



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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

March 13, 2018

NIXON INC
PO BOX 1560
COEUR D ALENE ID 83816

RE: Water Right No(s): 98-2136

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on September 28, 2017 for the above referenced water right. The Notice could not be processed because additional deeds were needed to process the request.

On October 4, 2017 and February 27, 2018, the Department requested the required information from you. As of the date of this letter, the Department has not received the required information.

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. You may re-submit your request with the appropriate documents and fees.

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

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
SEP 28 2017
DEPARTMENT OF
WATER RESOURCES

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?
98-2136	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: W. J. NIXON
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): NIXON, INC.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|-----------------------|--------------------------------|-----------|-------------------|
| <u>PO BOX 1560</u> | <u>COEUR D'ALENE</u> | <u>ID</u> | <u>83816-1560</u> |
| Mailing address | City | State | ZIP |
| <u>(208) 667-4655</u> | <u>judy@nixonlawoffice.com</u> | | |
| 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: FEBRUARY 06, 1957
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):
 - ☒ \$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: Judy Nixon SEC-TREASURER 09/13/2017
 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 SB Date 9/28/17 Receipt No. 4104172 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 _____

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: March 13, 2018
RE: Refund: Ownership change not processed

Please refund \$25.

NAME: NIXON INC
PO BOX 1560
COEUR D' ALENE ID 83816-1560

RECEIPT #: C104172

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, March 13, 2018 10:00 AM
To: Marston, Sascha; Pline, Treva
Subject: Refund for Nixon Inc.
Attachments: Refunds.doc

Please process the attached refund. Thank you.

Jean



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 27, 2018

2ND NOTICE

NIXON INC
PO BOX 1560
COEUR D'ALENE ID 83816

RE: Notice of Change in Water Right Ownership No(s). 98-2136

Dear Interested Party(s):

The Department of Water Resources received a request for a Notice of Change in Water Right Ownership from you on September 28, 2017. Correspondence was sent on October 4, 2017, requesting additional deeds.

The information needed was additional deeds or conveyance documents that convey land located in **Township 62N, Range 01E, Section 2, NE** to Nixon, Inc. The land appurtenant to water right 98-2136 is at this location. The deeds provided include lands located in Township 62N, Range 02E, Section 30 and Township 62N, Range 01E, Section 25. The properties are named the Smith Lake Properties.

You can mail the document to IDWR, PO Box 83720, Boise, Idaho, 83720-0098, or email to: jean.hersley@idwr.idaho.gov or fax to: 208-287-6700, Attn: Jean.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 10 days we will return your notice and all attachments and your notice will not be processed.

Please contact me at (208) 287-4942 if you have any questions regarding this matter.

Sincerely,

Jean Hersley
Technical Records Specialist II



State of Idaho

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 4, 2017

NIXON INC
PO BOX 1560
COEUR D'ALENE ID 83816

RE: Notice of Change in Water Right Ownership Water Right No. 98-2136

Dear Interested Party:

The Department of Water Resources received your request for a change in water right ownership for water right 98-2136. After reviewing your request, it was determined that additional information is needed before the Department can process your request.

The information needed is additional deeds or conveyance documents that convey the land appurtenant to water right 98-2136 to Nixon, Inc. The place of use for water right 98-2136 is **Township 62N, Range 01E, Section 2, NE**. The documents provided include lands located in Township 63N, Range 02E, Section 30, and Township 63N, Range 01E, Section 25. These properties are named the Smith Lake Properties.

You can send the document to the address on this letterhead, fax to (208) 287-6700, attn.: Jean or email to jean.hersley@idwr.idaho.gov.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the requested information. If we do not receive the requested information within 30 days, the Department will return your request unprocessed.

Please contact Jean at (208) 287-4942 if you have any questions regarding this matter. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II