

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED RECEIVED

MAY 30 2024

MAY 28 2024

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPARTMENT OF WATER RESOURCES
WESTERN REGION

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?
79-10063 ✓	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: Debra Lea Graham

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Michael W. Kunkel & Wendy C Kunkel

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ orPo Box 28

Mailing address

WHITE BIRD

City

Idaho 83554

State

Zip

208-451-6290

Telephone

m.w.kunkel411@hotmail.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: MARCH 4th 2009

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: Michael W. Kunkel

Signature of new owner/claimant

Title, if applicable

Date

Michael W. Kunkel

Print name

- Signature: Wendy C Kunkel

Signature of new owner/claimant

Title, if applicable

Date

Wendy C Kunkel

Print name

For IDWR Office Use Only:

Received by KM Date 6-24-24Receipt No. C118527Receipt Amt. \$25.00Active 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 AMDate 6-26-24

456295

RECEIVED

JUN 24 2024

DEPARTMENT OF
WATER RESOURCES

WARRANTY DEED

THIS INDENTURE, made on this 27th day of July, 2007, by DEBRA GRAHAM, also known as DEBRA LEA GRAHAM, by and through her attorney in fact, COLLEEN J. PAUL, by virtue of a Power of Attorney recorded as Idaho County Instrument # 456294, with the Grantor's address being P.O. Box 675, Grangeville, ID 83530, hereinafter referred to as the Grantor, and MICHAEL W. KUNKEL, a married man, of P.O. Box 28, White Bird, ID 83554, hereinafter referred to as the Grantee.

WITNESSETH:

That, the said Grantor, for and in consideration of the sum of Ten Dollars (\$10), lawful money of the United States of America, and other good and valuable considerations to her in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee, his heirs and assigns forever, all the following described real property situate in the County of Idaho, State of Idaho, to wit:

See Exhibit A, attached hereto and hereby incorporated by this reference.

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, and all estate, right, title and interest in and to the said property as well in law as in equity of the said Grantor.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantee, his heirs and assigns forever.

And the said Grantor, for herself, her heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said Grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents they were well seized of the premises above conveyed as of good, sure, perfect, absolute and indefeasible estate of inheritance, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments and encumbrances of whatever kind or nature whatsoever, EXCEPT:

- a) General taxes for the year 2007, which are a lien, not yet due and payable.

WARRANTY DEED

1 Instrument # 456295
IDaho County, IDaho,
2007-07-27 09:32:08 No. of Pages: 3
Recorded for: IDaho County Title Co
ROSE E. GERRIG Fee: 9.00
Ex-Officio Recorder Deputy *Margie G. Gorman*

MP

2

EXHIBIT A

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 22: A parcel of land located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southeast 1/16 corner of said Section 22, a brass cap monument marked PELS 2098;
thence N 89°31'51" W, 33.7 feet on the 1/16 section line to a found 1 $\frac{1}{4}$ " diameter pipe on the fence line, the True Point of Beginning;
thence N 89°31'51" W, 206.78 feet to a $\frac{1}{2}$ "x24" IR with plastic cap marked PLS 5165;
thence N 01°05'53" E, 233.47 feet along a fence line to a $\frac{1}{2}$ "x24" IR with a plastic cap marked PLS 5165;
thence S 87°26'43" E, 193.13 feet along a fence line to a 5/8"x30" IR with a plastic cap marked PLS 5165;
thence S 89°31'51" E, 18.80 feet to a point on a fence line;
thence S 02°23'16" W, 226.55 feet along a fence line to the True Point of Beginning.
Sometimes known as Assessor's Tax No. 67.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/13/2024

SM Cushman requested submittal of a post decree SF5 to allow correction of the POD and POU of this water right and a name change. Changes will be given docket sheet notice.

Dates and Other Information:

Decreed Date: 2/13/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	8/27/2001	rbrown			Closed
POD	8/27/2001	rbrown			Closed
POU	8/27/2001	rbrown			Closed
Summary	8/27/2001		8/27/2001	rbrown	Closed

SubCase:

SubCaseNumber: 79-10063
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Beneficial Use
Date Filed:
Objection Status:

Water Supply Bank:

N/A



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

June 27, 2024

MICHAEL W KUNKEL
PO BOX 28
WHITE BIRD ID 83554-0028

Re: Change in Ownership for Water Right No(s): **79-10063**

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)287-4921.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES

6/27/2024

Proof Report

Water Right 79-10063

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MICHAEL W KUNKEL PO BOX 28 WHITE BIRD, ID 83554-0028 mwkunkel411@hotmail.com
Original Owner	LEWIS E GRAHAM PO BOX 107 WHITE BIRD, ID 83554 (208) 839-2289
Previous Owner	DEBRA LEA GRAHAM PO BOX 39 WHITE BIRD, ID 83554 (208) 839-2457

Priority Date: 3/1/1980**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	0.020 CFS	
	<u>Total Diversion</u>		0.020 CFS	

Source and Point(s) of Diversion:

GROUND WATER NWSE Sec. 22, Twp 28N, Rge 01E, IDAHO County

Place Of Use:

DOMESTIC within IDAHO 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	
28N	01E	22														X			

Conditions of Approval:

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

Proof Report

3. 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.

Dates and Other Information:

Decreed Date: 2/13/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

SubCaseNumber: 79-10063
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Beneficial Use
Date Filed:
Objection Status:

Water Supply Bank:

N/A



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

June 07, 2024

MICHAEL W KUNKEL
WENDY C KUNKEL
PO BOX 28
WHITE BIRD ID 83554-0028

RE: Change in Ownership for Water Right No(s): **79-10063**

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:

- Filing Fee of \$25 per water right
- 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

During our review of the documentation you submitted we found that we will need a different deed to proceed. The Warranty deed that was submitted with your Notice shows the conveyance of property from you to Ian Glenn Reid. We will need a deed that shows the conveyance of the water right from Debra Lea Graham to you. You may submit documentation electronically to: file@idwr.idaho.gov.

Because we cannot use the document to process your request the Department is returning your warranty deed. I have enclosed it with this letter.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be **\$25**.

Because the Department cannot process the Notice without proper documentation & fees, we will hold any action on your notice pending receipt of the necessary information & fees. If we do not receive the necessary information & fees 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)287-4800.

Sincerely,

A handwritten signature in blue ink that reads "Debra Mansfield". The signature is written in a cursive style with a large, stylized "D" and "M".

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)