



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 27, 2014

DONALD OR KRISTA FINNEY
31526 118 COURT SE
AUBURN WA 98092

SUBJECT: Ownership Change on Notice of Claim Numbers 95-10468 and 95-10469

Dear Mr. or Ms. Finney:

We have received your change of ownership request on the above numbered claims. Enclosed are copies of the claims showing such change; for your records. Also, this information can be accessed on our website at www.idwr.idaho.gov.

Please feel free to contact me at the above number if I can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Linda A. Werner".

Linda A. Werner
Water Resource Agent, Sr.

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

OCT - 2 2014

IDWR/NORTHERN

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?
95-10468	Yes ☐	95-10469	Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: David S. Finney (deceased) and Catherine (Kay) L. Finney, husband and wife
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Donald E. Finney and Krista A. Finney, husband and wife
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

31526 118th Court SE

Auburn

WA

98092

Mailing address

City

State

ZIP

(253) 833-7705 (Hm. Lnd Line)

Finneyfour@comcast.net

Telephone 253-350-1835

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: 3/20/2014

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: Donald E. Finney
Signature of new owner/claimant

owner
Title, if applicable

9/24/14
Date

Signature: Krista A. Finney
Signature of new owner/claimant

owner
Title, if applicable

9/28/14
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 10-27-2014

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

RECORDING FEE: \$25.00 DD
Electronically Recorded

WITHERSPOON KELLEY
Attn: Bonnie L. Moore
422 W. Riverside Ave., Suite 1100
Spokane, WA 99201

469233

(Space Above For Recorder's Use)

WARRANTY DEED

KAY L. FINNEY, also appearing of record as Catherine L. Finney, as her separate estate (hereinafter called "Grantor"), for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby convey, grant and warrant to DONALD E. FINNEY and KRISTA A. FINNEY, husband and wife, whose current address is 31526 118th Court SE, Auburn, Washington 98092 (hereinafter called "Grantees"), and their successors and assigns forever, the real property (the "Property") located in Kootenai County, Idaho and legally described in Exhibit "A" attached hereto and by this reference made a part hereof.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in any way appertaining to the Property, in law as well as in equity, together with all Grantor's right, title and interest in and to the buildings and improvements located upon the Property.

The Grantor covenants to the Grantees that Grantor is the owner in fee simple of said Property; that the Property is free from all encumbrances, excepting those as may be herein set forth in Exhibit "B" attached hereto, and excepting those of record; and that Grantor will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 10 day of March, 2014.

GRANTOR:

Kay L. Finney

KAY L. FINNEY, also appearing of record as Catherine L. Finney, by Daniel E. Finney, her Attorney-in-Fact

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

WITHERSPOON KELLEY
Attn: Bonnie L. Moore
422 W. Riverside Ave., Suite 1100
Spokane, WA 99201

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GRANTOR:

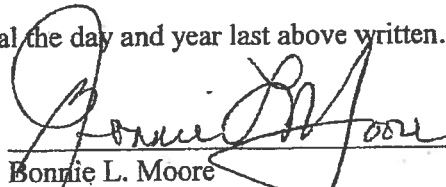
Kay L. Finney

KAY L. FINNEY, also appearing of record as Catherine L. Finney, by Daniel E. Finney, her Attorney-in-Fact

State of Washington)
) ss.
County of Spokane)

On this 10 day of March, 2014, before me personally appeared Daniel E. Finney to me known to be the individual who executed the foregoing instrument as Attorney-in-Fact for Kay L. Finney and acknowledged that he signed the same as his free and voluntary act and deed as Attorney-in-Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that the said principal is now living, and is now incompetent.

GIVEN under my hand and official seal the day and year last above written.



Bonnie L. Moore
Notary Public in and for the State of Washington
Residing at: MEAD
My appointment expires: 8/12/16

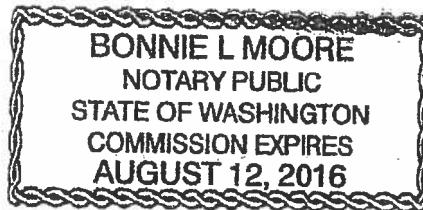


Exhibit "A"

Legal Description

Real property in the County of Kootenai, State of Idaho, described as follows:

PARCEL 1:

A TRACT OF LAND IN GOVERNMENT LOT 7, SECTION 14, TOWNSHIP 53 NORTH, RANGE 5 WBM, KOOTENAI COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST MEANDER CORNER OF SAID GOVERNMENT LOT 7;
THENCE ALONG THE SOUTH LINE OF GOVERNMENT LOT 7, NORTH 89°57' EAST 179.33 FEET;
THENCE NORTH 17°26' EAST 107.75 FEET;
THENCE NORTH 62°26' WEST 154.74 FEET TO A POINT ON THE SHORE OF SPIRIT LAKE;
THENCE ALONG THE SHORE OF SPIRIT LAKE, SOUTH 23°06' WEST 189.79 FEET TO THE POINT OF BEGINNING AND INCLUDING ALL SHORE LANDS BETWEEN EXTENDED SIDE LINES AND ALL RIPARIAN RIGHTS.

PARCEL II:

LOT 7, SECTION 14, TOWNSHIP 53 NORTH, RANGE 5 WBM, KOOTENAI COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST MEANDER CORNER OF SAID GOVERNMENT LOT 7;
THENCE ALONG THE SOUTH LINE OF GOVERNMENT LOT 7, NORTH 89°57' EAST, 179.33 FEET;
THENCE NORTH 17°26' EAST 107.75 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;
THENCE NORTH 17°26' EAST 101.58 FEET;
THENCE NORTH 62°26' WEST 148.99 FEET TO A POINT ON THE SHORE OF SPIRIT LAKE;
THENCE ALONG THE SHORE OF SPIRIT LAKE, SOUTH 20°39' WEST 100.72 FEET;
THENCE LEAVING THE SHORE OF SPIRIT LAKE, SOUTH 62°26' EAST 154.74 FEET TO THE TRUE POINT OF BEGINNING AND INCLUDING ALL SHORE LANDS BETWEEN EXTENDED SIDE LINES AND RIPARIAN RIGHTS.

PARCEL III:

A PORTION OF GOVERNMENT LOT 7, SECTION 14, TOWNSHIP 53 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, AS SURVEYED AND MARKED ON THE GROUND ACCORDING TO A RECORD OF SURVEY BY MECKEL ENGINEERING AND SURVEYING, DATED JULY 30, 1986, MADE A PART HEREOF, AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 14 FROM WHICH THE MEANDER CORNER OF THE EAST LINE OF SECTION 14 AND THE SOUTH SHORE OF SPIRIT LAKE BEARS NORTH 2°52'11" WEST, 855.79 FEET;

THENCE SOUTH 89°48'52" WEST, 783.81 FEET ALONG THE SOUTH LINE OF SECTION 14, TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°48'52" WEST, 1023.08 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF TAX NUMBER 5077 AS RECORDED IN BOOK 182, PAGE 134, RECORDS OF KOOTENAI COUNTY;

THENCE NORTH 17°10'42" EAST, 107.25 FEET ALONG THE EAST LINE OF TAX NUMBER 5077 TO THE NORTHEAST CORNER THEREOF BEING ALSO THE SOUTHEAST CORNER OF TAX NUMBER 6172 AS RECORDED IN BOOK 204, PAGE 91, RECORDS OF KOOTENAI COUNTY;

THENCE NORTH 17°06'16" EAST, 101.25 FEET ALONG THE EAST LINE OF SAID TAX NUMBER 6172 TO THE NORTHEAST CORNER THEREOF;

THENCE NORTH 89°48'52" EAST, 213.00 FEET PARALLEL WITH THE SOUTH LINE OF SECTION 14;

THENCE NORTH 26°28'52" EAST, 300.51 FEET;

THENCE NORTH 52°05'24" EAST, 300.53 FEET;

THENCE NORTH 42°56'17" WEST, 313.64 FEET;

THENCE CONTINUING NORTH 42°56'17" WEST, 43.88 FEET, MORE OR LESS, TO THE SHORE OF SPIRIT LAKE;

THENCE ALONG THE SHORE OF SPIRIT LAKE AS FOLLOWS:

NORTH 58°50'05" EAST, 17.72 FEET;

THENCE NORTH 35°03'45" EAST, 57.58 FEET;

THENCE NORTH 56°45'18" EAST, 178.15 FEET;

THENCE NORTH 72°03'40" EAST, 68.48 FEET;

THENCE NORTH 27°26'27" EAST, 35.46 FEET;

THENCE NORTH 71°04'57" EAST, 89.78 FEET;

THENCE NORTH 53°10'46" EAST, 62.86 FEET TO THE WEST LINE OF TAX NUMBER 11854 AS RECORDED IN BOOK 299 OF DEEDS, PAGE 866, RECORDS OF KOOTENAI COUNTY;

THENCE LEAVING THE SHORE OF SPIRIT LAKE SOUTH 3°02'02" EAST, 6.00 FEET, MORE OR LESS, ALONG SAID WEST LINE TO AN EXISTING IRON ROD;

THENCE CONTINUING SOUTH 3°02'02" EAST, 387.16 FEET ALONG THE WEST LINE OF TAX NUMBER 11854 TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTH 89°39'08" EAST 146.49 FEET ALONG THE SOUTH LINE OF TAX NUMBER 11854;

THENCE SOUTH 2°52'11" EAST, 794.57 FEET PARALLEL WITH THE EAST LINE OF SECTION 14, TO THE SOUTH LINE OF SECTION 14 AND THE TRUE POINT OF BEGINNING AND TOGETHER WITH APPURTENANT SHORELANDS AND RIPARIAN RIGHTS.

PARCEL IV:

A PORTION OF GOVERNMENT LOT 7, SECTION 14, TOWNSHIP 53 NORTH, RANGE 5 WBM, KOOTENAI COUNTY, IDAHO, AS SURVEYED AND MARKED ON THE GROUND ACCORDING TO A RECORD OF SURVEY BY MECKEL ENGINEERING AND SURVEYING DATED JULY 30, 1986, MADE A PART HEREOF, AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 14, FROM WHICH THE MEANDER CORNER ON THE EAST LINE OF SECTION 14 AND THE SOUTH SHORE OF SPIRIT LAKE BEARS NORTH 2°52'11" WEST, 855.79 FEET;

THENCE NORTH 2°52'11" WEST, 549.79 FEET ALONG THE EAST LINE OF SECTION 14;

THENCE NORTH 56°22'39" WEST, 221.51 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 2°52'11" WEST, 306.19 FEET PARALLEL WITH THE EAST LINE OF SECTION 14;

THENCE CONTINUING NORTH 2°52'11" WEST, 8.81 FEET MORE OR LESS, PARALLEL WITH THE EAST LINE SECTION 14 TO THE SHORE OF SPIRIT LAKE;

THENCE ALONG THE SHORE OF SPIRIT LAKE AS FOLLOWS:

NORTH 55°46'16" WEST, 63.38 FEET;

THENCE NORTH 63°20'14" WEST, 8.76 FEET;

THENCE NORTH 62°47'56" WEST, 46.10 FEET;

THENCE NORTH 69°33'57" WEST, 50.21 FEET;

THENCE NORTH 69°05'13" WEST, 37.07 FEET;

THENCE LEAVING THE SHORE OF SPIRIT LAKE SOUTH 2°52'11" EAST, 11.73 FEET, MORE OR LESS, PARALLEL WITH THE EAST LINE OF SECTION 14;

THENCE CONTINUING SOUTH 2°52'11" EAST, 303.27 FEET PARALLEL WITH THE SAID EAST LINE;

THENCE SOUTH 63°26'41" EAST, 204.48 FEET TO THE TRUE POINT OF BEGINNING AND TOGETHER WITH APPURTENANT SHORELANDS AND RIPARIAN RIGHTS.

Exhibit "B"

Permitted Exceptions

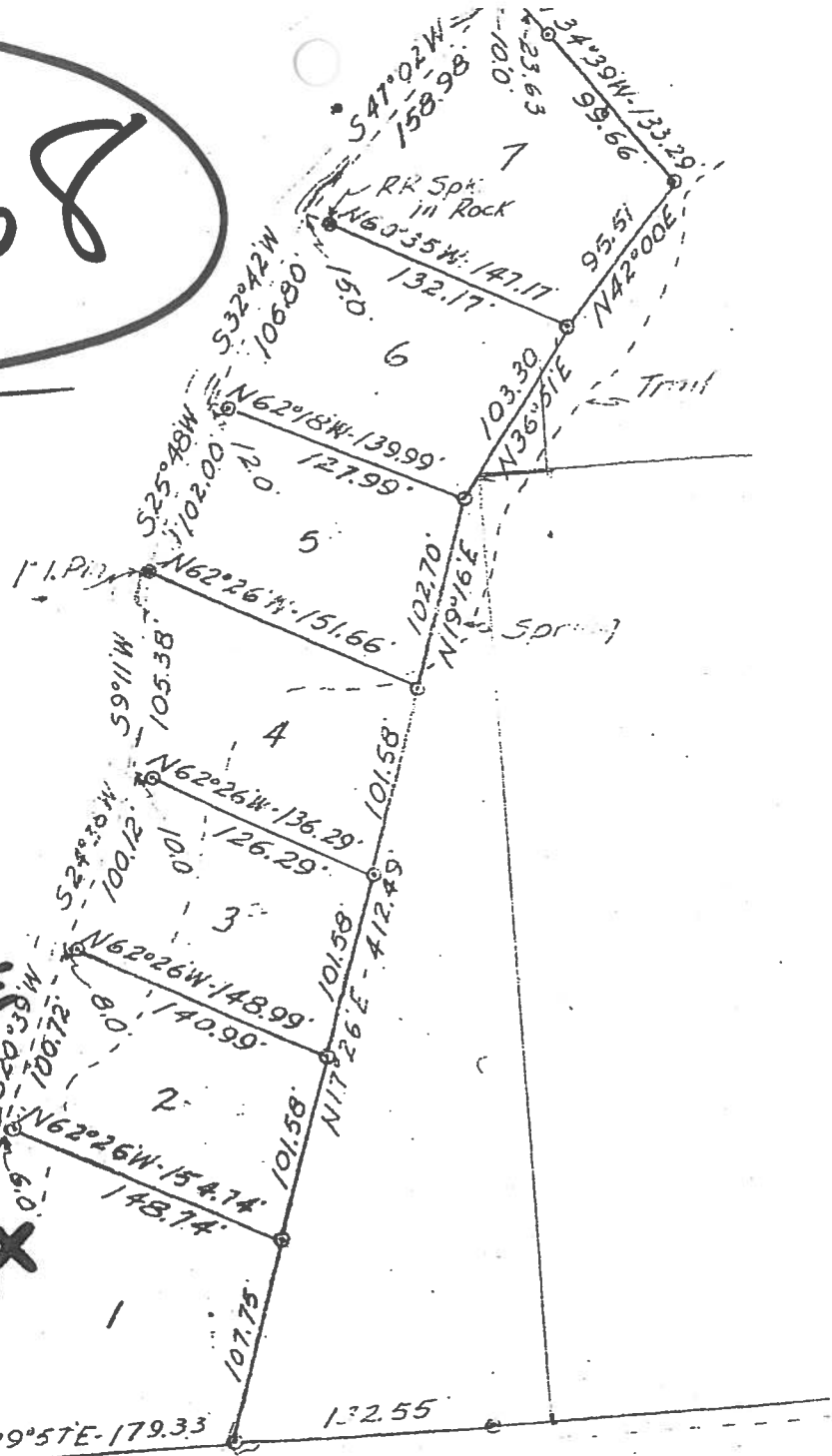
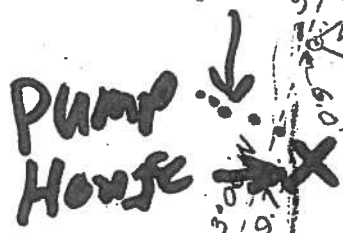
1. Future general property taxes and assessments

Parcel Number

53N05W148975	Parcels I & II
53N05W149220	Parcel III
53N05W149040	Parcel IV

2. Any failure of the Kootenai County Treasurer's office to provide information on all assessments owed.
3. Any claim arising from the difference in the mean high water line of Spirit Lake and the meander line as shown by the Original Government Survey.
4. Title to the State of Idaho to the bed of Spirit Lake, a navigable body of water, to the natural or ordinary high water line.
5. Any claim that may arise that the waterfront boundary of said land has shifted because of alluvial action, erosion or change in the level of the waters of Spirit Lake.
6. Easement granted to Washington Water Power Company, recorded June 6, 1962, as Instrument No. 404776.
7. Lack of a right of access to and from said land.

95-10468



Set $\frac{3}{4}$ " I. Pipe at M.C.
2 B.Ts as per Notes.

2 B.T.s as per Notes.
Apparently an angle of $0^{\circ}41'$ in Sec Line here.

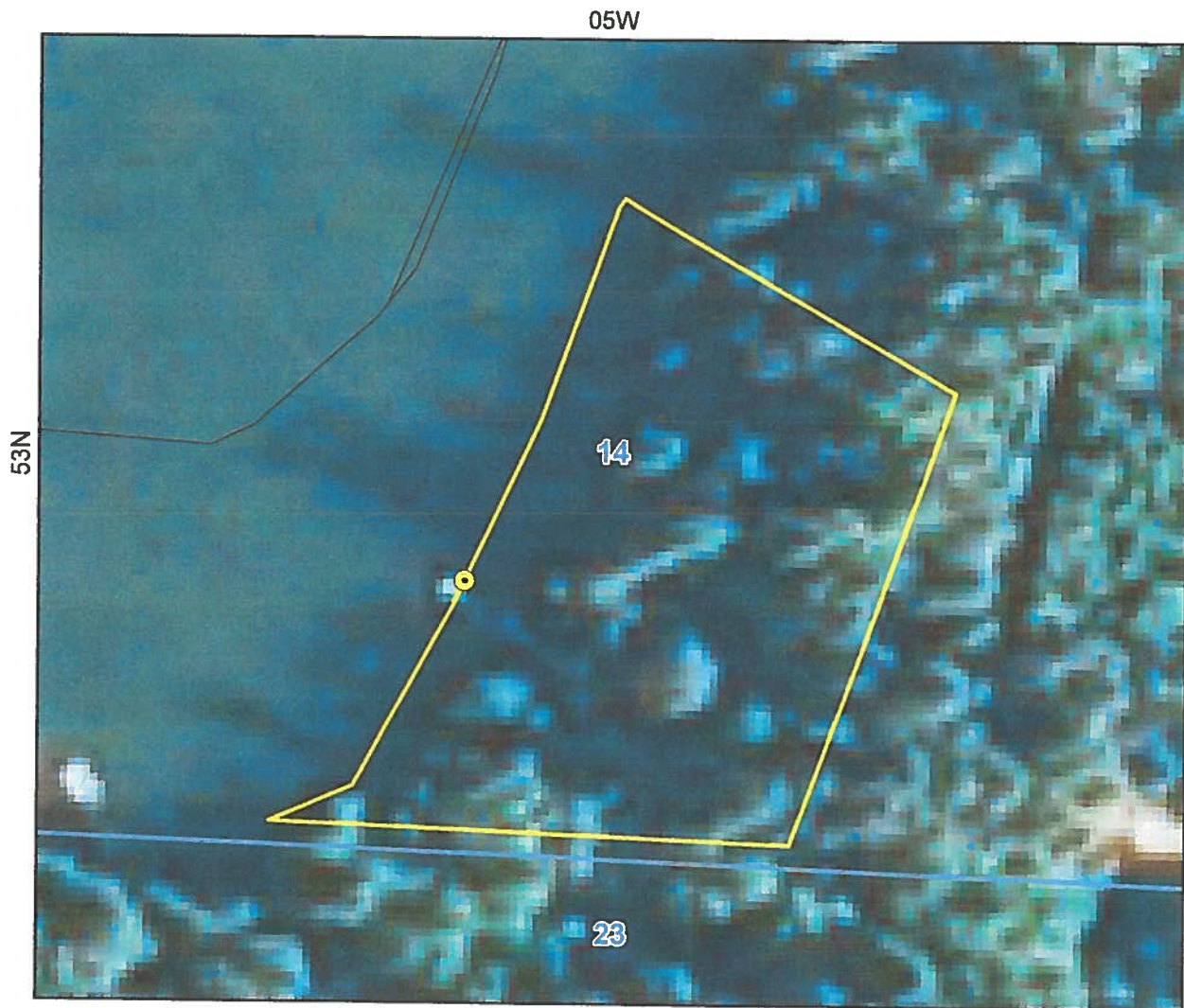
at $\frac{3}{4}$ " Pipe at M.C.
the Cedar B.T. as per
T.L.J. Notes

State of Idaho
Department of Water Resources

Adjudication Recommendation 95-10468

DOMESTIC

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.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.0075 0.015 0.03 Miles

