



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 8, 2015

RYAN OR KAYSEE MILLER
43499 S HWY 3
ST MARIES ID 83861

SUBJECT: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claims 94-7765 and 94-9055

RESPONSE DUE DATE: MAY 26, 2015

Dear Mr. or Ms. Miller:

I have completed the change of ownership on the above numbered Notice of Claims to a Water Right and have enclosed a copy for your records.

There is one item I would like to bring to your attention. On the ownership change form you indicated that we should also complete an ownership change on water right number 94-7052. This is a licensed water right with a ground water source used for domestic, stockwater and irrigation of one acre, issued to Mat Herboldt in July, 1976. Information on this licensed right indicates the water usage may be appurtenant to your property. However, a Notice of Claim to a Water Right has not been filed for this usage, which indicates that the well is no longer being used to irrigate the one acre. Consequently, I did not complete the ownership change on that water right.

Please contact me if you have any questions regarding the above or would like to file a claim based on that license. I can be reached at (208) 762-2802 or by email at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosure: Copy of License 94-7052
Copy of Notice of Claim Numbers 94-7765 & 94-9055

SCANNED
MAY 14 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
MAY 04 2015
IDWR/NORTHERN

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
94-7765	Yes ☐		Yes ☐		Yes ☐
94-9055	Yes ☐		Yes ☐		Yes ☐
94-7052	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Dale A. Herboldt & Diane Herboldt

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Ryan & Kaysee Miller

New owner(s) as listed on the conveyance document

Name connector

☐ and☐ or☒ and/or

43499 S Hwy 3

Saint Maries

Id

83861

Mailing address

City

State

ZIP

715-902-0808

Kaysee.Miller@fs.fed.us

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: December 29 2014

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature:

Signature of new owner/claimant

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

4/29/2015

4/29/2015

or IDWR Office Use Only:

Received by

N/A

Date

N/A

Receipt No.

N/A

Receipt Amt.

N/A

Approved by

LW

Processed by

LW

Date

5-5-2015

SCANNED

MAY 05 2015

This document is now recorded electronically with the County Recorder. Attached to this original document is a copy of the recorder stamp as it appears of record.

Instrument Number

Escrow No.: 6001-34363-GKG

WARRANTY DEED

FOR VALUE RECEIVED, **DALE A. HERBOLDT and DIANE HERBOLDT, HUSBAND AND WIFE**, Hereinafter called Grantor, does hereby grant, bargain, sell and convey unto **RYAN MILLER AND KAYSEE MILLER, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP**, Grantee, whose address

Is: 43499 S Hwy 3, Saint Maries, Id. 83861, the following described premises, County of KOOTENAI, State of Idaho to-wit:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALSO KNOWN AS GOVERNMENT LOT 4, OF SECTION 18, LYING NORTH OF STATE HIGHWAY 3, RIGHT OF WAY AS NOW LOCATED, IN TOWNSHIP 47 NORTH, RANGE 2 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, STATE OF IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject to those made, suffered or done by the Grantee(s); current taxes, levies, assessments, easements, reservations and rights of way of view and covenants, conditions, restrictions, easements, reservations, dedications, rights of way and agreements of record and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

DATED. December 29, 2014

By: Dale A. Herboldt
DALE A. HERBOLDT

By: Diane Herboldt
DIANE HERBOLDT

Date: December 29, 2014

State of Idaho)
County of KOOTENAI)

On DECEMBER 29, 2014, before me, GWEN GRIEB, the

undersigned, Notary Public, personally appeared DALE A. HERBOLDT AND DIANE HERBOLDT known or identified to me to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Witness my hand and official seal.

Gwen Grieb
Notary Public in and for said County and State

Residing at: Harlem Lake

Commission Expires: 4/10/2018

Gwen Grieb
Notary Public
State of Idaho

(Space above for official notarial area)

SCANNED

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Residing at: Harper Lake

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Notary Public
State of Idaho

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