

SEP 23 2020

DEPARTMENT OF
WATER RESOURCESSTATE 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?
94-9118	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: DAN RUTH
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): JOY BACKMAN AND STEPHEN BACKMAN
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 2000 OLD RIVER RD KINGSTON ID 83839
Mailing address City State ZIP
208-783-7877 Email jdbackman1949@icloud.com
Telephone
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: 3/11/2020
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] Title, if applicable: _____ Date: 9-19-2020
Signature: [Signature] Title, if applicable: _____ Date: 9-19-2020

For IDWR Office Use Only:

Received by [Signature] Date 9-23-2020 Receipt No. C109286 Receipt Amt. \$25
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 9-25-2020

QUITCLAIM DEED

RE: WATER RIGHTS 94-09118

For value received, Daniel H. Ruth an individual, who address is; 73-1533 Heneli Pl. Kailua Kona, Hi. 96740, does hereby convey, release, remise, and forever, quitclaim above named water rights 94-09118 to:

Joy and Stephen Backman, married persons, whose current address is: 2000 Old River Road, Kingston, ID. 83839.

Water rights 94-09118 at the point of diversion T49N R01E S24 is within Shoshone County for purpose of domestic use at that named location.

The parcel RP49N01E240150, owned by Joy and Stephen Backman is the correct location for the water rights named above.

Dated: March 11, 2020


Daniel H. Ruth



NOTARY CERTIFICATION
Doc. Date: 3/11/20 # Pages: 1
Name: Evin Cotter Third Circuit
Doc. Description: Quitclaim Deed
Evin Cotter 3/11/20
Notary Signature Date
EX. 8/04/22



State of Hawaii
County of Hawaii



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

September 25, 2020

JOY BACKMAN
STEPHEN BACKMAN
2000 OLD RIVER RD
KINGSTON ID 83839-8000

Re: Change in Ownership for Water Right No(s): 94-9118

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

February 28, 2020

State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED

SEP 04 2020

DEPARTMENT OF
WATER RESOURCES

Attn: Jean Hershey, Records

RE: right # 94-9118

Dear Ms. Hershey:

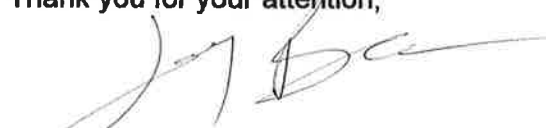
In your letter dated March 3, 2020, you informed us that the water right we believed came with the purchase of the house; in fact, did not. That was very disconcerting. I have lost much sleep worrying about this but it is impossible to get anything done due to Covid19. I can't even get an appointment to talk to an attorney.

I have included here a copy of the quitclaim deed executed by Dan Ruth. He was not aware that he had mistakenly used the wrong parcel number when applying for the water rights. He built this house we now own and lived here and used the water for five years without realizing his mistake.

I have all the information (I Think) to fill out application for permit that you mailed previously. I am concerned that filing a new application may cause further confusion.

Please let me know if a new application is the right way to resolve this. Is it possible to just change the parcel number to reflect the intent of the former owner.

Thank you for your attention,



Joy (and Stephen) Backman
2000 Old River Road
Kingston ID 83839

(208)783-7877

By the way, we are both in our 70's
and this is our retirement home. I would
really appreciate your help and/or advice.
Thanks



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 16, 2020

STEPHEN BACKMAN
JOY BACKMAN
2000 OLD RIVER RD
KINGSTON ID 83839

RE: Ownership Change for Water Right No. 94-9118

Dear Mr. & Mrs. Backman,

The Department of Water Resources received your letter and quitclaim deed regarding water right 94-9118. The Department requires a Notice of Change in Water Right Ownership form and a \$25 filing fee to update the ownership of a water right. I have attached the form for your convenience. Please sign the form and return to the Department with the filing fee.

Also, it would be in your best interest to have the quitclaim deed recorded in Shoshone County.

Please return the form and filling fee to the Department. Please contact me at (208) 287-4942 if you have any questions. Thank you.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure