

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 14 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 #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?
67-11447	Yes ☐	Yes ☐		Yes ☐	Yes ☐
67-14779	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: WINSTON, JAMES D & WINSTON, PENNY J
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): APOSTOLI, JOHN C & APOSTOLI, MARIA C → APOSTOLI TRUST
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or

1496 MANN CREEK RD
Mailing address

208-550-8123
Telephone

WEISER ID 83672
City State Zip

CARLA.APOSTOLI@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: 08-30-2021
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.

SUPPORT DATA

IN FILE # 67-11447

8. Signature: [Signature] HUSBAND DEC 11, 2023
Signature of new owner/claimant Title, if applicable Date
- JOHN C. APOSTOLI
Print name
- Signature: [Signature] WIFE 12/11/23
Signature of new owner/claimant Title, if applicable Date
- MARIA C. APOSTOLI
Print name

For IDWR Office Use Only:

Received by KM Date 12.14.23 Receipt No. C117514 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 [Signature] Processed by [Signature] Date 12-19-23

WARRANTY DEED

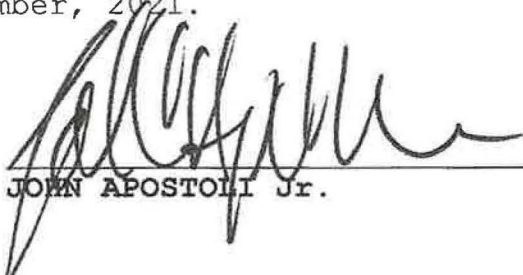
For Value Received, **MARIA CARLA APOSTOLI** and **JOHN APOSTOLI Jr.** and, wife and husband, Grantors, hereby transfer, convey, grant and warrant unto **MARIA CARLA APOSTOLI** and **JOHN CONNORS APOSTOLI JR.**, as Trustees of "**THE APOSTOLI TRUST**", a trust established under the laws of the State of California by an Agreement dated March 31, 2021, Grantee, all that certain real property more particularly described in **EXHIBIT "A"**, attached hereto and incorporated herein by reference (hereafter referred to as the "Property").

TO HAVE AND TO HOLD the Property, with its appurtenances unto the Grantee, its assigns and successors-in-interest forever. And the Grantors covenant to and with the Grantee that Grantors are the owners in fee simple of the Property; that the Property is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record; and, that they will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 11th day of November, 2021.



MARIA CARLA APOSTOLI



JOHN APOSTOLI Jr.

Until a change is requested,
send all tax statements to the
following
THE APOSTOLI TRUST
1496 Mann Creed Road
Weiser, ID 83672

After recording, return to

Reece M. Hrizuk
Attorney at Law
224 SW 3rd Street
Fruitland, ID 83619

EXHIBIT "A"

Land in Washington County, Idaho, as follows:

Parcel 1:

All that part of the NW1/4 NW1/4 (Government Lot 1) of Section 19, Township 12 North, Range 4 West of the Boise Meridian; lying Westerly of the Mann Creek Ditch, EXCEPTING THEREFROM the West 2 rods of said Lot 1, and FURTHER EXCEPTING all that portion lying South of the following described line:

Beginning at the Northwest corner of Lot 1 of Section 19, T.12N., R.4W., B.M.;

Thence S 0° 19'11" E, a distance of 493.65 feet along the West line of said Lot 1, to the True Point of Beginning of said line;

Thence N 89° 40'49" E, at 90° 00'00" to the West line of said Lot 1, a distance of 532.89 feet to a point on the Westerly right-of-way line of the Mann Creek Ditch, the Point of Termination of said line.

AND ALSO EXCEPTING a parcel of land situated within Government Lot 1 of Section 19, Township 12 North, Range 4 West, Boise Meridian, more particularly described as follows:

Beginning at the Northwest corner of Government Lot 1 of said Section 19;

Thence N 89° 50'11" E, a distance of 33.00 feet along the North line of said Government Lot 1 to the TRUE POINT OF BEGINNING;

Thence continuing N 89° 50'11" E, a distance of 362.46 feet along the North line of said Government Lot 1 to a point on the Westerly side of the Mann Creek Ditch;

Thence S 38° 52'58" E, a distance of 20.67 feet along the Westerly side of said Mann Creek Ditch;

Thence S 2° 13'02", a distance of 113.12 feet;

Thence N 88° 29'01" W, a distance of 63.86 feet;

Thence N 0° 19'17" W, parallel to the West line of said Government Lot 1, a distance of 133.67 feet to the TRUE POINT OF BEGINNING.

SUBJECT to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

Together with all water and water rights, ditches and ditch rights, minerals and mineral leases, tenements and hereditaments, appurtenances and fixtures, easements, rights, privileges, permits and licenses thereunto belonging, in anywise appertaining or used in connection therewith, and the reversions, remainders, rents, issues and profits thereof.

NOT A LEGAL COPY

Instrument # 246112

STATE OF IDAHO, COUNTY OF WASHINGTON
2021-08-30 03:29:45 PM No. of Pages: 4
Recorded for: TITLEONE BOISE
DONNA ATWOOD Fee: \$15.00
Ex-Officio Recorder Deputy MMcConnell
Index To: DEED
Electronically Recorded by Simplifile



Order Number: 21413011

Warranty Deed

For value received,

Richard Scott and Lani Scott, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Maria Carla Apostoli and John Apostoli Jr, wife and husband

whose current address is 1496 Mann Creek Rd Weiser, ID 83672

the grantee, the following described premises, in Washington County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Parcel 1:

All that part of the NW1/4 NW1/4 (Government Lot 1) of Section 19, Township 12 North, Range 4 West of the Boise Meridian; lying Westerly of the Mann Creek Ditch, EXCEPTING THEREFROM the West 2 rods of said Lot 1, and FURTHER EXCEPTING all that portion lying South of the following described line:

Beginning at the Northwest corner of Lot 1 of Section 19, T.12N., R.4W., B.M.;

Thence S 0°19'11" E, a distance of 493.65 feet along the West line of said Lot 1, to the True Point of Beginning of said line;

Thence N 89°40'49" E, at 90°00'00" to the West line of said Lot 1, a distance of 532.89 feet to a point on the Westerly right-of-way line of the Mann Creek Ditch, the Point of Termination of said line.

AND ALSO EXCEPTING a parcel of land situated within Government Lot 1 of Section 19, Township 12 North, Range 4 West, Boise Meridian, more particularly described as follows:

Beginning at the Northwest corner of Government Lot 1 of said Section 19;

Thence N 89°50'11" E, a distance of 33.00 feet along the North line of said Government Lot 1 to the TRUE POINT OF BEGINNING;

Thence continuing N 89°50'11" E, a distance of 362.46 feet along the North line of said Government Lot 1 to a point on the Westerly side of the Mann Creek Ditch;

Thence S 38°52'58" E, a distance of 20.67 feet along the Westerly side of said Mann Creek Ditch;

Thence S 2°13'02" E, a distance of 113.12 feet;

Thence N 88°29'01" W, a distance of 63.86 feet;

Thence S 0°19'17" E, parallel to the West line of said Government Lot 1, a distance of 6.40 feet;

Thence S 89°50'11" W, parallel to the North line of said Government Lot 1, a distance of 306.50 feet to a point 33.00 feet East of the West line of said Government Lot 1;

Thence N 0°19'17" W, parallel to the West line of said Government Lot 1, a distance of 133.67 feet to the TRUE POINT OF BEGINNING.

Parcel 2:

TOGETHER WITH a 22 foot wide ingress-egress and utility easement along the Easterly side of the following described parcel of land, the Easterly boundary of said easement being the Easterly boundary of the following described parcel of land:

Instrument # 246112

STATE OF IDAHO, COUNTY OF WASHINGTON
2021-08-30 03:29:45 PM No. of Pages: 4
Recorded for: TITLEONE BOISE
DONNA ATWOOD Fee: \$15.00
Ex-Officio Recorder Deputy MMcConnell
Index To: DEED
Electronically Recorded by Simplifile



TitleOne
a title & escrow co.

Order Number: 21413011

Warranty Deed

For value received,

Richard Scott and Lani Scott, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Maria Carla Apostoli and John Apostoli Jr, wife and husband

whose current address is 1496 Mann Creek Rd Weiser, ID 83672

the grantee, the following described premises, in Washington County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.



RP12N04W19315B : APOSTOLI TRUST

✓ □ ✕

The parcel number is RP12N04W19315B

Owner 1: Apostoli Trust

Address: 1496 Mann Creek Rd, Weiser, Id, 83672

Mailing Address: 1496 MANN CREEK RD, WEISER ID 83672

Legal Address: PORTION OF GVMT LOT 1 S19T12R4; 4.85 AC

Acres: 4.850000

Taxing Districts

🔍 Zoom to

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>

☰ 1 of 2

Water Right Report : 67-11447(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	WINSTON, JAMES D	1262 SYRACUSE LN	MANTECA	CA	95336
Current Owner	WINSTON, PENNY J	1262 SYRACUSE LN	MANTECA	CA	95336
Original Owner	CLARK, SYBIL M	1498 THOUSAND SPRINGS RD	WEISER	ID	83672
Original Owner	CLARK III, HARVEY D	1498 THOUSAND SPRINGS RD	WEISER	ID	83672

Water Right Status

Priority Date : 6/1/1874

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
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GROUND WATER

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	12N	04W	19	1	NW	NW	NW	WASHINGTON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
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DOMESTIC 1/01 12/31 0.04 CFS

TOTAL 0.04 CFS

Places of Use

Place of Use Legal Description : DOMESTIC (WASHINGTON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
12N	04W	19	1	NW	NW		

Conditions

Code Conditions

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.

N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

STOCKWATER, 15 RANGE CATTLE PARCEL NO. RP003702A

Dates

Licensed Date :

Decreed Date : 12/22/2000

Other Information

State or Federal : S

Water District Number : EXC

Water Right Report : 67-14779(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	WINSTON, JAMES D	1262 SYRACUSE LN	MANTECA	CA	95336
Current Owner	WINSTON, PENNY J	1262 SYRACUSE LN	MANTECA	CA	95336
Original Owner	ADAMS, EARL			ID	
Original Owner	CLARK, SYBIL M	1498 THOUSAND SPRINGS RD	WEISER	ID	83672
Original Owner	CLARK III, HARVEY D	1498 THOUSAND SPRINGS RD	WEISER	ID	83672

Water Right Status

Priority Date : 6/1/1874

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
MANN CREEK		WEISER RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
MANN CREEK	12N	05W	11	0	SE	SE	NE	WASHINGTON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/01	11/15	0.07 CFS	
TOTAL			0.07 CFS	

Places of Use

Place of Use Legal Description : IRRIGATION (WASHINGTON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
12N	04W	19	1	NW	NW		3.5

Irrigation Totals

Total Acres Acre Limit

3.50

Conditions

Code Conditions

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.

This right is a split from former right 67-519 .

169 This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all other rights that have not been identified as a Primary Right on Mann Creek.

Mansfield, Debra

From: Mansfield, Debra
Sent: Tuesday, December 19, 2023 10:34 AM
To: IdwrPayable
Subject: REFUND - DREAM GIRL FARMS LLC

TO: Sascha Marston, Susan Steed

FROM: Debra Mansfield

DATE: December 19, 2023

RE: *Refund: Notice Of Change In Water Right Ownership*

The Apostoli Trust submitted a Notice Of Change In Water Right Ownership but did not provide an adequate deed to complete the request for one water right.

Please issue a refund of \$25.00 to:

DREAM GIRL FARMS LLC
1496 MANN CREEK RD
WEISER ID 83672-5532

RECEIPT #

C117514

Debra Mansfield | Technical Records Specialist 1
IDWR – State Office
322 E Front St, Boise ID 83702-7371
(208) 287-4921 | Debra.Mansfield@idwr.idaho.gov



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

December 19, 2023

THE APOSTOLI TRUST
1496 MANN CREEK RD
WEISER ID 83672-5532

Dear Water Right Holder(s):

Re: Change in Ownership for Water Right No: **67-14779**

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.

Re: Change in Ownership for Water Right No: **67-11447**

Water right 67-11447 is a Domestic water right; the Place of Use is a single-family home located at 1498 Thousand Springs Rd, Weiser, ID 83672. The deeds you have provided specifically exclude this property and the Department cannot change ownership of this water right to you.

A total refund of **\$25.00** has been requested and will be mailed to **Dream Girl Farms LLC** under separate cover from the Idaho State Controller's Office.

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)287-4921.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/19/2023

Water Right 67-11447

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROSS PRESTON GRAHAM 1498 THOUSAND SPRINGS RD WEISER, ID 83672-5554 (208) 741-1540
Current Owner	ARIEL RENEE GRAHAM 1498 THOUSAND SPRINGS RD WEISER, ID 83672-5554 (208) 741-1540
Original Owner	SYBIL M CLARK 1498 THOUSAND SPRINGS RD WEISER, ID 83672 (208) 549-0479
Original Owner	HARVEY D CLARK III 1498 THOUSAND SPRINGS RD WEISER, ID 83672 (208) 549-0479
Previous Owner	PENNY J WINSTON 1262 SYRACUSE LN MANTECA, CA 95336 (209) 239-3145
Previous Owner	JAMES D WINSTON 1262 SYRACUSE LN MANTECA, CA 95336 (209) 239-3145

Priority Date: 6/1/1874

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<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:

GROUND WATER	L1(NWNWNW)	Sec. 19, Twp 12N, Rge 04W, WASHINGTON County
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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/19/2023

Place Of Use:

DOMESTIC within WASHINGTON 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	
12N	04W	19						X L1											

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.
4. STOCKWATER, 15 RANGE CATTLE PARCEL NO. RP003702A

Dates and Other Information:

Decreed Date: 12/22/2000

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND

Water District Number: EXC

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/19/2023

Water Right 67-14779

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE APOSTOLI TRUST 1496 MANN CREEK RD WEISER, ID 83672-5532 (208) 550-8123
Original Owner	EARL ADAMS , ID
Original Owner	SYBIL M CLARK 1498 THOUSAND SPRINGS RD WEISER, ID 83672 (208) 549-0479
Original Owner	HARVEY D CLARK III 1498 THOUSAND SPRINGS RD WEISER, ID 83672 (208) 549-0479
Previous Owner	PENNY J WINSTON 1262 SYRACUSE LN MANTECA, CA 95336 (209) 239-3145
Previous Owner	JAMES D WINSTON 1262 SYRACUSE LN MANTECA, CA 95336 (209) 239-3145

Priority Date: 6/1/1874

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANN CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.060 CFS	
	<u>Total Diversion</u>		0.060 CFS	

Source and Point(s) of Diversion:

MANN CREEK	SESENE	Sec. 11, Twp 12N, Rge 05W, WASHINGTON County
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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/19/2023

Place Of Use:

IRRIGATION within WASHINGTON 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	
12N	04W	19							3.0 L1										3.0

POU Total Acres: 3.0

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. This right is a split from former right 67-519 .
3. 169 This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all other rights that have not been identified as a Primary Right on Mann Creek.
4. 167 This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.

Dates and Other Information:

Decreed Date: 10/20/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 67
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A



Carla Apostoli <carla.apostoli@gmail.com>

Notice of Change in Water Right Ownership

Evans, Lynne <Lynne.Evans@idwr.idaho.gov>
To: Carla <carla.apostoli@gmail.com>

Tue, Oct 31, 2023 at 9:50 AM

Good morning Carla,

I'm sorry for the delayed response to your email. It looks like it didn't get flagged correctly in our inbox, so it slipped right past our receptionist.

To answer your questions:

1. It looks like you did complete the form correctly. Don't forget to date it alongside your signatures before you submit it.
2. Yes, \$50 is the correct filing fee for this application.
3. We should be able to process your application with the documentation you submitted, even though there is a gap in ownership. The warranty deed offers some legal protections that other types of deeds may not, so a complete chain of title shouldn't be necessary.
4. We always update water right ownership to reflect the owner(s) as named on the most recent deed. Since you and your husband are named as the grantees on the deed you attached here, that's what we would record in our database. If you later deeded the same property to the Apostoli Trust, please include a copy of that deed with your application as well so we can update the water rights to match the most recent legal ownership. You'll also need to write in the Apostoli Trust as the "new owner" on the form.

Water rights in Basin 67 are currently being processed at the IDWR State Office, so when you're ready to submit your application, you can send it by mail or deliver it in person to our office on Front Street. Let me know if you have any additional questions, though, and I'll be happy to assist!

Have a great day,

Lynne Evans | Administrative Assistant I

IDWR - Western Region

2735 W Airport Way, Boise ID 83705

(208) 334-2190 | lynne.evans@idwr.idaho.gov

From: Carla <carla.apostoli@gmail.com>
Sent: Monday, October 16, 2023 1:15 PM
To: Western Info <westerninfo@idwr.idaho.gov>
Subject: Notice of Change in Water Right Ownership
