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Documents
In File

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

RECEIVED**AUG 20 2001**WATER RESOURCES
WESTERN REGION

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
85-10306					

RECEIVED**AUG 21 2001**

Department of Water Resources

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) William and Christine Munger
P.O. Box 11, Winchester, Id 83555
4. New Owner/Claimant(s) James & Colleen M. Chmelik
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address HC R 3 Box 111-D
- City, State and ZIP Code Cottonwood Id. 83522
- New Telephone Number 208 962-7242
5. Date you acquired the property Jan. 11, 2000

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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) Colleen Chmelik
(include title if applicable) _____

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>DS</u>	Date <u>8-20-01</u>	Fee <u>\$25-</u>	
Received by <u>DS</u>	Date <u>8-20-01</u>	Receipt No. <u>W028004</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

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SEP 28 2004

0410124

WARRANTY DEED

GRANTOR, WILLIAM D. MUNGER and CHRISTINE A. MUNGER, husband and wife, of P. O. Box 11, Winchester, ID 83555, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to JAMES A. CHMELIK and COLLEEN M. CHMELIK, husband and wife, of 16965 129th Ave. S.E., Renton, WA 98058, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2000, which are a lien, not yet due and payable.
2. Pipeline Easement, including the terms and conditions thereof, by and between ST. GERTRUDE'S CONVENT, party of the first part, and FRANK FORSMAN, party of the second part, recorded March 11, 1927, under Instrument No. 83628, records of Idaho County, Idaho.
3. Right of Way Deed, including the terms and conditions thereof, by and between ARTHUR MARTZEN and the KEUTERVILLE HIGHWAY DISTRICT, recorded November 21, 1961, under Instrument No. 207221, records of Idaho County, Idaho.
4. Right of Way Easement, including the terms and conditions thereof, by and between WILLIAM D. MUNGER and CHRISTINE A. MUNGER, and IDAHO COUNTY LIGHT & POWER COOPERATIVE ASSOC., INC., a corporation, recorded April 22, 1999, under Instrument No. 0405649, records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all

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1 lawful claims whatsoever, except general taxes for the year 2000, and
2 easements, reservations, restrictions and rights-of-way of record or in
3 use.

4 In construing this deed, and where the context so requires, the
5 singular includes the plural and the masculine, the feminine and the
6 neuter.

7 IN WITNESS WHEREOF, Grantors have hereunto subscribed their names
8 to this instrument this 11 day of January, 2000.

9
10 William D. Munger Christine A. Munger
11 WILLIAM D. MUNGER CHRISTINE A. MUNGER

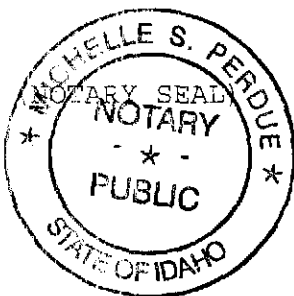
12 STATE OF IDAHO)

13 ss.

14 County of Idaho)

15 On this 11th day of January, 2000, before me,
16 Michelle S. Perdue, a Notary for the said County and State,
17 personally appeared WILLIAM D. MUNGER and CHRISTINE A. MUNGER, husband
18 and wife, known or identified to me to be the persons whose names are
19 subscribed to the within instrument, and they acknowledged to me that
20 they freely executed the same and that the statements therein contained
21 are true.

22 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
23 official seal the day and year first above written.



Michelle S. Perdue
Notary Public for State of Idaho,
Residing at Grangeville therein.
My commission expires on

3/26/2004

EXHIBIT A

SCHEDULE C

Township 31 North, Range 1 West, Boise Meridian, Idaho County, Idaho

Section 2: SE $\frac{1}{4}$ NW $\frac{1}{4}$

ALSO Assessor's Tax #80: A parcel in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Beginning at a point on the South subdivision line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of
said Section 2, 330 feet West of the Southeast corner of the
SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence at right angles South 445 feet;

Thence in a Northwesterly direction 1116 feet more or less following
the North boundary of the public road right of way to the Southwest
corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence due East on the South subdivision line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ to
the point of beginning.

LESS Assessor's Tax #123: A parcel located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
and the NE $\frac{1}{4}$ SW $\frac{1}{4}$, being part of Tax #80 and all of Tax #82 and part
of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and more particularly described as follows:

The point of beginning being a point on the North right of way of the
County Road in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, which point is located West 165 feet
and South 462 feet from the Southeast corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence in a Northeasterly direction 515 feet to the Southeast corner of
the SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 165 feet;

Thence West 434 feet;

Thence South approximately 445 feet to the North right of way of the
County Road;

Thence Southeasterly following the North right of way of the County
Road approximately 300 feet back to the point of beginning.

STATE of IDAHO
County of Idaho
Recorded at request of
Idaho Co Title
at *3:45 p.m.* on *1-11-00*
By *Edith L. Anderson* Recorder
Fees \$ *9.00* Deputy

MAILED
JAN 23 2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 85-10306

NAME AND ADDRESS: CHRISTINE A MUNGER
WILLIAM D MUNGER
MC RT 3 BOX 111 D
COTTONWOOD, ID 83522

SOURCE: SPRINGS. TRIBUTARY: COTTONWOOD CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1935

POINT OF DIVERSION: T31N R01W S02 NWSNW Within Idaho County
SESENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Stockwater		Within Idaho County
	T31N R01W S02	SENW	
	Domestic		Within Idaho County
	T31N R01W S02	SENW	

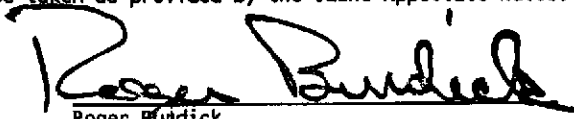
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Roger Buddick
Presiding Judge of the
Snake River Basin Adjudication

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 22, 2004

JAMES CHMELIK
COLLEEN CHMELIK
HCR 3 BOX 111D
COTTONWOOD ID 83522

RE: Change of Ownership for Water Right 85-10306

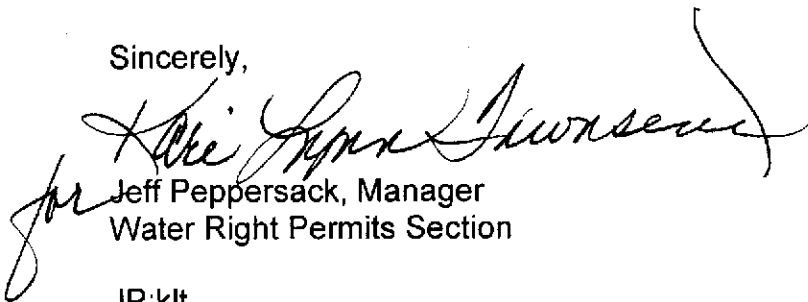
Dear Water Right Holder(s):

The department acknowledges 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.

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.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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