

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/9/2022

Water Right 65-3176 After Split

Owner Type **Name and Address**
Current Owner LUTHER WHITE
 PO BOX 1296
 CHIEFLAND, FL 32644-1296
 (352) 493-0497

Current Owner KAREN U WHITE
 PO BOX 1296
 CHIEFLAND, FL 32644-1296

Priority Date: 5/19/1904

Basis: Decreed

Status: Active

Source
LAKE FORK

Tributary
NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	9/15	1.250 CFS	
	<u>Total Diversion</u>		1.250 CFS	

Source and Point(s) of Diversion:

LAKE FORK NESWNW Sec. 35, Twp 18N, Rge 03E, VALLEY County

Place Of Use:

IRRIGATION within VALLEY County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	03E	2					25.0				16.0	17.0			12.1				70.1

POU Total Acres: 70.1

Conditions of Approval:

1. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/9/2022

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.

Comments:

- 1 RHOWERTO 6/4/1999 COPIED FROM REMARKS
THIS CLAIM USES THE SPINK BARKER DITCH AS A MEANS OF CONVEYANCE. POINT OF
DIVERSION THE P/D WAS DECREED IN WRONG 1/4 1/4, SEE MAPS IN FILE.
- 2 AJU10-JS 9/24/1999 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
- 3 djudd 12/9/2022 Split Right
Split into 65-3176 & 65-24197 due to change in ownership.
- 4 djudd 12/9/2022 POU
Updated Shape

Dates and Other Information:

Decreed Date: 6/30/2004
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65K
Mitigation Plan: False

Combined Use Limits:

N/A

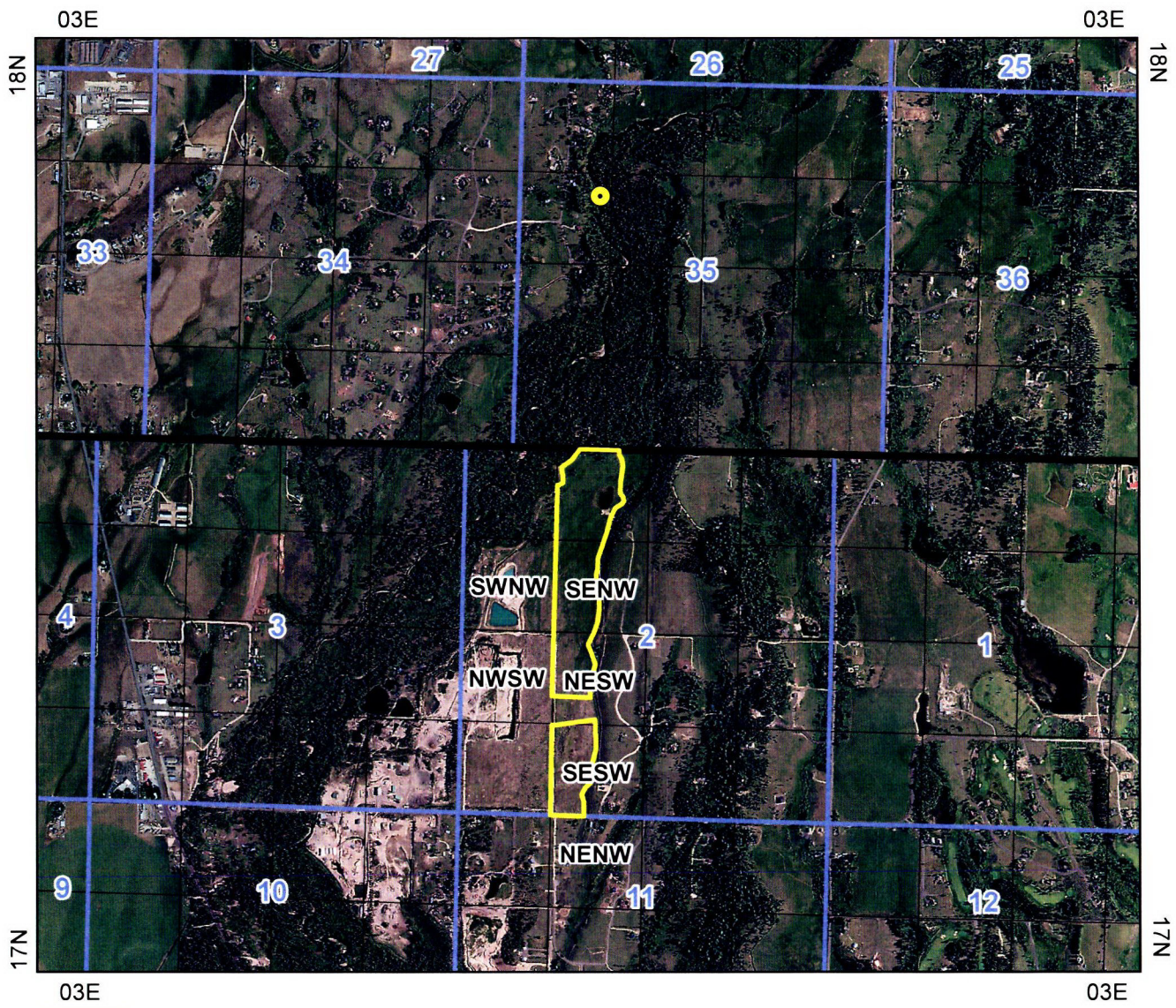
SubCase:

SubCaseNumber: 65-3176
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 6/9/2000
Objection Status: Active

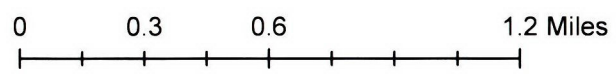
Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
65-3176
After Split



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion



SCANNED
DEC 14 2022

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Tributary
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IRRIGATION	5/01	9/15	1.340 CFS	
	<u>Total Diversion</u>		1.340 CFS	

Source and Point(s) of Diversion:

LAKE FORK NESWNW Sec. 35, Twp 18N, Rge 03E, VALLEY County

Place Of Use:

IRRIGATION within VALLEY County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	03E	2					25.0				16.0	17.0			17.0				75.0

POU Total Acres: 75.0

Conditions of Approval:

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

Dates and Other Information:

Decreed Date: 6/30/2004
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65K
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

SubCaseNumber: 65-3176
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 6/9/2000
Objection Status: Active

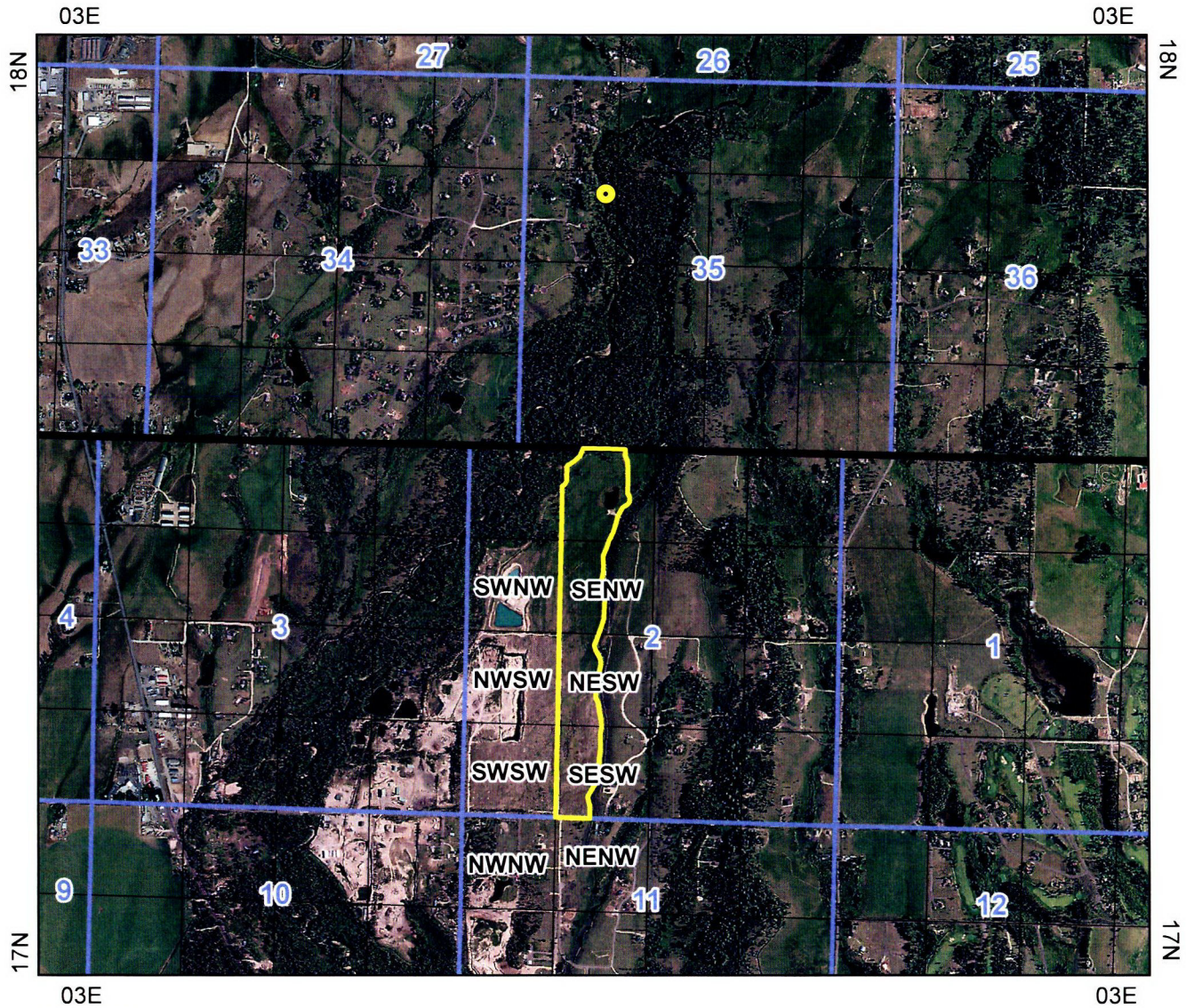
Water Supply Bank:

N/A

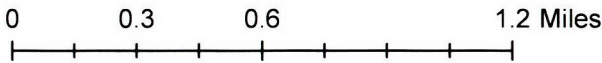
State of Idaho
Department of Water Resources
Water Right License

65-3176

Before Split



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion



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DEC 14 2022



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 22 2022
DEPARTMENT OF
WATER RESOURCES

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?
65-3176	Yes ☒	Yes ☒		Yes ☐	Yes ☐
65-24197	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Karen U White & Luther White
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): James Stroo Dawn L Murphy
New owner(s) as listed on the conveyance document
- Name connector ☒ and ☐ or
- 2495 E Cyanite Dr Meridian ID 83642
Mailing address City State Zip
- 414.807.4124 jstroo@usinternet.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: _____
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o 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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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: [Signature]
Signature of new owner/claimant

OWNER
Title, if applicable

11/22/22
Date

Print name JAMES STROO

Signature: [Signature]
Signature of new owner/claimant

owner
Title, if applicable

11/22/22
Date

Print name Dawn Murphy

Received by KH Date 11.22.22

For IDWR Office Use Only:

Receipt No. C114705

SCANNED

DEC 14 2022 Receipt Amt. \$100 -

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 dy

Date 12/9/22



Instrument # 417893
VALLEY COUNTY, CASCADE, IDAHO
11-29-2018 14:50:45 No. of Pages: 2
Recorded for: AMERITITLE - CASCADE
DOUGLAS A. MILLER Fee: \$15.00
Ex-Officio Recorder Deputy: RRA
Electronically Recorded by Simplifile

WARRANTY DEED

Order No.: 269690AM

FOR VALUE RECEIVED

Gary L. Giberson and Ann L. Giberson, Trustees of the Gary L. and Ann L. Giberson Trust dated June 12, 2003, as may be amended

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

James Stroo and Dawn Murphy, husband and wife

whose current address is:
2495 E Cyanite Dr.
Meridian, ID 83642

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

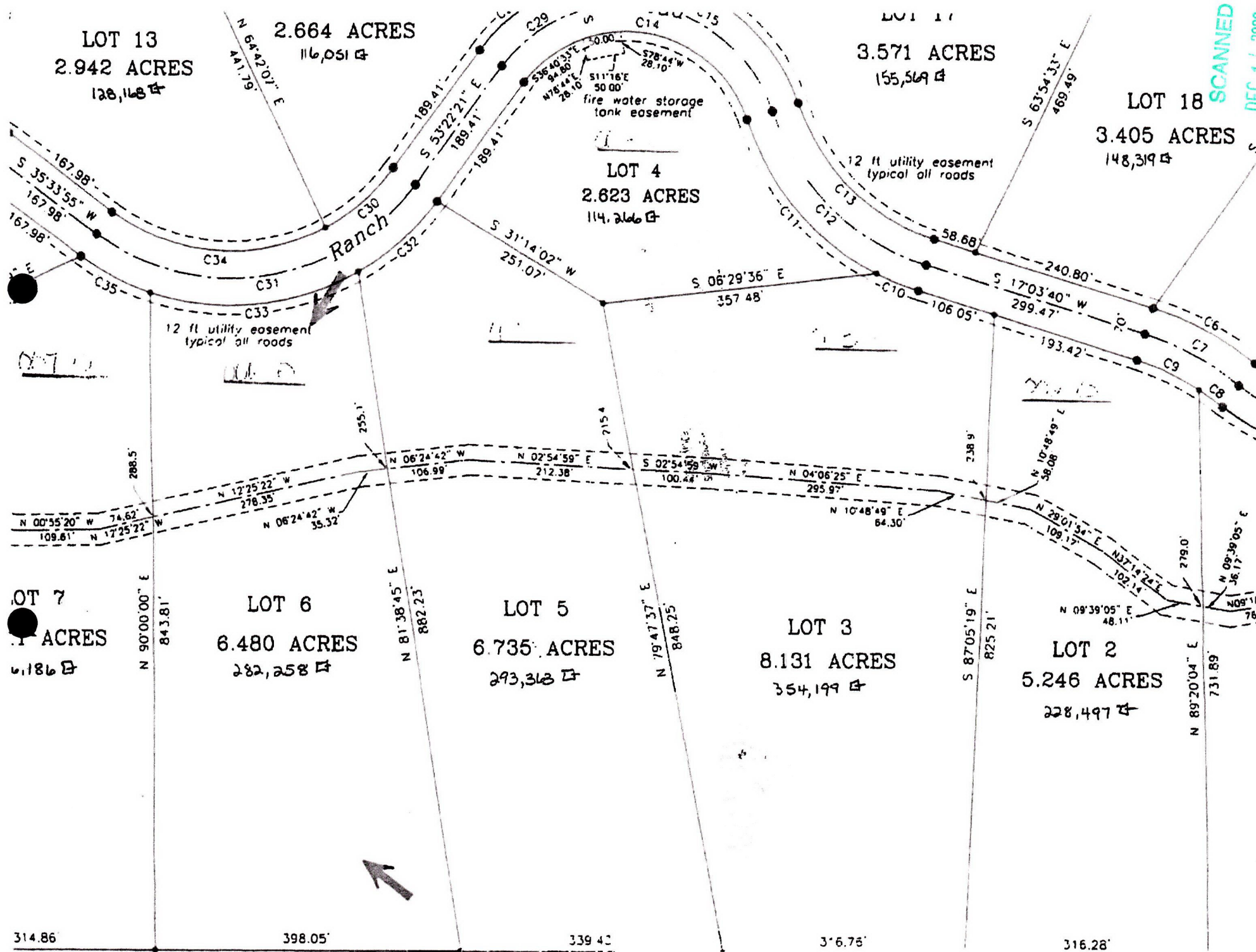
Lot 6, of Elkhorn Subdivision Phase 1, according to the official plat thereof, filed in Official Records of Valley County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor 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 21, 2018

SCANNED
DEC 14 2022

SCANNED
DEC 14 2022





Instrument # 417893
VALLEY COUNTY, CASCADE, IDAHO
11-29-2018 14:50:45 No. of Pages: 2
Recorded for: AMERITITLE - CASCADE
DOUGLAS A. MILLER Fee: \$15.00
Ex-Officio Recorder Deputy: RRA
Electronically Recorded by Simplifile

RECEIVED

DEC 08 2022

DEPARTMENT OF
WATER RESOURCES

WARRANTY DEED

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Dated: November 21, 2018

SCANNED
DEC 14 2022



This document has been recorded electronically.
Please see the attached Copy to view the County
Recorder's stamp as it now appears in the public
record.

Submitted by: AMERITITLE

WARRANTY DEED

RECEIVED
DEC 08 2022
DEPARTMENT OF
WATER RESOURCES

Order No.: 269690AM

FOR VALUE RECEIVED

Gary L. Giberson and Ann L. Giberson, Trustees of the Gary L. and Ann L. Giberson Trust
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the same from all lawful claims whatsoever.

Dated: November 21, 2018

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DEC 14 2022

The Gary L. Giberson and Ann L. Giberson Trust

x Gary L. Giberson Trustee
By: Gary L. Giberson, Trustee

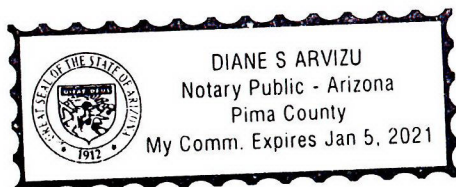
x Ann L. Giberson, Trustee
By: Ann L. Giberson, Trustee

State of Arizona } ss.
County of Pinal }

On this 26 day of November, 2018, before me, Diane S. Arvizu a Notary Public in and for said state, personally appeared Gary L. Giberson and Ann L. Giberson known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Gary L. and Ann L. Giberson Trust, and acknowledged to me that he/she/they executed the same as Trustee.

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

* Diane S. Arvizu
Notary Public for the State of Arizona
Residing at: Tucson
Commission Expires: 1-5-2021



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DEC 14 2022



IDAHO DEPARTMENT OF

WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 13, 2022

JAMES STROO
DAWN MURPHY
2495 E CYANITE DR
MERIDIAN ID 83642-9071

Re: Change in Water Right Ownership: 65-3176 (Split into 65-3176 and **65-24197**)

Dear Water Right Holders:

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

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd

Technical Records Specialist

Enclosures

c: LUTHER WHITE
KAREN U WHITE
WATER DISTRICT 65K – *via email*

SCANNED

DEC 14 2022



322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 1, 2022

JAMES STROO
DAWN MURPHY
2495 E CYANITE DR
MERIDIAN ID 83642-9071

RE: Change in Ownership Water Right No: 65-3176

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- X Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question – One page of a warranty deed was submitted; the Department requires a copy of the entire deed including the notarized signed page.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4920 or debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

SCANNED
DEC 02 2022