



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 14, 2015

MICHAEL KELLEY
CYNTHIA KELLEY
1032 VANDERDASSON RD
EMMETT ID 83617

MICHAEL KELLEY
CYNTHIA KELLEY
5881 HWY 20
UKIAH CA 95482-9251

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 65-22931

Dear Permit Holder(s):

The Department acknowledges receipt of the proof of beneficial use form and notice of ownership change submitted for the above referenced permit. Based on the ownership change notice provided with the statement of completion, Grayce Guiles and Evelyn Jordan has been added into the Department's database records as present owners of the property. However, the current owners of record with the Department are still considered to be Michael and Cynthia Kelley. The notice of ownership change will be considered in connection with issuance of the water right license.

The next step in the process of developing a water right is for the Department to conduct a field examination to determine and confirm the use being made of the water.

During my review of the proof and water right permit, I found that condition no. 6 of this permit might not have been complied with. Condition no. 6 of this permit which states:

"Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of diversion from Payette River and at the point of rediversion from Sevenmile Slough."

I recommend that this condition be complied with immediately and prior to the field examination. Enclosed is a copy of this permit for your information.

If you feel this requirement is unnecessary you may request in writing to the Department that the requirement be waived. Additionally, you must contact the watermaster about his need for this requirement. If he agrees that the measurement device requirement is unnecessary, request that he/she provide the Department with written agreement that the requirement can be waived at this time. Upon receipt of your request and his acknowledgement the Department will issue an order waiving the requirement at this time.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the Department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any Department office or at the Department's website at: www.idwr.idaho.gov

Should you have any questions concerning the permit or the waiver of the measuring device, you may contact me at (208) 287-4945. If you have questions about the field examination, please contact the Western Regional Office in Boise at (208) 334-2190.

Sincerely,


Dana Block
Technical Records Specialist

Enclosure(s)

cc:

GRAYCE GUILLES
EVELYN JORDAN
1032 VANDERDASSON RD
EMMETT ID 83617

WATER DISTRICT #65
RON SHURTLEFF
102 N MAIN ST
PAYETTE ID 83661

RECEIVED

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DE

MAY 19 2014

JUN 09 2014

Notice of Change in Water Right Ownership

DEC 19 2014

WATER RESOURCES
WESTERN REGIONWATER RESOURCES
WESTERN REGION**COPY**DEPARTMENT OF
WATER RESOURCES

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?
Permit 65-22931	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: MICHAEL KELLEY

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): GRAYCE GUILLES / EVELYN JORDAN

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

1032 VANDERDASSON RD.

Mailing address

EMMETT

City

ID.

State

83617

ZIP

208-365-7420

Telephone

Grayce.Guiles@att.net

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: 5/9/14

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.

8. Signature: Grayce Guiles

Signature of new owner/claimant

Title, if applicable

5/16/14

Date

Signature: Evelyn Jordan

Signature of new owner/claimant

Title, if applicable

5/16/14

Date

For IDWR Office Use Only:

Received by J. Strange

Date 5-19-14

Receipt No. W042131

Receipt Amt. 50.00

Approved by

Processed by

Date

AFTER RECORDING MAIL TO:

Michael Kelley and Cynthia Kelley
1032 Vanderdasson Road
Emmett, ID 83617

COPY

RECEIVED

DEC 19 2014

DEPARTMENT OF
WATER RESOURCES**Instrument # 253515**

EMMETT, GEM, IDAHO

2006-07-28 04:38:00 No. of Pages: 3

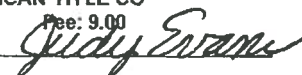
Recorded for : FIRST AMERICAN TITLE CO

SUSAN K. HOWARD

Fee: 9.00

Ex-Officio Recorder Deputy

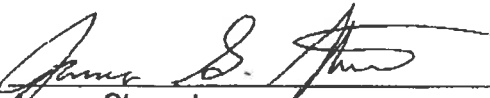
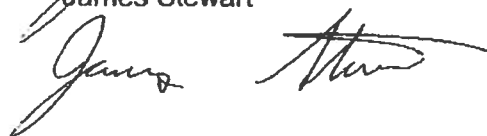
Index to: WARRANTY DEED

**WARRANTY DEED**File No.: **4103-851966 (SP)**Date: **July 26, 2006**

For Value Received, **James Stewart, an unmarried man**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Michael Kelley and Cynthia Kelley, husband and wife**, hereinafter referred to as Grantee, whose current address is **1032 Vanderdasson Road, Emmett, ID 83617**, the following described premises, situated in **Gem County, Idaho**, to wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.


James Stewart

APN: RP-00325201

Warranty Deed
- continued

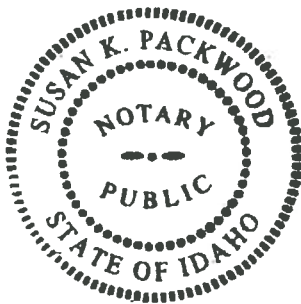
File No.: 4103-851966 (SP)
Date: 07/26/2006

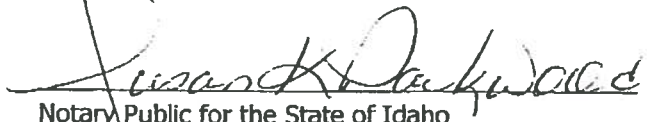
COPY

STATE OF Idaho)
)
COUNTY OF Ada)

On this 21 day of July, 2006, before me, a Notary Public in and for said State, personally appeared **James Stewart**, 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 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.




Notary Public for the State of Idaho
Residing at: Eagle, ID
My Commission Expires: 9-4-2008

APN: RP-00325201

Warranty Deed
- continuedFile No.: 4103-851966 (SP)
Date: 07/26/2006**COPY****EXHIBIT A**

A tract of land situated in a portion of the Southeast quarter of the Northeast quarter of Section 8 and a portion of the Southwest quarter of the Northwest quarter of Section 9, Township 6 North, Range 2 West, Boise Meridian, Gem County Idaho more particularly described as follows:

**Beginning at the quarter corner common to Sections 8 and 9, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, marked by a found 1/2" iron pin with plastic cap stamped PLS 6552; thence
South 89°46'40" East, 726.72 feet along the South line of the Southwest quarter of the Northwest quarter of said Section 9 to the centerline of the Seven Mile Slough; thence along the centerline of said Seven Mile Slough the following courses and distances:
North 69°27'03" West, 93.96 feet;
North 47°05'20" West, 215.15 feet;
North 57°00'21" West, 464.52 feet;
North 69°48'07" West, 113.24 feet;
North 83°08'32" West, 65.84 feet;
South 85°19'28" West, 526.92 feet to a set 1/2" iron pin with plastic cap stamped PLS 6552 on the centerline of Vanderdasson Road; thence leaving the centerline of Seven Mile Slough South 50°04'05" East, 675.01 feet along the centerline of Vanderdasson Road to the South line of the Southeast quarter of the Northeast quarter of said Section 8; thence South 89°46'40" East, 87.66 feet to the REAL POINT OF BEGINNING.**

Except ditch and road rights of way.

APN: RP-00325201