

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAY 27 2016
WATER RESOURCES
WESTERN 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?
LIC 65-23637	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: Cheehaole Trust dated April 15, 1987
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Settle-Miller Family Trust dated May 22, 1999
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

12337 Witt Road Lowry Ca. 92064
Mailing address City State ZIP
858-748-9168 Setmil@cox.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: MAY 2, 2016

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.

8. Signature: [Signature] Trustee 5-27-2016
Signature of new owner/claimant Title, if applicable Date
Signature: [Signature] Trustee 5-27-2016
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by: [Signature] Date: 5/27/16 Receipt No. W044249 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 X Approved by: [Signature] Processed by: [Signature] Date: 6/16/16

Instrument # 306152

EMMETT, GEM, IDAHO

2016-05-02 02:19:41 PM No. of Pages: 3

Recorded for: ALLIANCE TITLE - BOISE PRODUCT

SHELLY TILTON Fee: \$16.00

Ex-Officio Recorder Deputy SStewart

Index To: WARRANTY DEED

Electronically Recorded by Simplifile

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:311356

FOR VALUE RECEIVED

Robert J. Hunter, Trustee of the Cheehaole Trust dated April 15, 1987

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

Kenneth P. Miller and Patricia L. Settle Miller, Trustees of the Settle-Miller Family Trust, dated May 22, 1999

whose current address is

**12337 Witt Rd.
Poway, CA 92064**

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

Tract I ✓

That portion of Government Lot 5 of Section 20, Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho, described as follows:

COMMENCING at the North quarter corner of Section 20, Township 7 North, Range 1 East, Boise Meridian; thence North 89°40'18" West, 88.83 feet, along the North line of Government Lot 5 of said Section 20 to the REAL POINT OF BEGINNING; thence South 01°01'18" East, 604.45, to a point on the meander line of the Payette River as established in 1869; thence South 80°12'03" West, 468.00 feet, along said meander line; thence

North 46°00'30" West, 994.41 feet, along said meander line, to the Northwest corner of said Government Lot 5; thence
South 89°40'18" East, 1165.83 feet, along the North line of said Government Lot 5 to the REAL POINT OF BEGINNING.

Tract II

A 60.00 foot ingress, egress and utility easement under, over and across a strip of land in Government Lot 1 of Section 17, Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho, lying 30.00 feet each side of the following described centerline:

Commencing at the Southwest corner of Government Lot 1 of Section 17, Township 7 North, Range 1 East, Boise Meridian; thence
South 89°59'44" East, 30.00 feet, along the South line of said Government Lot 1 to the Point of Beginning; thence
North 00°31'11" East, 700.48 feet, parallel to and 30.00 feet East of the West line of said Government Lot 1, to the beginning of a tangent 365.00 foot radius curve to the right; thence Northeasterly along the arc of said curve through a central angle of 30°40'42" a distance of 195.43 feet to the beginning of a tangent reversing 500.00 foot radius curve to the left; thence Northeasterly along the arc of said curve through a central angle of 16°40'52" a distance of 145.57 feet; thence tangent to said curve 14°31'01" East, 340.96 feet to the beginning of a tangent 250.00 foot radius curve to the right; thence
Northeasterly along the arc of said curve through a central angle of 41°28'40" a distance of 180.98 feet; thence tangent to said curve
North 55°59'40" East, 102.15 feet to the beginning of a tangent 600.00 foot radius curve to the left; thence
Northeasterly along the arc of said curve through a central angle of 14°56'06" a distance of 156.40 feet; thence tangent to said curve
North 41°03'34" East, 233.47 feet to the center of a 60.00 foot radius cul-de-sac being the Terminus of this Easement.

ALSO

An ingress, egress and utility under, over and across a portion of Government Lot 5 of Section 20, Township 7 North, Range 1 East, Boise Meridian described as follows:

Beginning at the North quarter corner of Section 20, Township 7 North, Range 1 East, Boise Meridian; thence
South 89°59'44" East, 91.21 feet, along the North line of said Government Lot 5; thence
South 01°01'18" East, 180.03 feet; thence
North 89°59'44" West, 180.03 feet; thence
North 01°01'18" West 180.53 feet to the North line of said Government Lot 5; thence

South 89°40'18" East, 88.83 feet, along said North line, to the Point of Beginning.

AND ALSO TOGETHER WITH an ingress, egress and utility easement described in Instrument No. 233576, records of Gem 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: April 28, 2016

The Cheehaole Trust, dated April 15, 1987

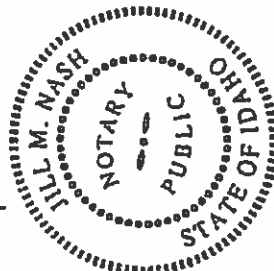
Robert J. Hunter, Trustee

State of Idaho } ss.
County of Gem }

On this 2nd day of May, 2016, before me, Jill M. Nash, a Notary Public in and for said state, personally appeared Robert J. Hunter known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Cheehaole Trust dated April 15, 1987, and acknowledged to me that he/she/they executed the same as Trustee.

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

Jill M. Nash
Notary Public for the State of Idaho
Residing at: Emmett
Commission Expires: 11-05-2020



RECORD OF SURVEY

OF GOVERNMENT LOT 5 OF SECTION 20,
TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN
GEM COUNTY, IDAHO

Instrument # 242360

EMMETT, GEM, IDAHO

2005-03-28 01:02:00 No. of Pages: 1

Recorded for: TRI COUNTY SURVEYING, INC.

SUSAN K. HOWARD

Ex-Officio Recorder Deputy

Instrument: RECORD OF SURVEY

Fee: 5.00

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE GRID
BEARING ON WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 17,
TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN,
i.e. N 00°31'12" E

LEGEND:

- FOUND ALUMINUM CAP MONUMENT
- FOUND 3/8" IRON PIN
- FOUND 1/2" IRON PIN
- ◇ SET 1/2" IRON PIN W/PLASTIC CAP PLS 8552

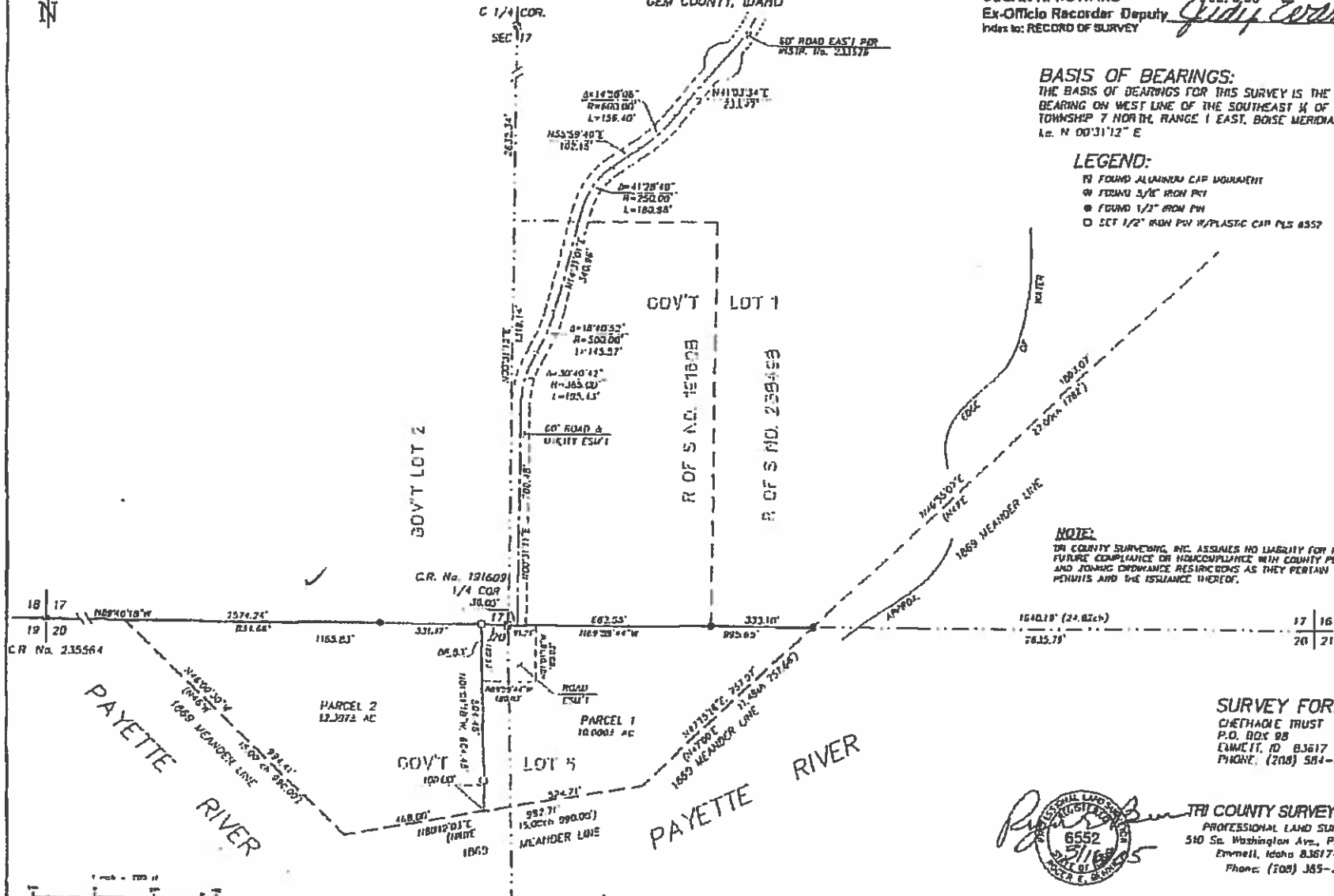
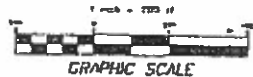
NOTE:

TRI COUNTY SURVEYING, INC. ASSUMES NO LIABILITY FOR PRESENT OR
FUTURE COMPLIANCE OR NONCOMPLIANCE WITH COUNTY PLANNING
AND ZONING ORDINANCE REQUIREMENTS AS THEY PERTAIN TO BUILDING
PERMITS AND THE ISSUANCE THEREOF.

SURVEY FOR:

CHEMACHE TRUST
P.O. BOX 98
EMMETT, ID 83617
PHONE: (208) 584-3579

TRI COUNTY SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
510 So. Washington Ave., P.O. Box 974
Emmett, Idaho 83617-0974
Phone: (208) 365-2420





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 16, 2016

SETTLE-MILLER FAMILY TRUST
C/O TRUSTEES KENNETH P MILLER & PATRICIA L SETTLE MILLER
12337 WITT RD
POWAY CA 92064

RE: Notice of Ownership Change in Water Right No. 65-23637

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the 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 Sections 42-222 and 42-223, Idaho Code.

Please 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. Change reporting 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 this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad Jones', written over a horizontal line.

Chad Jones
Office Specialist II
Western Regional Office

Enclosures