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SEP 02 2020

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
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 #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-7227	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Rocks Water LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert Scott West, Angela C West
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 2610 Highway 21 Boise ID 83716
Mailing address City State ZIP
208-789-7376 scottwest@tutamail.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: _____
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):
 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: Robert Scott West Title, if applicable _____ Date 24 August 2020
Signature: Angela C West Title, if applicable _____ Date 24 Aug 2020

SUPPORT DATA

IN FILE # 63-7227

For IDWR Office Use Only:

Received by LE Date 09/02/2020 Receipt No. W048674 Receipt Amt. \$100.00
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 LE/AB Processed by AB Date 10/29/2020

ACCOMMODATION

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Dylan Lawrence, Esq.
Varin Wardwell, LLC
P.O. Box 1676
Boise, Idaho 83701

(Space Above For Recorder's Use)

WATER RIGHT DEED

For value received, **ROCKS WATER L.L.C.**, an Idaho limited liability company, ("Grantor"), whose address is 2608 Highway 21, Boise, Idaho 83716-3244, conveys, grants, bargains, and sells to **ROBERT SCOTT WEST** and **ANGELA C. WEST**, husband and wife, ("Grantees"), whose address is 2610 Highway 21, Boise, Idaho 83716-3244, and their successors and assigns forever, the following water right:

A portion of the water right serialized by the State of Idaho as Water Right No. 63-7227, which is currently appurtenant to Grantor's real property situated in Boise County, State of Idaho, such portion consisting of 0.04 cubic feet per second and 1.2 acre-feet per annum for domestic use on real property owned by Grantee in Boise County, Idaho, more particularly described in Exhibit A hereto.

Grantor covenants to the Grantees that Grantor is the owner in fee simple of said Water Right; that the Water Right is free from all encumbrances; and that Grantor will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 24th day of August, 2020.

ROCKS WATER L.L.C.



John T. Krempa, Member

Victoria M. Krempa, Member

County of Boise

On this 24th day of August, 2020, before me Glen V Bennett personally appeared **JOHN T. KREMPA**, known or identified to me (or proved to me on the oath of _____), to be one of the members in the limited liability company of **ROCKS WATER L.L.C.**, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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



ritten. 

 NOTARY PUBLIC FOR IDAHO
 Residing at _____
 My Commission Expires 3-17-2021

County of ~~Bonne~~

On this 24 day of August, 2020, before me Glen Bennett, personally appeared **VICTORIA M. KREMPA**, known or identified to me (or proved to me on the oath of _____), to be one of the members in the limited liability company of **ROCKS WATER L.L.C.**, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that she executed the same in said limited liability company name.

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 IDAHO
Residing at _____
My Commission Expires 3-17-2024

EXHIBIT A

(Grantees' Property)

A parcel of land located in the Southeast Quarter of Section 10, Township 4 North, Range 4 East of the Boise Meridian, Boise County, Idaho being more particularly described as follows:

Commencing at the found Brass Cap Monument representing the position of the corner common to Sections 10, 11, 14 & 15, T4N, R4E, B.M. as perpetuated by document #195085, Records of Boise County, thence North 00° 02' 00" West along the line common to said Sections 10 and 11 for a distance of 2621.24 feet to the found Brass Cap Monument representing the position of the Quarter Corner common to said Sections 10 and 11, as perpetuated by document #195082, Records of Boise County, thence South 89° 49' 44" West along the East-West mid-section line for a distance of 824.42 feet to a set 5/8th inch diameter iron rod on the westerly right-of-way line of State Highway 21 and the **POINT OF BEGINNING**;

Thence South 07° 06' 00" East along said line for a distance of 72.61 feet to a set 5/8th inch diameter iron rod;

Thence 260.62 feet along the arc of a 905.00 foot radius curve to the right having a central angle of 16° 30' 00" and a long chord bearing South 00° 55' 54" West for a distance of 259.72 feet to a set 5/8th inch diameter iron rod;

Thence South 09° 24' 00" West for a distance of 494.26 feet to a set 5/8th inch diameter iron rod;

Thence departing said right-of-way line North 80° 36' 00" West for a distance of 64.61 feet to a set 5/8th inch diameter iron rod;

Thence North 12° 03' 58" East for a distance of 52.67 feet to a set 5/8th inch diameter iron rod;

Thence North 80° 36' 00" West for a distance of 68.28 feet to a set 5/8th inch diameter iron rod;

(CONTINUED ON NEXT PAGE)

Thence North 10° 44' 54" East for a distance of 267.34 feet to a set 5/8th inch diameter iron rod;

Thence North 84° 36' 39" West for a distance of 24.77 feet to a point on the rim of Mores Creek Canyon;

Thence along the rim of Mores Creek Canyon the following courses and distances:

North 27° 46' 51" East for a distance of 19.16 feet;

North 06° 04' 21" East for a distance of 51.13 feet;

North 06° 24' 10" West for a distance of 60.00 feet;

North 56° 01' 05" East for a distance of 33.87 feet;

North 12° 09' 00" West for a distance of 40.40 feet;

North 55° 05' 59" East for a distance of 41.08 feet;

North 09° 45' 32" East for a distance of 43.26 feet;

North 14° 05' 31" West for a distance of 41.43 feet;

North 16° 03' 43" East for a distance of 43.88 feet;

North 05° 36' 30" West for a distance of 76.21 feet;

North 39° 39' 31" West for a distance of 12.00 feet;

North 41° 13' 37" East for a distance of 33.53 feet;

North 16° 19' 11" West for a distance of 37.73 feet to a set 5/8th inch diameter iron rod on the East-West mid-section line;

Thence North 89° 49' 44" East along said line for a distance of 104.20 feet to the **POINT OF BEGINNING**.

Parcel contains 2.34 acres, more or less.

SUBJECT TO: Any easements or reservations of record or in use on or across the above-described parcel of land.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 07, 2021

ROBERT SCOTT WEST
ANGELA C WEST
10771 W AMITY RD
BOISE ID 83709-5048

Re: Change in Water Right Ownership: 63-7227 (split into 63-34971)

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right 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 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) 334-2190.

Sincerely,


DENISE LAUDERMAN
for Lynne Evans
Office Specialist II

Enclosure(s)

c: ROCKS WATER LLC



SPF WATER
ENGINEERING

RECEIVED

SEP 02 2020

WATER RESOURCES
WESTERN REGION

August 28, 2020

Nick Miller, P.E.
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Ownership Change - 63-7227 – Rocks Water Company LLC

Dear Nick:

As discussed by email correspondence in June of this year (attached for reference), Scott and Angela West have purchased a portion of water right 63-7227. A copy of the deed and a change of ownership form are enclosed, along with a check for the \$100 filing fee.

Please contact me with any questions or if you need additional information to process this ownership change.

Sincerely,

A handwritten signature in blue ink, reading "Terry M. Scanlan".

Terry M. Scanlan, P.E., P.G.

Cc: Scott West

Enclosures

SPF file number: 1184.0010

Terry Scanlan

From: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Sent: Tuesday, June 9, 2020 3:59 PM
To: Terry Scanlan
Subject: RE: FW: 63-7227 Rocks Water LLC

It sounds like the domestic portion of the license likely did not pertain to that house, but I think we can still do it with just a standard split.

From: Terry Scanlan [mailto:TScanlan@spfwater.com]
Sent: Tuesday, June 09, 2020 3:24 PM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Subject: FW: FW: 63-7227 Rocks Water LLC

A little more history if it will help.

From: Scott <scottwest@tutamail.com>
Sent: Tuesday, June 9, 2020 3:22 PM
To: Terry Scanlan <TScanlan@spfwater.com>
Subject: Re: FW: 63-7227 Rocks Water LLC

Hi Terry! Yes, the house has always been served by the spring. The foundation was on the property when I bought it from Dick Thomas is 1992. I believe it was probably put in in the early 1970s. I finished building the house and it was first occupied about 2006 or so as best I can remember. You know I'm getting old and my mind isn't what it used to be...

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<https://tutanota.com>

Jun 9, 2020, 14:53 by TScanlan@spfwater.com:

Scott –

I assume that the house has always been served by the spring. Correct? And do you know what year the house was constructed?

Terry

From: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Sent: Tuesday, June 9, 2020 1:12 PM
To: Terry Scanlan <TScanlan@spfwater.com>
Subject: RE: 63-7227 Rocks Water LLC

Terry,

It looks like the decree isn't specific about the domestic use, but the field exam suggests one domestic and three motel apartments, so I think we are OK moving the domestic to the house and leaving the apartments with the other property without a transfer. Do you know if his house has always been served by the spring? If so, then it seems like even more of a no-brainer that the shape for the domestic was just misrepresented in our records and it really is just a simple ownership split....

Nick.

From: Miller, Nick
Sent: Friday, June 05, 2020 8:42 AM
To: 'Terry Scanlan' <TScanlan@spfwater.com>
Subject: RE: 63-7227 Rocks Water LLC

Terry,

My inclination is to say that, technically, it needs a transfer, but that seems like overkill. I have an email out to folks to sanity-check our thoughts and will get an answer to you shortly.

Nick.

From: Terry Scanlan [<mailto:TScanlan@spfwater.com>]
Sent: Wednesday, June 03, 2020 5:04 PM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Subject: 63-7227 Rocks Water LLC

Nick –

You might recall Rocks Water Company that bottles water from a spring adjacent to Mores Creek and Highway 21 in Boise County. The owner of Rocks Water, Scott West, obtained a permit for commercial use from the

spring back in 2016. Rocks also holds decreed right 63-7227 for commercial and domestic (4 homes) uses from the same spring. We obtained the permit because the commercial volume was inadequate.

Fast forward to now, Scott has sold the business but retained his home (2610 Hwy 21) adjacent to the business (2608 Hwy 21). They are on separate parcels. The water right shape file shows all of the domestic use on the 2608 Hwy 21 parcel.

The owner of the business and water right 63-7227 has agreed to convey to Scott a portion of the water right for domestic use at the one home at 2610 Hwy 21. Both parcels are in the same 40 ac tract. Do I need to do a transfer, or can we just split the right through a change of ownership and provide IDWR with a shape file for the 2610 Hwy 21 parcel?

Terry M. Scanlan, P.E., P.G. | Principal Engineer/Hydrogeologist
SPF Water Engineering, LLC

300 E Mallard Drive, Suite 350 | Boise, ID 83706

p. 208.383.4140 | f. 208.383.4156 | d. 208.489.2121

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