

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEC - 1 2011

WATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

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?
~~77~~ -07013	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Kathleen Poston
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dennis T Sherwood
Name of each new owner as listed on the conveyance document
Eileen M Sherwood
New owner continued Name connector ☒ and ☐ or ☐ and/or
340 Edgewood Drive
Mailing address
Silverton OR 97381
City State ZIP
503-873-3763 dennis.sherwood@gmail.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: November 7, 2011.
6. 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.

7. Signature: [Signature] Title, if applicable _____ Date 11-28-2011
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable _____ Date 11-28-2011
Signature of new owner/claimant

For IDWR Office Use Only:

Received by MP Date 12-1-11 Receipt No. W039785 Receipt Amt. \$25.00
Approved by _____ Processed by [Signature] Date 12-2-11

481495

Instrument # 481495

IDAHO COUNTY, IDAHO,

11-7-2011 04:15:06 No. of Pages: 2

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Fee: 13.00

Ex-Officio Recorder Deputy

WARRANTY DEED

For good and valuable consideration KATHLEEN L. POSTON, a married woman, formerly known as KATHLEEN L. MILLER, joined by her husband, RICHARD POSTON, as GRANTORS, do hereby grant and convey unto DENNIS T. SHERWOOD and EILEEN M. SHERWOOD, husband and wife, whose address is: 340 Edgewood Drive, Silverton, OR 97381, as GRANTEES, the following described real property situate in Idaho County, State of Idaho, to wit:

Lot 3, Five Mile Bar Subdivision of Idaho County, State of Idaho, as shown by the recorded plat thereof.

SUBJECT TO:

1. Taxes for 2011 which are an accruing lien and not yet due and payable; and
2. All matters, including sanitary restrictions, as shown on the recorded subdivision plat; and
3. Lack of a right of access to and from the land established of record; and
4. Declaration of Protective Covenants Five-Mile Bar Subdivision, including the terms and conditions thereof, recorded June 13, 1977, under Instrument No. 268465, records of Idaho County, Idaho.

TO HAVE AND HOLD the premises, with all appurtenances, to GRANTEES, and their heirs, successors and assigns forever. GRANTORS do by this grant covenant and warrant only that GRANTORS are the owners of said property in fee simple and that the premises is free from encumbrances done, made or suffered by GRANTORS, or those claiming through GRANTORS, except as set forth herein-above and other encumbrances of record or in use.

Except as otherwise expressly provided in this instrument, GRANTORS hereby declare

pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event GRANTORS shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of GRANTORS, it was not the intent of GRANTORS, by permitting or suffering such possession, use or occupation, to thereby define property boundaries or ownership thereof.

DATED this 4th day of November 2011.

GRANTORS:

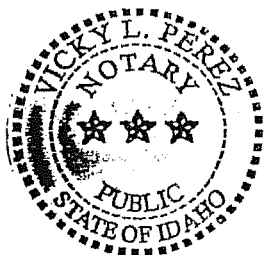
Kathleen L. Poston
KATHLEEN L. POSTON

Richard Poston
RICHARD POSTON

STATE OF IDAHO)
County Of IDAHO) : ss.

On this 4th day of November, 2011, before me personally appeared KATHLEEN L. POSTON and RICHARD POSTON, known to me to be the persons whose names are subscribed to the foregoing 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 first written above.



Vicky L. Perez
Notary Public, in and for the
State of IDAHO, residing at
McCall ID therein.
My Commission Expires: 4-10-12



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 18, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BOYD C MILLER
PO BOX 1558
MCCALL ID 83638

Re: Change of Ownership A77-07013

Dear Mr Miller:

Enclosed for your records is a copy of claim form A77-07013 reflecting you as the new claimant. This copy is for your records. There is nothing else you need to do at this time concerning the name change.

As I indicated during our telephone conversation, the water right records are not specific that the water right is only appurtenant to Lot 3. However, page 8 of the subdivision protective covenants imply the right is appurtenant to Lot 3.

The claim is subject to a future review as part of the Snake River Basin Adjudication process. We anticipate it will be several years before this review is completed. We will contact you at that time if additional information is needed. In the mean time please contact this office if you have questions or need assistance.

Sincerely,

Mel Schulte

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc
Ownership A7707013

Shanna - 5 mile bar 189 house on both

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each such lot sale is made the buyers therein shall be liable for their proportionate share of the operation and maintenance of such common and water systems. Thereafter as each additional lot is sold in such subdivision, a similar undivided interest in and to such common areas and water systems shall be transferred by Declarants to such home owners association so that when all lots have been sold by Declarants the homeowners association shall own all of such common and sewer and water systems.

I. Auxiliary Rights. Upon the sale of the final subdivision lot, Rodney T. Cox and Chana B. Cox will transfer to the home owners association all of the following rights and interest which can at that time be transferred. No guarantee of any kind is made as to the value of these enclosed claims, although the declarants believe these rights to be of value.

- a. Three unpatented mining claims, Excelessor, Little Nellie, Ethopia.
- b. Nine unpatented mill sites.
- c. Water rights to Five Mile Creek-Little Five Mile Creek-Jersey Creek.
- d. Any claim on leases 4045-4047-4065 with the State of Idaho, mineral leases.
- e. Any claim or value in Color of Title action filed by Sylvan A. Hart concerning additional land around subdivision.

f. Land use permits for land usage, parking, road use and construction, pack and/animal grazing.

2. Lot #3 shall have exclusive rights to the running, maintenance and use of the hydroelectric system. Subject to all legal restrictions the owner of #3 shall have the right to sell or allow other to use hydropower.

3. The diesel system shall be under the right and control of the home

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