

RECEIVED

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

JUN 24 2008

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
63-22203					

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 on file with the county Planning and Zoning or Recorder's Office). *mark where well is located*
OR
- D. 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 or equivalent **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)

~~Wendover~~ Dee Rachilla
 Box 1, Halfway Village, Pearl Rt.
 Eagle, ID 83616

4. New Owner/Claimant(s)

Laaine A Mitchell
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

PO Box 3624

City, State and ZIP Code

Wendover, NV 89883

New Telephone Number

(775) 664-2471 Email: n/a

5. Date you acquired the property

11/29/97

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Elaine A. Mitchell

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:
 Received by UN
 Received by UN
 Processed by AJ

 Date 6/24/00
 Date 6/24/00
 Date 6/24/00

 Receipt Amt. 25.00
 Receipt No. 0097192
 WR Date

Q Q

Water Right Report 63-22203

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELAINE MITCHELL PO BOX 3624 WENDOVER, NV 89883

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	Total Diversion:	0.040 CFS	

GROUND WATER SE1/4SE1/4 Sec. 8, Twp 05N, Rge 01W, B.M.
ADA County

DOMESTIC

[illegible]

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. S0308417250 PROPERTY ALSO KNOWN AS 10060 N EMMETT HWY., EAGLE.
4. 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.

Licensed Date:
Decreed Date: 3/31/2000
State or Federal: S
Civil Case Number: 39576
Judicial District: FIFTH

Idaho Department of Water Resources Receipt

Receipt ID: C087192

Payment Amount	\$25.00	Date Received	6/24/08 2:21	Region	STATE
Payment Type	Check	Check Number	1124		
Payer	MITCHELL ELAINE A.				

Comments Change in Water Right Ownership: 63-22203

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	56140	1155



Signature Line (Department Representative)

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by DORRIS STELLING, as Personal Representative of the estate of DEE RACHILLA, deceased, Grantor to ELAINE M. MITCHELL, Grantee, whose current address is 1326 E. Old Mission, Sandy, Utah, 84092.

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Case Number SP96-224 in Gem County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee the following described real property in Gem County, Idaho, to-wit:

See Exhibit A attached hereto and incorporated by reference as if set out in full at this point.

with all appurtenances.

DATED this 29th day of January, 1997.

Dorris Stelling
DORRIS STELLING

Personal Representative of the Estate of
DEE RACHILLA, Deceased

STATE OF IDAHO)

) ss

County of Gem)

On the 29th day of January, 1997, before me, a Notary Public in for said State, personally appeared DORRIS STELLING, known to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the estate of DEE RACHILLA, Deceased, and acknowledged to me that she executed the same as such Personal Representative.



Angela L. Vahlberg
NOTARY PUBLIC FOR IDAHO
RESIDENCE: Emmett, Idaho
My Commission Expires: 9/19/2001

PERSONAL REPRESENTATIVE

) ss

COUNTY OF ADA)

INDIVIDUAL RELEASE OF INTEREST

On the 15th day of Sep 1997, before me a Notary Public in for said state,

personally appeared DORRIS STELLING, know to me to be the person whose name is subscribed

to the within instrument, as a Individual to release .. intested. SEE ATTACHED EXHIBIT "A".

DATED: this 15 day of Sep 1997,

Ramon Luna
Notary Public in and for the State of Idaho
Residing in Boise, Ada County, Idaho
My Commission expires July 25, 1998.

Dorris Stelling
DORRIS STELLING

THIS DOCUMENT COPY IS FURNISHED AS AN ACCOMMODATION. THE COMPANY MAKES NO REPRESENTATIONS AS TO ITS EFFECT, SUFFICIENCY, COMPLETENESS OR ANY OTHER MATTERS THAT MIGHT BE REFERRED TO OR IMPLIED THEREIN. SHOULD YOU HAVE QUESTIONS REGARDING ITS EFFECT OR IMPACT, YOU SHOULD CONSULT INDEPENDENT LEGAL COUNSEL.

RECORD OF SURVEY

OF A PORTION OF THE SOUTHEAST 1/4 OF SECTION 8,
TOWNSHIP 5 NORTH, RANGE 1 WEST, BOISE MERIDIAN
ADA COUNTY, IDAHO

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE EAST
LINE OF THE SOUTHEAST 1/4 OF SECTION 8,
TOWNSHIP 5 NORTH, RANGE 1 WEST, BOISE MERIDIAN
i.e. N 00°36'07" E.

LEGEND:

- ⊙ FOUND BRASS CAPPED HIGHWAY RIGHT-OF-WAY MONUMENT
- ⊙ FOUND ALUMINUM CAP MONUMENT-LI HOWARD L52471
- FOUND 1/2" IRON PIN PER R of S No. 2281
- ⊙ FOUND ORIGINAL HIGHWAY MONUMENT BROKEN UP & POSSIBLY MOVED
- SET 1/2" IRON PIN W/PLASTIC CAP PLS 6552
- ⊙ SET 1 1/4" PIPE OPEN - SET 5/8" PIN W/PLASTIC CAP PLS 6552
- X-X-X- FENCE LINE

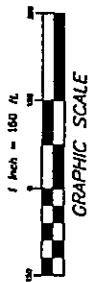
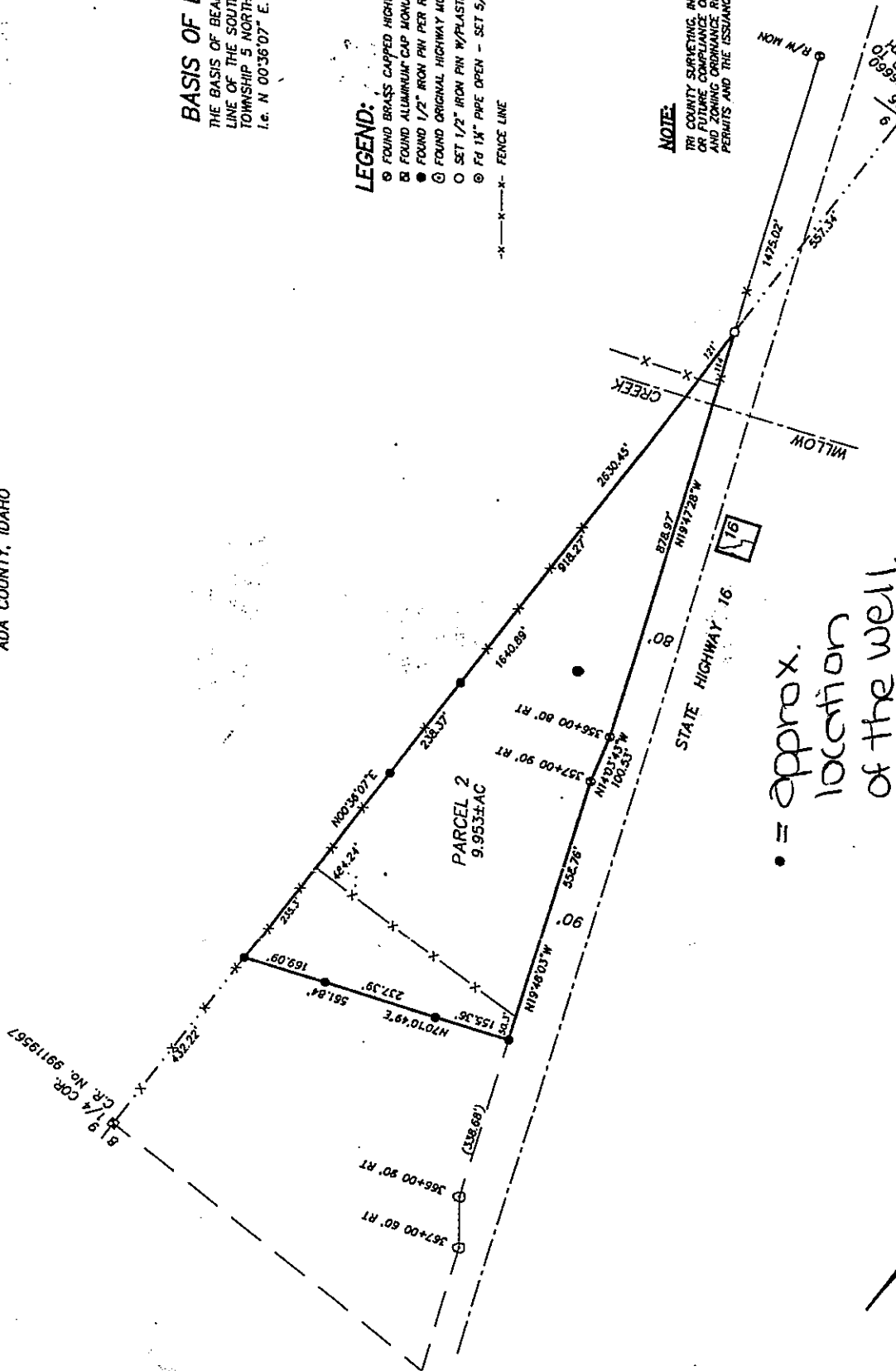
NOTE:

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

SURVEY FOR:

ELAINE MITCHELL
P.O. BOX 3624
WENDOVER, NEVADA 89883
PHONE: (775) 664-3471

TRI COUNTY SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
703 No. Washington Ave.
P.O. Box 974
Emmett, Idaho 83617-0974
Phone: (208) 365-7470



the following described premises, to-wit: Ada County Property as follows:

Township 5 North, Range 1 W., B.M., Section 8, N $\frac{1}{2}$ of the SE $\frac{1}{4}$; NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; SW $\frac{1}{4}$ of SE $\frac{1}{4}$; EXCEPT roads and ditches and rights of way therefor.

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ in Section 8, T. 5 N., R. 1 W., of the B.M., Ada County, Idaho, EXCEPT that portion contained in Instrument No. 396336, described as follows:

A strip of land 160.0 feet wide, being 80.0 feet on each side of the following described center line of Highway as surveyed and shown on the official plat of State Highway #16 - Project No. S-3832(2) Highway Survey on file in the office of the Department of Highways of the State of Idaho and lying over and across the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T. 5 N., R. 1 W., B.M. Beginning at Station 341+55.6 of the said Highway Survey which station is a point on tangent approximately 122.1 feet East from the Southwest corner of Section 9, T. 5 N., R. 1 W., B.M.; thence running North 20°20'30" West 1404.4 feet to Station 355+60.0 of said Survey, which station is a point on tangent approximately 1315.0 feet N. and 367.0 feet W. from the SE corner of Section 8, T. 5 N., R. 1 W., B.M. and ALSO EXCEPT a strip of land 120.0 feet wide, being 60.0 feet on each side of the following described center line of highway as surveyed and shown on the official plat of State Highway No. 16- Project No. S-3832(2) Highway Survey on line in the office of the Department of Highways of the State of Idaho and lying over and across the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 8, T. 5 N., R. 1 W., B.M. Beginning at Station 355+60.0 of the said Highway Survey, which station is a point on tangent approximately 1315.0 feet North and 367.0 feet West from the Southeast corner of Section 8, T. 5 N., R. 1 W., B.M.; thence running North 20°20'30" West - 1428.0 feet to Station 369.88.0 of said Survey, which station is a point on tangent approximately 864.0 feet West from the East Quarter corner of Section 8, T. 5 N., R. 1 West, B.M. AND ALSO EXCEPT additional strips of land adjacent and contiguous to the above described right of way on each side thereof as follows: 0.0 feet at Station 356+00, widening to 30.0 feet at Station 357+00, and continuing 30 feet wide to Station 366+00; thence tapering to 0.0 feet at Station 367+00.

EXCEPT the S $\frac{1}{2}$ SE $\frac{1}{4}$ lying West of the West boundary of Highway 16 and the South 135 feet of the N $\frac{1}{2}$ SE $\frac{1}{4}$ lying West of the West boundary of Highway 16, all in Section 8, T. 5 N., R. 1 W., B.M., Ada County, Idaho

AND EXCEPT the N $\frac{1}{2}$ SE $\frac{1}{4}$ lying West of the Westerly boundary of Highway 16, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 8, Twp. 5 N., R. 1 W., B.M., Ada County, Idaho Excepting therefrom the South 135 feet of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 8, T. 5 N., R. 1 W., B.M., Ada County, Idaho.

EXCEPT all Ditch and Road Rights of Way therefor and Including all water and ditch rights appurtenant thereto or used in connection therewith.

together with their appurtenances.

97075500

Elaine Mitchell

ADA CO. RECORDER

J. DAVID NAVARRO

BOISE ID

Re-record

'97 SEP 15 PM 12 37

FEE *6.00* DEP *D. H. H.*
RECORDED AT THE REQUEST OF

97007265

Elaine Mitchell

ADA CO. RECORDER

J. DAVID NAVARRO

BOISE ID

'97 JAN 30 PM 1 05

FEE *6.00* DEP *D. H. H.*
RECORDED AT THE REQUEST OF

EXHIBIT A

AND EXCEPT THAT PORTION DESCRIBED BELOW:

INSTRUMENT # S0308417220

Being situate in Ada County, Idaho:

Beginning at the NE corner of the SE $\frac{1}{4}$, Section 8, Twp. 5 N., R. 1 W., B.M., Ada County, Idaho, the Real Point of Beginning; thence

S.0°0'E. 432.9 feet to a point; thence

S.69°34'W. a distance of 563.77 feet to the East right of way of Highway 16 as it now exists; thence

Northwesterly along the East boundary of the said Highway 16 right-of-way to the intersection of said right-of-way and the North boundary line of the SE $\frac{1}{4}$ of Section 8; thence

Easterly to the Northeast corner of SE $\frac{1}{4}$ of said Section, the Real Point of Beginning.

THIS DOCUMENT IS BEING RE-RECORDED TO ADD EXCEPTION AND INDIVIDUAL SIGNATURE.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-22203

WATER RIGHT NUMBER: 63-22203

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	DEE RACHILLA BOX 1 HALFWAY VILLAGE PEARL RT EAGLE, ID 83616 (208)286-7283
Current Owner	WILFRED STENERSON 10570 HWY 16 EAGLE, ID 83616 (208)286-7118

Priority Date: 05/20/1970

Basis: Decreed

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>
DOMESTIC	1/01 to 12/31	0.040 CFS	
<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 8, Twp 05N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	8																	X

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. ✱ PARCEL NO. S0308417250 PROPERTY ALSO KNOWN AS 10060 N EMMETT HWY., EAGLE.
4. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-22203

Remarks:

Comments:

1. DBUFFING 5/11/2000 NAME CHANGE - OWNERSHIP CHANGE

Comment: THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN OWNERSHIP CHANGE.

Dates and Other Information:

Licensed Date:

Decreed Date: 3/31/2000

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:

Water Supply Bank: