

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 28 2020

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?
57-7458	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
57-10013	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
2-7457	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: RONALD DEE SCHERMERHORN

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): DELLON SMITH RUTH SMITH

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

9521 W. WRIGHT ST.

Mailing address

BOISE

City

ID

State

83709

ZIP

(208) 800-1272

Telephone

dellonruth@gmail.com

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: 10/16/2020

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: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

10/28/2020

- Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

10/28/2020

For IDWR Office Use Only:

Received by Ku

Date 10.28.2020

Receipt No. C109414

Receipt Amt. \$ 75.00

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 [Signature]

Date 11/23/2020

File No.: 743844

AFFIDAVIT
(Lack of Probate)

State of Idaho)
County of Canyon) ss.

BEN SCHERMEERHOORN^{DEB}, being first duly sworn, deposes and says:
(Affiant)

1. The undersigned affiant is the HUSBAND of Joyce Elinor Schermerhorn
(relationship to decedent) (decedent)
who died 9-5-2017 at MELBA, IDAHO, then
(date of death) (city) (state)
legal resident of OWYHEE, IDAHO
(county) (state)

Note: A Death Certificate of the decedent is attached hereto.

2. ☒ Decedent left no last Will; or
☐ Decedent left a last Will which has not been probated, and a true copy of which is
attached hereto and the same never revoked; or
☐ Decedent left a last Will which was probated in _____ County, State of _____
and an authenticated copy of Order admitting Will probate of Decree of Distribution is
attached hereto.
3. The heirs at law of decedent, and their ages, relationship to decedent and current address are as follows (including
spouse, natural or adopted children, issue of any predeceased child, and surviving parents, brothers and sisters of the
decedent):

HEIRS AT LAW

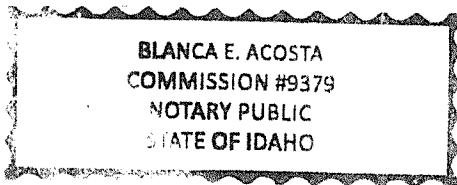
Full Name	Age	Relationship	City	State
<u>PAN O. PONNER</u>	<u>59</u>	<u>Daughter</u>	<u>MELBA</u>	<u>IDAHO</u>
<u>BEN SCHERMEERHOORN</u>	<u>81</u>	<u>HUSBAND</u>	<u>MELBA</u>	<u>IDAHO</u>
<u>STEVE URBACH</u>	<u>67</u>	<u>SON</u>	<u>BOOKINGS</u>	<u>OR</u>

4. All the debts of the decedent and/or the marital community, including but not limited to, all expenses of decedent's
last illness, funeral burial and all applicable federal and state succession or inheritance taxes, have been fully paid,
except as follows: NONE
5. As of the date of death, the value of all community property or decedent was approximately \$ 275,000, and
the value of separate property was approximately \$ NONE.
6. That the real property described in the preliminary commitment issued under the above order number was at the date
of acquisition and at all times since, the community property of affiant and Joyce Elinor Schermerhorn.
7. This affidavit is made to induce Old Republic National Title Insurance Company and Pioneer Title Company of
Canyon County, hereinafter called "Pioneer" to insure title to real property described under the above order number,
in which decedent had an interest at the time of his or her death, and Pioneer may issue its policy or policies in full
reliance on the representations herein made. Affiant does hereby indemnify and agree to hold Pioneer harmless by
reason of so insuring in reliance on these representations.

Dated: 10-15-2020

Ronald De Schemmhorn
(Affiant)

On this 15th day of Oct, in the year of 2020, before me, the undersigned, notary public personally appeared Ronald De Schemmhorn known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Notary Public: [Signature]
Residing at: _____
My Commission Expires: Residing in Nampa, Idaho
My Commission Expires: 9-16-2023

STATE OF IDAHO
CERTIFICATION OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS
CERTIFICATE OF DEATH

Date Filed SEPTEMBER 13, 2017

State File No. 2017-09472

DECEDENT - LEGAL NAME JOYCE ELINOR SCHERMERHORN			
SEX FEMALE	SOCIAL SECURITY NUMBER	AGE 78 YEARS	DATE OF BIRTH
BIRTHPLACE SANTA CRUZ, CALIFORNIA		PLACE OF RESIDENCE MELBA, IDAHO	
MARITAL STATUS AT TIME OF DEATH MARRIED		NAME OF SURVIVING SPOUSE (if wife, maiden name) RONALD DEE SCHERMERHORN	WAS DECEDENT EVER IN U.S. ARMED FORCES? NO
FATHER - NAME JACK CROW		BIRTHPLACE OREGON	
MOTHER - MAIDEN NAME ELINOR BUSBY		BIRTHPLACE IDAHO	
METHOD OF DISPOSITION CREMATION		FUNERAL SERVICE LICENSEE ADAM S. KRAUSE	
NAME AND ADDRESS OF FUNERAL FACILITY FLAHIFF FUNERAL CHAPEL, HOMEDALE, IDAHO			
DATE OF DEATH SEPT. 05, 2017	TIME OF DEATH 11:23 P.M.	CITY, TOWN OR LOCATION OF DEATH MELBA, IDAHO	COUNTY OF DEATH OWYHEE
CAUSE OF DEATH (underlying cause last) a MYOCARDIAL INFARCTION			Approximate Interval Between Onset and Death MINUTES
DUE TO (or as a consequence of) b HYPERLIPIDEMIA			YEARS
DUE TO (or as a consequence of) c HYPERTENSION			YEARS
DUE TO (or as a consequence of) d			
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above COPD			WAS AN AUTOPSY PERFORMED? NO
MANNER OF DEATH NATURAL		NAME OF CERTIFIER AARON TINES	TITLE CORONER
CORONER SUBSEQUENT CERTIFICATION IF NECESSARY			
EXTERNAL CAUSES ONLY			
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?
LOCATION WHERE INJURY OCCURRED			
DESCRIPTION OF HOW INJURY OCCURRED			

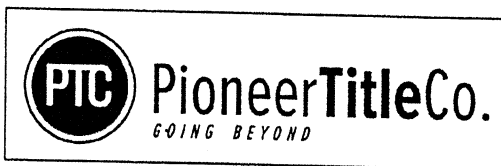
This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

DATE ISSUED: SEPTEMBER 13, 2017

This copy not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

PRNCOH111115

James B. Aydelotte
JAMES B. AYDELOTTE
STATE REGISTRAR



775 S. Rivershore Ln., Ste. 120
Eagle, ID 83616

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 743844 DT/TG

WARRANTY DEED

For Value Received Ronald Dee Schermerhorn, an unmarried man
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Dellon Smith and Ruth Smith, Husband and Wife
hereinafter referred to as Grantee, whose current address is 9521 W. Wright Street Boise, ID 83709
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 14, 2020

Ronald Dee Schermerhorn
State of Idaho, County of Ada

This record was acknowledged before me on October 15, 2020 by Ronald D. Schermerhorn

Signature of notary public

Commission Expires:

Residing in Nampa, Idaho
My Commission Expires: 9-16-2023

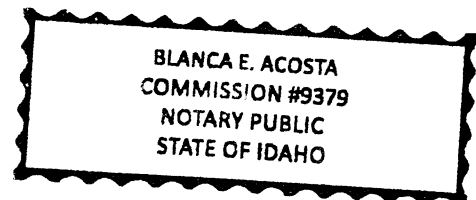


EXHIBIT A

Parcel I:

A parcel of land being a portion of the Northeast Quarter of the Southeast Quarter of Section 17 and a portion of Government Lot 2 of Section 16 all in Township 1 North, Range 3 West, Boise Meridian, Owyhee County, Idaho and more particularly described as follows:

Beginning at a brass cap marking the Southeast corner of the said Southeast Quarter of Section 17; thence North 0°40'20" East 1,785.54 feet along the Easterly boundary of the said Southeast Quarter of Section 17 to a highway right-of-way monument on the Northeasterly right-of-way line of State Highway No. 78 marked P.O.T. Sta. 576+98.5, said point being the REAL POINT OF BEGINNING; thence North 43°38'00" West 142.13 feet along the said Northeasterly right-of-way line of State Highway No. 78 to an iron pin; thence North 50°05'04" East 777.68 feet to an iron pin on the Southwesterly top of bank of Snake River; thence South 44°46'55" East a distance of 92.79 feet to an iron pin; thence South 37°13'23" East a distance of 133.47 feet to an iron pin; thence South 46°22'00" West a distance of 763.00 feet to a point on the Northeasterly right-of-way line of State Highway 78; thence North 43°38'00" West along said right-of-way line a distance of 133.70 feet to the REAL POINT OF BEGINNING.

Excepting therefrom the following:

A parcel of land being a portion of the Northeast Quarter of the Southeast Quarter of Section 17 and a portion of Government Lot 2 of Section 16 all in Township 1 North, Range 3 West, Boise Meridian, Owyhee County, Idaho and more particularly described as follows:

Beginning at a brass cap marking the Southeast corner of the Southeast Quarter of Section 17, Township 1 North, Range 3 West, Boise Meridian; thence along the Easterly boundary of the said Southeast Quarter of Section 17, South 00°40'20" East 1,785.54 feet to a right-of-way monument marked P.O.T. Sta. 576+98.5, on the Northeasterly right-of-way of State Highway No. 78, said monument being the REAL POINT OF BEGINNING; thence leaving said Easterly boundary and along said right-of-way, North 43°38'00" West 142.13 feet to a point; thence leaving said right-of-way, North 50°05'04" East 368.04 feet to a point; thence South 43°38'00" East 251.97 feet to a point; thence South 46°22'00" West 367.26 feet to a point on the said Northeasterly right-of-way of State Highway No. 78; thence along said right-of-way, North 43°38'00" West 133.70 feet to the REAL POINT OF BEGINNING.

Parcel II:

A right of way and Easement for road purposes, including the right of ingress and egress to State Highway No. 78, being a strip of land 20 feet in width, parallel to and along the Northwesterly sideline of said premises described as:

A parcel of land being a portion of the Northeast Quarter of the Southeast Quarter of Section 17 and a portion of Government Lot 2 of Section 16 all in Township 1 North, Range 3 West, Boise Meridian, Owyhee County, Idaho and more particularly described as follows:

Beginning at a brass cap marking the Southeast corner of the Southeast Quarter of Section 17, Township 1 North, Range 3 West, Boise Meridian; thence along the Easterly boundary of the said Southeast Quarter of Section 17, South 00°40'20" East 1,785.54 feet to a right-of-way monument marked P.O.T. Sta. 576+98.5, on the Northeasterly right-of-way of State Highway No. 78, said monument being the REAL POINT OF BEGINNING; thence leaving said Easterly boundary and along said right-of-way, North 43°38'00" West 142.13 feet to a point; thence leaving said right-of-way, North 50°05'04" East 368.04 feet to a point; thence South 43°38'00" East 251.97 feet to a point; thence South 46°22'00" West 367.26 feet to a point on the said Northeasterly right-of-way of State Highway No. 78; thence along said right-of-way, North 43°38'00" West 133.70 feet to the REAL POINT OF BEGINNING.

State of Idaho
Department of Water Resources

Water Right

57-7458

RECREATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 10/7/2020



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



State of Idaho
Department of Water Resources

Water Right

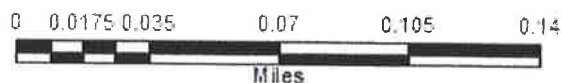
2-7457

RECREATION STORAGE

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 10/7/2020



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Water Right

DOMESTIC

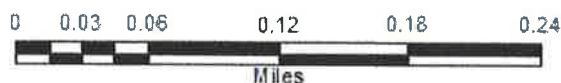
This aerial photograph shows a river flowing through a landscape with several property lots. A yellow line is drawn across the image, likely indicating a boundary or a specific area of interest. The lots are labeled with their section and quarter designations: Lot 1 (SESW), Lot 2 (NESE), Lot 3 (NWSE), Lot 4 (SWNW), Lot 5 (NESE), Lot 6 (SENE), and Lot 7 (SWNW). The river is labeled 'RIVER' and 'RIVER'. The map center is in T01N R03W. A yellow dot marks the 'LOCATION OF WELL' in the NWSE section. The map is overlaid with a grid of orange lines.

Map center is in T01N R03W






The USDA-FSA Aerial Photography Field office as-is to be created in derived products.



Date created: 10/7/2020



Legend

-  Point of Diversion
-  Place of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 25, 2020

DELLON SMITH
RUTH SMITH
9521 W WRIGHT ST
BOISE ID 83709-4048

Re: Change in Ownership for Water Right Nos: 2-7457, 57-7458, and 57-10013

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures