



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

September 16, 2020

LARRY DERSHEM  
CINDY DERSHEM  
16700 N MOUNTAIN VIEW RD  
RATHDRUM ID 83858-7041

RE: Change in Ownership Water Right No(s): 95-15634,

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on August 10, 2020 for the above referenced water right. The Notice could not be processed because no conveyance documents were provided and no filing fee was received..

On August 11, 2020 the Department requested the required information and additional fees from you. As of the date of this letter, the Department has not received the the required information and additional fees.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley  
Technical Records Specialist 2

Enclosure(s)

DE ✓  
RECEIVED  
AUG 10 2020  
DEPARTMENT OF  
WATER RESOURCES

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## 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?
95-15634	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>

2. Previous Owner's Name: James Mullen  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Larry & Cindy Dershem  
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☒ and/or
- 16700 N. Mountain View Rd Rathdrum NO 83858  
Mailing address City State ZIP
- 208 819 1154 LARRY DERSHEM 1502 Gmail  
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: 8-4-2020
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: Larry Dershem 8-4-2020  
Signature of new owner/claimant Title, if applicable Date

Signature: Cindy Dershem 8-4-2020  
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by KU Date 8-10-2020 Receipt No. \_\_\_\_\_ Receipt Amt. \_\_\_\_\_  
 Approved by \_\_\_\_\_ Processed by \_\_\_\_\_ Date \_\_\_\_\_

07/27/2018

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 95-15634

NAME AND ADDRESS: JAMES MULLEN  
16700 N MOUNTAIN VIEW RD  
RATHDRUM ID 83858

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/15/1992

POINT OF

DIVERSION: T52N R04W S28 NESW Within KOOTENAI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in KOOTENAI County

T52N R04W S28 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. 52N04W284870



State of Idaho

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Brad Little  
Governor

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Director

August 11, 2020

LARRY DERSHEM  
CINDY DERSHEM  
16700 N MOUNTAIN VIEW RD  
RATHDRUM ID 83858-7041

RE: Change in Ownership Water Right No(s): 95-15634

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

☒ Filing Fee of \$25 per water right

☒ Evidence of Water Right Ownership: Water right 95-15634 was decreed to James Mullen in November, 2019. It appears you purchased the property in January, 2019. When the court decreed the water right to Mr. Mullen, it severed ownership of the water right from ownership of the place of use. Based on a recent court case, the Department will need a quit claim deed or other conveyance document that conveys the water right to you.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

Because the Department cannot process the Notice without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley  
Technical Records Specialist 2