

AUG 27 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 29 2018

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

Department of Water Resources
Eastern 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
not updated → 74-15781	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-41010	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Robert Leth & Cathy Leth
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Michael E. and Connie L. Mullen

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/or939 Hwy 93 S.
Mailing addressSalmon
CityID 83467
State ZIP707-293-6511 + 707-484-9918 MICHAELMULLEN7589@COMCAST.NET
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: _____

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:

Signature of new owner/claimant

Title, if applicable

Date

8-18-2018

- Signature:

Signature of new owner/claimant

Title, if applicable

Date

Aug. 18, 2018

For IDWR Office Use Only:

Received by JB Date 8/18/2018 Receipt No. E044321 Receipt Amt. \$25 -
 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 gmk Date 8-28-18

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.: 403795

FOR VALUE RECEIVED

Robert B. Leth, who acquired title as Robert T. Leth, an unmarried man

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Michael E. Mullen and Connie L. Mullen, husband and wife

whose current address is

**939 Highway 93 South
Salmon, ID 83467**

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

**Lot 4 of River Edge Ranchettes according to the official plat thereof, filed for record
in Book 6 of Plats at Page No. 13, Records of Lemhi County, Idaho.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 8/3/18
Robert B. Leth
Robert B. Leth

State of ID) ss
County of Kootenai

On this 7 day of August, 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared Robert B. Leth, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

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

J. Upton
Notary Public for the State of ID
Residing at: _____
Commission Expires: _____



My Commission Expires: 9/3/20
Residing at: Post Falls, Idaho

RECORDING REQUESTED BY:
PETERSON LAW OFFICE, PLLC

AND WHEN RECORDED
MAIL TO:
Peterson Law Office, PLLC
PO Box 5827
Twin Falls, ID 83303-5827

PERSONAL REPRESENTATIVE DEED

403795

KNOW TO ALL MEN BY THESE PRESENTS THAT:

That ROBERT B. LETH, Personal Representative for the Estate of CATHY L. LETH, Grantor, to MICHAEL E. MULLEN and CONNIE L. MULLEN, husband and wife, Grantees, whose address is 939 Highway 93 So. Salmon, Idaho 83467.

WHEREAS, ROBERT B. LETH is the qualified Personal Representative of said Estate, filed July 8th, 2013, Case No. CV-2013-215, in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Lemhi.

WHEREAS, Grantees are entitled to distribution of certain real property, hereinafter described, from the Estate.

THEREFORE, Grantor hereby Grants, transfers, conveys and distributes all of the right, title and interest of Estate to Grantees the following described real property in Lemhi County, Idaho:

SEE ATTACHED EXHIBIT "A"

IN WITNESS WHEREOF, I have set my hand hereto this 7 day of August, 2018.


ROBERT B. LETH
Personal Representative

STATE OF IDAHO)
County of Kootenai) ss.

On this 7 day of August, 2018, before me, a Notary Public in and for said county and state, personally appeared ROBERT B. LETH, as Personal Representative for the Estate of CATHY L. LETH, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



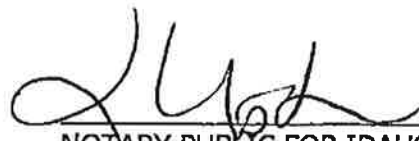

NOTARY PUBLIC FOR IDAHO
Residing at: _____
My Commission Expires: _____
My Commission Expires: 9/3/20
Residing at: Post Falls, Idaho

EXHIBIT "A"

403795

Lot 4 of River Edge Ranchettes according to the official plat thereof, filed for record in Book 6 of Plats at Page No. 13, Records of Lemhi County, Idaho.

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/6/2018

WATER RIGHT NO. 75-4101D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CATHY LETH
Current Owner	ROBERT LETH 939 HWY 93 S SALMON, ID 83467 2087561781
Original Owner	ROBERT M WEBSTER
Original Owner	VVS WEBSTER HC 67 BOX 2047 CHALLIS, ID 83226 2088792798
Original Owner	BLAINE J WHITE BOX 206 SALMON, ID 83467 2087562611
Original Owner	ROGER R TRACY
Original Owner	VICKY H TRACY PO BOX 1023 SALMON, ID 83467 2087562133

Priority Date: 10/29/1939

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.1 CFS	
Total Diversion			0.1 CFS	

Location of Point(s) of Diversion:

SALMON RIVER|NENE Lt 1|Sec. 25|Township 20N|Range 21E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
20N	21E	25	1	NENE	4.5	4	SENE	0.5						

Total Acres: 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.
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Dates:

Licensed Date:

Decreed Date: 11/17/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/6/2018

WATER RIGHT NO. 74-15775 * 74-15781

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CATHY LETH
Current Owner	ROBERT LETH 939 HWY 93 S SALMON, ID 83467 2087561781
Directors Report Owner	LORI O FISHER
Directors Report Owner	PAUL E FISHER 8 FISHER LN SALMON, ID 83467 2087563703
Original Owner	EVA J SMITH-ELLIS 2830 AMBER PL SPEARFISH, SD 57783-6003 6056423430

Priority Date: 06/09/1875

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LEMHI RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.075 CFS	
STOCKWATER	01/01	12/31	0.01 CFS	
Total Diversion			0.075 CFS	

Location of Point(s) of Diversion:

LEMHI RIVER|SESE|Sec. 24|Township 21N|Range 22E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
21N	22E	23		NWNE	3									

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 3

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 74-15781 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE IRRIGATION SEASON.
2. This right is a split from former right 74-326D.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
5. 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.
6. J01 Property is also known as Lot 2, Three Mile Estate Subdivision.

Dates:

Licensed Date:

Decreed Date: 08/15/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal: S
Owner Name Connector: AND
Water District Number: 74
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 3
Combined Volume Limit:
Combined Rate Limit:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close



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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

August 28, 2018

MICHAEL E MULLEN
CONNIE L MULLEN
939 HIGHWAY 93 S
SALMON ID 83467-5349

Re: Change in Ownership for Water Right No(s): 75-4101D

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.

Also note, the ownership of water right 74-15781 was not updated. This water right is appurtenant to land located in Township 21N, Range 22E, Section 23, NWNE, also known as Lot 2, Three Mile Estate Subdivision. The deed you provided only includes land located in Lot 4, River Edge Ranchettes, located in Township 20N, Range 21E, Section 25, NENE & SENE. You may re-submit a Notice of Change in Water Right Ownership for water right 74-15781 with the proper documentation and filing fee. The filing fee is \$25 **per** water right.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)