

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
AUG 26 2016
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. 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?
85-10860	Yes ☐	Yes ☐		Yes ☐	Yes ☐
85-10861	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Elbert L. Rhett
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Terry D. Miller and Cheryle L. Miller
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 25 MT ID Loop Rd. Grangeville Idaho 83530
Mailing address City State ZIP
- 509-481-8117 whitewolf678@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: 10/22/90
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):
 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 # 85-10860

8. Signature: Terry D. Miller 8/23/16
Signature of new owner/claimant Title, if applicable Date
- Signature: Cheryle L. Miller 8/23/16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 8/26/16 Receipt No. N632157 Receipt Amt. \$50.00

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 NS Date 9-9-16

355925

COMPUTER
INDEXED
TRACTED
FILMED
ASSESSOR

WARRANTY DEED

GRANTOR, ELBERT L. RHETT and KIMBERLY M. RHETT, husband and wife, of 1949 N.W. Timberview, Silverdale, Washington, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto TERRY D. MILLER and CHERYLE L. MILLER, husband and wife, of Box 642, Grangeville, Idaho 83530, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

Lots 1, 2, 3, 4, 5, 6, 8 and 9 of Block 2 of the Town of Mt. Idaho; Lots 6 and 7 of Block 13 of the Town of Mt. Idaho, Idaho County, Idaho; AND Tax No. 32 being a parcel of land described as follows: Beginning at the Southwest corner of Lot 9 of Block 2 of the Town of Mt. Idaho, Idaho County, Idaho, and running thence East, on the extension thereof, a distance of 530 feet; thence at a right angle South a distance of 700 feet; thence at a right angle West a distance of 530 feet; thence at a right angle North a distance of 700 feet, to the Place of Beginning.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 1990, which are a lien, not yet due and payable.

Grantor, for themselves, their heirs and assigns does hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee, their heirs and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires,

WARRANTY DEED

1 the singular includes the plural and the masculine, the feminine
2 and the neuter.

3 IN WITNESS WHEREOF, Grantors have hereunto subscribed their
4 names to this instrument this 22nd day of October, 1990.

5
6 Elbert L. Rhett
7 ELBERT L. RHETT

Kimberly M. Rhett
KIMBERLY M. RHETT

8
9 STATE OF Washington)
10 County of Kittitas) ss.

11 On this 22nd day of October, 1990, before me,
12 Mary A. Gentry, a Notary for the said County and
13 State, personally appeared ELBERT L. RHETT and KIMBERLY M. RHETT,
14 husband and wife, known or identified to me to be the persons whose
15 names are subscribed to the within instrument, and they
16 acknowledged to me that they freely executed the same and that the
17 statements therein contained are true.

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

20
21 (NOTARY SEAL)



Mary A. Gentry
Notary Public for State of WA.
Residing at Kittitas, therein.
My commission expires on
October 15, 1991.

22
23 Filed and recorded at the request of Health Enterprises
24 at 9:30 o'clock A M this 24 day of Oct 1990

25
26 ROSE E. GEHRING

By Sgt. Fagell
Deputy

27
28 Ex-Officio Auditor and Recorder
Idaho County, Idaho

Fee \$ 6.00

WARRANTY DEED

I, Kathy M. Ackerman, Idaho County Recorder,
do hereby certify that the foregoing is a true
and correct copy of the original instrument on
file in my office

Instrument No. 356925

WITNESS my hand and official seal this
4 day of April, 2016

By Maryann Haworn Deputy

[Close](#)**IDAHO DEPARTMENT OF WATER RESOURCES**
Water Right Report

3/28/2016

WATER RIGHT NO. 85-10860

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELBERT L RHETT 4800 REEDER AVE OXNARD, CA 93033 (805)986-3272

Priority Date: 08/19/1898

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	SOUTH FORK CLEARWATER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.04 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

MILL CREEK|NWNW|Sec. 34|Township 30N|Range 03E|IDAHO County

Place(s) of use:

Place of Use Legal Description: STOCKWATER IDAHO County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
30N	03E	34		NWNW										

Place of Use Legal Description: DOMESTIC IDAHO County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
30N	03E	34		NWNW										

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.

N13

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3.

N11

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4.

PARCEL NO. 00210002001A STOCKWATER, 4 HORSES

Dates:

Licensed Date:

Decreed Date: 12/29/2000

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:

SCANNED
SEP 09 2016

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/28/2016

WATER RIGHT NO. 85-10861

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELBERT L RHETT 4800 REEDER AVE OXNARD, CA 93033 (805)986-3272

Priority Date: 08/31/1942
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

SPRING|NWNW|Sec. 34|Township 30N|Range 03E|IDAHO County

Place(s) of use:

Place of Use Legal Description: DOMESTIC IDAHO 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>
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30N | 03E | 34 | | NWNW | | | | | | | | | |

Conditions of Approval:

1. C18
2. N13
3. N11
4.
- 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.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- PARCEL NO. 00210002001A

Dates:

Licensed Date:
Decreed Date: 12/29/2000
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

SCANNED
SEP 09 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 9, 2016

TERRY D MILLER
CHERYLE L MILLER
25 MT ID LOOP RD
GRANGEVILLE ID 83530

Re: Change of Ownership for Water Right/Permit No(s): 85-10860 & 85-10861

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 § 42-222 and §42-223, Idaho Code.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 762-2800.

Sincerely,

Natalie Steading
Natalie Steading
Technical Records Specialist I

Enclosure(s)