



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

July 28, 2020

RODRIC SMITH
CYNTHIA SMITH
3777 S JOHNS AVE
EMMETT ID 83617-9010

RE: Change in Ownership Water Right No(s): 65-1695

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on July 10, 2020 for the above referenced water right. The Notice could not be processed because the water right is not appurtenant to your property.

According to the backfile and the decree for this water right, Ruy Hosoda, the original owner, lived at 3815 S Johns Ave. There is a home at this address so the Department assumes that is the place of use for this water right. If you have documentation that states otherwise, you may re-submit your request with the appropriate documents and fees.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$25 has been requested and will be mailed to you under separate cover from the Idaho State Controller's Office.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 10 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, of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-1695	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: RUY HOSODA
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rodric or Cynthia Smith
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- 3777 S. Johns Ave. Emmett ID. 83617
Mailing address City State ZIP
- (208) 365-5947 rockcineg.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: 5-31-2002 (Deed Recorded)
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 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 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.

8. Signature: Rodric Smith Owner 7/6/2020
Signature of new owner/claimant Title, if applicable Date
- Signature: Cynthia Smith Spouse owner 7/6/2020
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by ku Date 7-10-2020 Receipt No. 0109018 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 _____ Date _____

ALLIANCE

TITLE & ESCROW CORP.

Please Reply To: 1022 South Washington Avenue
P.O. Box 622
Emmett, ID 83617
208-365-4486
FAX: 208-365-4541

Mr. and Mrs. Rodric Smith
3777 South Johns Avenue
Emmett, Idaho 83617

ESCROW NO. 405003061
RE: MacLachlan
DATE: June 5, 2002

In connection with the above numbered Escrow, we enclose the following:

- () Our check #
- (XX) Deed recorded 5-31-2002
- () Deed of Trust recorded
- () Note Dated
- () Title Insurance Policy No.
- () Title Insurance Binder
- () Copy of Closing Statement
- () Copy of Escrow Instructions
- () Assignment of Trust Fund
- () Change of ownership agreement
- ()
- ()
- ()

In the sum of \$

Instrument No. 222706

Instrument No.

In the sum of \$

Any other documents to which you are entitled will be forwarded as soon as they are available.

Yours very truly,
ALLIANCE TITLE & ESCROW

By: _____

ALLIANCE

TITLE & ESCROW CORP.

WARRANTY DEED

Order No.:405003061

FOR VALUE RECEIVED

Robert W. MacLachlan, a single person

the grantor, does hereby grant, bargain, sell and convey unto

Rodric Smith and Cynthia Smith, Husband and Wife

whose current address is

3777 South Johns Avenue Emmett, ID 83617

the grantees, the following described premises, in Gem County, Idaho, TO WIT:

A tract of land in the NE ¼ of the SE ¼ of Section 19, Township 6 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

BEGINNING at the East quarter section corner of said Section 19; thence

South along the section line, 327.00 feet to a point; thence

North 88°01'40" West, 46.03 feet to an iron pin on the Westerly right of way line of the Highway, the **REAL POINT OF BEGINNING**; thence

North 88°01'40" West, 140.08 feet to an iron pin; thence

South 138.79 feet to an iron pin; thence

South 89°02' East, 140.02 feet to an iron pin on said right of way line; thence

North along said right of way line, 136.33 feet to the REAL POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that he will warrant and defend the same from all lawful claims whatsoever.

Dated: May 30, 2002

Robert W. MacLachlan

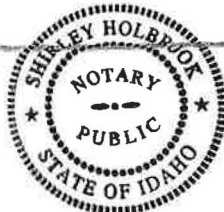
State of Idaho }
County of Gem } ss

On this 30th day of May, 02, before me, a Notary Public in and for said state, personally appeared Robert W. MacLachlan

known or identified to me to be the person whose name is subscribed to the within Instrument and acknowledged to me that he executed same. 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 the State of Idaho

Commission Expires: 04/19/2006

**Instrument # 222706**

EMMETT, GEM, IDAHO

2002-05-31 04:16:00 No. of Pages: 1

Recorded for : ALLIANCE TITLE & ESCROW

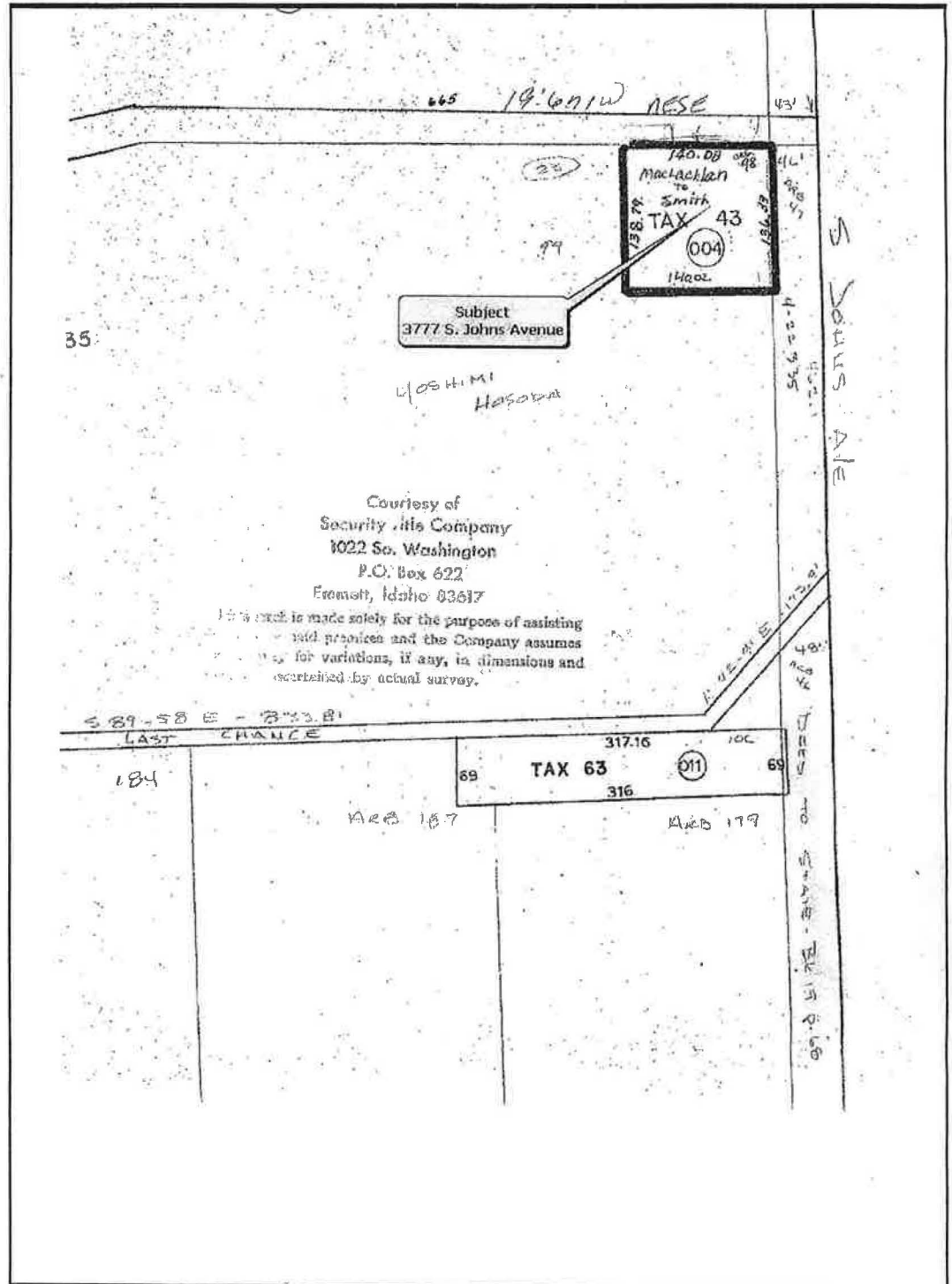
Recorded for: ALLIANCE TO
SUSAN K. HOWARD

Ex-Officio Recorder Deputy

Index to: DEED

Plat Map

Borrower/Client	Rodric & Cynthia Smith			
Property Address	3777 S. Johns Avenue			
City	Emmett	County	Gem	State ID Zip Code 83617
Lender	Home Federal Bank			



MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: July 28, 2020
RE: **Refund: ownership change returned**

Please refund \$25.

NAME: RODRIC SMITH
3777 S JOHNS AVE
EMMETT ID 83617-9010

RECEIPT #: C109018

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, July 28, 2020 12:20 PM
To: IdwrPayable
Subject: refund
Attachments: Smith Rodric.doc

Please process the attached refund. Thank you.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*