

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 03 2021

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT OF WATER RESOURCES
SOUTHERN 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-22536	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-22538	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Roderick H Rinker

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Michael Clayville, Trustee of The Mike & Holly Clayville Living Trust

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

PO Box 3770

Hailey

ID

83333

Mailing address

City

State

Zip

408-656-2922

clayville.mike@yahoo.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: August 5, 2021
6. Do you own the land identified as the water right place of use? Yes ☐ No ☒
- o 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):
- 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 # 37-22536

8. Signature: Michael Clayville Trustee 11/29/21

Signature of new owner/claimant Title, if applicable Date

Michael Clayville

Print name

Signature: _____

Signature of new owner/claimant Title, if applicable Date

Print name

Received by SG Date 12/3/21 For IDWR Office Use Only: Receipt No. 5038962 Receipt Amt. \$75.00

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 Wm Date 2-1-2022

**Instrument # 677067**

HAILEY, BLAINE, IDAHO
12-17-2020 2:26:15 PM No. of Pages: 2
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: CWB
Electronically Recorded by Simplifile

QUITCLAIM DEED

THIS INDENTURE, made this December 15, 2020, between

Deer Creek House, LLC, an Idaho limited liability company and Rodrick Rinker, individually, as **GRANTOR** and

Scott Harvey and Katherine Harvey, husband and wife, as **GRANTEE(S)**

whose current address is 16108NE 172nd St., Woodinville, WA 98077

WITNESS, that said Grantor(s), for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee(s) and to its heirs and assigns all that certain lot, piece or parcel of land, bounded and particularly described as follows, to wit:

Idaho Department of Water Resources Water Right numbers 37-22536, 37-22538, and 37-22539 appurtenant to the following described property:

Lot 1A, Block 1 of FAWN CREEK RANCH SUBDIVISION, LOTS 1A & 2A, as shown on the official plat thereof, recorded as Instrument No. 582587, records of Blaine County, Idaho.

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 Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

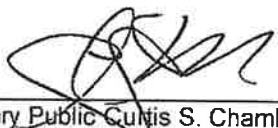
Deer Creek House, LLC

Rodrick Rinker, Member

Rodrick Rinker, Individually

State of Idaho
County of Blaine

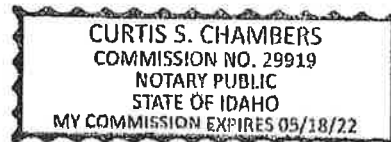
This record was acknowledged before me on 16 day of DEC, 2020, by
Rodrick Rinker, member of Deer Creek House, LLC, an Idaho limited liability company and Rodrick
Rinker, individually.



Notary Public Curtis S. Chambers
My Commission Expires: _____

5.18.22

(STAMP)



Instrument # 677066

HAILEY, BLAINE, IDAHO
12-17-2020 2:26:15 PM No. of Pages: 2
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: GWB
Electronically Recorded by Simplifile



WARRANTY DEED**FOR VALUE RECEIVED**

Deer Creek House LLC, an Idaho Limited Liability Company,

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Scott Harvey and Katherine Harvey, husband and wife

the Grantee, whose current address is: 16108 NE 172nd St., Woodenville, WA 98077

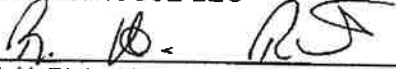
the following described premises, to-wit:

Lot 1A, Block 1 of FAWN CREEK RANCH SUBDIVISION, LOTS 1A & 2A, as shown on the official plat thereof, recorded as Instrument No. 582587, records of Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject to and those made, suffered or done by the Grantee; and subject to all existing patent reservations; restrictions in railroad deeds of record; easements and rights of way established and of record; protective covenants of record; zoning ordinances and applicable building codes, use restrictions, ordinances, laws and regulations of any governmental unit; general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable; and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated this 16 day of Dec. 2020

DEER CREEK HOUSE LLC


Rodrick H. Rinker, Member

State of Idaho
County of Blaine

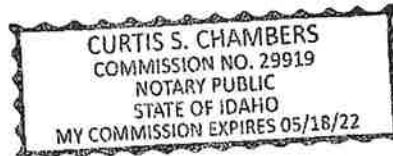
This record was acknowledged before me on 16 day of Dec, 2020, by
Rodrick H. Rinker, as member of Deer Creek House LLC.



Notary Public Curtis S. Chambers

My Commission Expires: 5-18-22

(STAMP)



Instrument # 636859

HAILEY, BLAINE, IDAHO

7-29-2016 04:48:01 PM No. of Pages: 2

Recorded for : JIM PHILLIPSS

JOLYNN DRAGE

Fee: 13.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

QUIT CLAIM DEED

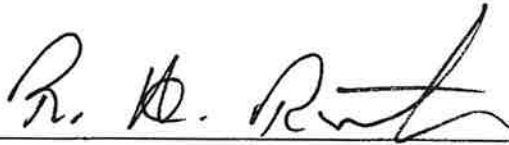
THIS DEED, is made this 27 day of July 2016, by Rodrick H. Rinker, a single man, whose address is 2331 Moonlight Dr., Hailey, 83333, ("Grantor"), and Deer Creek House, LLC., an Idaho limited liability company, ("Grantee"), whose current mailing address is 20 Quigley Road, Hailey, ID, 83333.

For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor hereby quitclaims, transfers, and conveys to Grantee all the right, title and interest in and the real property situated in Blaine County, State of Idaho, more particularly described as follows:

Lot 1A, Block 1 of FAWN CREEK RANCH SUBDIVISION LOTS 1A & 2A, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded November 22, 2010, as Instrument No. 582587, records of Blaine County, Idaho,

together with all and singular improvements, tenements, hereditaments, reversions, remainders, and appurtenances thereto.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first written.



Rodrick H. Rinker,
Grantor

ACKNOWLEDGEMENT

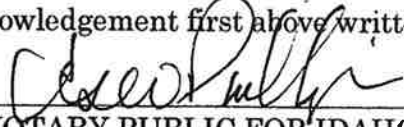
STATE OF IDAHO)

) ss.

County of Blaine)

On this 27th day of July, 2016, before me, a Notary Public in and for said State, personally appeared Rodrick H. Rinker, a single man, known or identified to me to be the person whose name is subscribed to the foregoing document, and acknowledged 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 Acknowledgement first above written.


NOTARY PUBLIC FOR IDAHO

Residing at: Harley Idaho

Commission expires: 11-06-2021



**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340**

(space above line for Recorder's use)

WATER RIGHTS QUITCLAIM DEED

SCOTT HARVEY and KATHERINE HARVEY, husband and wife ("Grantors"), do hereby convey, release, remise and forever quitclaim to MICHAEL CLAYVILLE, TRUSTEE OF THE MICHAEL AND HOLLY CLAYVILLE LIVING TRUST, whose address is P.O. Box 3770, Hailey, Idaho 83333 ("Grantee"), all of Grantor's right, title and interest in and to Water Rights Nos. 37-22536 and 37-22538.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed this 28th day of January, 2022.

GRANTORS:

Date: 1/28/2022


SCOTT HARVEY

Date: 1. 28. 2022


KATHERINE HARVEY

STATE OF WA)
) ss.
County of King)

This record was acknowledged before me on January 28, 2022, by SCOTT HARVEY.

WITNESS my hand and official seal.

AMBER L HUNT
Notary Public
State of Washington
License Number 20117618
My Commission Expires
October 30, 2024

Amber L Hunt
Name: Amber L Hunt
Notary Public for Washington
Residing at Woodinville
My commission expires 10/30/2024

STATE OF WA)
) ss.
County of King)

This record was acknowledged before me on January 28, 2022, by KATHERINE HARVEY.

WITNESS my hand and official seal.

AMBER L HUNT
Notary Public
State of Washington
License Number 20117618
My Commission Expires
October 30, 2024

Amber L Hunt
Name: Amber L Hunt
Notary Public for Washington
Residing at Woodinville
My commission expires 10/30/2024

Instrument # 685170
HAILEY, BLAINE, IDAHO
8-5-2021 03:14:13 PM No. of Pages: 2
Recorded for : SPECK & AANESTAD
JOLYNN DRAGE Fee: 15.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

G

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340

(space above line for Recorder's use)

WATER RIGHTS QUITCLAIM DEED

SCOTT HARVEY and KATHERINE HARVEY, husband and wife ("Grantors"), do hereby convey, release, remise and forever quitclaim to MIKE CLAYVILLE, TRUSTEE OF THE MIKE AND HOLLY CLAYVILLE LIVING TRUST, whose address is P.O. Box 3770, Hailey, Idaho 83333 ("Grantee"), all of Grantor's right, title and interest in and to Water Rights Nos. 37-22536 and 37-22538.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed this 22 day of
July July, 2021.

GRANTORS:

Date: 7/22/2021


SCOTT HARVEY

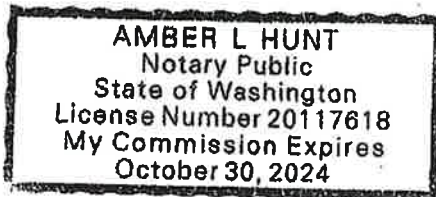
Date: 7.22.21


KATHERINE HARVEY

STATE OF Washington)
County of King) ss.

This record was acknowledged before me on July 22, 2021, by SCOTT HARVEY.

WITNESS my hand and official seal.

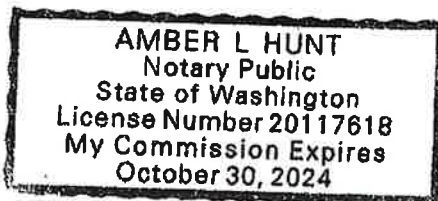


Amber L. Hunt
Name: Amber L. Hunt
Notary Public for Washington
Residing at Woodinville
My commission expires 10/30/2024

STATE OF Washington)
County of King) ss.

This record was acknowledged before me on July 22, 2021, by KATHERINE HARVEY.

WITNESS my hand and official seal.



Amber L. Hunt
Name: Amber L. Hunt
Notary Public for Washington
Residing at Woodinville
My commission expires 10/30/2024



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 01, 2022

MICHAEL & HOLLY CLAYVILLE LIVING TRUST
PO BOX 3770
HAILEY ID 83333-3770

Re: Change in Ownership for Water Right No(s): 37-22536 & 37-22538

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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) 736-3033.

Sincerely,

Bill Mills
Water Resource Agent, Senior

Enclosures

c: Speck & Aanestad; Water District 37

Mills, Bill

From: James Speck <jim@speckandaanestad.com>
Sent: Monday, January 31, 2022 12:53 PM
To: Mills, Bill
Cc: Mike Clayville; Scott Harvey
Subject: RE: RE: Ownership Change for WR 37-22536 and 37-22538, Mike and Holly Clayville Living Trust
Attachments: corrected water rights QCD harvey to clayville - signed.pdf

Bill,

Attached is a copy of the corrected Water Rights Quitclaim Deed. Please confirm this is all you need to now proceed with completing the ownership change for these two water rights.

Thanks.

Jim

-----Original Message-----

From: Mills, Bill
Sent: Wednesday, January 05, 2022 8:35 AM
To: James Speck

Jim,

The final document in the chain of title you provided in the attachment to the previous email is the quitclaim from Scott and Katherine Harvey to Mike Clayville, trustee of the Mike and Holly Clayville Living Trust (which is attached) assigning ownership of water rights 37-22536 and 37-22538 to the Mike and Holly Living Trust. You had indicated that the quitclaim needed to be corrected to read the Michael and Holly Living Trust and not the Mike and Holly Living Trust. The Department wants to get this right, so if your office could provide us with a corrected quitclaim, it would be greatly appreciated.

Thanks,

Bill

From: James Speck <jim@speckandaanestad.com>
Sent: Tuesday, January 4, 2022 4:53 PM
To: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Subject: FW: Ownership Change for WR 37-11980, Mike and Holly Clayville Living Trust

Bill,

Attached is the NCO for 37-22536 & 37-22538 that identifies the new owner as the Michael and Holly Clayville Living Trust. It was clearly filed with IDWR on Dec. 3, 2021. I have no idea where the other one came from but you should simply destroy that version and proceed under the attached.

Jim

From: Mills, Bill <Bill.Mills@idwr.idaho.gov <mailto:Bill.Mills@idwr.idaho.gov> >
Sent: Tuesday, January 04, 2022 10:04 AM
To: James Speck <jim@speckandaanestad.com <mailto:jim@speckandaanestad.com> >
Subject: RE: Ownership Change for WR 37-11980, Mike and Holly Clayville Living Trust

Jim,

Yes, if your office can provide me with a corrected quitclaim, then I can update the ownership to the Michael and Holly Living Trust for water rights 37-22536 & 37-22538. I will hold off on processing the ownership change until I receive the corrected quitclaim.

There is also a previously completed ownership change for water rights 37-23310 (split from 37-21253) & 37-21269 where the quitclaim indicated it was the Mike and Holly Living Trust and we processed it that way. Those also could use correcting; however, it would require submitting a new notice of ownership change along with \$25.00 fee per right and a corrected quitclaim. I have attached the related files in case your office wants to update those two water rights also.

And a Happy New Year to you as well!

Bill

From: James Speck <jim@speckandaanestad.com <mailto:jim@speckandaanestad.com> >
Sent: Wednesday, December 29, 2021 1:21 PM
To: Mills, Bill <Bill.Mills@idwr.idaho.gov <mailto:Bill.Mills@idwr.idaho.gov> >
Cc: Mike Clayville <clayville.mike@yahoo.com <mailto:clayville.mike@yahoo.com> >
Subject: RE: Ownership Change for WR 37-11980, Mike and Holly Clayville Living Trust

Bill,

Thanks for bringing this to my attention. It is the same trust and the correct name is "Michael and Holly Living Trust." All of the water rights for the Fawn Creek property should be held in that name. If necessary, we can provide you with a correction quitclaim deed for 37-22536 & 37-22538. Please let me know if that's what IDWR will require.

HAPPY NEW YEAR!

Jim

From: Mills, Bill <Bill.Mills@idwr.idaho.gov <mailto:Bill.Mills@idwr.idaho.gov> >
Sent: Wednesday, December 29, 2021 10:42 AM
To: James Speck <jim@speckandaanestad.com <mailto:jim@speckandaanestad.com> >
Subject: Ownership Change for WR 37-11980, Mike and Holly Clayville Living Trust

Jim,

On 12/3/2021 the Department received ownership changes from your office for water rights 37-22536, 37-2238 and 37-11980. The deed that was included with the ownership change for water right 37-11980 lists the Grantee as Michael Clayville, Trustee of the Michael and Holly Clayville Living Trust. All the other ownership changes we've processed for the Claysville's have indicated the trust is titled the Mike & Holly Clayville Living Trust, not the Michael and Holly Clayville Trust. I'm thinking the Warranty Deed from Blaine County Title may need to be corrected before we can process this ownership change unless they've changed the name of the trust or have more than one trust. What are your thoughts on this?

Sincerely,

Bill Mills

Attachment(s): Water Rights Quitclaim Deed.pdf

RECEIVED

DEC 03 2021

DEPT. OF WATER RESOURCES
SOUTHERN REGION

TELEPHONE
(208)726-4421
FACSIMILE
(208)726-0752

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
(retired)

120 EAST AVENUE NORTH
P. O. BOX 987
KETCHUM, IDAHO 83340

December 1, 2021

Denise Maline
Idaho Department of Water Resources
650 Addison Ave. W
Suite 500
Twin Falls, ID 83301

Re: Notices of Change of Water Right Ownership
Nos. 37-22536, 37-2238 and 37-11980

Dear Denise:

Enclosed you will find an *original* and one copy of the above-referenced Notices of Change of Water Right Ownership accompanied by our firm check in the amount of \$75.00 for the Application filing fees.

Please return the receipt date-stamped copies to me in the postage prepaid self-addressed envelope I have included for that purpose. Please call me if you have any questions, comments or concerns. ✓ DM

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

Enclosures

cc: Michael Clayville (w/enclosures) - via email