

## Werner, Linda

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**From:** Werner, Linda  
**Sent:** Friday, August 22, 2014 3:32 PM  
**To:** 'kspencer58@hotmail.com'  
**Subject:** Emailing: ownership change form.pdf  
**Attachments:** ownership change form.pdf

Hi Karen,

Would you please sign the attached change of ownership form And email it back to me? This is for the change of ownership on the Notice of Claim to a Water Right for the well on Rose's property.

I neglected to have you do this when you were in my office on August 8. I'd appreciate it if you would do this within the Next day or two as we'll be submitting this information to the Director, than on to the Adjudication Court very shortly and we Want to be sure you receive our correspondence.

Thank you.

Linda Werner  
Water Resource Agent  
Idaho Department of Water Resources



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

August 8, 2014

KAREN SPENCER  
721 BEST AVE #5  
COEUR D ALENE ID 83814

SUBJECT: Notice of Claim Number 92-10175

Dear Ms. Spencer:

I have completed the ownership change on the above numbered claim. Enclosed is a copy of the claim showing such change. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Linda A. Werner". The signature is fluid and elegant, with the first letters of the first and last names being capitalized and prominent.

Linda A. Werner  
Water Resource Agent

Enclosure: Notice of Claim 92-10175

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?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 92-10175              | 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: ROSE M. SPENCER  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): KAREN D. SPENCER (Administrator)  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 721 BEST AVE #5 COEUR D'ALENE ID 83814  
Mailing address City State ZIP
- home-(208)-769-2019 kspencer58@hotmail.com  
Telephone cell-(208)-771-1672 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. 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: \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date
- Signature: \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by N/A Date N/A Receipt No. N/A Receipt Amt. N/A  
 Approved by LW Processed by LW Date 8-8-2014

COPY

FILED  
BENEWAH COUNTY  
MICHELLE MCDANIEL, CLERK

2012 OCT 15 AM 11:00

MORRIS & WOLFF, P.A.  
Nancy A. Wolff (ISB #2930)  
Mariah R. Pugh (ISB #7287)  
722 Main Avenue  
St. Maries, Idaho 83861  
Telephone: (208) 245-2523  
Facsimile: (208) 245-4392

BY: JD, DEPUTY

Attorneys for Applicant, Karen Dona Spencer

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BENEWAH

|                                |   |                             |
|--------------------------------|---|-----------------------------|
| In the Matter of the Estate of | ) | Case No. CV2012- <u>412</u> |
|                                | ) |                             |
|                                | ) | LETTERS OF ADMINISTRATION   |
| ROSE MARIE SPENCER,            | ) |                             |
|                                | ) |                             |
|                                | ) |                             |
| Deceased.                      | ) |                             |
|                                | ) |                             |
|                                | ) |                             |
|                                | ) |                             |

KAREN DONA SPENCER is hereby appointed Personal Representative of the estate of ROSE MARIE SPENCER, deceased; said Personal Representative shall have all powers as provided by law.

WITNESS, the Honorable Patrick McFadden, Magistrate of the above entitled Court with the seal thereof affixed this 15<sup>th</sup> day of October, 2012.

/s/ Patrick R. McFadden 367

District Court Magistrate

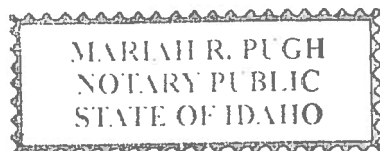
STATE OF IDAHO                     )  
                                                      ) ss.  
County of Benewah                )

I hereby accept the duties as Personal Representative of the estate of ROSE MARIE SPENCER and do solemnly swear that I will perform according to law the duties of such Personal Representative.

DATED this 1st day of October, 2012.

  
KAREN DONA SPENCER  
721 Best Avenue #5  
Coeur d'Alene, Idaho 83814

SUBSCRIBED and SWORN to before me this 1st day of October, 2012.



Mariah R. Pugh  
Notary Public in and for Idaho  
Residing at: Harrison, Idaho  
Commission expires: 06/01/2018

STATE OF IDAHO } ss.  
County of Benewah }  
I, Michele McDaniel, Clerk of the above  
Enlisted Court & County Recorder do hereby  
certify the foregoing to be a full, true and  
correct copy of the original.  
The same now appears on file and on record  
in my office.  
WITNESS my hand and official seal  
This 1st day of October, 2012.  
By Michele McDaniel Clerk  
Deputy

'96 SEP 27 PM 3 42

BENEWAH COUNTY

KAY SATHER, CLERK

*Donnie Henderson*  
*McFadden*

DEED OF DISTRIBUTION BY  
PERSONAL REPRESENTATIVE

THIS DEED, made by ROSE M. SPENCER, as personal representative of the Estate of Ray M. White, deceased, Grantor, to ROSE M. SPENCER, individually, of P.O. Box 381, City of Fernwood, County of Benewah, State of Idaho 83830-0381, as Grantee.

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property as friend and companion of Ray M. White, deceased, and as beneficiary of said Ray M. White under his Last Will and Testament;

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee all of the right, title, equity and interest of decedent, Ray M. White, in and to the following described real property in Benewah County, Idaho, to-wit:

**Parcel No. 1:**

The North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (N1/2 SW1/4 NE1/4 SW1/4) of Section Thirteen (13), Township Forty-three (43) North, Range One (1) West of the Boise Meridian, in the County of Benewah, State of Idaho, subject to rights of way of record;

and

**Parcel No. 2:**

The South Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (S1/2 SW1/4 NE1/4 SW1/4) of Section Thirteen (13), Township Forty-three (43) North, Range One (1) West of the Boise Meridian, Benewah County, Idaho;

with all appurtenances.

EXECUTED this 27 day of September, 1996.

Rose M. Spencer

ROSE M. SPENCER,  
Personal Representative of the  
Estate of Ray M. White,  
Deceased.

STATE OF IDAHO           )  
                                  : ss.  
County of Benewah       )

On this 27th day of September, 1996, before me, the undersigned, a Notary Public in and for the said State, personally appeared ROSE M. SPENCER, known to me to be the person whose name is subscribed to the above and foregoing DEED OF DISTRIBUTION BY PERSONAL REPRESENTATIVE, as personal representative of the Estate of Ray M. White, deceased, and acknowledged to me that she executed the same as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date last above written.

Karen M. Robinson

Notary Public, State of Idaho  
Residing at: St. Maris, Idaho  
Commission expires: 5/20/99

COPY

'96 SEP 27 P3:40

Richard L. McFadden  
McFADDEN LAW OFFICES, P.A.  
Attorneys at Law  
622 College Avenue  
St. Maries, Idaho 83861  
Telephone: (208) 245-2596

BENEFIT COUNTY  
MAY SAVING CLERK

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BENEWAH  
MAGISTRATE DIVISION

IN THE MATTER OF THE  
ESTATE OF

RAY M. WHITE,

Deceased.

Case No. SP-95-00070

**VERIFIED STATEMENT OF  
PERSONAL REPRESENTATIVE  
CLOSING ESTATE**

The undersigned, ROSE M. SPENCER, as personal representative of the above-named decedent, states:

1. The undersigned has published notice to creditors announcing the undersigned's appointment as personal representative of the decedent, and stating that any claims against the estate must be filed within the statutory period or be barred. Such notice was given for the time and in the manner required by law, and the first publication of such notice occurred more than six (6) months prior to the date of this statement.

VERIFIED STATEMENT OF  
PERSONAL REPRESENTATIVE  
CLOSING ESTATE

2. The undersigned has fully administered the estate of the decedent by making payment, settlement or other disposition of all claims which were presented, expenses of administration, estate, inheritance and other death taxes, and the assets of the estate have been distributed to the person entitled to receive said assets, and in the amount and manner to which she was entitled, under the Last Will and Testament of decedent, Ray M. White.

3. The undersigned has sent a copy of this statement to the distributee of the estate, and to all creditors or other claimants of whom the undersigned is aware whose claims are neither paid nor barred, and any accounting required under Idaho Code Section 15-3-1003 has been waived by the distributee, as evidenced by the written consent filed herein.

4. There is no order of court prohibiting the closing of the estate, and the estate is not being administered by a supervised personal representative.

5. The distributee has consented to the closing of the estate by the filing of this statement as evidenced by the written consent filed herein.

6. This statement is filed for the purpose of closing this estate and terminating the appointment of the

undersigned as personal representative.

DATED this 27 day of September, 1996.

Rose M. Spencer  
ROSE M. SPENCER,  
Personal Representative  
P.O. Box 381  
Fernwood, Idaho 83830-0381

VERIFICATION

STATE OF IDAHO       )  
                              : ss.  
County of Benewah    )

The undersigned, being sworn, having read the foregoing, says that the facts set forth therein are accurate and complete to the best of the undersigned's knowledge and belief.

DATED this 27 day of September, 1996.

Rose M. Spencer  
ROSE M. SPENCER,  
Personal Representative

SUBSCRIBED AND SWORN to before me this 27th day of September, 1996.

Karen M. Robinson  
Notary Public, State of Idaho  
Residing at: St. Maries, Idaho  
Commission expires: 5/20/99

VERIFIED STATEMENT OF  
PERSONAL REPRESENTATIVE  
CLOSING ESTATE