

RECEIVED

MAR 08 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH 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?
85-07458	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: David W. Heusinkveld
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rodney C and Suzanne S Duke Living Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3834 Barr Road Lewiston ID 83501
Mailing address City State ZIP
208-746-9296 rodney.c.duke@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: 5/18/2012
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: Rodney C. Duke Title, if applicable _____ Date 3/1/2021
Signature: Suzanne S. Duke Title, if applicable _____ Date 3-1-2021

For IDWR Office Use Only:

Received by Ja Date 3-8-21 Receipt No. N036780 Receipt Amt. 2500
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 Ja Date 3-9-21

Instrument # 801789

NEZ PERCE COUNTY

6-18-2012

10:54:18

No. of Pages: 3

Recorded for : IDAHO ESTATE PLANNING *

PATTY WEEKS

Fee: 16.00

Ex-Officio Recorder Deputy

Index to: WRNTY/QCD

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

* IDAHO ESTATE PLANNING
839 E. WINDING CREEK DR., SUITE 102
EAGLE, IDAHO 83616
(208) 939-7658

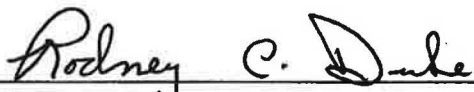
SEND TAX STATEMENTS TO:
RODNEY AND SUZANNE S. DUKE
3737 14th Street E.
Lewiston, ID 83501

(SPACE ABOVE LINE FOR RECORDER'S USE)

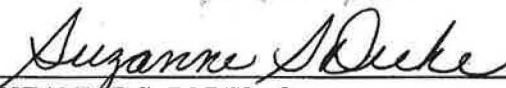
QUITCLAIM DEED

RODNEY C. DUKE AND SUZANNE S. DUKE, husband and wife, Grantors, 3737 14th Street E., Lewiston, of Nez Perce County, Idaho, hereby quitclaims to **RODNEY CALVIN DUKE and SUZANNE AILEEN SCHAMBER DUKE, Trustees, or their successors in trust, under the RODNEY C. DUKE AND SUZANNE S. DUKE LIVING TRUST, dated December 1, 2004, and any amendments thereto**, Grantees, 3737 14th Street E., Lewiston, Idaho, all of their right, title and interest in and to that certain real property, 3834 Barr Street, Lewiston, Idaho, tract of land in Nez Perce County, Idaho, described on Exhibit A attached hereto.

Witness the hand of said Grantors this 11 day of June, 2012.



RODNEY C. DUKE, Grantor



SUZANNE S. DUKE, Grantor

801789

STATE OF IDAHO

COUNTY OF Nez Perce

)
) ss.
)

On this 11 day of June, 2012 before me, the undersigned, Notary Public in and for said State, personally appeared RODNEY C. DUKE AND SUZANNE S. DUKE, Husband and Wife, Grantors known to or identified by me to be the persons who executed said within instrument and acknowledged to me that they executed the same.

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

Theresa K. Adams
Notary Public

My commission expires: 03/24/15



Exhibit A

The West 20 feet of the South 348.48 feet of Lot 8, Block 67, Lewiston Orchards Tract No. 4, according to the recorded plat thereof, records of Nez Perce County, Idaho, the measurements being from the centerlines of the adjacent streets and alleys.

AND

Commencing at the intersection of the centerlines of 17th Street and Richardson Avenue; thence North 89°35' East a distance of 990 feet; thence North 0°09' West a distance of 30 feet to the North line of Richardson Avenue to the true point of beginning; thence continuing North 0°09' West a distance of 316.82 feet to a point; thence North 89°08' East a distance of 293.67 feet to the West line of Barr Street; thence South 14°16' East along the West line of Barr Street a distance of 172.28 feet to a point which is the intersection of the West line of Barr Street and the West line of 18th Street; thence South 0°19' East a distance of 152.3 feet to the North line of Richardson Avenue; thence South 89°35' West along the North line of Richardson Avenue a distance of 335.86 feet to the point of beginning. The above property being a part of Lot 8, Block 67, Lewiston Orchards Tract No. 4, according to the recorded plat thereof, records of Nez Perce County, Idaho.

EXCEPTING THEREFROM, HOWEVER, the West 20 feet thereof AND the North 24 feet thereof;

22354

Instrument # 800983

NEZ PERCE COUNTY

6-18-2012

11:31:48

No. of Pages: 2

Recorded for : LAND TITLE

PATTY WEEKS

Fee: 19.00

Ex-Officio Recorder Deputy

Index to: PROBATE DEED

J. Morrow

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made by RIGBY J. HEUSINKVELD, as personal representative of the estate of David William Heusinkveld, deceased, Grantor, to Rodney C. Duke and Suzanne S. Duke, husband and wife, Grantees, whose current address is 3737 14th Street E., Lewiston, Idaho 83501.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. CV12-00022, in the Second Judicial District of the State of Idaho, Nez Perce County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in the City of Lewiston, Nez Perce County, Idaho:

The West 20 feet of the South 348.48 feet of Lot 8, Block 67, Lewiston Orchards Tract No. 4, according to the recorded plat thereof, records of Nez Perce County, Idaho, the measurements being from the centerlines of the adjacent streets and alleys.

AND

Commencing at the intersection of the centerlines of 17th Street and Richardson Avenue; thence North 89°35' East a distance of 990 feet; thence North 0°09' West a distance of 30 feet to the North line of Richardson Avenue to the true point of beginning; thence continuing North 0°09' West a distance of 316.82 feet to a point; thence North 89°08' East a distance of 293.67 feet to the West line of Barr Street; thence South 14°16' East along the West line of Barr Street a distance of 172.28 feet to a point which is the intersection of the West line of Barr Street and the West line of 18th Street; thence South 0°19' East a distance of 152.3 feet to the North line of Richardson Avenue; thence South 89°35' West along the North line of Richardson Avenue a distance of 335.86 feet to the point of beginning. The above property being a part of Lot 8, Block 67, Lewiston Orchards Tract No. 4, according to the recorded plat thereof, records of Nez Perce County, Idaho.

EXCEPTING THEREFROM, HOWEVER, the West 20 feet thereof AND the North 24 feet thereof;

SUBJECT TO any levies and assessments of the Lewiston Orchards Irrigation District; and

ALSO SUBJECT TO any levies and assessments of the Central Orchards Sewer District;

ALSO SUBJECT TO easement for ingress and egress, including its terms, covenants, and provisions as disclosed by Warranty Deed recorded as Nez Perce County Instrument No. 735104;

ALSO SUBJECT TO rights of the public in and to adjacent streets and alleys.

with all appurtenances.

EXECUTED this 16th day of May, 2012.



RIGBY J. HEUSINKVELD
Personal Representative of the
estate of David William Heusinkveld, deceased.
Personal Representative

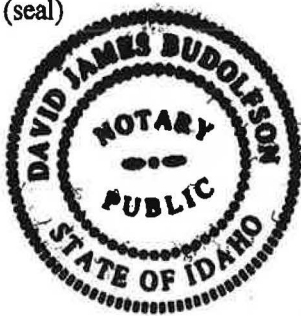
READ AND APPROVED

STATE OF IDAHO)
COUNTY OF Ada) : ss

On this 16th day of May, 2012, before me, the undersigned, a notary public in and for said state, personally appeared RIGBY J. HEUSINKVELD, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of David William Heusinkveld, deceased, 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 official seal the day and year first above written.

(seal)

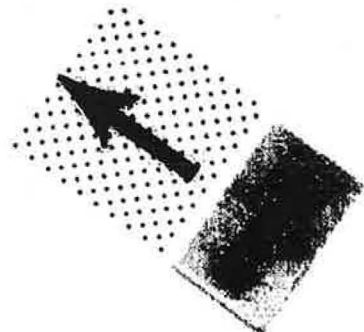


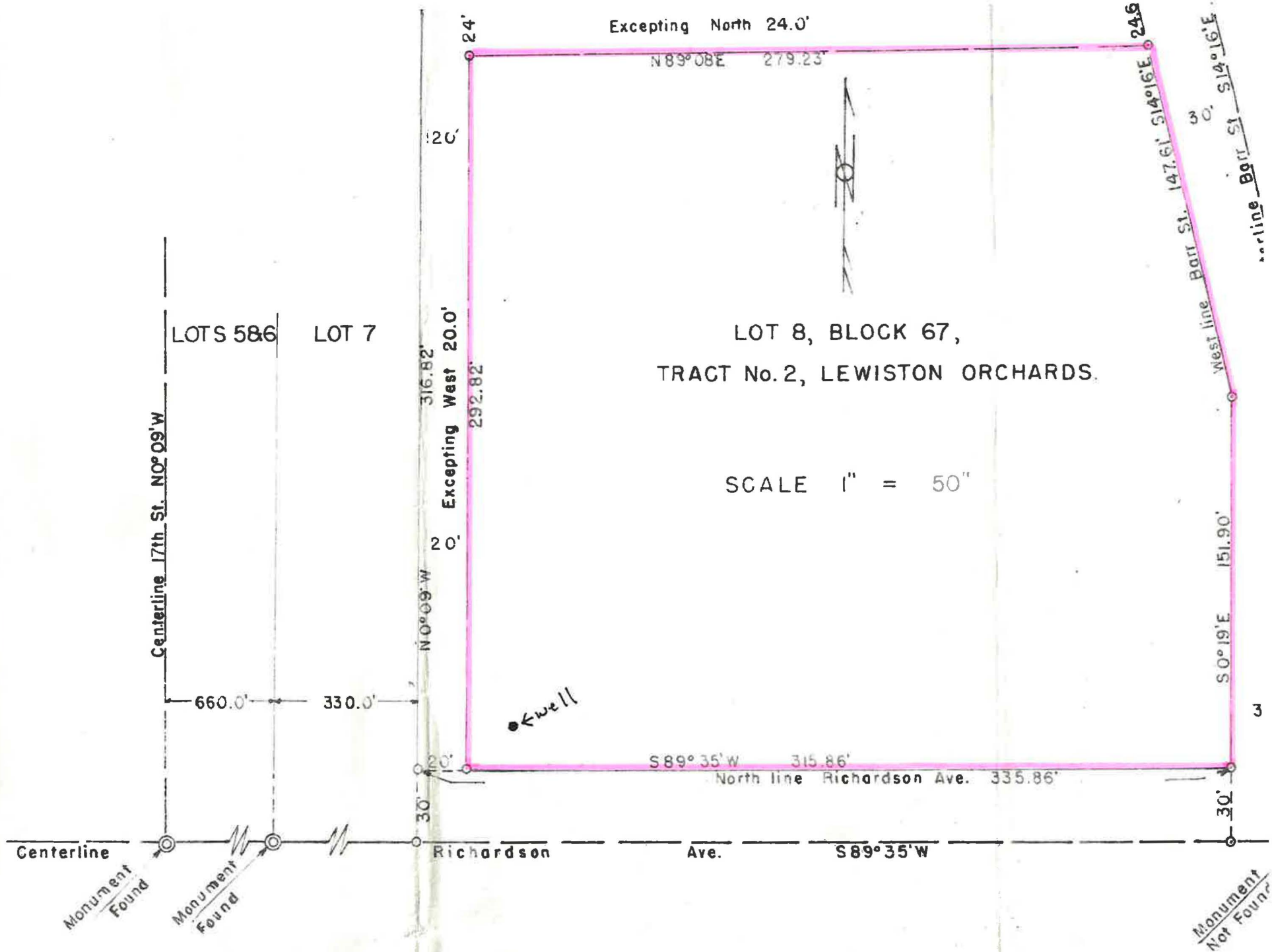


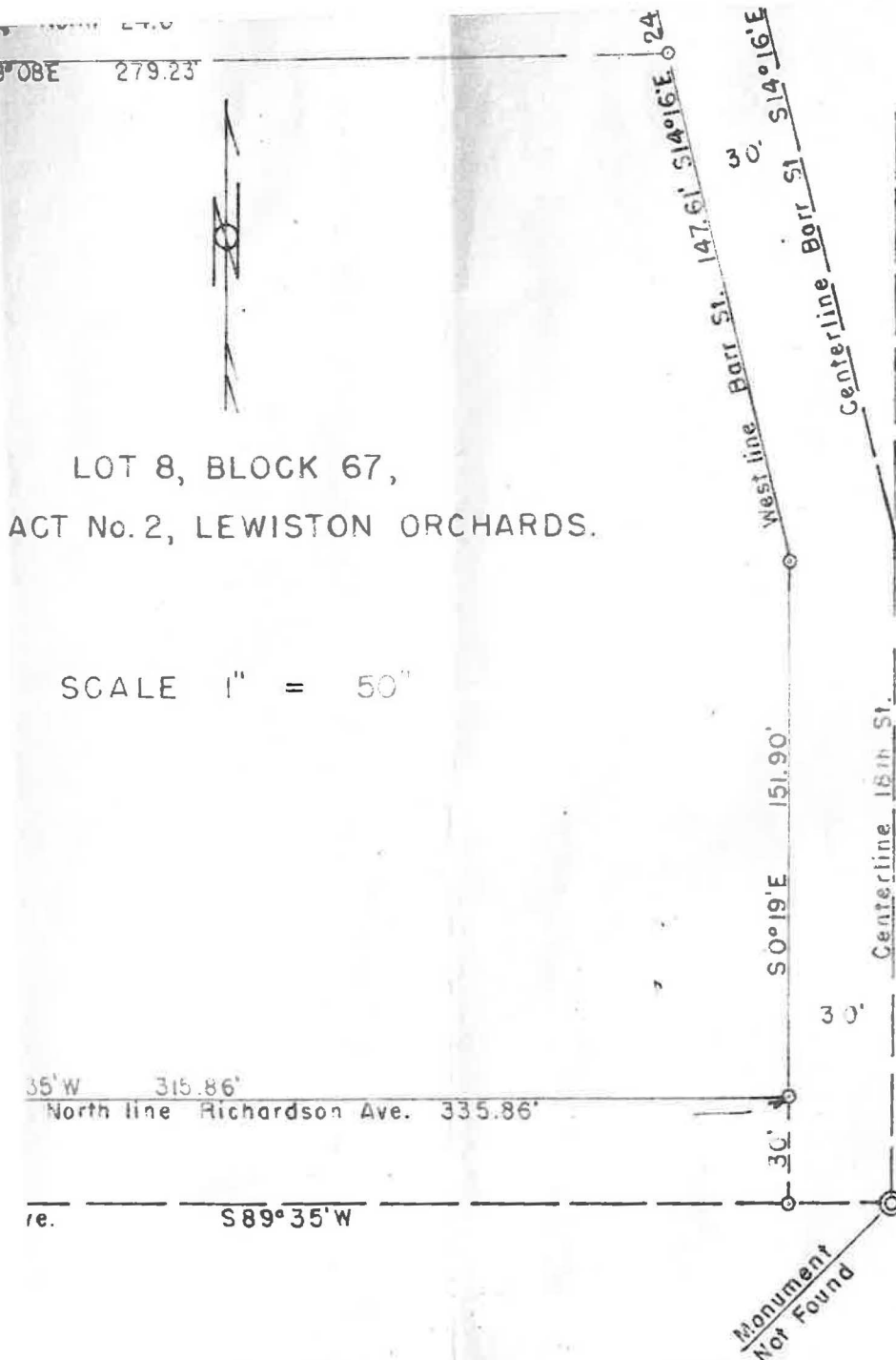
NOTARY PUBLIC

Residing at: Meridian, ID.

My Commission Expires: 7-25-2012







A PART OF LOT 8, BLOCK 67,
TRACT No. 2 of LEWISTON ORCHARDS
NEZ PERCE COUNTY, IDAHO.

Commencing at the monument marking the intersection of Richardson Ave. and 17th St. centerlines; thence running N89°35'E along line of Richardson Ave. a distance of 990.0 feet to a point in Southwest corner of Lot 8, Block 67, Tract 2 of Lewiston Orchards on the official, recorded plat thereof; thence running N0°09'W along West line of Lot 8 a distance of 30.0 feet to a point on the N Richardson Ave. said point being the True Point of Beginning.

From the True Point of Beginning running N0°09'W along the West line of Lot 8 a distance of 316.82 feet to a point; thence N89°08'E of 293.67 feet to a point on the West line of Barr St.; thence S14°16'E along the West line of Barr St. a distance of 172.28 feet to the point of intersection of the West line of Barr St. and the West line of 18th St.; thence S0°19'E along the West line of 18th St. a distance of 151.90 feet to intersection of the West line of 18th St. and the North line of Richardson Ave.; thence S89°35'W along the North line of Richardson Ave. a distance of 335.86 feet to the True Point of Beginning.

Iron pipes of 1/2" diameter have been driven in the ground to a depth of 24" as permanent markers at all corners of the described survey and are shown on the plat thus O.

Permanent Lewiston Orchards street monument locations are shown on the plat.

I HEREBY CERTIFY: That this plat and description were copied from the notes of an actual survey made by me and they correctly detail, show the results of said survey.

May 9, 1964

M. H. Thompson
M. H. Thompson P.E.
Idaho License No. 442

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07458

Priority: May 25, 1988

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume:¹ 11.3 AF

This is to certify, that DAVID W. HEUSINKVELD
3834 BARR RD.

LEWISTON, ID 83501 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 25, 1988; and
has submitted Proof of Beneficial Use on January 3, 1989. An examination indicates
that the works have a diversion capacity of .110 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD (OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.04 CFS	11.3 AF

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 22, Township 35N, Range 05W
NEZ PERCE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
35N	05W	22	SENE	2.5		2.5

Total number of acres irrigated: 2.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

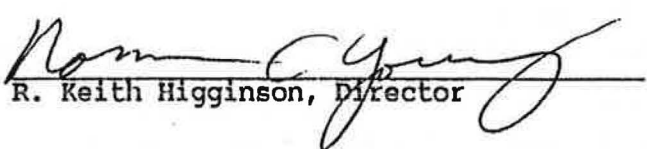
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07458

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 8TH
day of JULY, 1991.

Acting for


R. Keith Higginson, Director





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 09, 2021

RODNEY C & SUZANNE S DUKE LIVING TRUST
3834 BARR RD
LEWISTON ID 83501-5934

Re: Change in Ownership for Water Right No: 85-7458

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) 762-2800.

Sincerely,

Tammy Alleman
Administrative Assistant 1

Enclosure(s)