

WA
Water Supply Bank No. 65

Water Right No. 65-07085

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 15 2006

DEPARTMENT OF
WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor RODNA E. SISK Phone 208-584-3381

Post office address 5900 SWEET-OLA HWY SWEET, ID. 83670

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. 65-07085 Decreed to RODNA E. SMITH (SISK)
in case of SRBA vs CASE NO. 39576
dated 06/28/2002 in TWIN FALLS county of FIFTH JUDICIAL DIST.
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water
Resources.
- c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,

show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: ALL cubic feet per second &/or
_____ acre-feet per annum
- b. Point of diversion: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range
_____, B.M. in _____ County.
Additional points _____

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres _____

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

ACQUIRED FULL RIGHTS OF THE LAND AND WATER RIGHTS
BY DIVORCE DECREE.

SEE COPIES OF QUITCLAIM DEED AND LAND DESCRIPTION

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

PARTIAL DECREE ISSUED 06/28/2002

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

04-01 TO 11-01

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

N/A

- e. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

✓ For lease for a period from INDEFINITE to _____
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

CURRENT RENTAL RATE

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

June 12, 2006
Date

Rodna E. Sisk
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

(Optional)

Recorded	☐	Platted	☐	Key Punched	☐	To Treasurer	☐
Microfilmed	☐	Deed Card	☐	Master File	☐		☐
Indexed	☐	Compared	☐	Abstracted	☐		

QUITCLAIM DEED

Exhibit B

THIS INDENTURE, Made this _____ day of July

in the year of our Lord one thousand nine hundred and ninety three between
RONALD D. SMITH

of Emmett County of Gem

State of Idaho, the party of the first part, and RODNA E SMITH nka RODNA E. LAN

of Sweet County of Gem

State of Idaho, the part y of the second part,

whose current address is Diamond R Acres, HC 5900, Sweet, Idaho 83670

WITNESSETH That the said part y of the first part, for and in consideration of the sum of

One and no/100 -----DOLLARS,
lawful money of the United States of America, to him in hand paid by the said part y of
the second part. the receipt whereof is hereby acknowledged, do by these presents remise, release
and forever QUITCLAIM, unto the said party of the second part, and to her heirs and
assigns all certain lot, piece or parcel of land, situate, lying and being in
Sweet, County of Gem, State of Idaho, bounded and particularly
described as follows, to-wit:

See property description attached hereto as Exhibit A

Location of above described property Diamond R Acres, HC 5900, Sweet, Idaho 83670
House No. _____ Street _____

MAIL DEED TO:

Rodna Landis
Diamond R Acres, HC 5900
Sweet, Idaho 83670

MAIL TAX NOTICE TO:

Name Rodna Landis
Address Diamond R Acres, HC 5900
City & State Sweet, Idaho 83670

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the part of the second part, and to heirs and assigns forever.

IN WITNESS WHEREOF, The said part of the first part ha hereunto set hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF
Ronald D. Smith [Seal]
Ronald D. Smith [Seal]
[Seal]
[Seal]

STATE OF IDAHO } ss.
County of Gem
On this 8th day of July in the year 19 93 , before me
The undersigned
a Notary Public
in and for said State, personally appeared Ronald D. Smith

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

Ronathy J. Smith
Notary Public for the State of Idaho.
Residing at Emmett , Idaho.
My Commission Expires: 7/11/94

No. _____

QUITCLAIM DEED

—TO—

Dated _____, 19____

STATE OF IDAHO, } ss.
County of _____

I hereby certify that this instrument was filed
for record at request of _____

at _____ minutes past _____
o'clock M., this _____ day
of _____, A.D. 19____

in my office, and duly recorded in Book _____
of _____ at page _____

By _____ Ex-Officio Recorder.
Fees, \$ _____ Deputy.
Mail to _____

STANDARD COMPANY, BOISE

S $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 15, Twp. 7 N., R. 1 E., B.M., EXCEPTING THEREFROM, A tract of land in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15 T. 7 N., R. 1 E., B.M., described as follows:
Beginning at a point 1346.7 feet south and 1156.09 feet east of the NW corner of Section 15, Twp. 7 N., R. 1 E., B.M., run
East 208.7 feet; thence
South 208.7 feet; thence
West 208.7 feet; thence
North 208.7 feet, to the point of beginning.

Including any water and ditch rights appurtenant thereto or used in connection therewith, and including any easements, rights of ways, appurtenant to or used for the benefit of said described premises.
Subject to any easements, rights of ways, reservations or exceptions, if any.

EXHIBIT A

176648

Gem County, IDAHO) ss.
Recorded at request of
Rodna Smith, Sweet
Time 1:52 PM
Date July 8, 1993
Instru. No. 176648
Recorded as a Deed
Theresa R. Kolodziej, Clerk
Ex-officio Recorder
By: Judy Bigsion
Deputy
Fees \$ 9.00