

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 18 2018

Department of Water Resources
Eastern Region

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?
22-14304 <i>OK</i>	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: Douglas K Sakota and Kenneth T Sakota
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): City of Sugar City
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 10 E Center St, PO Box 56 Sugar City ID 83448
Mailing address City State ZIP
- 208-356-7561 _____
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: October 2, 2018
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:  Mayor 8-13-18
Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by  Date 10/18/18 Receipt No. 1044471 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 10/24/2018

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Roger Warner
Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Ste 303
Idaho Falls, ID 83402

Instrument # 419317

REXBURG, MADISON, IDAHO

10-12-2018 10:51:14 AM No. of Pages: 6

Recorded for : ROCKY MOUNTAIN ENVIRONMENTAL

KIM H. MUIR

Fee: 15.00

Ex-Officio Recorder Deputy

SW

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Douglas K Sakota and Kenneth T Sakota, whose address is PO Box 163, Rexburg, Idaho 83440 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto **City of Sugar City**, whose address is PO Box 56, Sugar City, Idaho 83448 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 2nd day of October, 2018.

"GRANTOR"

Douglas K. Sakota
Douglas K Sakota

Kenneth T. Sakota
Kenneth T Sakota

STATE OF IDAHO)
)ss.
County of Madison)

This record was acknowledged before me on the 2nd day of October, 2018, by
DOUGLAS K SAKOTA.



Mandy Davis
Notary Public for Idaho
My Commission Expires: 6/24/23

STATE OF IDAHO)
)ss.
County of Madison)

This record was acknowledged before me on the 2nd day of October, 2018, by
KENNETH T SAKOTA.



Mandy Davis
Notary Public for Idaho
My Commission Expires: 6/24/23

EXHIBIT A **WATER RIGHT DESCRIPTION**

7/30/2018

Water Right Report

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/30/2018

WATER RIGHT NO. 22-14304

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOUGLAS K SAKOTA
Current Owner	KENNETH T SAKOTA PO BOX 163 REXBURG, ID 83440 2083566562
Original Owner	MARIE SAKOTA PO BOX 163 REXBURG, ID 83440 2083566562
Original Owner	KIYOSHI SAKOTA PO BOX 334 REXBURG, ID 83440 2083566562

Priority Date: 04/11/1977
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	04/01	10/15	0.04 CFS	7 AFA
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNE Lt 2	Sec. 04	Township 06N	Range 40E	MADISON County
GROUND WATER	SWSW	Sec. 04	Township 06N	Range 40E	MADISON County
GROUND WATER	NWSE	Sec. 04	Township 06N	Range 40E	MADISON County

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?BasinNumber=22&SequenceNumber=14304&SplitSuffix=%20%20&TypeWaterRight=T...> 1/3

7/30/2018

Water Right Report

GROUND WATER|NWSE |Sec. 04|Township 06N|Range 40E|MADISON County
GROUND WATER|SWNW |Sec. 09|Township 06N|Range 40E|MADISON County

MUNICIPAL Use:
Acre Limit: 2

Place(s) of use: Large POU Info

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Sugar City municipal water supply system as provided for under Idaho Law.
2. 180 A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. 228 Municipal use is for irrigation of 2.0 acres within the authorized place of use in a single irrigation season.
4. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
Use of water under this right may be regulated by a watermaster with responsibility for the distribution
5. R05 of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 100.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 212 Prior to diversion and use of water under Transfer approval 82051, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. X61 The period of use for the irrigation use described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than July 31, 2012.
10. E02 Use of this right is combined with water from Teton Island Feeder Canal Co.
11. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. 004 This right does not grant any right-of-way or easement across the land of another.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

Decreed Date: 02/13/2012

Enlargement Use Priority Date:

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?BasinNumber=22&SequenceNumber=14304&SplitSuffix=%20%20&TypeWaterRight=T...> 2/3

7/30/2018

Water Right Report

Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector: AND
Water District Number: 100
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 3.5
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

October 24, 2018

CITY OF SUGAR CITY
PO BOX 56
SUGAR CITY ID 83448-0056

Re: Change in Ownership for Water Right No(s): 22-14304

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) 525-7161.

Sincerely,

Jonie Barg
Technical Records Spec I

Enclosure(s)

cc: Water District 100
Madison Ground Water District
Henry's Fork Ground Water District