

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

JUL 19 2021

Notice of Change in Water Right Ownership

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 #6 of the instructions.

SPLIT
#s

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-23317	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-23311	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-23314	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-23250	Yes ☒	Not split Yes ☐		Yes ☐	Yes ☐
37-8859	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Dallas and Candice Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert and Tami Evans
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- PO Box 312 Fairfield ID 83327
Mailing address City State ZIP
- _____
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: January 26, 2021
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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 # 37-368B

8. Signature: [Signature] Title, if applicable: _____ Date: 7/12/2021
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable: _____ Date: 7/12/2021
Signature of new owner/claimant

For IDWR Office Use Only:

Received by SC Date 7/19/21 Receipt No. 5038708 Receipt Amt. \$450.00

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 JB Date 8-24-2021

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
301 Main Street
Gooding, ID 83330

CAMAS COUNTY
RECORDED FOR:
Deputy Clerk
08:38:02 AM 02-01-2021
2021-090082
No. PAGES: 2 FEE: \$15.00
KATHERINE RABLIN
COUNTY CLERK
DEPUTY: KR

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **918619GO (Ir)**

Date: **January 26, 2021**

For Value Received, **Dallas Smith and Candice Smith, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Robert J. Evans and Tami Evans, husband and wife**, hereinafter called the Grantee, whose current address is **PO Box 312, Fairfield, ID 83327**, the following described premises, situated in **Camas County, Idaho**, to-wit:

LOT 2 IN THE WINDMILLS AT SOLDIER MOUNTAIN SUBDIVISION, CAMAS COUNTY, IDAHO AS THE SAME IS PLATTED IN THE OFFICIAL PLAT THEREOF, NOW OF RECORD IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

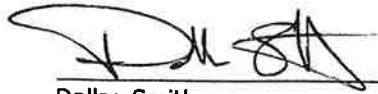
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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

Date: 01/26/2021

Warranty Deed
- continued

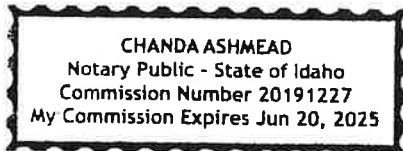
File No.: 918619GO (lr)

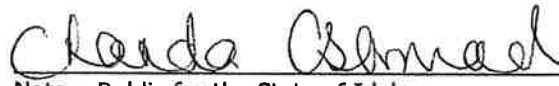

Dallas Smith


Candice Smith

STATE OF Idaho)
COUNTY OF Camas)
ss.

On this 28th day of January, 2021, before me, a Notary Public in and for said State, personally appeared **Dallas Smith and Candice Smith**, 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 the same.




Notary Public for the State of Idaho
Residing at: Camas County
My Commission Expires: June 20, 2025



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 24, 2021

ROBERT J & TAMI EVANS
PO BOX 312
FAIRFIELD ID 83327-0312

Re: Change in Water Right Ownership: 37-368B (Split into 37-368B and 37-23311), 37-409B (Split into 37-409B and 37-23314), 37-2076B (Split into 37-2076B and 37-23317); 37-8859 & 37-23250 (Not split, names added to water rights)

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.

Please note, water right 37-23250 was not split; it and right 37-8859 have flow components across multiple parcels, so your names were added as current owners of those rights. You paid \$450.00 in fees and only \$350.00 were needed, so I have initiated a refund of the extra \$100.00 in fees with the IDWR State office.

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) 293-9909.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Bitzenburg".

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: Dallas and Candice Smith; WD-37B

Bitzenburg, James

From: Bitzenburg, James
Sent: Tuesday, August 24, 2021 12:43 PM
To: IdwrPayable
Subject: Request for Refund

IDWR Payable-

On July 19, 2021, our office received a *Notice of Change in Water Right Ownership* from Robert and Tami Evans. The Notice was accompanied by a \$450.00 fee, which was intended to pay for splits and ownership changes on four rights and ownership changes (non-splits) on two rights. After reviewing the Notice, it was determined that only \$350.00 in fees were required (only three splits). As a result, \$100.00 extra was paid in fees. Could you issue a refund for the \$100.00 fee? The fee was paid by Robert and Tami Evans. Their address is:

**ROBERT AND TAMI EVANS
PO BOX 312
FAIRFIELD ID 83327**

They paid for the notice with check #611, and the receipt number is S038708. Thank you, and let me know if you need any more information.

Jim

**Jim Bitzenburg
Senior Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov**