Right No. 29-10715

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** On March 17, 2025, the Idaho Department of Water Resources sent a letter requesting additional information and possibly another application to correct an error on the water right (copy attached). On April 7, 2025, the department received a response along with some additional information. Unfortunately, the information is not sufficient for the department to update the ownership of the water right. Your note on the returned information reads: "I am sending you the purchase agreement between my brother and I to transfer ownership of the spring. It is on his property. This is not a water distribution right, just a spring that runs to my place." I acknowledge that the Purchase Agreement does reference the water right specifically, however the purchase agreement is a preliminary document therefore the vesting deed (Warranty Deed, etc) or other legal document indicating your ownership is required. Also, you mentioned the spring is on your brother's property. The spring would be the point of diversion and can be on someone else's property, but the place of use of the water right would still need to be located on your property. Please supply a copy of the vesting deed, even if the water right is not specifically listed, and in order to correct the Place of Use of the water right to show on your property a transfer application will be required (current POU NWNW Section 34 Township 8 South Range 36 East Baldwin property location NENW Section 34 Township 8 South Range 36 East). I have attached the transfer application for your convenience. This application is a little more in depth than the ownership changes and we have a water right agent in our office who can assist you in completing the application.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. **If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.**

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Bailly
Technical Records Specialist

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/8/2025

Water Right 29-10715

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TIMOTHY G SMITH 760 S 150 E SMITHFIELD, UT 84335-4710 (435) 994-0307
Current Owner	LORA A SMITH 760 S 150 E SMITHFIELD, UT 84335-4710 (435) 994-0307
Security Interest	D L EVANS BANK PO BOX 87 TWIN FALLS, ID 83303-0087 (208) 736-9300

Priority Date: 5/1/1967

Basis: Decreed

Status: Active

Source
SPRING

Beneficial Use
DOMESTIC

From 1/01
To 12/31

Total Diversion

Tributary

SINKS

Diversion Rate
0.040 CFS

Volume

0.040 CFS

Source and Point(s) of Diversion:

SPRING NWNWNW

Sec. 34, Twp 08S, Rge 36E, BANNOCK County

Place Of Use:

DOMESTIC within BANNOCK 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	
08S	36E	34								X									

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. R4057028100

Comments:

1 AJU4-ECA 10/1/1997 DOMESTIC 1 HOME UPDATE
 USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME". CONDITION CODES N11 AND N13
 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO AN EXP REMARK.



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March 17, 2025

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5177 S MARSH CREEK RD
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RECEIVED

APR 07 2025

DEPT. OF WATER RESOURCES
EASTERN REGION

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Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

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Jonie Bailly
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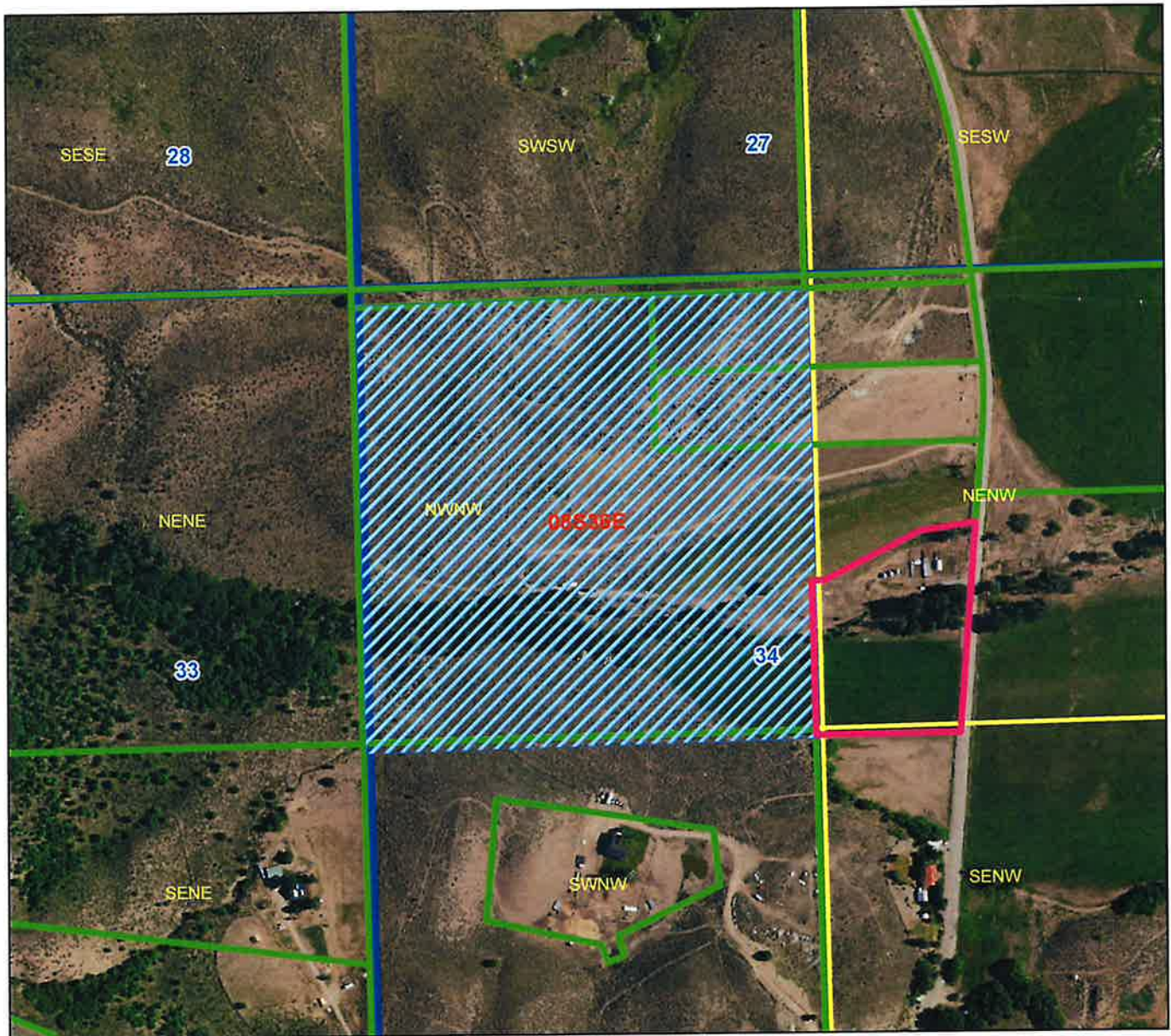
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Sincerely,

Jonie Bailly
Technical Records Specialist

SCANNED
MAR 17 2025

Idaho Department of Water Resources



Legend

-  Baldwin Property
-  29-10715 POU
-  Parcels
-  Township/Range
-  Sections

SCANNED
MAR 17 2025