

MAY 11 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
23-11514 <i>OK</i>	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: PT Elliott LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Ronald and Marybeth Miller Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- PO Box 150 Swan Valley ID 83449
Mailing address City State Zip
- 801-201-8520 _____
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: April 2022
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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: *Ronald James Miller* 4/21/2022
 Signature of new owner/claimant Title, if applicable Date
Ronald James Miller
 Print name

Signature: _____
 Signature of new owner/claimant Title, if applicable Date

 Print name

Received by Ce H Date 5/11/22 For IDWR Office Use Only: Receipt No. E048129 Receipt Amt. \$25.00 (\$475 check)
 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 JB Processed by JB Date 5/19/2022

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Kristin Moore
Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303
Idaho Falls, ID 83402

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

PT ELLIOT, LLC, an Idaho limited liability company, whose address is 392 N 4500 E, Rigby, Idaho 83442 (hereinafter collectively "Grantor") does hereby grant, bargain, sell, assign, and convey unto **RONALD J. MILLER and MARYBETH MILLER, CO-TRUSTEES, U/D/T** dated December 29, 2014, creating **THE RONALD AND MARYBETH MILLER TRUST**, whose address is PO Box 150, Swan Valley, Idaho 83449 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

[SIGNATURES ON FOLLOWING PAGE]

DATED this 21st day of April, 2022.

"GRANTOR"

PT ELLIOTT, LLC

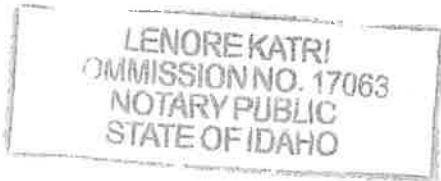


By: Carl Zitlau
Its: Manager

STATE OF IDAHO)

County of Bonneville)ss.

This record was acknowledged before me on the 21st day of April, 2022, by **CARL ZITLAU**,
Manager of PT Elliott, LLC.



Notary Public for Idaho

My Commission Expires: _____

Residing at Idaho Falls, ID
My Commission Expires: 1-30-2027

EXHIBIT A **WATER RIGHT DESCRIPTION**

Page 3 of 5

WATER RIGHT NO. 23-11514 **As Modified by Transfer No. 85687**

In accordance with the approval of Transfer No. 85687, Water Right No. 23-11514 is now described as follows:

Right Holder: PT ELLIOTT LLC
392 N 4500 E
RIGBY, ID 83442-5596

Priority Date: 4/22/1979

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
AESTHETIC STORAGE	1/1	to 12/31		3.8 af
DIVERSION TO STORAGE	04/15	to 10/31	0.040 cfs	4.2 af
IRRIGATION	04/15	to 10/31	0.020 cfs	8.0 af
			0.060 cfs	

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (NWNE)	Sec 2 Twp 01N Rge 43E	BONNEVILLE County
GROUND WATER	L2 (NWNE)	Sec 2 Twp 01N Rge 43E	BONNEVILLE County
GROUND WATER	L2 (NWNE)	Sec 2 Twp 01N Rge 43E	BONNEVILLE County
GROUND WATER	L3 (NENW)	Sec 2 Twp 01N Rge 43E	BONNEVILLE County
GROUND WATER	L3 (NENW)	Sec 2 Twp 01N Rge 43E	BONNEVILLE County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	43E	2		X				X											0.0
				L 2				L 3											

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	43E	2						1.2											1.2
								L 3											

POU Total Acres: 1.2

CONDITIONS OF APPROVAL

1. Rights 23-88B and 23-11514 when combined shall not exceed the irrigation of 53.5 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 85687

WATER RIGHT NO. 23-11514
As Modified by Transfer No. 85687

CONDITIONS OF APPROVAL

3. Rights 23-888 and 23-11514 authorize total annual storage volume of 21.9 acre-feet, 18.1 acre-feet to be used for the initial filling or carryover storage of the ponds and 3.8 acre-feet for the replacement of losses caused by evaporation.
4. The four (4) ponds established by the storage of water under this right shall not exceed a total capacity of 18.1 acre-feet or a total surface area of 3.1 acres.
5. Subsequent refills of the four (4) ponds will require acquisition of water from Water District 1 rental pool or Water Supply Bank.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 85687



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 18, 2022

THE RONALD AND MARYBETH MILLER TRUST
PO BOX 150
SWAN VALLEY ID 83449-0150

Re: Change in Ownership for Water Right No(s): 23-11514

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)