

STATE OF IDAHO
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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
95-9999	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: FIRST SECURITY CORPORATION
Name of current water right holder/claimant

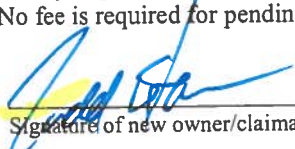
3. New Owner(s)/Claimant(s): Aspen Homes and Development, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|----------------------------|------------------------------|-----------|--------------|
| <u>4547 W. Seltice Way</u> | <u>Coeur d'Alene</u> | <u>ID</u> | <u>83814</u> |
| Mailing address | City | State | ZIP |
| <u>(208) 664-9171</u> | <u>todd@byaspenhomes.com</u> | | |
| 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: 6/28/13

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

8. Signature:  Title, if applicable _____ Date _____
Signature of new owner/claimant
- Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by  Date 7/23/13 Receipt No. _____ Receipt Amt. _____
Approved by _____ Processed by _____ Date _____

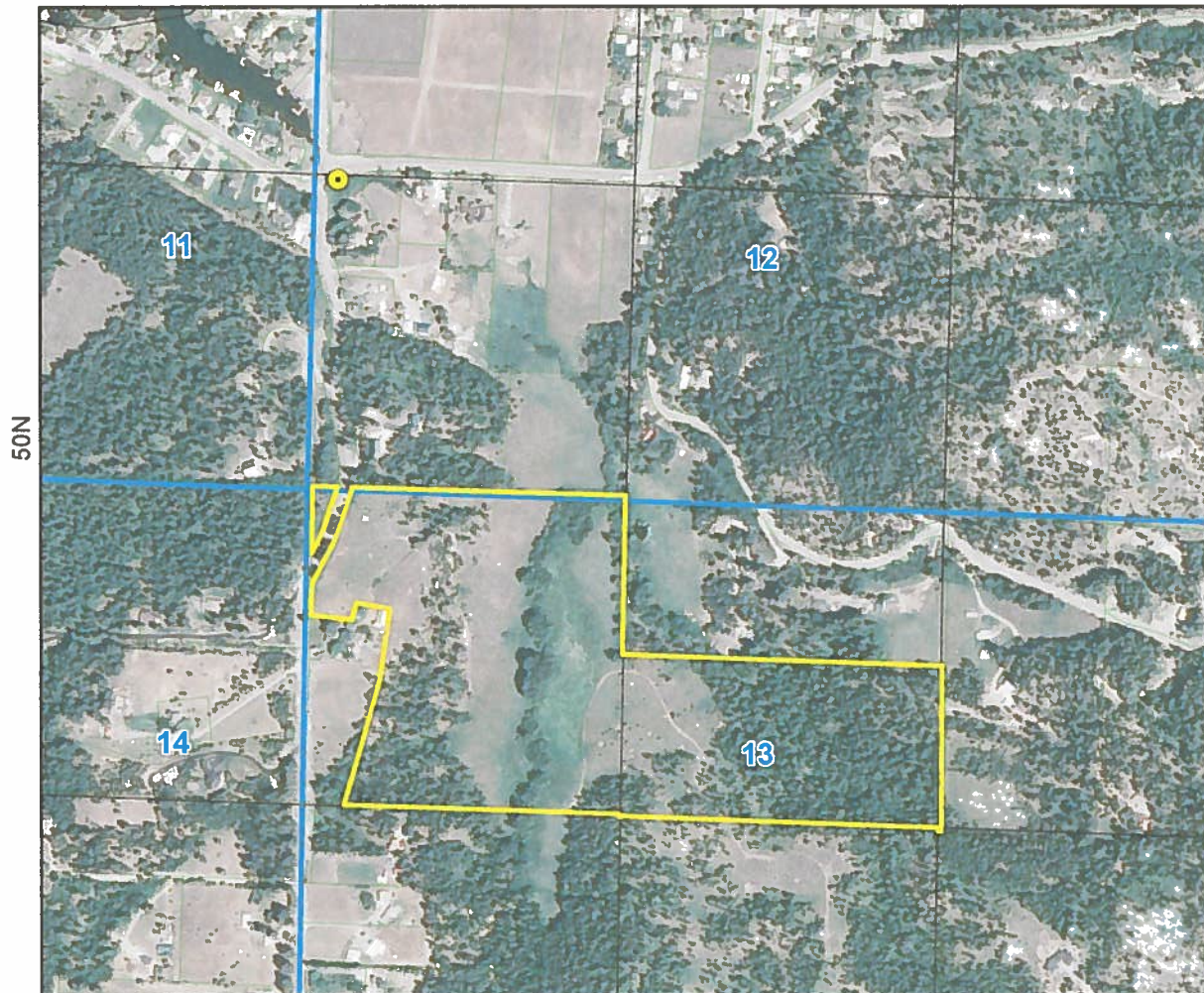
State of Idaho
Department of Water Resources

Water Right 95-9999

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

05W



● Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

Taxlots

0 0.075 0.15 0.3 Miles



Kootenai County, Idaho



Map Section	1	2	3	4	5	6	7	8	9	10	11	12
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												

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

Map Revisions

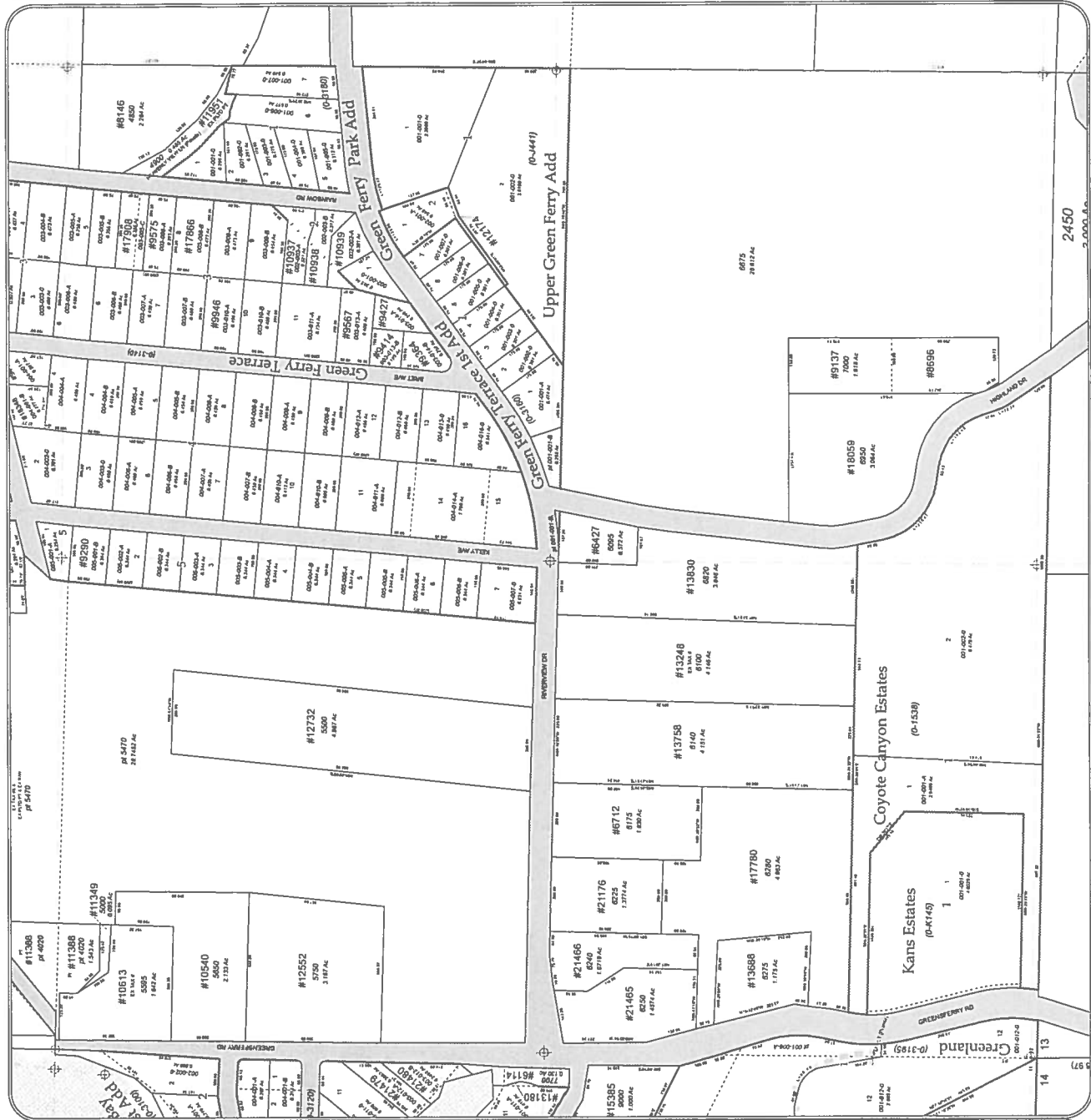
01/18/12 - VAW
03/19/01 - 008-0 & 0-1035-001-010-0 combined w/ 0-3195-001-008-0 (new-A) (12)
11/20/12 - ET
5/20/20 - 12-4120 and 4130 split out of 5470 (13)

Notes:

Legend

- (C-5357) Sub-code
- 001-001-A Parcel ID# (PIN)
- City Limits
- Private Roads
- Legal Areas
- Plat Boundaries
- Road RW
- City Limits
- GCDB_Corners
- GCDB_Lines

Parcel areas have been calculated by traverse closure when sufficient information has been available. Areas shown as "Not Known" are those areas where the boundary has not been surveyed or where the boundary is not shown on the map. Dimensions in parentheses denote round and/or plat for dimensions. LOCATION OF ROADS SHOWN ARE BASED ON ADDRESSABLE ROAD INFORMATION AND MAY OR MAY NOT BE PUBLIC. Plat Identification Number (PIN) are assigned as follows: Resolving PIN = C-3010-021-999-C or C-3010-021-999-C. Unplatted Sub-code and Parcel ID# are C-3010 and 021-999-C. Resolving PIN = 50603W-16-750 or 50603W-16-750.



SW Sec. 12 Twp 50 N. R. 5 W. B. M.

Maptile: 50N05W12SW

SEGREGATION REVISIONS

The revision dates below represent the file save dates for the plotting of the listed revisions. The archive dates for these revisions are posted within the ARCHIVE REVISIONS box in the drawing title block.

- 08/11/97 - SLW
- 08/09/98 - 1130 (97)
- 08/09/98 - 1130 out of 1130 (97)
- 08/09/98 - 1130 combined w/ 1130 (98)
- 06/02/98 - SLW
- Pl of 50059W-13-0830 combined w/ 1130 (99)
- 07/06/98 - VMC
- Pl of 50059W-13-0830 combined w/ 6370 (V24)
- 12/19/00 - SLW
- 50059W-13-6050 out of 6970 (01)
- 03/07/01 - VMC
- 50059W-13-7050 out of 6970 (01)
- 03/15/01 - VMC
- Acreage amended on 50059W-13-6970 (01)
- 11/29/01 - SLW
- 50059W-13-1180 and 2100 plotted into a pin of SUNDOWN RIDGE ESTATES (02)
- 04/03/02 - SLW
- Pl of 0-7765-001-012-0 combined w/ 013-0 (both now -A) (03)
- 12/19/02 - TH
- 50059W-13-3250 out of 3200 (03)
- 05/28/03 - VMC
- 50059W-13-4420 combined w/ 3200 (03)
- 09/18/05 - ET
- 0-7765-001-019-0 combined w/ 018-0 (now -A) (04)
- 11/01/05 - SLW
- 0-7765-001-008-0 out of 008-0 (now -A) (05)
- 01/30/06 - ET
- 0-7765-001-008-0 combined w/ 007-0 (now -A) as per #26934 (06)
- 06/23/08 - VMC
- 0-7765-001-017-0 combined w/ 015-0 (now -A) (10)

50N05W-13 Sec.13 Twp.50N. R.5 W.B.M.

USE PLANNING & ZONING ACT FOR ASSISTANCE IN INTERPRETING THIS MAP. THE USER IS RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE USER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.

N
W
E
S

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Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/12/2013

WATER RIGHT NO. 95-9999

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TRIPLE GRACE INC 3683 E MULLAN AVE COEUR D ALENE, ID 83814 (208) 773-6551
Original Owner	PAUL N THOMAS COEUR D ALENE, ID 83814

Priority Date: 09/17/1956

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPOKANE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.27 CFS	
Total Diversion			0.27 CFS	

Location of Point(s) of Diversion:

SPOKANE RIVER|SWSW|Sec. 12|Township 50N|Range 05W|KOOTENAI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION 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>
50N	05W	13		NENW	5		NWNW	28						

Total Acres: 33

Dates:

Licensed Date: 10/11/1962

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3

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

CLIFFORD T. HAYES 5 P 2416881000
KOOTENAI COUNTY RECORDER
MKM 6/28/2013 11:25 AM
REQ OF PIONEER TITLE KOOTENAI
COUNTY
RECORDING FEE: \$22.00 DD
Electronically Recorded

Recording Requested By and
When Recorded Return to:

Attn: _____

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

529756

SPECIAL WARRANTY DEED

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, FIRST SECURITY CORPORATION ("Grantor"), does hereby grant, bargain, sell and convey unto ASPEN HOMES AND DEVELOPMENT, LLC an Idaho Limited Liability Company, whose address is 4547 WEST SELTICE WAY, COEUR D'ALENE, IDAHO 83814, all of Grantor's right, title and interest in and to the real property located in the Kootenai County, Idaho, legally described as follows:

See Schedule I attached hereto and incorporated herein by this reference

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging to or in anywise appertaining, the rents, issues and profits thereof; and all estate, right, title and interest, as well in law as in equity, except as expressly provided otherwise herein (the "Property").

TO HAVE AND TO HOLD the Property, with its all and singular appurtenances unto Grantee, and Grantee's heirs, successors and assigns forever.

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this deed, Grantor has not conveyed the same estate to any person other than Grantee and that such estate is at the time of the execution of this deed free from encumbrances made or suffered by the Grantor, or any person claiming under Grantor, subject, however, to (i) reservations or restrictions in federal patents or state or railroad deeds or in laws providing for such patents or deeds; (ii) building or use restrictions, building and zoning regulations and ordinances of any governmental entity; (iii) the lien of real property taxes not yet due and payable; (iv) all easements, rights of way, claims of easements, covenants, restrictions and encumbrances or other matters of record or that would appear from a survey or careful examination of the Property; and (v) those exceptions set forth on Schedule II attached hereto and incorporated herein by this reference.

THE PROPERTY IS SOLD AND CONVEYED TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS AND DEFECTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PROPERTY. GRANTEE, BY ACCEPTING THIS DEED, RELEASES GRANTOR FROM ANY AND ALL LIABILITY RELATING TO ANY ASPECT OR CONDITION OF THE PROPERTY, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, ACTUAL OR CONTINGENT, ARISING

BY STATUTE, COMMON LAW OR OTHERWISE, INCLUDING BUT NOT LIMITED TO ALL ISSUES SET FORTH IN THIS DEED.

DATED this 24th day of JUNE, 2013

FIRST SECURITY CORPORATION:

By: Jill Hathaway

Name: Jill Hathaway

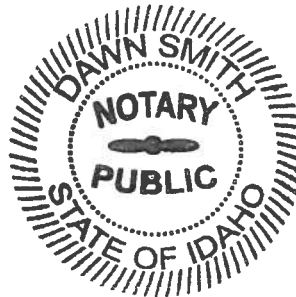
Title: Credit Relationship Manager

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 24th day of JUNE, 2013, before me, DAWN SMITH, a Notary Public in and for said State, personally appeared Jill Hathaway, known or identified to me to be the Credit Relationship Manager of FIRST SECURITY CORPORATION, the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Dawn Smith
Notary Public for Idaho
Residing at CORVALLIS, OREGON
My commission expires 8/31/18



SCHEDULE I

LEGAL DESCRIPTION

PARCEL 1:

The Northwest Quarter of the Northwest Quarter of Section 13, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, State of Idaho.

EXCEPT that portion lying within the right-of-way of the county road, (Greensferry Road), adjoining along the West line of the herein described tract.

ALSO EXCEPT A parcel of land situate in the Northwest Quarter of the Northwest Quarter of Section 13, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 13; thence

Along the West line of said Section 13, South 0°24'05" East, 541.60 feet to the TRUE POINT OF BEGINNING; thence

North 89°35'55" East, 7.04 feet; thence

South 85°02'29" East, 186.42 feet; thence

North 14°44'06" East, 71.60 feet; thence

South 80°44'50" East, 141.99 feet; thence

South 6°58'09" West, 293.73 feet; thence

South 14°46'29" West, 540.93 feet to the North line of DAMERON SUBDIVISION, filed at Book "G" of Plats, Pages 217 and 217A, records of Kootenai County; thence

Along said North line of DAMERON SUBDIVISION and the extension thereof, North 89°13'00" West 172.07 feet to the West line of said Section 13; thence

Along said West line of said Section 13, North 0°24'05" West, 781.92 feet to the POINT OF BEGINNING.

AND INCLUDING the South half of the Northeast Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 13, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho.

PARCEL 2:

That part of the Southeast Quarter of Section 11, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at the Southeast corner of Lot 11, Block 1, FIRST ADDITION TO GREEN FERRY BAY, according to the plat recorded in Book "D" of Plats at Page 168; thence

North 0°01' East, along the East line of said Lot 11 to the Northeast corner of said Lot 11; thence

East to a point on the Westerly line of the right-of-way of an existing public road; thence

Southerly along said road right of way, to a point on the North line of a public access road as shown on the plat of FIRST ADDITION TO GREEN FERRY BAY; thence

West 50.0 feet to the POINT OF BEGINNING.

LESS AND EXCEPT a parcel of land located in Government Lot 8, Section 11, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of Lot 11, Block 1, FIRST ADDITION TO GREEN FERRY BAY, Kootenai County, Idaho; thence

South 15°26'29" East, 45.11 feet; thence

South 07°42'54" West, 28.27 feet; thence

South 19°15'47" West, 24.98 feet to a point on the East line of said Lot 11, Block 1, said point lying North 00°01'00" East, 80.94 feet from the Southeast corner of said lot; thence

North 00°01'00" East, 95.08 feet along the East line of said Lot 11, Block 1, to the POINT OF BEGINNING.

PARCEL 3:

Lot 1, Block 1, COYOTE CANYON ESTATES, according to the plat recorded in Book "G" of Plats at Pages 465 and 465A, records of Kootenai County, Idaho.

EXCEPTING THEREFROM the platted portion of the herein described land known as KANS ESTATES, recorded in Book "K" of Plats, at pages 145 and 145A, records of Kootenai County, Idaho.

SCHEDULE II
APPROVED EXCEPTIONS

EXCEPTIONS 1-6 AND 10-31 AS PER PRELIMINARY TITLE REPORT #529756