

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

uA dlv
RECEIVED

JAN 26 2007

**DEPARTMENT OF
WATER RESOURCES**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

	Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
#1 PD	65-22440 U1					
#1 PD	65-7562				45-77706 = Miller	
PD	65-77706		-split	4 ways	45-23495 = Jarvis	
#2 PD	65-7770F				45-23496 = Webb	
					45-23497 = Sipple/ Anderson	

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)
- #1 ERNEST WPDIKE 6 SNOW SPRING LN GV ID 83622
- #2 EDWARD HERRING TANTLER POINT GV ID 83622
4. New Owner/Claimant(s)
- CLEO and/or BARBARA MILLER
- Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address
- 1910 S MIDDLETOWN RD
- City, State and ZIP Code
- NAMPA, ID 83686
- New Telephone Number
- (209) 467-9753 cell 941-5520
5. Date you acquired the property
- #1 10/11/05 email
- #2 5/2/06 cleomil@msn.com

SUPPORT DATA

IN FILE # 65-7562

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. ☒ Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Cleo R Miller
Barbara A Miller

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>AMB</u>	Date <u>1.26.07</u>	Fee <u>\$ 100.00</u>	
Received by <u>AMB</u>	Date <u>1.26.07</u>	Receipt No. <u>COB3146</u>	
Processed by _____	AJ Date _____	WR <u>SN</u>	Date <u>4/21/12</u>

2082876700

09:00:53 a.m. 06-21-2012

2 / 3

February 3, 2012

Emalee Rushing, Water Allocation Bureau
Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098

RECEIVED

FEB 10 2012

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JUN 21 2012

DEPARTMENT OF
WATER RESOURCES

Dear Ms. Rushing,

We, the following property owners, agree to accept the allocation of water appurtenant to each property and to file with the State of Idaho Department of Water Resources the following documents to memorialize the allocations:

Assignment of Permit No. 65-13050 spring water from Lon Jarvis (two forms and fee by others) to:

William J. Sipple and Jamie A. Anderson, as recorded in Boise County Ins. #211829, also known as RP08201000003F or T10N R4E Warm Springs Estates 1 Portion of Lot 3 or Jarvis Segregation Plat Lot 2 Sec 33 SW ¼ in the amount: .03 cfs heating and .02 cfs domestic (\$25 fee)

Mac C. Webb, as recorded in Boise County Ins. #183762 also known as RP08201000003G or T10N R4E Warm Springs Estates 1 Portion of Lot 3 or Jarvis Segregation Plat Lot 3 Sec 33 SW ¼ in the amount: .03 cfs heating and .02 cfs domestic (\$25 fee)

Notice of Change in Water Right Ownership of Water Right No. 65-07770G from Usto Schultz to:

Cleo R. Miller and Barbara A. Miller, as recorded in Boise County Ins. #205227 also known as RP08201000003H or T10N R4E Warm Springs Estates 1 Portion of Lot 3 or Tax 344 Sec 33 SW ¼ in the amount: .02 cfs heating and .03 cfs domestic (ownership change form submitted and fee paid)

Mac C. Webb, as recorded in Boise County Ins. #183762 also known as RP08201000003G or T10N R4E Warm Springs Estates 1 Portion of Lot 3 or Jarvis Segregation Plat Lot 3 Sec 33 SW ¼ in the amount: .02 cfs heating and .02 cfs domestic (ownership change form submitted and fee paid)

William J. Sipple and Jamie A. Anderson, as recorded in Boise County Ins. #211829, also known as RP08201000003F or T10N R4E Warm Springs Estates 1 Portion of Lot 3 or Jarvis Segregation Plat Lot 2 Sec 33 SW ¼ in the amount: .02 cfs heating and .02 cfs domestic (form and \$25 fee)

Lon Jarvis, as recorded in Boise County Ins. #12889B, also known as RP08201000000E or T10N R4E Warm Springs Estates 1 Portion of Lot 3 or Jarvis Segregation Plat Lot 1 Sec 33 SW ¼ in the amount: .02 cfs heating and .02 cfs domestic (form and fee by others)

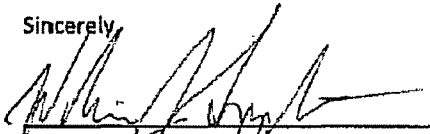
This agreement to accept the allocation of water appurtenant to each property may be executed in one or more counterparts each which shall be deemed an original but all of which together will constitute one and the same agreement.

2082876700

09:01:09 a.m. 06-21-2012

3 /3

Sincerely,


William J. Sipple

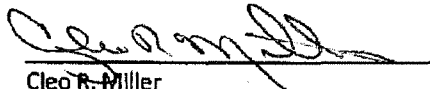
2/3/12
Date


Jamie A. Anderson

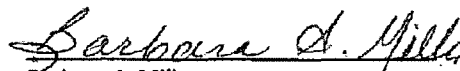
2/3/12
Date

Mac C. Webb

Date


Cleo R. Miller

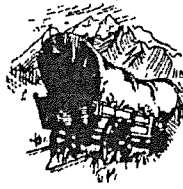
6-12-2012
Date


Barbara A. Miller

6-12-12
Date

Lon Jarvis

Date



A Pioneer Company

PIONEER TITLE COMPANY

OF ADA COUNTY

661 S. Rivershore Lane, Suite 110 / Eagle, Idaho 83616 / (208) 938-8075

October 31, 2005

Cleo R. Miller and Barbara A. Miller
1509 W. Greenhurst
Nampa, ID 83686

Re: Escrow No.: 258721
Seller: ERNEST A. UPDIKE and DEBORAH J. UPDIKE, Husband and Wife
Buyer: CLEO R. MILLER and BARBARA A. MILLER, Husband and Wife
Property: 6 Snow Springs Dr.

The closing of your purchase of the above-noted property has now been completed. Enclosed for your records are your original Warranty Deed and Title Insurance Policy.

We appreciate having had this opportunity to be of service to you. If you have questions or if we can help you again, please feel free to contact us.

Sincerely,

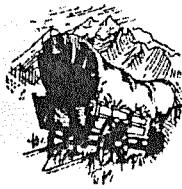
PIONEER TITLE COMPANY OF ADA COUNTY

Cammy Baldwin
Escrow Officer

Enclosures

CB:CB

258721
CB/SV



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
661 S. Rivershore Lane, Suite 110 / Eagle, Idaho 83616
(208) 938-8075

IDAHO CITY, BOISE COUNTY, IDAHO
2005-10-24 03:31:05 No. of Pages: 2
Recorded for : PIONEER TITLE
RORA A. CANODY Fee: 6.00
Ex-Officio Recorder Deputy *[Signature]*
Index to: DEEDS

WARRANTY DEED

For Value Received ERNEST A. UPDIKE and DEBORAH J. UPDIKE, Husband and
Wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

CLEO R. MILLER and BARBARA A. MILLER, Husband and Wife

hereinafter referred to as Grantee, whose current address is 1509 W. Greenhurst, Nampa, ID 83686

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that 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.

Dated: October 7, 2005

[Signature of Ernest A. Updike]

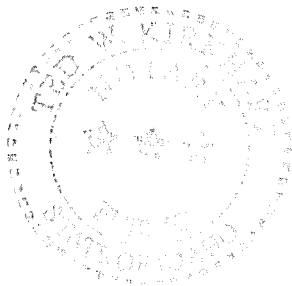
Ernest A. Updike

[Signature of Deborah J. Updike]

Deborah J. Updike

STATE OF Idaho. County of Ada, ss.

On this 7th day of October, in the year of 2005, before me The Undersigned, notary public personally appeared Ernest A. Updike and Deborah J. Updike known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



[Signature of T. W. Kinnert]

T. W. Kinnert
Notary Public of Idaho
Residing _____ at
Meredon Idaho
Commission _____ expires:
July 23, 2010

EXHIBIT A

A portion of Lot 3, Warm Springs Estates No. 1, according to the plat thereof, filed under Instrument No. 80717, records of Boise County, Idaho, being more particularly described as follows:

Beginning at a steel pin marking the Southeast corner of Lot 3, Warm Springs Estates No. 1;
thence
North $1^{\circ}27'57''$ West along the boundary line of said Lot 3, a distance of 203.60 feet to a steel pin;
thence
South $85^{\circ}55'$ West 593.24 feet to a steel pin; thence
South $49^{\circ}53'$ West 3.17 feet to a steel pin on the boundary line of said Lot 3; thence
South $0^{\circ}40'36''$ East along said boundary line 111.00 feet to a steel pin marking the Southwest corner of said Lot 3; thence
South $85^{\circ}23'14''$ East along the boundary line of said Lot 3, a distance of 600.00 feet to the point of beginning.



Instrument # 207923
IDAHO CITY, BOISE COUNTY, IDAHO
2006-05-02 04:52:59 No. of Pages: 2
Recorded for : ALLIANCE TITLE
RORA A. CANODY Fee: 6.00
Ex-Officio Recorder Deputy *[Signature]*
Index to: DEEDS

Order No.: A0653455
AT 15000631304

WARRANTY DEED

FOR VALUE RECEIVED,

RICHARD P. MCKEE and KAREN L. MCKEE HUSBAND AND WIFE
The Grantor(s), do(es) hereby grant, bargain sell and convey unto

CLEO R. MILLER AND BARBARA A. MILLER, HUSBAND AND WIFE

whose current address is 1509 W. Greenhurst, Nampa ID 83686

the Grantee(s), the following described premises, in BOISE County, Idaho, TO WIT:

LOT 1 OF LIVINGSTON ESTATES, ACCORDING TO THE OFFICIAL PLAT THEREOF,
FILED AS INSTRUMENT NO. 122911, AND AMENDED BY AFFIDAVITS RECORDED
AS INSTRUMENT NOS. 128521 AND 132308, OFFICIAL RECORDS OF BOISE 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(s) do(es) 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 those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

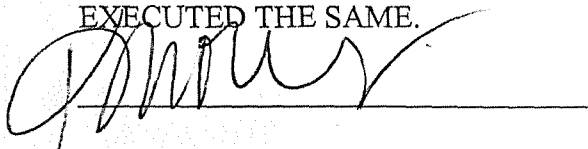
Dated: 05/01/06

[Signature of Richard P. McKee]
RICHARD P. MCKEE

[Signature of Karen L. McKee]
KAREN L. MCKEE

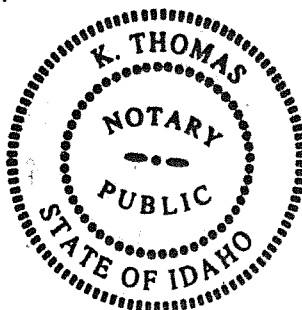
STATE OF IDAHO
COUNTY OF ADA

ON THIS 1ST OF MAY, 2006, BEFORE ME, THE UNDERSIGNED, A NOTARY
PUBLIC PERSONALLY APPEARED, RICHARD P. MCKEE, KAREN L. MCKEE,
KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY
EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO
THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT ~~they~~^y
EXECUTED THE SAME.

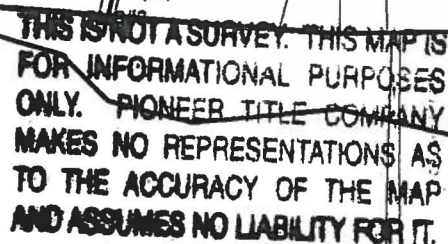


NOTARY PUBLIC
RESIDING AT: Boise, Idaho
MY COMMISSION EXPIRES: 4/14/11

(SEAL)



00 = ADDRESS ASSIGNED TO PARC



RECEIVED

MAR 05 1987

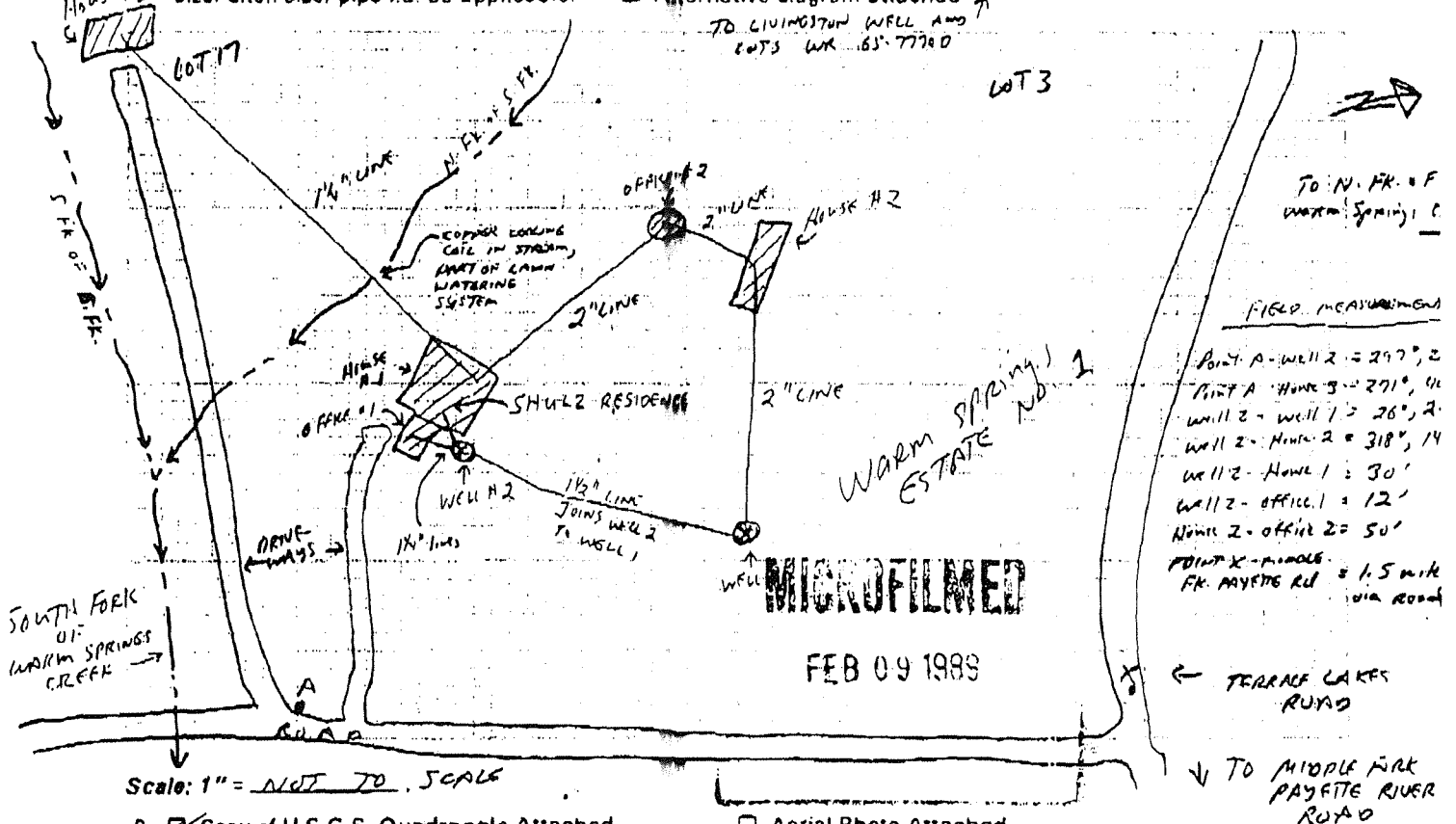
Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 65-777001. Owner: USTO E. Ann/OR DOROTHY B. SCHULZPhone No. 462-3696Current Address: HC 76 Box 4048 GARDEN VALLEY ID. 836222. Accompanied by: USTO SCHULZEXAM. DATE: 10/2/86Address: ← SAME AS ABOVE →

Phone No. _____

Relationship to Permit Holder: SAME3. Source: GROUNDWATER tributary to _____**B. OVERLAP REVIEW**1. Other water rights with same place of use: (65-12386 LARSEN 4/86)
65-77700, 7595, 12287, 12302, 12392, 12627, 3238, 4402A,
7540, 7562, 7592, 7593 ☒ Copies Attached2. Other water rights with same point of diversion: 65-70000, 7595, 12287, 12302, 12392, 12627, 3238, 4402A,
7540, 7562, 7592, 7593, 12283, 12289, 12290, 12291, 12292, 12293, 7291, 4402A, 7114 ☒ Copies Attached ☒ Copies of Field Exam's Attached
1. For 65-1562 Ann 65-7540**C. SYSTEM DESCRIPTION**1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).☒ Photo of Diversion and System Attached

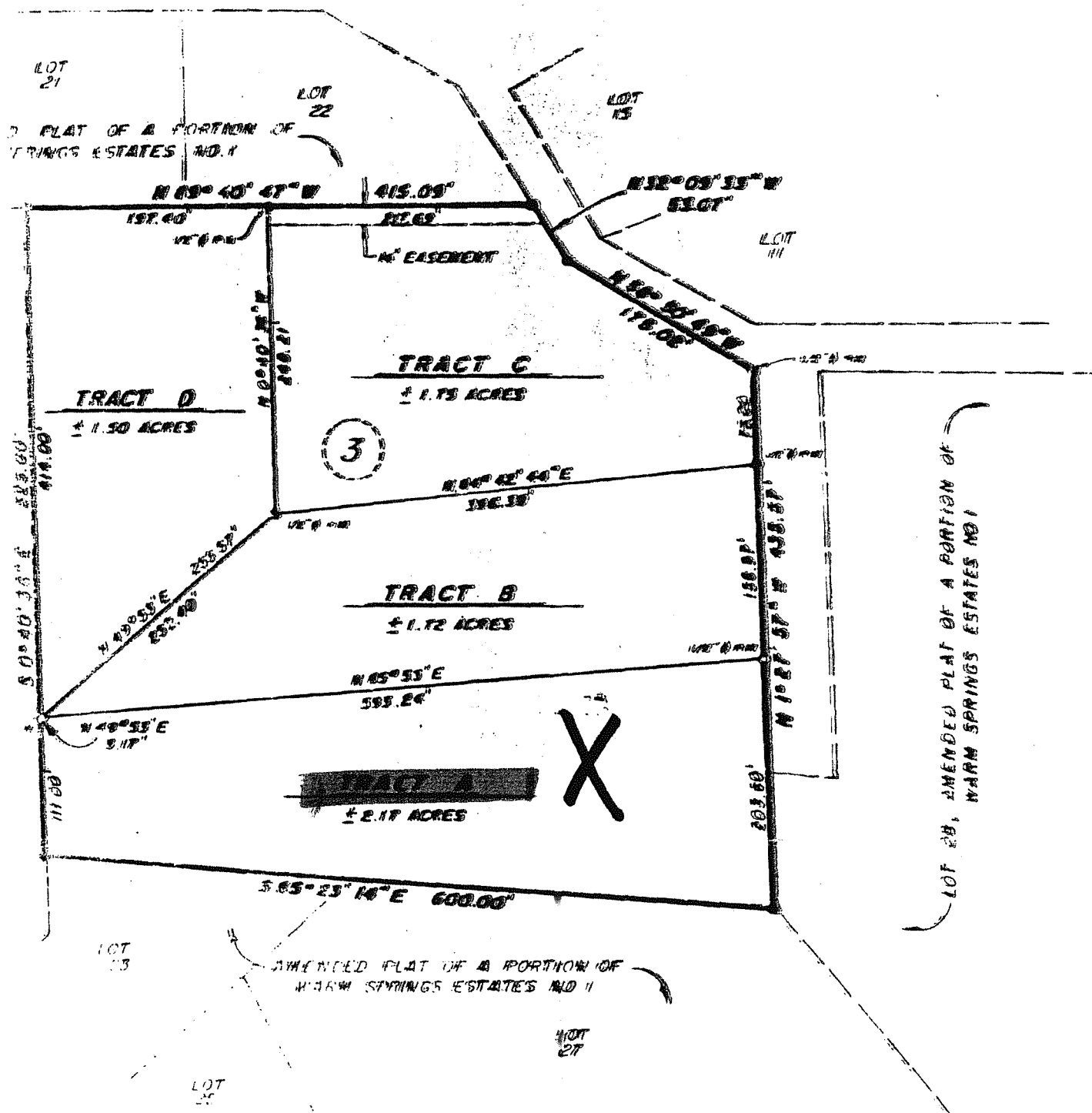
(required for all but single household domestic groundwater, and stockwater.)

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more).

RECORD OF SURVEY

TUDOR ENGINEERING CO. - BOISE, IDAHO
DECEMBER, 1971



Water Right Report 65-7770G

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DIANA G SCHULZ 2473 CULPEPPER BOISE, ID 83709 (208)378-7413
Current Owner	ERNEST UPDIKE 6 SNOW SPRINGS LN GARDEN VALLEY, ID 83622 (208)462-6064
Original Owner	USTO E SCHULZ 2473 CULPEPPER BOISE, ID 83709 (208)378-7413
Representative	ERO RESOURCES CORP C/O STEVE HANNULA 3314 GRACE ST BOISE, ID 83703 (208)373-7985

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
HEATING	1/01 to 12/31	0.080 CFS	
DOMESTIC	1/01 to 12/31	0.090 CFS	3.60 AF
	Total Diversion:	0.170 CFS	3.60 AF

GROUND WATER NW1/4SW1/4 Sec. 33, Twp 10N, Rge 04E, B.M.
BOISE County

HEATING

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
10N	04E	33										X							

Tw	Rge	Sec	NE	NW	SW	SE
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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-7770G

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N 04E 33										X							

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. 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.
3. DOMESTIC USE IS FOR 2 HOMES & 2 OFFICES.
HEATING USE IS FOR 2 HOMES & 2 OFFICES.
4. PLACE OF USE ALSO KNOWN AS WARM SPRINGS ESTATES NO. 1.
RIGHT NO. 65-07770H IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Remarks:Comments:

1. RHOWERTO 12/16/1999 DOMESTIC USE

Comment: THE TWO HOMES REMAINING HERE ARE DIFFERENT FROM THE ORIGINAL 3 HOMES RECOMMENDED FROM ORIGINAL FIELD EXAM DONE IN 1986. THE SITE WAS REVISITED IN 1993 BY IDWR, FINDING THAT THE RIGHT STILL SUPPLIES 3 HOMES BUT ARE DIFFERENT. AN OWNERSHIP CHANGE WAS FILED ON ONE OF THE 3 DIFFERENT HOMES AND RECOMMENDED AS 65-07770H. NO ONE HAS COME FORTH TO DATE TO CLARIFY THE OWNERSHIP OF THE REMAINING 2 HOMES.

2. AJU10-JS 1/31/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:

Decreed Date: 11/3/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 65-7770G

Water Supply Bank:

Lessor Name: ERNEST UPDIKE
Lease Status: Application
Lease Amount: All
Rental Availability: All
Date Received: 10/8/2003
Lease Begin Date: 10/8/2003
Expiration Date: