



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

May 6, 2016

GARY OR MARCY BOLSTER
3579 CLODIUS RD
WAITSBURG WA 99361

RE: Ownership of Water Right 95-14037 Filed in the Coeur d'Alene-Spokane River Basin Adjudication (CSRBA)

Dear Mr. or Ms. Bolster:

I'm writing in regard to a Notice of Change in Water Right Ownership which we received from you in December, 2013. This is on the property you purchased from Thomas and Sandra Freeburg with legal description of T46N, R5W, Section 12, SW1/4SW1/4.

The Freeburgs filed a Notice of Claim to a Water Right, number 95-14037, for domestic usage from a spring and in-stream stockwater usage from several streams. A portion of one of these streams is appurtenant to the property you purchased. Normally, we would do a "split" of the water right and assign the portion with the stream on it to your piece of property, and create a new claim in your name.

This letter is to advise you that we were unable to assign your portion of the in-stream stockwater use because the Freeburg's claim did not get recommended for that usage. This is because we are unable to recommend a water right with more than one source, i.e. the spring and the streams. Consequently, I am returning the Notice of Change in Water Right Ownership form, along with the corresponding warranty deed and map.

You may, however, file your own Notice of Claim for the in-stream stockwatering usage occurring on your property. I am enclosing a blank Notice of Claim form, and instructions, should you wish to do so. The cost will be \$25.00. Also, please be advised that this is the type of water usage for which a Notice of Claim is not required in the CSRBA.

If you file the claim, please return it to my attention. Feel free to contact me if you have any questions, or you may view our website for further information at www.idwr.idaho.gov. I can be reached at (208) 762-2800 or by email at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Notice of Change of Ownership, Warranty Deed(s), Map, Notice of Claim Form w/Instructions

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
DEC 23 2013
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?
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Thomas R. & Sandra B. Freeburg
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): GARY E. & MARCY D. BOLSTER
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

3579 Clodius Rd. Waitsburg WA 99361
Mailing address City State ZIP

509-337-9223 gbentp@hughes.net
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: 12/10/2013

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

8. Signature: Gary E. Bolster 12/17/2013
Signature of new owner/claimant Title, if applicable Date

Signature: Marcy D. Bolster 12/17/2013
Signature of new owner/claimant Title, if applicable Date

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
831 Main Avenue
St. Maries, ID 83861

RECEIVED
2013 Dec 10 PM 04 29
BENEWAH COUNTY
DEANNA BRAMBLETT, CLERK
267525
FIRST AMERICAN TITLE - SAIN
FEES: \$ 13.00

RECEIVED
DEC 23 2013

IDWR/NORTHERN

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **485872-SM (ps)**

Date: **December 06, 2013**

For Value Received, **Thomas R. Freeburg and Sandra B. Freeburg, husband and wife, who also appear of record as Thomas Reed Freeburg and Sandra Bernice Freeburg, husband and wife,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Gary E. Bolster and Marcy D. Bolster, husband and wife,** hereinafter called the Grantee, whose current address is **3579 Clodius Rd, Waitsburg, WA 99361,** the following described premises, situated in **Benewah County, Idaho,** to-wit:

The West half of the Southwest Quarter of the Southwest Quarter; and, the West half of the East half of the Southwest Quarter of the Southwest Quarter of Section 12, Township 46 North, Range 5 West, B.M., records of Benewah 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.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
831 Main Avenue
St. Maries, ID 83861

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Date: 12/06/2013

Warranty Deed
- continued

File No.: 485872-SM (ps)

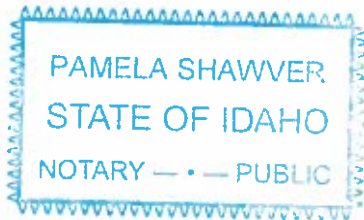

Thomas R. Freeburg


Sandra B. Freeburg

STATE OF Idaho)
SS.

COUNTY OF Benewah)

On this 9th day of December 2013, before me, a Notary Public in and for said State, personally appeared **Thomas R. Freeburg and Sandra B. Freeburg**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of Idaho
Residing at: St. Maries
My Commission Expires: 1-20-2016

(H) 15ac

(3) 30ac

SPAIN

(5) 33ac

10A

(6) 7ac

H 4 ac

↑ 30 ac is purchased

(2) 12ac