

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 14 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. DE ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
79-13962	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: James E Bonato

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Sheena R Grush

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

Po Box 438

Mailing address

208-628-3545

Telephone

Riggins

City

ID

State

83549

Zip

Sheena.Grush@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: _____
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: Sheena R Grush _____ 10-31-2022

Signature of new owner/claimant

Title, if applicable

Date

Print name

- Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

Print name

For IDWR Office Use Only:

Received by KU Date 11.14.22 Receipt No. C114642 Receipt Amt. \$25

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

Name on W-9 _____ Approved by _____ Processed by dh Date 11/29/22

SCANNED

DEC 02 2022

Instrument # 537739

IDAHO COUNTY, IDAHO,

9-9-2022 08:58:04 AM No. of Pages: 3

Recorded for : SUMMER EMMERT

KATHY M. ACKERMAN

Fee: 15.00

Ex-Officio Recorder Deputy

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made on this 2nd day of September, 2022, by and between THE ESTATE OF JAMES EVANS BONATO, Deceased, acting through Sheena R. Grush, Personal Representative of the Estate, under authority of Idaho County Probate Case No. CV 25-22-0058, hereinafter referred to as the Grantor, and Sheena R. Grush, a married woman dealing with her sole and separate property, of 5638 Hwy 95 South, Pollock, Idaho 83547, hereinafter referred to as the Grantee.

WITNESSETH:

That the Personal Representative of the Grantor Estate by virtue of the authority vested in her by the laws of the State of Idaho, and in consideration of the testacy laws of the State of Idaho, does by these presents release, transfer, and grant all of the interest of James Evans Bonato to the Grantee herein, in and to the following described real property, situate in the County of Idaho, State of Idaho, to wit:

See attached "Exhibit A"

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises with the appurtenances unto the said Grantee, her heirs and assigns, forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal the day and year first above written.

PERSONAL REPRESENTATIVE'S DEED

-1-

SCANNED
DEC 02 2022

THE ESTATE OF JAMES EVAN BONATO
Deceased

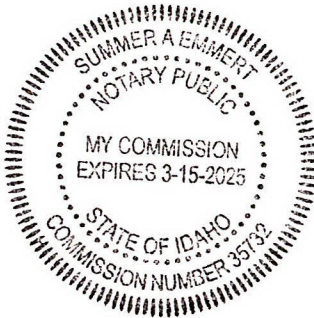
By

Sheena Grush
Sheena R. Grush,
Personal Representative

STATE OF IDAHO)
) ss.
County of Idaho)

On this 6th day of September, 2022, before me, a Notary Public in and for said County and State, personally appeared Sheena R. Grush, Personal Representative of THE ESTATE OF JAMES EVAN BONATO, Deceased, known or identified to me to be the person whose name is subscribed to the within instrument and she acknowledged to me that she freely executed the same for and on behalf of said Estate.

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



Summer A Emmert
NOTARY PUBLIC FOR IDAHO
My Commission Expires 3/15/25
(SEAL)

LAW OFFICE OF SUMMER A. EMMERT, P.C.
508 Foster
P.O. Box 5
Cottonwood, Idaho 83522
(208) 962-7746
summeremmert@yahoo.com
Idaho State Bar # 6199
Attorney for Petitioner, Sheena R. Grush

**IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF IDAHO**

In the Matter of the Estate

of

JAMES EVANS BONATO,

DECEASED.

Case No. CV25-22-0058

LETTERS TESTAMENTARY

1. Sheena R. Grush was duly appointed and qualified as Personal Representative of the estate of the above-named decedent on the 17 day of February, 2022, by the Court with all authority pertaining thereto.

2. Administration of the estate is unsupervised. These Letters Testamentary are issued to evidence the appointment, qualification, and authority of the said personal representative.

WITNESS, my signature and the Seal of this Court, this 2/17/2022 04:44 PM

Jeff P. Payne, MAGISTRATE



STATE OF IDAHO } ss COUNTY OF IDAHO }
I, Kathy M. Ackerman, Clerk of the above entitled Court do hereby certify the foregoing to be a true and correct copy of the original instrument on file in my office
DATED <u>2/18/2022 8:29:56 AM</u>
KATHY ACKERMAN, CLERK OF THE DISTRICT By <u>Krista Green</u> Deputy

SCANNED
DEC 02 2022

EXHIBIT A

Parcel 5 being a tract of land located in portions of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 25 North, Range 1 East, Boise Meridian, Idaho County, Idaho, more particularly described as follows:

Beginning at the corner common to Sections 4, 5, 8 and 9: T25N, R1E, Boise Meridian, Idaho County, Idaho:

Thence N 89°56'12" W, 1325.27 feet along the line common to Sections 5 and 8 to the Southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5;

thence N 00°11'33" W, 1313.14 feet along the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5 to the Northwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5;

thence S 89°57'03" E, 1324.85 feet along the North line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5 to the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5;

thence S 02°15'43" E, 1304.17 feet;

thence along a 60.00 foot radius curve to the right an arc distance of 9.87 feet to a point on the line common to Sections 4 and 9;

thence S 89°25'55" W, 46.23 feet along said section line to the Point of Beginning.

1. 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.
2. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

Dates:

Licensed Date:

Decreed Date: 03/12/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED
DEC 02 2022

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

2/25/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 79-13962

Owner Type Name and Address

Current Owner JAMES E BONATO
PO BOX 350
LUCILE, ID 83542
2086283087

Priority Date: 06/01/1907

Basis: Decreed

Status: Active

Source Tributary

CABIN CREEK COW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.06 CFS	
STOCKWATER	01/01	12/31	0.02 CFS	
DOMESTIC	01/01	12/31	0.02 CFS	
FIRE PROTECTION	03/15	11/15	0.5 CFS	
Total Diversion			0.5 CFS	

Location of Point(s) of Diversion:

CABIN CREEK | NWNE | Sec. 08 | Township 25N | Range 01E | IDAHO County

Place(s) of use:

Place of Use Legal Description: IRRIGATION IDAHO County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
25N	01E	5		SESE	2									

Total Acres: 2

Conditions of Approval:

SCANNED
DEC 6 2 2022

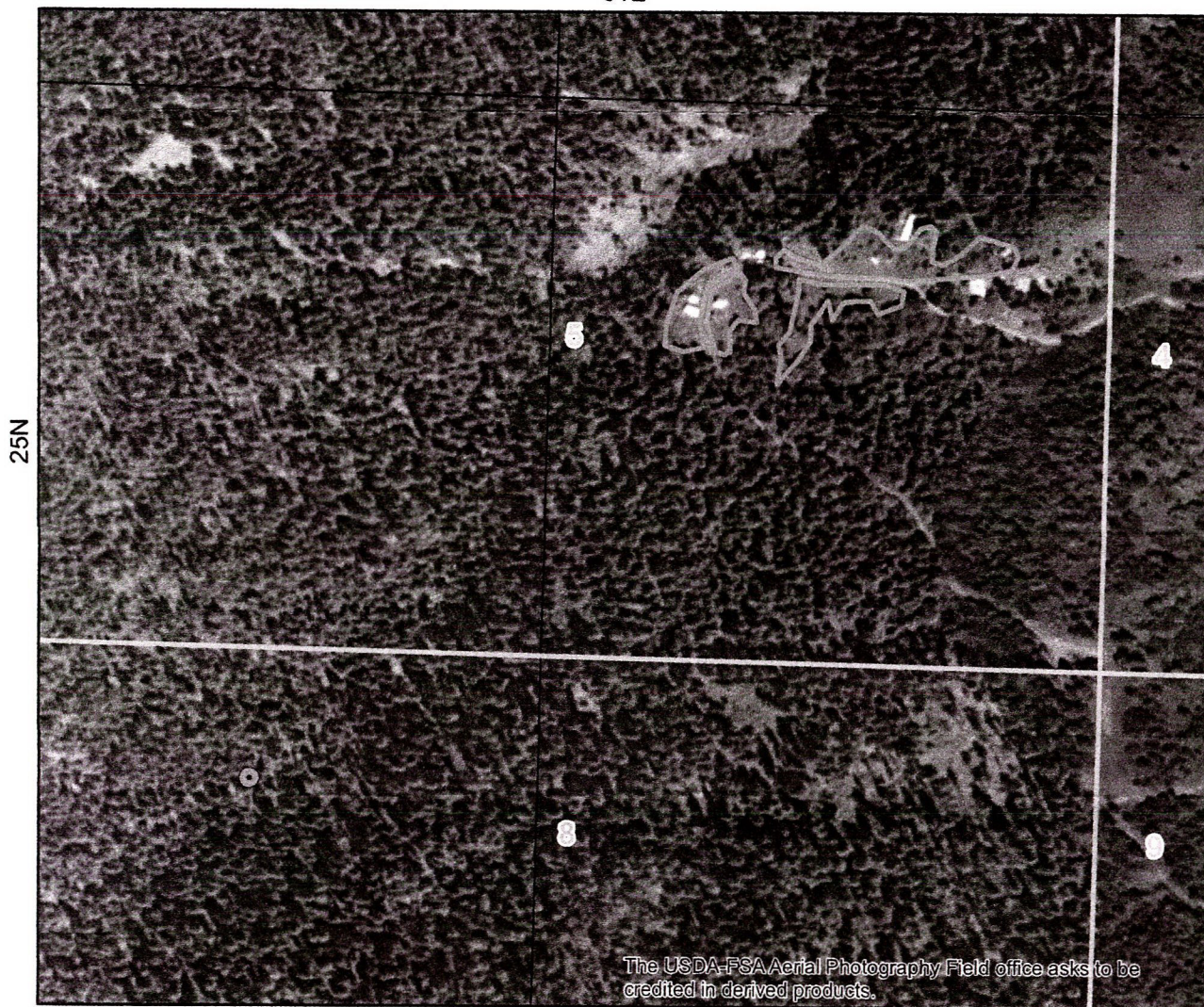
State of Idaho
Department of Water Resources

Water Right
79-13962

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

01E



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

0 0.05 0.1 0.2 Miles





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 1, 2022

SHEENA R GRUSH
PO BOX 438
RIGGINS ID 83549-0438

Re: Change in Ownership for Water Right No: 79-13962

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right 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) 287-4920 or debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

SCANNED
DEC 02 2022