

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
SEP 26 2016
WATER RESOURCES
WESTERN REGION

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?
PD 65-4840 x	Yes ☐	Yes ☐	PD 65-1111 x	Yes ☐	Yes ☐
PD 65-4921 ✓	Yes ☐	Yes ☐	PD 65-11367 ✓	Yes ☐	Yes ☐
PD 65-6002 x	Yes ☐	Yes ☐	HC 65-12579 x	Yes ☒	Yes ☐
PD 65-6003 x	Yes ☐	Yes ☐	HC 65-12598 ✓	Yes ☐	Yes ☐
PD 65-6533 ✓	Yes ☐	Yes ☐	HC 65-12717 ✓	Yes ☐	Yes ☐

2. Previous Owner's Name: Robert A Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lorrie Mae Tracy
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 8144 Estates Blvd. Fruitland ID 83619
Mailing address City State ZIP
- 208 739-2288 lorrie.tracy@axiahomeloans.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: see chain of title on all
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.

SUPPORT DATA

IN FILE # 65-4921

8. Signature: [Signature] owner 9-20-2016
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature]
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 9/26/16 Receipt No. 11044658 Receipt Amt. \$250⁰⁰
 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 X Approved by [Signature] Processed by [Signature] Date 9/29/16

MARCUS K. WARD
Attorney at Law ISB 6962
403 BLAINE
CALDWELL, IDAHO 83605
208 890 7104

FILED
THIRD JUDICIAL DISTRICT COURT
PAYETTE COUNTY, IDAHO

MAY 04 2006

BETTY J. DRESSEN, CLERK
BY [Signature] DEPUTY

Attorney for Applicant
LORRIE MAE TRACY

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF PAYETTE

IN THE MATTER OF THE ESTATE OF

ROBERT A. SMITH

DECEASED .

CASE NO. CV-2006-406

LETTERS OF ADMINISTRATION

(I.C. 15-3-602 and 15-3-702)

LORRIE MAE TRACY is hereby appointed personal representative/special administrator of the Estate ROBERT A. SMITH, deceased, with all authority pertaining thereto. Administration of the estate is unsupervised.

These Letters are issued to evidence the appointment, qualification, and authority of the personal representative/special administrator.

WITNESS, my signature and the seal of the Court, this 4 day of MAY, 2006.

[Signature]
MAGISTRATE

State of Idaho
County of Payette

I hereby certify that the foregoing
instrument is a true and correct copy of the
original on file in this office.

Dated June 5, 2006
BETTY J. DRESSEN

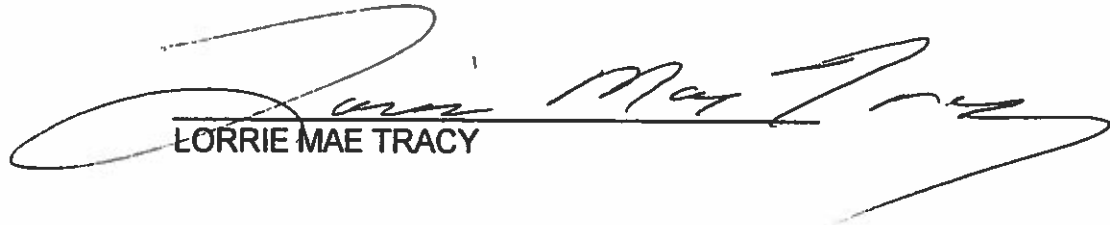
Clerk of the District Court and
Ex-Officio Auditor and Recorder

By [Signature] Deputy

LETTERS OF SPECIAL ADMINISTRATION WITH ACCEPTANCE - 1

STATE OF IDAHO)
) ss.
County of CANYON)

The undersigned, hereby accepts the appointment to the office of special administrator of the Estate of ROBERT A. SMITH, deceased, and do solemnly swear that I will perform, according to law, the duties of personal representative/special administrator of said estate.


LORRIE MAE TRACY

SUBSCRIBED AND SWORN to before me this 2ND day of MAY 2006.




NOTARY PUBLIC FOR IDAHO
Residing at CALDWELL, IDAHO
My Commission Expires DECEMBER 5, 2009

0000 0040 2535

RECEIVED
SEP 28 2016
WATER RESOURCES
WESTERN REGION

246767

QUITCLAIM DEED

For Value Received SHARON R. SMITH, a married woman

do hereby convey, release, remise and forever quitclaim unto ROBERT A. SMITH, a married man as his sole and separate estate whose current address is P.O. Box 586 New Plymouth, Idaho 83655 the following described premises, to-wit:

see attached Exhibit "A"

This is being recorded to correct quitclaim deed recorded October 12, 1993 as Instrument No. 245867, Official Records.
Together with 141 shares of the Noble Ditch Co. Ltd. and together with all water rights associated with fish and aquaculture.

together with their appurtenances.

Dated: November 26, 1993

Sharon R. Smith
Sharon R. Smith

STATE OF IDAHO, COUNTY OF Payette
On this 26th day of November, 1993, before me, a notary public in and for the said State, personally appeared Sharon R. Smith

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

[Signature]
Notary Public
Payette, Idaho
3-27-97

STATE OF IDAHO, COUNTY OF Payette
I hereby certify that this instrument was filed for record at the request of FIRST AMERICAN TITLE CO.

at 11:00 minutes past 4:00 o'clock P.M. this 8 day of Dec. 1993, in my office, and duly recorded in Book 48 of Deeds at Page 246767

LAURA L. STEINLE
Notary Public
[Signature]
Payette, Idaho
Fees \$ 15.00
Mail fee

INSTRUMENT NO. 246767

0000 0048 2535

246767

Exhibit "A"

In Township 7 North, Range 4 West, Boise Meridian, Payette County, Idaho:
Section 2: Government Lot 3, SE[SW], SW[SW] excepting the right of way of Payette Valley Extension Railroad, all that part of the NE[SW] lying South of the present channel of the Payette River and West of Highway 852, SAVE AND EXCEPT all that portion conveyed to the State of Idaho in Deed recorded December 22, 1982 as Instrument No. 198907, Official Records.

SW[SE] and NE[SW] SAVE AND EXCEPT the right of way of Payette Valley Extension Railroad Company, as described in Deed recorded December 3, 1913 in Book J, page 386, Deed Records of said County.

SE[SE] SAVE AND EXCEPT the right of way of Highway 852, and further excepting that portion of the SE[SE] conveyed to Payette Valley Extension Railroad Company by deed recorded December 3, 1913 in Book J, page 391, Deed Records of said County, also excepting that portion lying East of Highway 152.

SW[SW] SAVE AND EXCEPTING therefrom the right of way of the Payette Valley Extension Railroad; and further excepting one square acre in the southwest corner thereof as described in Deed recorded January 4, 1915 in Book L, page 127, Deed Records of Payette County, Idaho.

SW[SE] Excepting a strip of land 100 feet in width as conveyed to Payette Valley Extension R. R. Co. by Deed recorded December 3, 1913, in Book J, page 38, Deed Records of Payette County, Idaho, AND FURTHER EXCEPTING the following tract of land:

Beginning at the Southwest corner of said SW[SE]:
thence North following the West side line of said SW[SE] 430 feet, more or less, to the Northerly bank of a certain permanent drain ditch;
thence in an Easterly direction following said Northerly bank of said drain ditch 193 feet to the TRUE POINT OF BEGINNING;
thence crossing said drain ditch to its Westerly bank, run in a Southeasterly direction following said Westerly bank of said drain ditch 353 feet;
thence due South 30, more or less, to the South side line of said SW[SE];
thence East following said South side line 640 feet to a point;
thence Northwesterly to the TRUE POINT OF BEGINNING.

AND FURTHER EXCEPTING the following tract of land:
Beginning at the Southwest corner of said SW[SE]:
thence North following the West side line of said SW[SE] 430 feet, more or less, to the Northerly bank of a certain permanent drain ditch;

Continued



246767

Exhibit "A"
Continued

thence in an Easterly direction following said Northerly bank of said drain ditch 193 feet;
thence crossing said drain ditch to its Westerly bank, run in a Southeasterly direction following said drain ditch 353 feet;
thence due South 30 feet, more or less, to the South side line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$;
thence West following said South side line 250 feet to the point of beginning.

SAVE AND EXCEPT the following 3 parcels from the N $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$:

SOUTH PARCEL

A parcel of land situated within the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 2, Township 7 North, Range 4 West, Boise Meridian, more particularly described as follows:

Commencing at the Northwest corner of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 2, T. 7N., R. 4W., B.M.:

Thence S 52°35'14"E - 1472.40 feet to the TRUE POINT OF BEGINNING, which point bears N 35°34'46"E - 2142.56 feet from the southwest corner of said Section 2;

Thence S 86°14'03"E - 481.90 feet;

Thence S 15°58'08"W - 421.4 feet, more or less, to a point on the south line of said N $\frac{1}{2}$ SW $\frac{1}{4}$;

Thence N 89°31'23"W - 33.5 feet, more or less, along the south line of said N $\frac{1}{2}$ SW $\frac{1}{4}$;

Thence N 3°38'30"E - 434.6 feet, more or less, to the TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO a 20.00 foot wide ingress-egress easement along the existing private driveway running from the intersection of Idaho Street and Blaine Road to the northerly boundary of the above described parcel of land.

Continued

0000 0048 2538

District "A"
Continued

216767

EXISTING HOUSE PARCEL

A parcel of land situated within the N1/2SW1/4 of Section 2, Township 7 North, Range 4 West, Boise Meridian, more particularly described as follows:

Commencing at the northwest corner of the N1/2SW1/4 of Section 2, T.7N., R.4W., L.M.:

Thence S 68°25'47"E - 1265.07 feet to the TRUE POINT OF BEGINNING, which point bears N 29°58'29"E - 2507.63 feet from the southwest corner of said Section 2:

Thence S 54°55'36"E - 277.91 feet:

Thence S 1°56'52"E - 87.20 feet:

Thence N 83°09'24"W - 105.80 feet:

Thence S 2°18'16"W - 51.00 feet:

Thence N 84°27'24"W - 125.94 feet:

Thence N 0°38'10"E - 272.95 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO a 20.00 foot wide ingress-egress easement along the northeasterly boundary of the above described parcel of land, the southwesterly boundary of which is described as S 54°55'36"E - 277.91 feet:

ALSO TOGETHER WITH AND SUBJECT TO a 20.00 foot wide ingress-egress easement along the easterly boundary of the above described parcel of land, the centerline of which is described as S 1°56'52"E - 87.20 feet:

ALSO TOGETHER WITH AND SUBJECT TO a 20.00 foot wide ingress-egress easement along the existing private driveway running from the intersection of Idaho Street and Blaine Road to the northwesterly corner of the above described parcel of land.

Continued

Exhibit "A"
Continued

246767

30.7 Acre Parcel along Elaine Road

A parcel of land situated within the N1/2SW1/4 and the S1/2NW1/4 of Section 2, Township 7 North, Range 4 West, Boise Meridian, more particularly described as follows:

Commencing at the northwest corner of the N1/2SW1/4 of Section 2, T.7N., R.4W., S.M.:

Thence N 1°40'30"E - 25 feet, more or less, along the west line of the S1/2NW1/4 of said Section 2 to a point on the southwesterly right-of-way line of the Union Pacific Railroad;

Thence southwesterly - 1259 feet, more or less, along the southwesterly right-of-way line of said railroad;

Thence S 0°38'10"W - 40 feet, more or less, to a point which bears S 68°25'47"E - 1265.87 feet from the northwest corner of the N1/2SW1/4 of said Section 2;

Thence S 0°38'10"W - 272.95 feet;

Thence S 1°28'46"W - 156.58 feet to a point which bears S 58°35'14"E - 1472.40 feet from the northwest corner of said N1/2SW1/4;

Thence S 3°38'30"W - 434.6 feet, more or less, to a point on the south line of said N1/2SW1/4;

Thence N 89°31'29"W - 1180.5 feet, more or less, to the southwest corner of said N1/2SW1/4;

Thence N 1°40'30"E - 1312.1 feet, more or less, to the TRUE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH a 20.00 foot wide ingress-egress easement along the existing private driveway running from the intersection of Idaho Street and Elaine Road at the northwesterly corner of the above described parcel of land to the northeasterly corner of the above described parcel of land.

QUITCLAIM DEED

ATEC ORDER NO.: 306193

FOR VALUE RECEIVED,

Karla Matista, as to her Right of First Refusal to purchase Real Property contained in document recorded in Payette County as instrument No. 382213

does hereby convey, release, remise and forever quitclaim unto

LeeRoy Tracy and Lorrie Tracy, husband and wife

whose current address is: 8144 Estates Blvd, Fruitland, ID 83619

the following described premises:

*****SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.**

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated: _____

Karla Matista

State of Washington } ss
County of _____ }

On this ____ day of April, 2016, before me, the undersigned, a Notary Public in and for said state, personally appeared Karla Matista, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they 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
Residing at:
Commission Expires:

Exhibit A

347721

Parcel 1

0382213

All that portion of Government Lot 3, Lying South of the Payette River, and the SE 1/4 of the NW 1/4 in Section 2, Township 7 North, Range 4 West, Boise Meridian, Payette County, Idaho: ✓

EXCEPTING THEREFROM all that portion conveyed to the State of Idaho by Deed recorded December 22, 1982 as instrument No. 196907, of Official Records.

FURTHER EXCEPTING THEREFROM any portion lying South of the Payette River and Northerly of that portion conveyed to the State of Idaho by Deed recorded under Instrument No. 196907, of Official Records.

Parcel 2

The NW 1/4 of the SE 1/4; and the N 1/2 of the SW 1/4 of Section 2, Township 7 North, Range 4 West, Boise Meridian, Payette County, Idaho: ✓

EXCEPTING THEREFROM that portion conveyed to the Payette Valley Extension Railroad Company by Deed recorded December 3, 1913 in Book J, Page 591, Official Records of Payette County, Idaho

AND EXCEPTING THEREFROM any portion of the NW 1/4 of the SW 1/4 lying North of the Payette Valley Extension Railroad Company right of way.

FURTHER EXCEPTING THEREFROM the following described parcel:

A parcel of land in the North 1/2 of the Southwest 1/4 of Section 2, Township 7 North, Range 4 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the North 1/2 of the Southwest 1/4 of said Section 2;

Thence S 68°25'47" E, a distance of 1265.07 feet to the True Point of Beginning, which point bears N 29°59'29" E, a distance of 2507.83 feet from the Southwest corner of said Section 2;

Thence S 54°55'36" E, 277.91 feet;

Thence S 01°56'52" E, 87.20 feet;

Thence N 83°09'24" W, 105.80 feet;

Thence S 02°18'16" W, 51 feet;

Thence N 84°27'24" W, 126.94 feet;

Thence N 00°38'10" E, a distance of 272.95 feet to the True Point of Beginning.

AND FURTHER EXCEPTING THEREFROM the following described parcel;

A parcel of land in the North 1/2 of the Southwest 1/4 of Section 2, Township 7 North, Range 4 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the North 1/2 of the Southwest 1/4 of said Section 2;

Thence S 52°35'14" E, a distance of 1472.40 feet to the True Point of Beginning, which point bears N 35°34'46" E, a distance of 2242.56 feet from the Southwest corner of said Section 2;

Thence S 86°14'03" 481.90 feet; thence S 15°50'08" W, 421.4 feet more or less to a point on the South line of the North 1/2 of the Southwest 1/4;

EXHIBIT A

0382213

~~347721~~

Thence N 89°31'29" W, 393.5 feet, more or less, along the South line of the said North 1/2 of the Southwest 1/4;

Thence N 03°38'30" E 434.6 feet, more or less, to the True Point of Beginning.

AND FURTHER EXCEPTING any portion thereof lying Westerly of the following described line:

Commencing at the Northwest corner of the North 1/2 of the Southwest 1/4 of said Section 2;

Thence S 68°25'47" E, a distance of 1265.07 feet to a point, which point bears

N 29°59'29" E, a distance of 2507.83 feet from the Southwest corner of said Section 2;

Thence N 00°38'10" E, 40 feet more or less to the Southerly right of way of the Payette Valley Extension Railroad Company as described in Deed recorded December 3, 1913 in Book J, Page 591 Official records of Payette County, Idaho, and the TRUE POINT OF BEGINNING of said line;

Thence S 00°38'10" W, 40 feet more or less to a the Northwest corner of a parcel of land as described in deed recorded under instrument number 245018;

Thence S 00°38'10" W, 272.95 feet to the Southwest corner of a parcel of land as described in deed recorded under instrument number 245018;

Thence S 01°26'48" W, 156.58 feet to a point that bears S 52°35'14" E, a distance of 1472.40 from the Northwest corner of the North 1/2 of the Southwest 1/4 of said Section 2, and which point bears N 35°34'46" E, a distance of 2142.56 feet from the Southwest corner of said Section 2;

Thence S 03°38'30" W, 434.6 feet to the South line of the North 1/2 of the Southwest 1/4 of said Section 2 and the terminus of said line.

Parcel 3

All that portion of the NE 1/4 of Section 2, Township 7 North, Range 4 West, Boise Meridian, Payette County, Idaho lying South of the present channel of the Payette River and West of Highway No. 52.

EXCEPTING THEREFROM all that portion conveyed to the State of Idaho in Deed recorded December 22, 1982 as instrument No. 196907, Official Records.

Parcel 4

That portion of the NE 1/4 of the SE 1/4 of said Section 2, Township 7 North, Range 4 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Beginning at a point of intersection of the North line of the NE 1/4 of the SE 1/4 of said Section 2 with the West line of Highway No. 52;

Thence West along said North line of the NE 1/4 of the SE 1/4, a distance of 250 feet to the TRUE POINT OF BEGINNING;

Thence South parallel to the East line of said SE 1/4, a distance of 280 feet;

Thence West parallel to the South line of said SE 1/4, a distance of 165 feet;

Thence South parallel to the East line of said SE 1/4, a distance of 189 feet;

Thence West parallel to the South line of said SE 1/4, a distance of 385 feet, more or less, to a point on the West line of said NE 1/4 of the SE 1/4;

Thence North along the West line of said NE 1/4 of the SE 1/4 to the Northwest corner of said NE 1/4 of the SE 1/4;

Thence East along the North line of said NE 1/4 of the SE 1/4 to the True Point of Beginning.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 30, 2016

LORRIE MAE TRACY
8144 ESTATES BLVD
FRUITLAND ID 83619

RE: Notice of Ownership Change in Water Right No's:

65-4921, 65-6533, 65-11367, 65-12598 & 65-12717

Dear Applicant,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Per our conversation on September 29, 2016, water right numbers 65-4840, 65-6002, 65-6003 & 65-11111 have not been changed. The place of use (POU) and point of diversion (POD) were not located on any of the conveyance documents provided. Water right 65-12579 will need to be split to correctly convey the irrigation portion of the right. A new ownership change application is enclosed and the fees already submitted to the Department will cover the \$100 required for the application. Upon completion of the split, a \$25 refund will be processed to you for the remaining balance. Proof reports and maps for each water right not updated are enclosed for you to review.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the Department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience and cooperation. Please call (208)334-2190 if you have any questions concerning the enclosed information.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures