



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 10, 2016

KARL OR CAROLYN REBAY
3697 S CARPENTER LOOP RD
POST FALLS ID 83843

RE: Ownership of Water Right 95-8116 and 95-8117

Dear Mr. or Ms. Rebay:

We have been advised that there may be an ownership change on Kootenai County Parcel Number 50N05W189750 and water rights referenced above.

When a change of ownership involving a water right occurs, a Notice of Change in Water Right Ownership form is required. I have enclosed a copy of this form for your convenience. Note: these forms were received in this office from Mr. Dan Schoenberg on August 14, 2015. At that time I was advised that I would be receiving the signed copies of this form from you; however, to date we have not received them.

Also enclosed is a map of the property. Please show on this map where the spring(s) are located and where the water usage is occurring for the stockwater purpose (95-8117) and the spring(s) location and place of use for your portion of the irrigation usage on claim 95-8116. This claim also shows that there is irrigation storage occurring; please show where the storage ponds are located.

Please return the completed form along with the required support documentation to my attention. Note: Mr. Schoenberg also supplied us with a copy of the warranty deed showing transfer of ownership from the Schoenberg estate to you. If this deed is correct, I will not need another copy as I have a copy on file. Please advise.

I'm currently in the process of recommending these claims for court decree so would appreciate it if you would return them by May 27, 2016. If you have any questions regarding this matter, please call me at 208-762-2800 or email at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Copy of Notice of Claim Number 95-8116 & 95-8117
Change of Ownership Form w/Instructions
Map

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
AUG 14 2015
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?
95-8116	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Estate of Doris Schoenberg
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Karl J and Carolyn C Rebay
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|---------------------------------|---------------------------|-----------|--------------|
| <u>3697 S Carpenter Loop RD</u> | <u>Post Falls</u> | <u>ID</u> | <u>83843</u> |
| Mailing address | City | State | ZIP |
| <u>208-457-7149</u> | <u>kjrebay1@gmail.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: 8/14/2015
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 _____ Date _____ Receipt No. _____ Receipt Amt. _____

Approved by _____ Processed by _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
95-8117	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Estate of Doris Schoenberg
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Karl J and Carolyn C Rebay
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
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 Signature of new owner/claimant Title, if applicable Date

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 Signature of new owner/claimant Title, if applicable Date

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 Approved by _____ Processed by _____ Date _____

RECEIVED

AUG 17 2015

IDWR / NORTH

JIM BRANNON 2 P 2510914000
KOOTENAI COUNTY RECORDER
JAJ 8/14/2015 3:12 PM
REQ OF ALLIANCE TITLE - COEUR D'ALENE
OFFICE
RECORDING FEE: \$13.00 DD
Electronically Recorded

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:271542

FOR VALUE RECEIVED

Daniel Schoenberg and Michael Schoenberg and Timothy Schoenberg, as their sole and separate estate

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Karl J. Rebay and Carolyn C. Rebay, husband and wife

whose current address is

3697 S. Carpenter Lp., Post Falls, ID. 83854

the grantee(s), the following described premises, in Kootenai County, Idaho, TO WIT:

A parcel of land situate in the Southwest Quarter of the Southwest Quarter of Section 17, and the Southeast Quarter of Section 18, Township 50 North Range 5 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of said Section 17, a 3/4 " iron pipe as shown on Corner Perpetuation and Filing Record filed at Instrument Number 1265410, records of Kootenai County, Idaho;

Thence South 87° 46' 41" East 37.38 feet to the West line of Carpenter Loop, a county road;

Thence along said West line the following six courses:

North 50° 44' 54" East 143.35 feet;

Thence North 37° 44' 41" East 90.00 feet;

Thence North 37° 29' 47" East 31.33 feet;

Thence North 36° 06' 36" East 186.67 feet;

Thence North 52° 19' 07" East 84.43 feet;

Thence North 57° 26' 59" East 40.48 feet;

Thence leaving said West line North 44° 46' 35" West 1,048.97 feet;

Thence North 85° 21' 22" West 1070.34 feet to the East line of Carpenter Loop, a county road;

Thence along said East line South 04° 07' 20" West 142.19 feet;

Thence South 49° 14' 23" East 278.69 feet to the center line of the abandoned old county road, known as Titus Road;

Thence along said center line the following four courses:

South 43° 04' 48" East 333.12 feet;

Thence South 29° 47' 32" East 304.16 feet;

Thence South 19° 54' 57" East 266.93 feet;

Thence South 23° 28' 07" East 153.76 feet to the South line of said Section 18;

Thence along said South line South 88° 25' 00" East 640.75 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free

from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: August 10, 2015

Daniel Schoenberg
Daniel Schoenberg

Michael Schoenberg
Michael Schoenberg

Timothy Schoenberg

Timothy Schoenberg by Daniel Schoenberg, as his attorney in fact

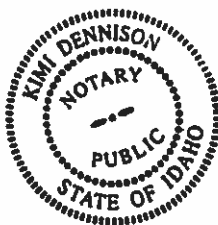
by Daniel P. Schoenberg, as his attorney in fact

State of Idaho) ss
County of Kootenai)

On this 11 day of August, 2015, before me, the undersigned, a Notary Public in and for said state, personally appeared Daniel Schoenberg, 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 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.

Kimi Dennison

Notary Public for the State of Idaho
Residing at: **Commission Expires: 9/2/21**
Commission Expires: **Residing at: Rathdrum, ID**

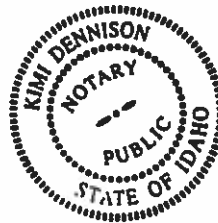


State of Idaho) ss
County of Kootenai)

On this 11 day of August, 2015, before me, the undersigned, a Notary Public in and for said state, personally appeared Michael Schoenberg, 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 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.

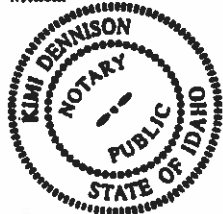
Kimi Dennison

Notary Public for the State of Idaho
Residing at: **Commission Expires: 9/2/21**
Commission Expires: **Residing at: Rathdrum, ID**



State of Idaho) ss
County of Kootenai)

On this 11th day of August, 2015, before me, the undersigned, a Notary Public in and for said state, personally appeared Daniel P. Schoenberg known or identified to me to be the person(s) whose name(s) subscribed to the within instrument as Attorney-in-fact of Timothy Schoenberg, and acknowledged to me that he subscribed the name of Timothy Schoenberg as principal and his/her own name as Attorney-in-fact.
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Kimi Dennison

Notary Public for the State of Idaho
Residing at: **Commission Expires: 9/2/21**
Commission Expires: **Residing at: Rathdrum, ID**

