

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 05 2016

DEPT OF WATER RESOURCES
SOUTHERN 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?
72-57A	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: John S & Charlotte M Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): William R & Kimberly Robertson
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 770 Challis creek rd. Challis ID 83226
Mailing address City State ZIP
- (916) 834 5944 wronrobertson@gmail.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: May 30, 19 2016
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: William R Robertson 6-28-16
Signature of new owner/claimant Title, if applicable Date
- Signature: Kimberly Robertson 6-28-16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 7-20-2016 Receipt No. 5035608 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 _____

251909

Custer County Req. of

Custer County Title

Time 4:03 PM Date 6/7/20

Lura H. Baker, Clerk

Cery Cashman \$13
Deputy

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, is made by KEN SMITH, as Personal Representative of the estate of JOHN SMITH A/K/A SEFORD JOHN SMITH, deceased, Grantor, to WILLIAM R. ROBERTSON AND KIMBERLY ROBERTSON, husband and wife, whose address is 9512 Dillard Rd., Willon, CA 93693, Grantees

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number CV-2011-72 in Custer County, Idaho:

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantees the following described real property in Custer County, Idaho, to-wit:

See Attached Exhibit "A"

with all appurtenances

EXECUTED this 2nd day of June, 2016.

Ken Smith
Personal Representative of the Estate of
John Smith, a/k/a Seford John Smith

STATE OF Idaho, ss.
COUNTY OF Clearwater

On this 2nd day of June In the year 2016, before me, a Notary Public in and for said State, personally appeared KEN SMITH, known to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estate of JOHN SMITH, A/K/A SEFORD JOHN SMITH, and acknowledged to me that he executed the same as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year in this certificate first above written

Notary Public for the State of Idaho
Residing at Clearwater
Commission Expires 11-4-2016

STATE OF IDAHO, COUNTY OF CUSTER

I hereby Certify that this instrument was filed for record at the request of

M. this day of , 2016 in my office, and duly recorded in Book o'clock
Satisfactions, at Page of

Ex-Officio Recorder
Fees, \$
Mail to

BY Deputy

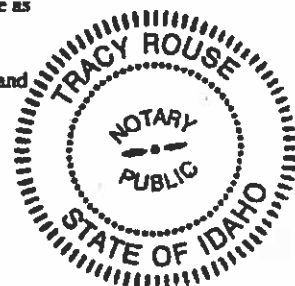


EXHIBIT A

A parcel of land being a portion of the N $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the 1/4 corner common to Sections 28 and 29, Township 14 North, Range 19 East, Boise Meridian; thence South 89°49'23" East, 1216.77 feet along the East-West mid section line to the TRUE POINT OF BEGINNING; thence continuing South 89°49'23" East, 121.84 feet along said line; thence South 85°06'43" East, 249.95 feet along the Southerly line of that parcel recorded on instrument No. 156050; thence South 22°43'00" West, 391.23 feet; thence North 86°10'20" West, 491.90 feet to the Easterly limit of the Challis Creek Road; thence North 02°42'35" East, 261.68 feet along said limit; thence South 84°43'00" East, 232.51 feet along the Southerly line of Parcel 3, recorded on instrument No. 157080; thence North 13°52'32" East, 113.04 feet along the Easterly line of said Parcel 3 and Parcel 2 to the Point of Beginning, more or less as shown by the record of survey filed June 22, 1981, as instrument No. 158640, records of Custer County, Idaho.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 3, 2016

WILLIAM ROBERTSON
KIMBERLY ROBERTSON
770 CHALLIS CREEK RD
CHALLIS ID 83226

RE: Change of Ownership for Water Right Nos. 72-57A

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

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.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure(s)



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 6, 2016

WILLIAM ROBERTSON
KIMBERLY ROBERTSON
770 CHALLIS CREEK RD
CHALLIS ID

Re: Change in Water Right Ownership for Water Right 72-57A

Dear Mr. and Mrs. Robertson:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

 X **Filing Fee** of \$25 per water right

 Evidence of Water Right Ownership: copy of your Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

Because the Department cannot process the ownership change without proper fee, we will hold any action on your notice pending receipt of the necessary fee. If we do not receive the necessary fee within 30 days, we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water rights ownership and/or mailing address to the Department within 120 days of the change. Failing to report these changes could result in a \$100 late filing fee. Please feel free to contact this office if you have any questions.

Sincerely,

Trish Fawcett
Technical Records Specialist