

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 14 2011

IDWR/NORTHERN

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
95-13519	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Helen Christine Barton
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Seen + Raini Cherry
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☒ and ☐ or ☐ and/or

4694 E. French Gulch Rd

Mailing address

Coeur d'Alene ID 83814

City State ZIP

208-664-0470 rainicherry2000@yahoo.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: 5-27-11

6. 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.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: [Signature] Title, if applicable 9/13/11
Signature of new owner/claimant Date

Signature: [Signature] Title, if applicable 9/13/11
Signature of new owner/claimant Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

Approved by _____ Processed by _____ Date _____



File No. 76002 SS

WARRANTY DEED

Read & Approved by:

For Value Received

RECEIVED

Helen Christine Barton, as Trustee, and to the successor Trustees of The Helen Christine Barton Living Trust, U/A April 3rd, 2007

SEP 14 2011

The Grantor, does hereby grant, bargain, sell and convey unto

IDWR/NORTHERN

Sean T. Cherry and Raini S. Cherry, husband and wife

Address: _____

The Grantee, the following described premises, in Kootenai County, Idaho, to wit:

***See Exhibit "A" attached hereto and made a part thereof for legal description:

To have and to hold the said premises, with their appurtenances, unto the said Grantee, their heirs 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 they are free from all encumbrances, EXCEPT current taxes and easements of record, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: May 27, 2011

The Helen Christine Barton Living Trust

BY: _____
Helen Christine Barton, Trustee

STATE OF Idaho

COUNTY OF Kootenai

On this ____ day of May, 2011, before me, Twila G. Willcut, a Notary Public in and for said State, personally appeared Helen Christine Barton, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as Trustee, and acknowledged to me that she executed the same as such Trustee.

Notary Public for Idaho
Residing at: Dalton Gardens, Idaho
My Commission Expires: 11/28/2012

EXHIBIT "A"
Legal Description:

PARCEL 1:

A parcel of land being a portion of the North Half of the Southeast Quarter of Section 8, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Commencing at the East Quarter corner of said Section 8, monumented by a 1/2 inch iron rod per CP&F Instrument Number, from which the Center Quarter corner of said Section 8, monumented by a 1293152 2 inch aluminum cap marked PLS 6374 per CP&F Instrument Number 1419331, bears South 89°50'24"West a distance of 2661.08 feet along the North line of said Southeast Quarter; thence, along said North line, South 89°50'24"West a distance of 990.34 feet to a point on said North line, said point being the TRUE POINT OF BEGINNING.

Thence, leaving said North line, South 00°09'36"East a distance of 658.16 feet to a point;

Thence, South 89°50'24"West a distance of 187.36 feet to a point on the centerline of an existing driveway;

Thence, along said centerline the following 4 courses:

- 1) North 74°27'43"West a distance of 47.96 feet to a point;
- 2) Thence, North 41°35'10" West a distance of 102.10 feet to a point;
- 3) Thence, North 49°55'09"West a distance of 52.45 feet to a point;
- 4) Thence, North 63°19'37"West a distance of 122.02 feet to a point;

Thence, leaving said centerline, North 00°09'36"West a distance of 479.67 feet to a point on said North line;

Thence, along said North line, North 89°50'24"East a distance of 450.00 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

A strip of land sixty feet in width for ingress, egress, and utilities located over, under, along and across that portion of the North Half of the Southeast Quarter of Section 8, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho and more particularly described as follows:

Commencing at the Center Quarter corner of said Section 8, monumented by a 2 inch aluminum cap per Instrument Number 1419331, from which the East Quarter corner bears North 89°50'24"East a distance of 2661.08 feet; thence, along the North line of the Southeast Quarter, North 89°50'24"East a distance of 663.66 feet to a 5/8 inch rebar with cap marked Hodge PLS 8575; thence, leaving said North line, South 19°21'12" West a distance of 300.87 feet to the intersection of the centerline of an existing driveway and the Easterly right-of-way of French Gulch Road, said point being the TRUE POINT OF BEGINNING.

Thence, along said existing centerline the following twenty courses:

- 1) South $49^{\circ}10'48''$ East a distance of 21.46 feet to a point;
- 2) Thence, South $49^{\circ}48'18''$ East a distance of 19.73 feet to a point;
- 3) Thence, South $49^{\circ}07'19''$ East a distance of 51.69 feet to a point;
- 4) Thence, South $49^{\circ}14'19''$ East a distance of 53.25 feet to a point;
- 5) Thence, South $49^{\circ}28'37''$ East a distance of 54.62 feet to a point;
- 6) Thence, South $51^{\circ}31'56''$ East a distance of 54.38 feet to a point;
- 7) Thence, South $57^{\circ}57'53''$ East a distance of 32.98 feet to a point;
- 8) Thence, along a curve to the left with a radius of 120.00 feet, an arc length of 133.17 feet and a delta of $63^{\circ}35'05''$ with a chord that bears South $89^{\circ}45'25''$ East a distance of 126.44 feet to a point;
- 9) Thence, North $58^{\circ}27'02''$ East a distance of 40.59 feet to a point;
- 10) Thence, North $58^{\circ}47'24''$ East a distance of 35.30 feet to a point;
- 11) Thence, along a curve to the right with a radius of 80.00 feet, an arc length of 24.66 feet and a delta of $17^{\circ}39'33''$ with a chord that bears North $67^{\circ}37'11''$ East a distance of 24.56 feet to a point;
- 12) Thence, along a compound curve to the right with a radius of 200.00 feet, an arc length of 147.24 feet and a delta of $42^{\circ}10'56''$ with a chord that bears South $82^{\circ}27'35''$ East a distance of 143.94 feet to a point;
- 13) Thence, South $61^{\circ}22'07''$ East a distance of 51.86 feet to a point;
- 14) Thence, South $63^{\circ}19'19''$ East a distance of 19.73 feet to a point;
- 15) Thence, South $63^{\circ}19'37''$ East a distance of 122.02 feet to a point;
- 16) Thence, South $49^{\circ}55'09''$ East a distance of 52.45 feet to a point;
- 17) Thence, South $41^{\circ}35'10''$ East a distance of 102.10 feet to a point;
- 18) Thence, South $74^{\circ}27'43''$ East a distance of 47.96 feet to a point;
- 19) Thence, North $89^{\circ}50'24''$ East a distance of 187.36 feet to a point;
- 20) Thence, North $89^{\circ}50'24''$ East a distance of 986.81 feet to a point the East section line of said Section 8, said point also being the Terminus Point for this description.

Chicago Title Insurance Company

Commitment No.:76002

SCHEDULE A

Escrow Officer: Scott Skolrud - scotts@kootenaititle.com

Title Officer: Susie Johnson - susie@kootenaititle.com

2nd Report

1. Effective Date: March 29, 2011 at 05:00 PM

2. Policy (or Policies) to be issued:

(a) Owner's Policy	(ALTA Own. Policy (6/17/06))	Amount:	\$ 515,000.00
Proposed Insured:		Premium:	\$ 1,859.00
Sean T. Cherry and Raini S. Cherry, husband and wife		Credit:	
		Total:	\$ 1,859.00

(b) Loan Policy	(ALTA Loan Policy (6/17/06))	Amount:	\$ 506,650.00
Extended Coverage		Premium:	\$ 627.00
Proposed Insured:		Credit:	
Wells Fargo Bank, N.A.		Total:	\$ 627.00

Requested Endorsements: ALTA Endorsements 9-06, 22-06 and 8.1-06	Endorsement Premium:	\$ 55.00
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(c)	()	Amount:	
Standard Coverage		Premium:	
Proposed Insured:		Credit:	
		Total:	

Requested Endorsements: .	Endorsement Premium:
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3. The estate or interest in the land described or referred to in this Commitment is:

Fee Simple as to Parcel 1 and an Easement as to Parcel 2

4. Title to the FEE SIMPLE estate or interest in said land is at the Effective Date vested in:

Helen Christine Barton, as Trustee, and to the successor Trustees of the Helen Christine Barton Living Trust U/A 04/03/07

5. The land referred to in this Commitment is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

INITIAL _____
INITIAL _____

KOOTENAI COUNTY TITLE COMPANY, INC.

1450 Northwest Blvd., Ste 200

Coeur d'Alene, ID 83814

Phone (208) 667-9431 • Fax (208) 666-0410

Chicago Title Insurance Company

Commitment Number: 76002

EXHIBIT "A"
PROPERTY DESCRIPTION

The land referred to in this Commitment is described as follows:

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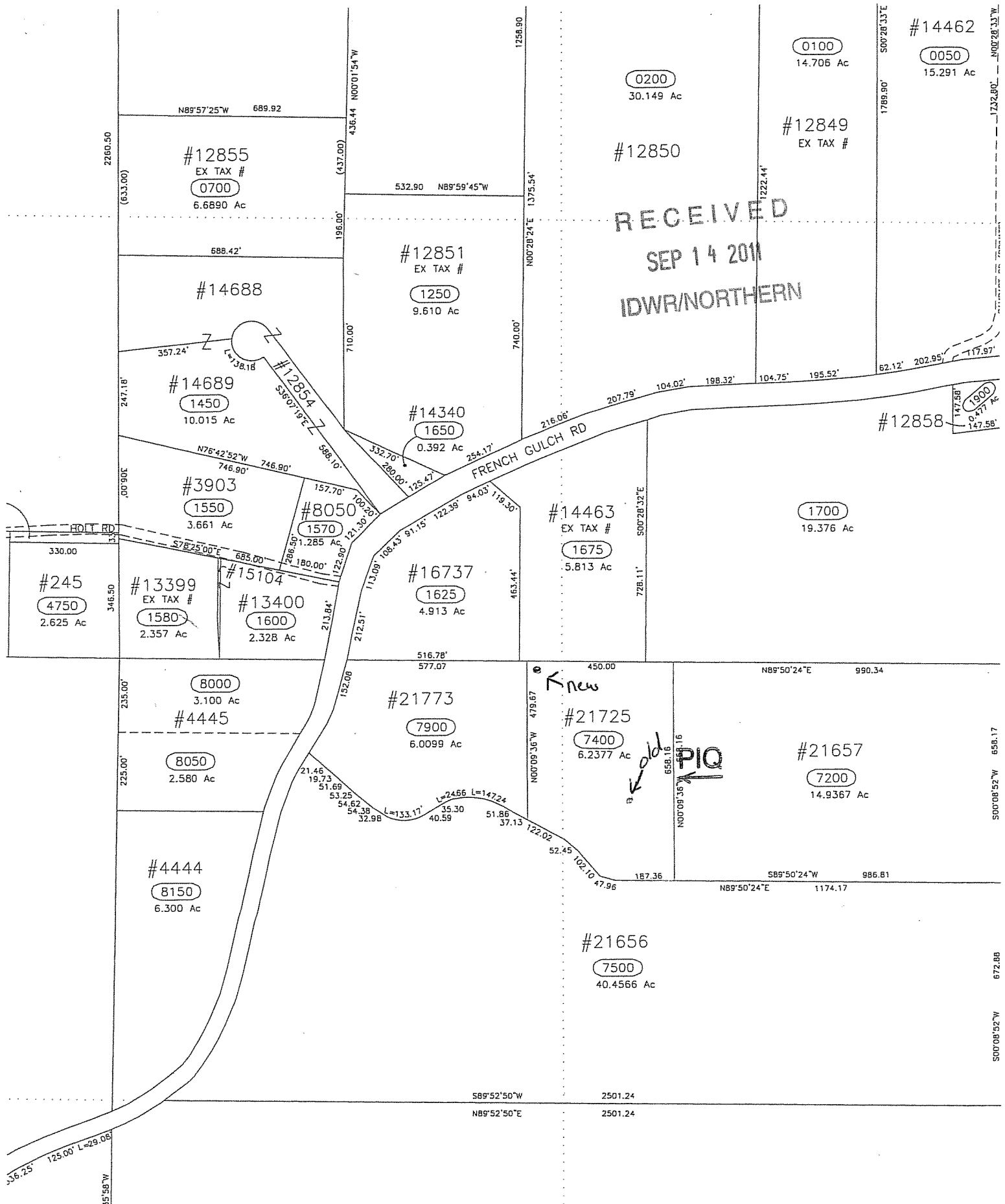
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EXHIBIT "A"
(Continued)

Commitment Number: 76002

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- 7) Thence, South 57°57'53"East a distance of 32.98 feet to a point;
- 8) Thence, along a curve to the left with a radius of 120.00 feet, an arc length of 133.17 feet and a delta of 63°35'05" with a chord that bears South 89°45'25"East a distance of 126.44 feet to a point;
- 9) Thence, North 58°27'02"East a distance of 40.59 feet to a point;
- 10) Thence, North 58°47'24"East a distance of 35.30 feet to a point;
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THIS SKETCH IS FURNISHED FOR INFORMATION PURPOSES ONLY
TO ASSIST IN PROPERTY LOCATION WITH REFERENCE TO
STREETS AND OTHER PARCELS. NO REPRESENTATION IS MADE
AS TO ACCURACY AND THE COMPANY ASSUMES NO LIABILITY
FOR ANY LOSS OCCURRING BY REASON OF RELIANCE THEREON

Q-SUN-3W