

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 21 2023

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
78-10342	Yes ☐	Yes ☐	78-10342	Yes ☐	Yes ☐
78-4121	Yes ☐	Yes ☐	78-4121	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Nancee Kay Riggs
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): 367 Seven Devils Road, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

11440 Map Rock Rd. Melba ID 83641
Mailing address City State ZIP

208-995-1516 woodruffboys@gmail.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: 7/7/23 (closing date)

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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. \$50
 - ☐ \$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: [Signature] 367 Seven Devils Road, LLC 7/16/23
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] 367 Seven Devils Road LLC 7/16/23
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by Ku Date 9-21-23 Receipt No. C117067 Receipt Amt. \$ 50-

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 [Signature] Date 11-16-23

Instrument # 540805

IDAHO COUNTY, IDAHO,

7-7-2023 09:54:08 AM No. of Pages: 6

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Ex-Officio Recorder Deputy

Fee: 15.00

WARRANTY DEED

GRANTOR, The ESTATE of NANCEE KAY RIGGS, also known as NANCY K. RIGGS, deceased, by and through Kendi Camacho, Personal Representative, acting under authority of Idaho County, Idaho Case No. CV25-18-0318, of 729 East Liberty Street, Weiser, ID 83805, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to GRANTEE, 367 SEVEN DEVILS ROAD, LLC, an Idaho limited liability company, of 11440 Map Rock Rd., Melba, ID 83641, and the Grantee's successors and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and incorporated herein 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 2023, which are a lien, not yet due and payable.
- 2) Any right, title, or interest of the Public, County, or Highway District to roads or highways on the premises whether or not showing by the public records.
- 3) Right of Way for Wagon Road, including the terms and provisions thereof, by and between LOUIS REEVES, et al., and COUNTY OF IDAHO, recorded February 7, 1918, under Instrument No. 51504, Book 42 page 418, records of Idaho County, Idaho.
- 4) Right of Way, including the terms and provisions thereof, by and between LOUI REEVES and THE UNITED STATES OF AMERICA, recorded September 28, 1937, under Instrument No. 119367, Book 66 page 509; Easement, including the terms and provisions thereof, by and between THE UNITED STATES OF AMERICA and THE COUNTY OF IDAHO, STATE OF IDAHO, recorded January 16, 1968, under Instrument No. 229342, Book 108 page 55, all records of Idaho County, Idaho.
- 5) Power Line Easement, including the terms and provisions thereof, by and between N.O. TAYLOR and HAZEL A. TAYLOR, his wife, and IDAHO POWER COMPANY, a corporation, recorded April 24, 1948, under Instrument No. 159355, Book 80 page 556, records of Idaho County, Idaho.

- 6) Power Line Easement, including the terms and provisions thereof, by and between N.O. TAYLOR and HAZEL A. TAYLOR, his wife, and IDAHO POWER COMPANY, a corporation, recorded February 21, 1958, under Instrument No. 193560, Book 91 page 437, records of Idaho County, Idaho.
- 7) Power Line Easement, including the terms and provisions thereof, by and between N.O. TAYLOR and HAZEL A. TAYLOR, his wife, and IDAHO POWER COMPANY, a corporation, recorded February 26, 1964, under Instrument No. 214793, Book 100 page 397, records of Idaho County, Idaho.
- 8) Matters as shown in Survey No. S-2051, recorded June 18, 2003, under Instrument No. 429584; Survey No. S-2170, recorded July 27, 2004, under Instrument No. 436527; and Survey No. S-4031, recorded February 9, 2023, under Instrument No. 539390, all records of Idaho County, Idaho.
- 9) Rights and easements in favor of the public for recreational uses of Squaw Creek.
- 10) Agreement Concerning Boundary Adjustment and Reserved Waterline Easements, including the terms and provisions thereof, by and between CATHY A. MOULTON, an unmarried woman, and KENDI CAMACHO, as duly appointed Personal Representative of the Estate of NANCEE KAY RIGGS, also known as NANCY K. RIGGS, deceased, recorded October 13, 2022, under Instrument No. 538161, records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, their successors and assigns, forever. And the said Grantor does hereby covenant to and with the said Grantee that they are the owner in fee simple of said premises; that it is free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, EXCEPT General taxes, easements, reservations, restrictions, and rights of way of record or in use.

Except as otherwise expressly provided in this instrument, Grantor hereby declares, pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event Grantor shall have permitted or suffered, at any time prior to the making of this instrument, any person or entity to possess, use, or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of Grantor, it was not

SCHEDULE C

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho

Section 17: A parcel of property located South of Seven Devils Road within the NW¼SE¼ and the NE¼SW¼, more particularly described as follows:

Commencing at the section corner common to Sections 16, 17, 20, and 21, under Instrument No. 410193, records of Idaho County, Idaho;

thence N 00°17'56" E, 2623.83 feet along the Section line to the ¼ corner common to said Sections 16 and 17, under Instrument No. 385487, records of Idaho County, Idaho;

thence S 68°53'53" W, 1677.85 feet to a point on the southerly 60 foot Right of Way of Seven Devils Road monumented with a 5/8 x 30 inch rebar by PLS 9166, this is the Initial Point of Beginning for this parcel;

thence S 12°39'40" E, 39.51 feet continuing along said Right of Way to a PC monumented with a 5/8 x 30 inch rebar by PLS 9166;

thence continuing along said Right of Way on a tangent curve turning to the left with the following dimensions:

L = 156.79 feet R = 363.19 feet B = S 25°01'42" E

CH. = 155.58 feet D = 24°44'04" T = 79.64 feet, to a PT monumented with a 5/8 x 30 inch rebar by PLS 9166;

thence S 37°23'45" E, 282.33 feet continuing along said Right of Way to the intersection with the easterly side of said NW¼SE¼ monumented with a 5/8 x 30 inch rebar by PLS 9166;

thence S 00°23'31" W, 291.49 feet along said easterly side to the SE1/16th corner monumented with a 2½ inch brass cap by PELS 2098;

thence N 89°27'21" W, 1312.29 feet along the southerly side of said NW¼SE¼ to the CS1/16th corner monumented with a 5/8 x 30 inch rebar with a 2 inch aluminum cap by PLS 9166;

thence N 88°45'04" W, 901.08 feet along the southerly side of said NE¼SW¼ to the intersection with the easterly side of Assessor's Tax No. 237 monumented with a 5/8 inch rebar by PLS 9166;

thence N 13°03'35" E, 38.66 feet continuing along said Assessor's Tax No. 237 to an angle point monumented with a 5/8 inch rebar by PLS 9166;

thence N 21°21'35" E, 132.71 feet continuing along said Assessor's Tax No. 237 to the intersection with the said Right of Way monumented with a 5/8 inch rebar by PLS 9166;

thence N 74°55'51" E, 113.11 feet continuing along said Right of Way to a PC;

thence along a tangent curve turning to the left

L = 188.95 feet R = 1086.71 feet B = N 69°56'59" E

CH. = 188.71 feet D = 09°57'44" T = 94.71 feet continuing along said Right of Way to a PRC;

thence along a reverse curve turning to the right

L = 129.56 feet R = 952.33 feet B = N 68°51'59" E

CH. = 129.46 feet D = 07°47'42" T = 64.88 feet continuing along said Right of Way to a PT;

thence N 72°45'50" E, 224.62 feet continuing along said Right of Way to a PC;

thence along a tangent curve turning to the right

L = 66.21 feet R = 1183.93 feet B = N 74°21'58" E

CH. = 66.21 feet D = 03°12'16" T = 33.12 feet continuing along said Right of Way to a PT;

thence N 75°58'05" E 165.48 feet continuing along said Right of Way to a PC;

thence along a tangent curve turning to the left

L = 133.70 feet R = 381.76 feet B = N 65°56'07" E

CH. = 133.02 feet D = 20°03'56" T = 67.54 feet continued along said Right of Way to a PRC;

thence along a reverse curve turning to the right

L = 221.11 feet R = 1028.40 feet B = N 62°03'43" E

CH. = 220.68 feet D = 12°19'07" T = 110.98 feet continuing along said Right of Way to a PT;

thence N 68°13'16" E 201.32 feet continuing along said Right of Way to a PC;

thence along a tangent curve turning to the right

L = 225.75 feet R = 791.74 feet B = N 76°23'22" E

File No. 34720

SCHEDULE C
(Continued)

CH. = 224.98 feet D = 16°20'12" T = 113.65 feet continuing along said Right of Way to a PRC;
thence along a reverse curve turning to the left
L = 86.17 feet R = 981.45 feet B = N 82°02'34" E
CH. = 86.14 feet D = 05°01'49" T = 43.11 feet continuing along said Right of Way to a PCC
monumented with a 5/8 x 30 inch rebar by PLS 9166;
thence along a compound curve turning to the left
L = 30.08 feet R = 329.91 feet B = N 76°54'56" E
CH. = 30.07 feet D = 05°13'27" T = 15.05 feet continuing along said Right of Way to a POC
monumented with a 5/8 x 30 inch rebar by PLS 9166;
thence S 27°20'45" E, 71.53 feet leaving said Right of Way to a point monumented with a 5/8 x 30 inch rebar
by PLS 9166;
thence S 43°14'26" E, 33.43 feet to a point monumented with a 5/8 x 30 inch rebar by PLS 9166;
thence S 82°28'56" E, 89.41 feet to a point monumented with a 5/8 x 30 inch rebar by PLS 9166;
thence N 45°01'09" E, 30.14 feet to a point monumented with a 5/8 x 30 inch rebar by PLS 9166;
thence N 80°16'29" E, 64.57 feet back to the Initial Point of Beginning.
Sometimes known as Assessor's Tax No. 278

(end schedule c)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/21/2023

Water Right 78-10342

Owner Type **Name and Address**
Current Owner NANCEE KAY RIGGS
 PO BOX 278
 RIGGINS, ID 83549
 (208) 628-3648

Priority Date: 1/31/1890

Basis: Decreed

Status: Active

Source
SPRING

Tributary
SINKS

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

Source and Point(s) of Diversion:

SPRING NWSWNE Sec. 17, Twp 24N, Rge 01E, IDAHO County

Place Of Use:

DOMESTIC within IDAHO County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	01E	17			X														

Conditions of Approval:

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. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Comments:

Dates and Other Information:

Decreed Date: 8/18/2000

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-4121

NAME AND ADDRESS: NANCEE KAY RIGGS
PO BOX 278
RIGGINS ID 83549

SOURCE: SQUAW CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.080 CFS

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

PRIORITY DATE: 01/01/1890

POINT OF

DIVERSION: T24N R01E S17 NWSE Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.060 CFS

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: IRRIGATION in IDAHO County

T24N R01E S17 NWSE 2.00

STOCKWATER in IDAHO County

T24N R01E S17 NWSE

2 ACRES TOTAL

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



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 Mathew Weaver

November 16, 2023

367 SEVEN DEVILS ROAD LLC
11440 MAP ROCK RD
MELBA ID 83641-5220

Re: Change in Ownership for Water Right No(s): 78-4121

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.

The ownership of water right 78-10342 was NOT updated. The place of use for water right 78-10342 is T24N R01E Sec 17 SWNE. The property conveyed to 367 Seven Devils Road LLC in the warranty deed provided is in T24N R01E Sec 17 NESW and NWSE. Because the ownership of water right 78-10342 was not updated, a refund of \$25 has been requested and will be sent to Dan Woodruff under separate cover from the Idaho State Controller's Office.

The Department is also returning the Application for Transfer submitted with the Notice of Change in Water Right Ownership. The Application for Transfer is not needed to update the ownership of water rights. If you plan on moving the point of diversion or changing the place of use, then you will need to file the Application for Transfer.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

Idaho Department of Water Resources Receipt

Receipt ID: C117069

Payment Amount	\$50.00	Date Received	9/21/2023	Region	STATE
Payment Type	Check	Check Number	3149		
Payer	WOODRUFF, DAN				
Comments	CHANGE OF OWNERSHIP FOR: 3647 SEVEN DEVILS ROAD LLC WR#: 78-10342, 78-4121 DOCUMENT NUMBER: D9510				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$50.00	OWNERSHIP CHANGES/SECURITY INTERESTS	56140	0229	21		1155

Signature Line (Department Representative)

Please refund \$25 to:

Dan Woodruff
11440 MAP ROCK RD
MELBA ID 83641-5220

Water right 78-10342 was not updated.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, November 16, 2023 8:18 AM
To: IdwrPayable
Subject: refund
Attachments: 367 Seven Devils Road LLC- Dan Woodruff.docx

Please process as soon as possible. Thank you.



*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*