

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**Notice of Change in Water Right Ownership**

RECEIVED  
JUL 10 2013  
IDWR / NORTH

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?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 95-10512              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: KEVIN MCVEY / NORMA MCVEY  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): JOSEPH L. HERZOG AND KATHLEEN J. HERZOG  
New owner(s) as listed on the conveyance document      Name connector ☒ and ☐ or ☐ and/or

451 W. SHOSHONE PL      SPOKANE      WA      99203  
Mailing address      City      State      ZIP  
(509) 744-9982      joezog@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: MAY 20, 2013 (RECORDED MAY 24, 2013)
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
  - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
  - New lessor(s) of record will receive payment after the following rental season.
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.
    - o \$100 per *split* water right.
    - o No fee is required for pending adjudication claims.

8. Signature: [Signature]      Title, if applicable: \_\_\_\_\_      Date: 7/7/2013  
Signature of new owner/claimant
- Signature: [Signature]      Title, if applicable: \_\_\_\_\_      Date: 7/7/2013  
Signature of new owner/claimant

For IDWR Office Use Only:

Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_ Receipt Amt. \_\_\_\_\_  
 Approved by \_\_\_\_\_ Processed by \_\_\_\_\_ Date \_\_\_\_\_

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
1866 North Lakewood Drive  
Coeur d'Alene, ID 83814

CLIFFORD T. HAYES 3 P 2411704000  
KOOTENAI COUNTY RECORDER  
SEH 5/24/2013 2:31 PM  
REQ OF FIRST AMERICAN TITLE KOOTENAI

RECORDING FEE: \$16.00 DD  
Electronically Recorded

Space Above This Line for Recorder's Use Only

## **WARRANTY DEED**

File No.: **458462-C (tc)**

Date: **May 20, 2013**

For Value Received, Kokanee Landing, LLC, an Idaho limited liability company, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Joseph L. Herzog and Kathleen J. Herzog, husband and wife, hereinafter called the Grantee, whose current address is 9068 W. Cliffwood Lane, Spirit Lake, ID 83869, the following described premises, situated in Kootenai County, Idaho, to-wit:

**LOT 4 AND THE WEST HALF OF LOT 5, CLIFFWOOD SUMMER HOMES, ACCORDING TO THE PLAT RECORDED IN BOOK D OF PLATS, PAGE 40, RECORDS OF KOOTENAI COUNTY, IDAHO.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

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First American Title Company

**AND WHEN RECORDED MAIL TO:**  
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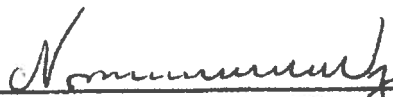
Date: 05/20/2013

Warranty Deed  
- continued

File No.: 458462-C (tc)

Kokanee Landing, LLC, an Idaho limited  
liability company

  
By: Kevin McVey, Managing Member

  
By: Norma McVey, Managing Member

STATE OF Idaho

COUNTY OF Kootenai

)  
ss.  
)

On this \_\_\_\_\_ day of May, 2013, before me, a Notary Public in and for said State, personally appeared Kevin McVey and Norma McVey, known or identified to me to be one of the partners in the partnership of Kokanee Landing, LLC, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

\_\_\_\_\_  
Notary Public of Idaho  
Residing at: Rathdrum, ID  
Commission Expires: 06/19/18

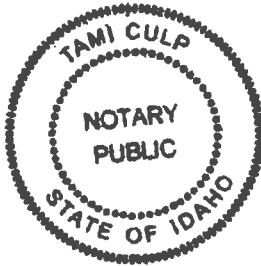
Date: 05/20/2013

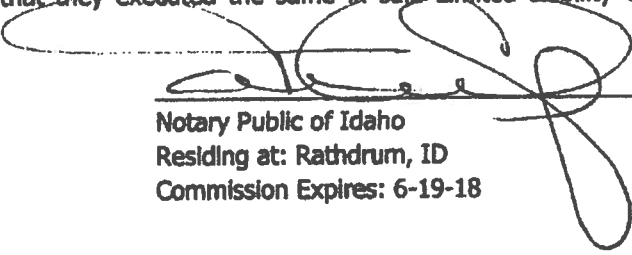
Warranty Deed  
- continued

File No.: 458462-C (tc)

STATE OF Idaho )  
SS.  
COUNTY OF Kootenai )

On this 20<sup>th</sup> day of May, 2013, before me, a Notary Public in and for said State, personally appeared **Kevin McVey and Norma McVey**, known or identified to me to be the persons whose name are subscribed to the within Instrument as the Managers/Members of the **Kokanee Landing, LLC**, which is known or identified to me to be the entity whose names are subscribed to the within instrument and acknowledged to me that they executed the same in said Limited Liability Company's name.



  
Notary Public of Idaho  
Residing at: Rathdrum, ID  
Commission Expires: 6-19-18

# Kootenai County, Idaho



|    |    |    |    |    |    |
|----|----|----|----|----|----|
| 6  | 5  | 4  | 3  | 2  | 1  |
| 7  | 8  | 9  | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | 32 | 33 | 34 | 35 | 36 |



THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES CONTAINED HEREIN.

## Map Revisions

10/27/08 - ET  
53N05W13-7100 resubmitted as Tract 2468 (10)  
01/18/2012 - VMW  
53N05W13-6030 0880, 0890 & 7010 combined w/ 7100 (12)

## Notes

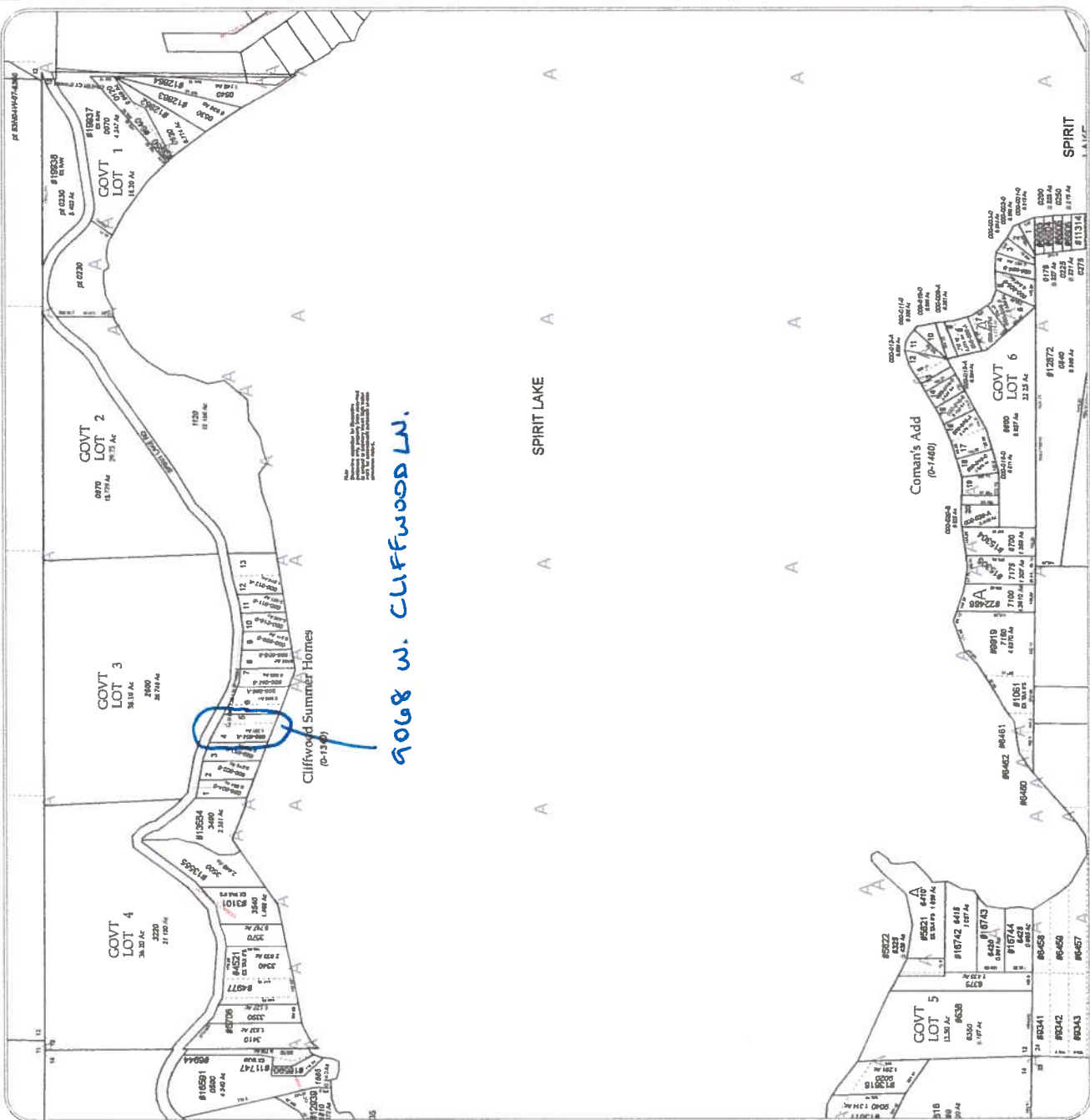
## Legend

- (C-5357) Sub-code
- 001-001-A Parcel ID# (PIN)
- Legal Areas
- Road RW
- Private Roads
- City Limits
- GCDB\_Corners
- GCDB\_Lines

Parcel areas have been calculated by surveyors shown when sufficient information has been available. Area shown is not to be known due to some limitations. Conveyances in parentheses denote record of another plat or deed not shown.

LOCATION OF ROAD BOUNDARIES ARE BASED ON ADDRESSABLE ROAD INFORMATION AND MAY OR MAY NOT BE PUBLIC.

Parcel Map Information (PMI) are considered as follows:  
 Plotted - Sub-code and Parcel ID# are C-5357 and C-5358-C  
 Unplotted - Sub-code and Parcel ID# are 50403W-15-7500 or 50403W-15-7500



9068 W. CLIFFWOOD LN.

Sec. 13 Twp 53 N. R. 5 W. B. M.

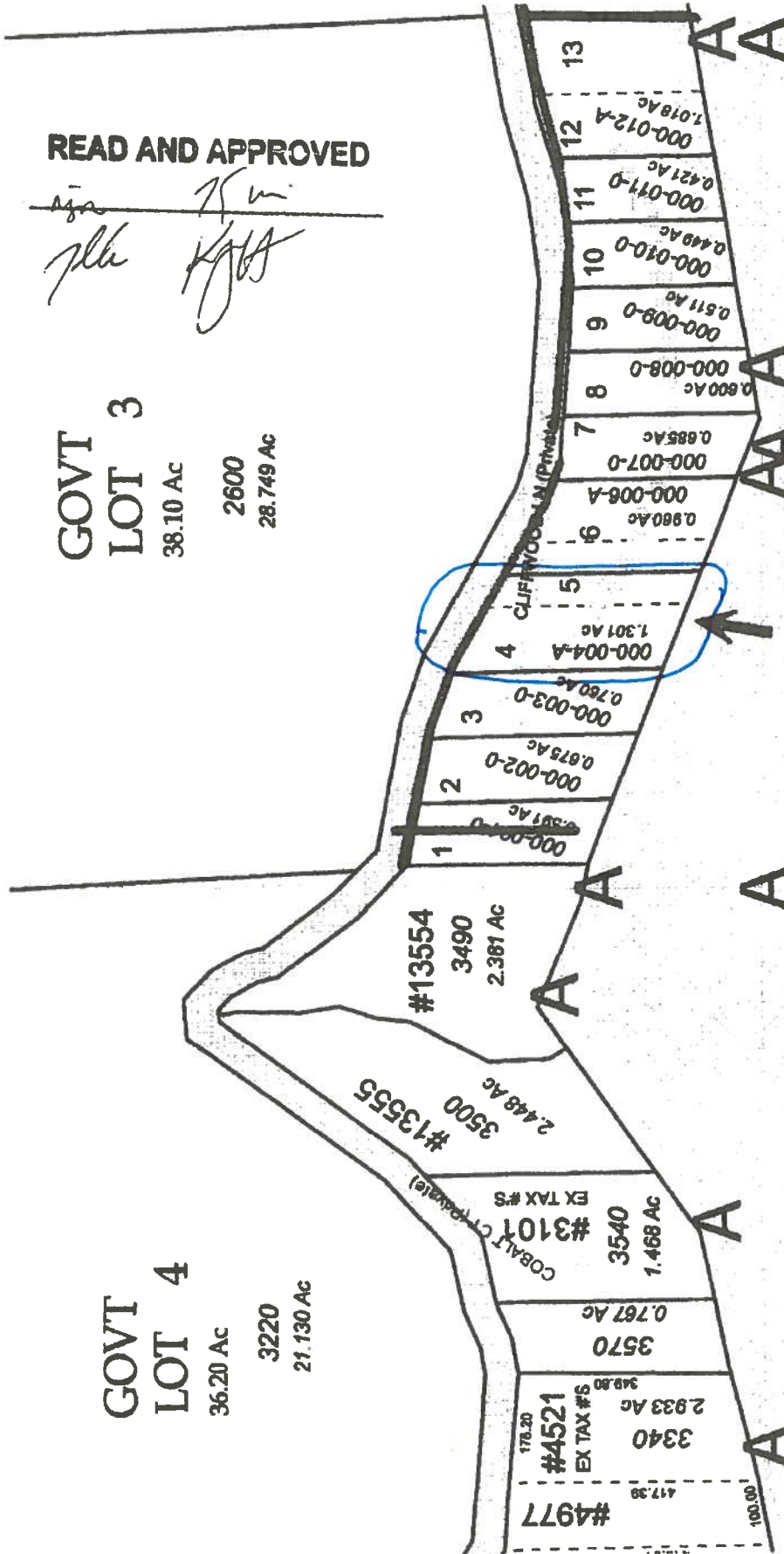
Maptile: 53N05W13

READ AND APPROVED

*ajm* *75 m*  
*plh* *KJA*

GOVT  
 LOT 3  
 38.10 Ac  
 2600  
 28.749 Ac

GOVT  
 LOT 4  
 36.20 Ac  
 3220  
 21.130 Ac



THIS SKETCH IS FURNISHED WITHOUT  
 CHARGE SOLELY FOR THE PURPOSE OF  
 ASSISTING IN LOCATING SAID PREMISES  
 AND THE FIRST AMERICAN TITLE COMPANY  
 ASSUMES NO LIABILITY FOR INACCURACIES  
 THEREIN.



Print  
Source

To see all the details that are visible on the screen, use the "Print" link next to the map.



Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

7/7/2013

WATER RIGHT NO. 95-10512

| <u>Owner Type</u> | <u>Name and Address</u>                                               |
|-------------------|-----------------------------------------------------------------------|
| Current Owner     | KEVIN MCVEY<br>1214 E WELDEN AVE<br>SPOKANE, WA 99223<br>(509)4486724 |
| Current Owner     | NORMA MCVEY<br>1214 E WELDEN DR<br>SPOKANE, WA 99223<br>(509)4486724  |

Priority Date: 08/01/1942  
Basis: Beneficial Use  
Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SPIRIT LAKE   | SPIRIT CREEK     |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| DOMESTIC              | 01/01       | 12/31     | 0.04 CFS              |               |
| Total Diversion       |             |           | 0.04 CFS              |               |

Location of Point(s) of Diversion:

SPIRIT LAKE|NENW Lt 3|Sec. 13|Township 53N|Range 05W|KOOTENAI County

DOMESTIC Use:

Number of homes: 1

Place(s) of use:

Place of Use Legal Description: DOMESTIC KOOTENAI County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 53N      | 05W   | 13      | 3   | NENW  |       |     |       |       |     |       |       |     |       |       |

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. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
4. PARCEL NUMBER 01340000004A

Dates:

Other Information:

State or Federal:

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report

7/7/2013

WATER RIGHT NO. 95-10512

| <u>Owner Type</u> | <u>Name and Address</u>                                               |
|-------------------|-----------------------------------------------------------------------|
| Current Owner     | KEVIN MCVEY<br>1214 E WELDEN AVE<br>SPOKANE, WA 99223<br>(509)4486724 |
| Current Owner     | NORMA MCVEY<br>1214 E WELDEN DR<br>SPOKANE, WA 99223<br>(509)4486724  |

Priority Date: 08/01/1942  
Basis: Beneficial Use  
Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SPIRIT LAKE   | SPIRIT CREEK     |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| DOMESTIC              | 01/01       | 12/31     | 0.04 CFS              |               |
| Total Diversion       |             |           | 0.04 CFS              |               |

Location of Point(s) of Diversion:

SPIRIT LAKE|NENW Lt 3|Sec. 13|Township 53N|Range 05W|KOOTENAI County

DOMESTIC Use:

Number of homes: 1

Place(s) of use:

Place of Use Legal Description: DOMESTIC KOOTENAI 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> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 53N             | 05W          | 13             | 3          | NENW         |              |            |              |              |            |              |              |            |              |              |

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal:

Owner Name Connector: AND

Water District Number:

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

Close