

RECEIVED

JAN 31 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

IDWR/NORTH

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?
95-9704	Yes <input type="checkbox"/>	95-9704	Yes <input type="checkbox"/>	95-9694	Yes <input type="checkbox"/>
95-9694	Yes <input type="checkbox"/>	95-9704 95-17981	Yes <input type="checkbox"/>	95-9694 95-17982	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 & Joyce Miller
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Robert J & Cathryn A Kretschmer Trust
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- Mailing address: 12139 E Burro Rd City: Athol State: ID ZIP: 83801
- Telephone: 714-932-9251 Email: rj.cance@yahoo.com

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: 11/15/2019
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.

SUPPORT DATA

IN FILE # 95-9694

8. Signature: [Signature] Title, if applicable: TRUSTEE Date: 1-31-2020
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable: Trustee Date: 1-31-2020
Signature of new owner/claimant

For IDWR Office Use Only:

Received by NS Date 1-31-20 Receipt No. N035897 Receipt Amt. 0.20000

Approved by NS Processed by NS Date 7/31/2020



JIM BRANNON 1 P. 2723663000
KOOTENAI COUNTY RECORDER
KKR 11/19/2019 3:18 PM
REQ OF KOOTENAI COUNTY TITLE
COMPANY
RECORDING FEE: \$15.00 DD
Electronically Recorded

File No. 408169 SM

WARRANTY DEED

For Value Received

James L. Miller and Joyce P. Miller, trustees of The James and Joyce Miller Living Trust dated August 13, 2012

The Grantor, does hereby grant, bargain, sell and convey unto

Robert J. Kretschmar, Jr. and Cathryn A. Kretschmar, trustees of The Robert J. & Cathryn A. Kretschmar Trust dated August 7, 2015

Address: 12139 E. BURCO RD - AHO, ID 83801

The Grantee, the following described premises, in Kootenai County, Idaho, to wit:

Lot 1, Block 1, MILLER ADDITION, according to the plat recorded in Book K of Plats at Page 309, records of Kootenai County, 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: November 15, 2019

The James and Joyce Miller Living Trust dated August 13, 2012

BY: James L. Miller Trustee
James L. Miller, Trustee

BY: Joyce P. Miller Trustee
Joyce P. Miller, Trustee

STATE OF Idaho

COUNTY OF Kootenai

)
) ss.
)

On this 18th day of November, in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared

James L. Miller and Joyce P. Miller

known or identified to me to be the persons whose names are subscribed to the within instrument, as Trustees of

The James and Joyce Miller Living Trust dated August 13, 2012

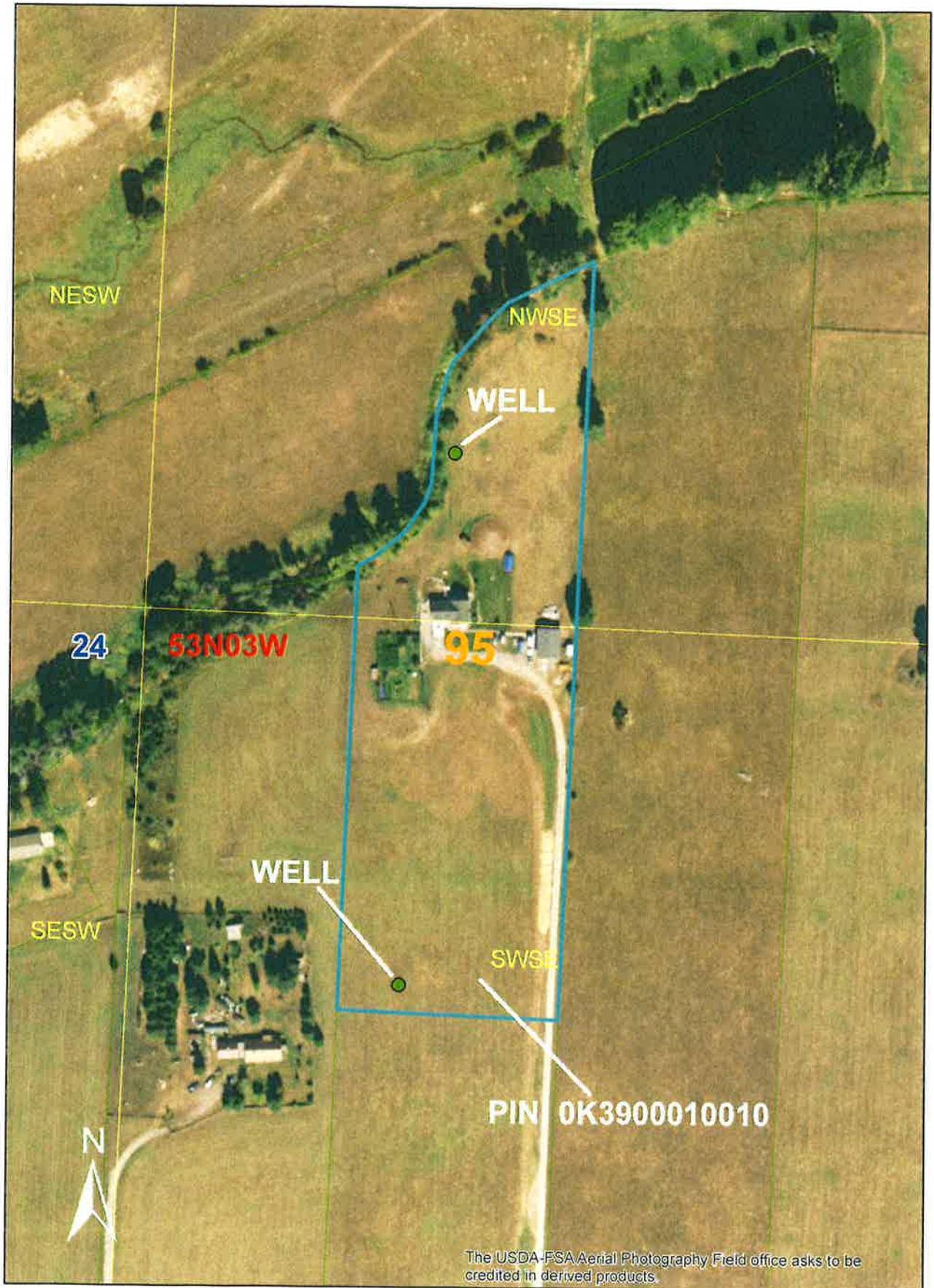
and acknowledged to me that they executed the same in their authorized capacities as Trustees of said Trust, and that by their signatures on the foregoing instrument, the Trust executed the instrument and acknowledged the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.



Sandra Motz
Notary Public in and for said State Idaho
Residing at: Post Falls
Commission Expires: 09/16/2021

PARCEL LOCATION FOR CSRBA CLAIM



Before Split

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/30/2020

Water Right 95-9704

Owner Type **Name and Address**
Current Owner JAMES & JOYCE MILLER LIVING TRUST
 12139 E BUNCO RD
 ATHOL, ID 83801

Priority Date: 6/20/1960

Basis: Decreed

Status: Active

Source **Tributary**
LEWELLEN CREEK SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.034 CFS	
	Total Diversion		0.034 CFS	

Source and Point(s) of Diversion

LEWELLEN CREEK NWSE Sec. 24, Twp 53N, Rge 03W, KOOTENAI County

Place Of Use

IRRIGATION within KOOTENAI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	24															10.0		10.0

POU Total Acres: 10.0

Conditions of Approval:

1. C18 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.
2. E55 Right Nos. 95-9694 and 95-9704 are limited to the irrigation of a combined total of 10 acres in a single irrigation season.
3. F05 Right No. 95-9694 is also diverted through point of diversion described above.
4. PIN Parcel Nos. 0K3900010010 & 0K3900010020.
5. J01 Property is also known as Lots 1 & 2, Block 1, Miller Addition.

Dates and Other Information

Decreed Date: 11/8/2019
Civil Case Number: 49576
Judicial District: FIFTH
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/30/2020

SubCase:

N/A

Water Supply Bank:

N/A






State of Idaho
Department of Water Resources
Water Right License
95-9704

Before Split


03W

53N



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles



Before Split

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/30/2020

Water Right 95-9694

Owner Type **Name and Address**
Current Owner JAMES & JOYCE MILLER LIVING TRUST
12139 E BUNCO RD
ATHOL, ID 83801

Priority Date: 8/24/1957

Basis: Decreed

Status: Active

Source **Tributary**
LEWELLEN CREEK SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.066 CFS	
	Total Diversion		0.066 CFS	

Source and Point(s) of Diversion

LEWELLEN CREEK NWSE Sec. 24, Twp 53N, Rge 03W, KOOTENAI County

Place Of Use

IRRIGATION within KOOTENAI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	24															10.0		10.0

POU Total Acres: 10.0

Conditions of Approval:

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Dates and Other Information

Decreed Date: 11/8/2019
Civil Case Number: 49576
Judicial District: FIFTH
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/30/2020

SubCase:

N/A

Water Supply Bank:

N/A






State of Idaho
Department of Water Resources
Water Right License
95-9694

Before Split


03W

53N



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/31/2020

Water Right 95-9694

After Split

Owner Type **Name and Address**
Current Owner JAMES & JOYCE MILLER LIVING TRUST
12139 E BUNCO RD
ATHOL, ID 83801

Priority Date: 8/24/1957

Basis: Decreed

Status: Active

Source **Tributary**
LEWELLEN CREEK SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.036 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion

LEWELLEN CREEK NWSE Sec. 24, Twp 53N, Rge 03W, KOOTENAI County

Place Of Use

IRRIGATION within KOOTENAI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	24															5.5		5.5

POU Total Acres: 5.5

Conditions of Approval:

1. C18 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.
2. E55 Right Nos. 95-9694 and 95-9704 are limited to the irrigation of a combined total of 5.5 acres in a single irrigation season.
3. F05 Right No. 95-9704 is also diverted through point of diversion described above.
4. PIN Parcel No 0K3900010020.
5. J01 Property is also known as Lot 2, Block 1, Miller Addition.
6. This right is limited to a diversion rate of .036 cfs.

Comments:

1. sclellan 4/29/2015 Renumber
This right is renumbered from former right 96-2181F.
2. CParker 7/17/2020 Water Right
This water right record was updated by decree record from old RightID 661509 to new RightID 661509

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/31/2020

- | | | | |
|----|-----------------------------------|-----------|-------------|
| 3. | nsteading
Split into 95-17982. | 7/31/2020 | Split Right |
| 4. | nsteading
Updated Shape | 7/31/2020 | POU |

Dates and Other Information

Decreed Date: 11/8/2019
Civil Case Number: 49576
Judicial District: FIFTH
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A






Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
95-9704

After Split



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/31/2020

Water Right 95-9694

After Split

Owner Type **Name and Address**
Current Owner JAMES & JOYCE MILLER LIVING TRUST
12139 E BUNCO RD
ATHOL, ID 83801

Priority Date: 8/24/1957

Basis: Decreed

Status: Active

Source **Tributary**
LEWELLEN CREEK SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.036 CFS	
	Total Diversion		0.036 CFS	

Source and Point(s) of Diversion

LEWELLEN CREEK NWSE Sec. 24, Twp 53N, Rge 03W, KOOTENAI County

Place Of Use

IRRIGATION within KOOTENAI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	24															5.5		5.5

POU Total Acres: 5.5

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1. sclellan 4/29/2015 Renumber
This right is renumbered from former right 96-2181F.
2. CParker 7/17/2020 Water Right
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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/31/2020

- | | | | |
|----|-----------------------------------|-----------|-------------|
| 3. | nsteading
Split into 95-17982. | 7/31/2020 | Split Right |
| 4. | nsteading
Updated Shape | 7/31/2020 | POU |

Dates and Other Information

Decreed Date: 11/8/2019
Civil Case Number: 49576
Judicial District: FIFTH
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A






Water Supply Bank:

N/A


State of Idaho
Department of Water Resources
Water Right License
95-9694

after Split



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/31/2020

Water Right 95-17981

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE ROBERT J & CATHRYN A KRETSCHMAR TRUST 12139 E BUNCO RD ATHOL, ID 83801-9513 (714) 932-9251
Original Owner	JAMES & JOYCE MILLER LIVING TRUST 12139 E BUNCO RD ATHOL, ID 83801

Priority Date: 6/20/1960

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LEWELLEN CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.015 CFS	
	<u>Total Diversion</u>		0.015 CFS	

Source and Point(s) of Diversion

LEWELLEN CREEK NWSE Sec. 24, Twp 53N, Rge 03W, KOOTENAI County

Place Of Use

IRRIGATION within KOOTENAI County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	24															4.5		4.5

POU Total Acres: 4.5

Conditions of Approval:

1. C18 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.
2. E55 Right No. 95-17981 and 95-17982 are limited to the irrigation of a combined total of 4.5 acres in a single irrigation season.
3. F05 Right No. 95-17982 is also diverted through point of diversion described above.
4. PIN Parcel Nos. 0K3900010010.
5. J01 Property is also known as Lots 1 Block 1, Miller Addition.

Comments:

1. nstending 7/30/2020 Split Right
This right is the result of split from 95-9704.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/31/2020

2. nsteading 7/31/2020 POU
Updated Shape

Dates and Other Information

Decreed Date: 11/8/2019
Civil Case Number: 49576
Judicial District: FIFTH
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/31/2020

Water Right 95-17982

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE ROBERT J & CATHRYN A KRETSCHMAR TRUST 12139 E BUNCO RD ATHOL, ID 83801-9513 (714) 932-9251
Original Owner	JAMES & JOYCE MILLER LIVING TRUST 12139 E BUNCO RD ATHOL, ID 83801

Priority Date: 8/24/1957

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LEWELLEN CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.030 CFS	
	<u>Total Diversion</u>		0.030 CFS	

Source and Point(s) of Diversion

LEWELLEN CREEK	NWSE	Sec. 24, Twp 53N, Rge 03W, KOOTENAI County
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Place Of Use

IRRIGATION within KOOTENAI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	24															4.5		4.5

POU Total Acres: 4.5

Conditions of Approval:

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This right is the result of split from 95-9694.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/31/2020

2. nsteading 7/31/2020 POU
Updated Shape

Dates and Other Information

Decreed Date: 11/8/2019
Civil Case Number: 49576
Judicial District: FIFTH
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A



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

July 31, 2020

THE ROBERT J & CATHRYN A KRETSCHMAR TRUST
12139 E BUNCO RD
ATHOL ID 83801-9513

Re: Change in Water Right Ownership: 95-9704 (Split into 95-9704 and **95-17981**),

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 762-2813.

Sincerely,


Natalie Steading
Tech Records Specialist 1

Enclosure(s)

c: James & Joyce Miller



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

July 31, 2020

THE ROBERT J & CATHRYN A KRETSCHMAR TRUST
12139 E BUNCO RD
ATHOL ID 83801-9513

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Natalie Steading
Tech Records Specialist 1

Enclosure(s)

c: James & Joyce Miller