

RECEIVED

AUG 03 2015

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

RECEIVED

JUL 31 2015

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?            |
|-----------------------|-----------------------------------------|-----------------------------------------|-----------------------|-----------------------------------------|-----------------------------------------|
| 79-10347              | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/>            |
| 79-4031               | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/>            |
| 79-10344              | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/>            |
| 79-4084A              | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/>            |
| <del>79-10345</del>   | <del>Yes <input type="checkbox"/></del> | <del>Yes <input type="checkbox"/></del> | <del>INACTIVE</del>   | <del>Yes <input type="checkbox"/></del> | <del>Yes <input type="checkbox"/></del> |

2. Previous Owner's Name: MARGARET L. GILL and MELVIN C. GILL, husband and wife ✓

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Gill Family Ranches, LLC, an Idaho limited liability company

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

P.O. Box 386

Lucile

Idaho

83542

Mailing address

City

State

ZIP

(208)628-3444

covecreek13@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: April 22, 2015

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.

SUPPORT DATA

IN FILE #

79-4031

8. Signature: Melvin C. Gill Manager and Member 7-8-15  
Signature of new owner/claimant Title, if applicable Date

Signature: Margaret L. Gill Member 7-8-15  
Signature of new owner/claimant Title, if applicable Date

## For IDWR Office Use Only:

Received by DB Date 7/31/15 Receipt No. N031408 Receipt Amt. \$125<sup>00</sup>

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 AS Processed by AS Date 8/20/15

RECEIVED  
JUL 31 2015  
IDWR / NORTH

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Volk Law PLLC  
Peter Volk  
PO Box 9264  
Moscow, ID 83843

**Instrument # 499194**

IDAHO COUNTY, IDAHO,  
4-24-2015 03:05:30 PM No. of Pages: 2  
Recorded for: IDAHO COUNTY TITLE  
KATHY M. ACKERMAN Fee: 13.00  
Ex-Officio Recorder Deputy *[Signature]*

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(Space Above For Recorder's Use)

### QUITCLAIM DEED

For the consideration of ten dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged **Melvin C. Gill and Margaret L. Gill (aka Margaret Lea Gill)**, husband and wife ("Grantor"), do hereby release and forever quitclaim unto **Gill Family Ranches, LLC**, an Idaho limited liability company ("Grantee"), whose address is 188 Gill Ranch Road, P.O. Box 386, Lucile, Idaho 83542, and its heirs and assigns forever, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property situated in **Idaho County, State of Idaho**, to-wit:

#### **Township 25 North, Range 1 East, Boise Meridian**

**Section 15:** S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ; N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ; SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ .

**Section 16:** SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; SE  $\frac{1}{4}$ .

**Section 21:** N  $\frac{1}{2}$  of the N  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  East of Jeep Trail; E  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ ; N  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; NE  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  North of Ladder Creek.

**Section 22:** NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ; NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  North of Ladder Creek.

#### **Township 26 North, Range 1 East, Boise Meridian**

**Section 32:** S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ; NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; W  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ .

**TO HAVE AND TO HOLD**, all and singular the said real property, together with all appurtenances, tenements, hereditaments, reversions, remainders, rents, issues, profits, rights-of-way, easements and **water rights (certificate numbers 79-10347 and 79-4031)** in anywise appertaining to the real property herein described, as well in law as in equity, unto Grantee, and to its heirs and assigns forever.

WITNESS the hand of said Grantor this 22<sup>nd</sup> day of April 2015.

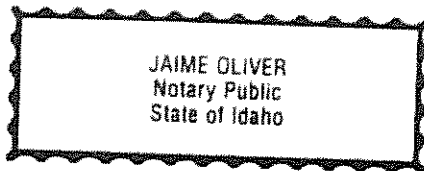
Melvin C. Gill  
Melvin C. Gill

Margaret L. Gill  
Margaret L. Gill

STATE OF IDAHO     )  
                                  ) ss.  
County of IDAHO     )

On this 22<sup>nd</sup> day of April, 2015, before me, Jaime Oliver, personally appeared **Melvin C. Gill and Margaret L. Gill**, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the 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.



Jaime Oliver  
NOTARY PUBLIC FOR IDAHO

Residing at Ferdinand

My Commission Expires 1-22-2019

499191

RECEIVED  
JUL 31 2015  
IDWR/NORTH

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Volk Law PLLC  
Peter Volk  
PO Box 9264  
Moscow, ID 83843

**Instrument # 499191**

IDAHO COUNTY, IDAHO,  
4-24-2015 02:57:48 PM No. of Pages: 4  
Recorded for : IDAHO COUNTY TITLE  
KATHY M. ACKERMAN Fee: 19.00  
Ex-Officio Recorder Deputy *M. Ackerman*

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(Space Above For Recorder's Use)

### QUITCLAIM DEED

For the consideration of ten dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged **Melvin C. Gill and Margaret L. Gill (aka Margaret Lea Gill)**, husband and wife ("Grantor"), do hereby release and forever quitclaim unto **Gill Family Ranches, LLC**, an Idaho limited liability company ("Grantee"), whose address is 188 Gill Ranch Road, P.O. Box 386, Lucile, Idaho 83542, and its heirs and assigns forever, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property situated in **Idaho County, State of Idaho**, to-wit:

**Township 25 North, Range 1 East, Boise Meridian, Idaho County, Idaho**

Section 3: That portion of Government Lot 4 lying South of Cow Creek Road and the W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 4: Government Lots 1 and 2

LESS:

A parcel of land beginning at the Northeast corner of said Government Lot 1 and running thence along the Township line, West 505 feet;  
thence southeasterly on North side of wagon road 540 feet to intersection of East boundary of Lot 1;  
thence North along East boundary to Point of Beginning.  
Formerly known as Assessor's Tax No. 5.

ALSO LESS:

A parcel of land located with Government Lot 1 of Section 4, Township 25 North, Range 1 East, Boise Meridian, Idaho County, Idaho, more particularly described from a survey as follows:

Commencing at the corner of Sections 3, 4, Township 25 North, Range 1 East, and Section 33, Township 26 North, Range 1 East, which point is N 00°05'10" W, 1.599 feet of the closing corner of Sections 3 and 4;  
thence N 89°43'10" W, 123.510 feet along the Section line between said Sections 4 and 33 to a pin which is the Point of Beginning;  
thence N 89°43'10" W, 381.490 feet along said Section line to a pin;  
thence S 55°44'24" E, 611.631 feet to a pin on the Section line between Sections 3 and 4;  
thence N 00°05'10" W, 271.750 feet along said Section line to a pin;  
thence N 73°52'50" W, 115.804 feet to a pin;  
thence N 17°46'56" W, 40.483 feet back to the Point of Beginning.  
Sometimes known as Assessor's Tax No. 5.

**AND INCLUDING:**

Township 25 North, Range 1 East, Boise Meridian, Idaho County, Idaho  
Section 4:

A parcel of land located within Government Lot 1 of Section 4, Township 25 North, Range 1 East, Boise Meridian, Idaho County, Idaho, more particularly described from a survey as follows:

Commencing at the corner of Sections 3, 4, Township 25 North, Range 1 East, and Section 33, Township 26 North, Range 1 East, which point is N 00°05'10" W, 1.599 feet of the closing corner of Sections 3 and 4;  
thence N 89°43'10" W, 123.510 feet along the Section line between said Sections 4 and 33 to a pin which is the Point of Beginning;  
thence N 89°43'10" W, 381.490 feet along said Section line to a pin;  
thence S 55°44'24" E, 611.631 feet to a pin on the Section line between Sections 3 and 4;  
thence N 00°05'10" W, 271.750 feet along said Section line to a pin;  
thence N 73°52'50" W, 115.804 feet to a pin;  
thence N 17°46'56" W, 40.483 feet back to the Point of Beginning.  
Sometimes known as Assessor's Tax No. 5.

**LESS:**

Beginning at the Northeast corner of Government Lot 1, and running thence West along the township line 505 feet;  
thence easterly and southerly, along the North right of way line of the Cow Creek Road to its intersection with the East line of said Government Lot 1, which point is approximately 55 feet South of the Northeast corner of Government Lot 1;  
thence North on the East line of Government Lot 1 to the Place of Beginning.  
Sometimes known as Assessor's Tax 12.

**AND INCLUDING:**

Township 25 North, Range 1 East, Boise Meridian, Idaho County, Idaho

**Section 4:  $E\frac{1}{2}SE\frac{1}{4}$ ,  $E\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}$**

**Section 9:  $NE\frac{1}{4}NE\frac{1}{4}$ ,  $E\frac{1}{2}W\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ ,  $SW\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}$ , all that part of the  $NE\frac{1}{4}SE\frac{1}{4}$  which lies North of the centerline of Elfers Creek,  $SE\frac{1}{4}SE\frac{1}{4}$  LESS all that part of the  $E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$  which lies South of the centerline of Elfers Creek and East of the centerline of the ridge, more particularly described as: Beginning at the Northeast corner of the  $SE\frac{1}{4}SE\frac{1}{4}$ ;**

**thence West to the centerline of Elfers Creek;**

**thence following the centerline of Elfers Creek in a southwesterly direction to a point where the ridge and an existing fence leave Elfers Creek;**

**thence following the ridge and the fence in a southeasterly direction as marked by a 1/2" yellow topped rebar and flagging to the South line of the  $SE\frac{1}{4}SE\frac{1}{4}$ ;**

**thence East to the Southeast corner of the  $SE\frac{1}{4}SE\frac{1}{4}$ ;**

**thence North to the Place of Beginning.**

**Section 10:  $NW\frac{1}{4}NW\frac{1}{4}$  and all those portions of the  $SW\frac{1}{4}NW\frac{1}{4}$  and the  $NW\frac{1}{4}SW\frac{1}{4}$  which lie North of the centerline of Elfers Creek.**

**Section 16:  $NE\frac{1}{4}NE\frac{1}{4}$ , LESS all that part of the  $E\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$  which lies East of the centerline of the ridge, more particularly described as beginning at the Northeast corner of said Section 16;**

**thence West to a fence on the ridge;**

**thence following the fence and ridge in a southeasterly direction to the East boundary line of the  $NE\frac{1}{4}NE\frac{1}{4}$ ;**

**thence North to the Place of Beginning.**

**Township 26 North, Range 1 East, Boise Meridian, Idaho County, Idaho**

**Section 22:  $S\frac{1}{2}SW\frac{1}{4}$ ,  $SW\frac{1}{4}SE\frac{1}{4}$**

**Section 27:  $W\frac{1}{2}NE\frac{1}{4}$ ,  $NW\frac{1}{4}$ ,  $S\frac{1}{2}$**

**Section 28:  $E\frac{1}{2}E\frac{1}{2}$  North of Little China Creek**

**Section 34: Those parts of the  $W\frac{1}{2}NE\frac{1}{4}$  and  $NE\frac{1}{4}NW\frac{1}{4}$  lying North and East of China Creek.**

**TO HAVE AND TO HOLD**, all and singular the said real property, together with all appurtenances, tenements, hereditaments, reversions, remainders, rents, issues, profits, rights-of-way, easements and **water rights (certificate numbers 79-10347 and 79-4031)** in anywise appertaining to the real property herein described, as well in law as in equity, unto Grantee, and to its heirs and assigns forever.

**WITNESS** the hand of said Grantor this 22<sup>nd</sup> day of April 2015.

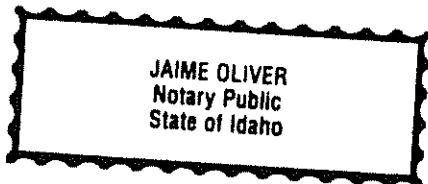
Melvin C. Gill  
Melvin C. Gill

Margaret L. Gill  
Margaret L. Gill

STATE OF IDAHO     )  
                                  ) ss.  
County of IDAHO     )

On this 22<sup>nd</sup> day of April, 2015, before me, Jaime Oliver, personally appeared **Melvin C. Gill and Margaret L. Gill**, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the 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.



Jaime Oliver  
NOTARY PUBLIC FOR IDAHO

Residing at Ferdinand

My Commission Expires 7-22-2019

Volk Law, PLLC  
Peter Volk, attorney  
P.O. Box 9264  
Moscow, Idaho 83843  
(208) 882-5982

RECEIVED  
JUL 31 2015  
IDWR / NORTH

July 28, 2015

IDWR Northern Region  
7600 N Mineral Dr, Ste 100  
Coeur d'Alene, ID 83815-7763

Re: Water Rights Notice of Change in Ownership

Dear IDWR:

Please find enclosed an original Notice of Change in Water Right Ownership. Also enclosed is a check made payable to IDWR for the change in ownership of five (5) water rights in the total sum of \$125.00. Lastly, please find enclosed recorded deeds to the land and water rights which have been transferred to Gill Family Ranches, LLC, an Idaho limited liability company.

Please note that the intention to transfer water rights to the LLC is reflected by direct reference to the rights 79-10347 and 79-4031 as well as a general catch all phrase in the last paragraph of each deed referring to any water rights appurtenant to the land described in each deed.

If you have any questions please call me at the above phone number rather than calling my clients (listed as the old owner as well as the new owner).

Best wishes,



Peter Volk

# SRBA

## DIRECTORS REPORT 79-10345

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IWT072

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

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Right Number: 79-10345

\*\*\*\*\*  
\*  
\* THIS WATER RIGHT IS RECOMMENDED DISALLOWED \*  
\*  
\*\*\*\*\*

Name and Address: MELVIN C GILL  
MARGARET L GILL  
PO BOX 386  
LUCILE, ID 83542

Source: Not Listed

Quantity: .04 CFS

Priority Date: 05-31-1961

Place of Use: See remarks

Other Provisions Necessary for Definition / Administration of this Water Right:

No beneficial use found.

Explanatory Material: Basis of Claim - Not Listed

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.  
PARCEL NO. 26N01E330010

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[Return to SRBA IWATRS REPORTS](#)

[Return to SRBA Home Page](#)

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**Jones, Chad**

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**From:** Jones, Chad  
**Sent:** Thursday, August 20, 2015 12:00 PM  
**To:** Marston, Sascha  
**Subject:** Refund: VOLK LAW PLLC

**TO:** Sascha Marston

**FROM:** Chad Jones

**DATE:** August 20, 2015

**RE: Refund: Ownership Change – 79-10345**

Please refund \$25. VOLK LAW PLLC filed an ownership change on 7/31/15 for Gill Family Ranches LLC for 5 rights. 4 of the 5 have been processed, but 79-10345 was recommended disallowed under the SRBA and is not a valid water right.

**Please issue a refund of \$25.00 to:**  
VOLK LAW FIRM PLLC  
4616 25<sup>TH</sup> AVENUE #301  
SEATTLE WA 98105

Volk Law PLLC  
PO BOX 9264  
Moscow ID 83843

RECEIPT #

N031408



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

August 20, 2015

GILL FAMILY RANCHES LLC  
PO BOX 386  
LUCILE ID 83542

**RE: Notice of Ownership Change in Water Right No's:**

**79-10347, 79-4031, 79-10344 & 79-4084A**

Dear Water Right Holders:

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.

However, Water Right No. 79-10345 has not been modified. This right was recommended disallowed under the SRBA Court due to finding it had no beneficial use and is inactive based on the finding. I have included a copy of the Director's Report from the SRBA website for you to review. A refund of \$25 will be sent to the payer under separate cover.

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](http://www.idwr.idaho.gov).

If you have any questions, please contact this office at 208-334-2190.

Sincerely,

Chad Jones  
Office Specialist II  
Western Regional Office

Enclosures