

APR 12 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH 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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-10307	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Herald H. Millard (DECEASED) Sharon J. Millard
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

KENNETH C MILLARD
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

104 PARK DRIVE
Mailing address

SPIRIT LAKE ID 83869
City State Zip

208-304-0293
Telephone

KENMILLARD57@gmail.com
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: 11-20-2020
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature:

Kenneth C Millard
Signature of new owner/claimant
Kenneth C Millard
Print name

4-1-2023
Title, if applicable Date

Signature:

Signature of new owner/claimant

Print name

Title, if applicable Date

For IDWR Office Use Only:

Received by Ja Date 4-12-23 Receipt No. N043051 Receipt Amt. 25.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by NS Date 5/8/23



WARRANTY DEED

Alliance Title & Escrow, LLC
Order No.: 516160

FOR VALUE RECEIVED

Gerald Millard and Sharon Millard, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Kenneth C. Millard, an unmarried man

whose current address is **104 Park Drive, Spirit Lake, ID 83869**

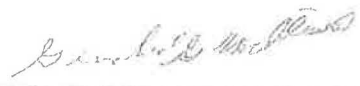
the grantee(s), the following described premises, in Bonner County, Idaho, TO WIT:

See attached Exhibit 'A'
Legal Description

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does 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: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: November, 2020



Gerald Millard



Sharon Millard

State of Idaho} ss
County of Bonner}

On this 19th day of November, 2020, before me, Karla S Derton, a Notary Public in and for said state, personally appeared Gerald Millard and Sharon Millard, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument.

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



Karla S Derton
Notary Public for the State of Idaho
Residing at: Rathdrum, Idaho
Commission Expires: July 15, 2025

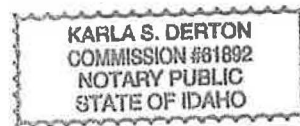


Exhibit "A"
Legal Description

PARCEL I:

A portion of the Northeast Quarter of Section 30, Township 54 North, Range 4 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of Section 30, Township 54 North, Range 4 West, Boise Meridian, Bonner County, Idaho;
Thence North $89^{\circ} 45'$ West along the North boundary of said Section a distance of 538.2 feet to the True Point of Beginning;
Thence continuing as before said a distance of 209.0 feet;
Thence South a distance of 209.9 feet;
Thence East a distance of 209.0 feet;
Thence North a distance of 209.9 feet to the True Point of Beginning.

PARCEL II:

The North Half of the North Half of the Northeast Quarter of the Northeast Quarter of Section 30, Township 54 North, Range 4 West, Boise Meridian, Bonner County, Idaho;

EXCEPTING Therefrom the part thereof lying within the County Road right of way along the Eastern Boundary thereof;

ALSO EXCEPTING Therefrom a portion described as follows:

Commencing at the Northeast corner of Section 30, Township 54 North, Range 4 West, Boise Meridian, Bonner County, Idaho;
Thence North $89^{\circ} 45'$ West along the North boundary of said Section a distance of 538.2 feet to the True Point of Beginning;
Thence continuing as before said a distance of 209.00 feet;
Thence South a distance of 209.9 feet;
Thence East a distance of 209.0 feet;
Thence North a distance of 209.9 feet to the True Point of Beginning.

RECEIVED

MAR 19 2020

DEPARTMENT OF
WATER RESOURCES

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

AMENDED

In Re CSRBA)
)
Case No. 49576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-10307

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 18 2020

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: GERALD G MILLARD
SHARON L MILLARD
104 PARK DR
SPIRIT LAKE, ID 83869

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/30/1980

POINT OF DIVERSION: T54N R04W S30 NENE Within Bonner County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

Domestic use is for 1 home.

PLACE OF USE:	Stockwater		Within Bonner County
	T54N R04W S19	SESE	
	S30	NENE	
	Domestic		Within Bonner County
	T54N R04W S30	NENE	

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

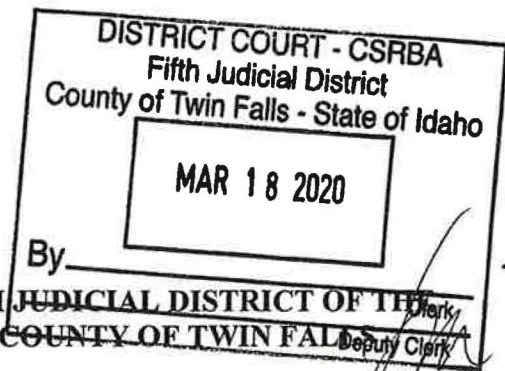
The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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.

Eric C. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication



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

In Re CSRBA

Case No. 49576

) Water Right Claim: 95-10307
)
) ORDER GRANTING MOTION TO SET
) ASIDE PARTIAL DECREE
)
) ORDER OF AMENDED PARTIAL DECREE
)
)

RECEIVED

MAR 19 2020

DEPARTMENT OF
WATER RESOURCES

A *Partial Decree* was issued for the right on November 8, 2019. On December 2, 2019, the Clerk of the Court received correspondence from Gerald and Sharon Millard. The correspondence requests that the Court change the last name of the claimants on the *Partial Decree* from "Milland" to "Millard." The Court treated the correspondence as a *Motion to Set Aside Partial Decree*. A hearing on the *Motion* was held on March 17, 2020. For reasons set forth on the record, the Court held the movants set forth sufficient grounds to have the *Partial Decrees* set aside pursuant to Idaho Rule of Civil Procedure 60(b)(1).

Therefore, IT IS ORDERED that the above-captioned water right is set aside and amended as set forth in the attached *Amended Partial Decree*. The previously issued *Partial Decree* is superseded thereby.

Dated

Mar. 18, 2020

ERIC J. WILDMAN

Presiding Judge

Coeur d'Alene-Spokane River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO SET ASIDE PARTIAL DECREE / ORDER OF AMENDED PARTIAL DECREE was mailed on March 18, 2020, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

GERALD G MILLARD
SHARON L MILLARD
104 PARK DR
SPIRIT LAKE, ID 83869
Phone: 208-623-6131

JULIE MURPHY

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FILE COPY FOR 00806

Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".



IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763

Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 08, 2023

KENNETH C MILLARD
104 PARK DR
SPIRIT LAKE ID 83869-9759

Re: Change in Ownership for Water Right No(s): 95-10307

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 762-2813.

Sincerely,

Natalie Steading
Tech Records Specialist 1

Enclosure(s)