

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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-16387	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Estates of Carl Nagel + Violet F. Nagel
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Henry J. Nagel & Patricia M. Nagel
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1135 Burma Road Dak Harbor WA 98277
Mailing address City State ZIP
- 360-675-1501 pat&henry1970@comcast.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: January 31, 2008
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] 8/14/15
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 8/14/15
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

WARRANTY DEED

THIS DEED, made by Henry J. Nagel, a married person, Grantor, to *Henry J. Nagel and Patricia M. Nagel, husband and wife*, Grantee, whose current address is 1135 Burma Road, Oak Harbor, Washington 98277.

THEREFORE, for love and affection and other valuable consideration received, Grantor transfers, conveys and warrants to Grantee all the right, title and interest of the Grantor in and to the following described real property located in Kootenai County, Idaho, and more particularly described as follows:

See attached Exhibit "A" attached hereto

together with all right, title and interest of the Grantor in and to the following WATER RIGHT LICENSES issued by the State of Idaho, Department of Water Resources:

- (1) Water Right No. 95-08508 issued on October 26, 1992 together with Herbert Nagel, as joint owners;
- (2) Water Right License No. 95-07779 issued August 22, 1989.

with all appurtenances.

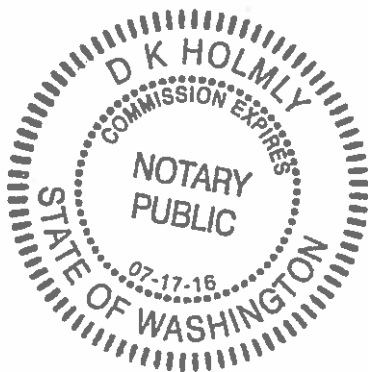
EXECUTED this 21 day of June, 2013.


HENRY J. NAGEL

STATE OF WASHINGTON)
)ss:
COUNTY OF ISLAND)

On this 21st day of JUNE, 2013, before me, the undersigned, a notary public in and for said state, personally appeared, Henry J. Nagel, whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



AK [Signature]
Notary Public for Washington
Residing at: AK 1st Ave
Commission Expires: 7-17-16

EXHIBIT "A"

A parcel of land, being East of the East right-of-way line of North-South Greenferry Road, Southerly of the Southeasterly right-of-way line of Burlington Northern Railroad, being a portion of Tracts H & I STATE ADD. TO RATHDRUM TOWNSITE, according to the plat recorded in Book C at Page 159, records of Kootenai County Idaho, lying situated in Section 36 Township 52 North Range 5 West Boise Meridian, AND ALSO a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Gov't Lots 3 & 4, Section 1 Township 51 North Range 5 West Boise Meridian, more particularly described as follows, to-wit:

Commencing at an aluminum cap 2 inch diameter, as shown on CP&F form recorded under Instrument No. 1017735, records of Kootenai County Idaho, marking the Northwest corner of said Section 1 Township 51 North Range 5 West Boise Meridian;

thence South $89^{\circ}21'08''$ East along the North line of said Section 1 a distance of 1066.44 feet to a point in the Southeasterly right-of-way line of said Burlington Northern Railroad, being the **TRUE POINT OF BEGINNING**;

thence North $49^{\circ}03'29''$ East along said Southeasterly right-of-way line 567.30 feet to a point in the Westerly right-of-way line of Greenferry Road Re-alignment;

thence Southwesterly along the said Westerly right-of-way line of Greenferry Road Re-alignment as follows:

Along a 200.0 foot radius curve right, (the long chord of which bears South $7^{\circ}53'39''$ West—258.33 feet) an arc length of 280.84 feet,

South $49^{\circ}04'13''$ West 198.55 feet to a point in the East line of said Gov't Lot 4 Section 1 Township 51 North Range 5 West Boise Meridian;

thence South $0^{\circ}42'52''$ West along the said East line 548.18 feet to the Northeast corner of parcel No. 1 of land as described in the certain Quit Claim Deed recorded as Instrument No. 214686100, records of Kootenai County Idaho;

thence West & South along the North & West line of said Parcel No. 1 as follows:

North $89^{\circ}17'20''$ West 326.55 feet,

South $0^{\circ}40'00''$ East 997.42 feet,

South $22^{\circ}50'00''$ West 49.0 feet,

South $41^{\circ}30'00''$ East 63.0 feet,

South $2^{\circ}00'00''$ West 41.0 feet,

South $31^{\circ}10'00''$ West 35.2 feet,

South 67°15'00" West 79.7 feet,

South 42°45'00" West 197.4 feet to the Southwest corner of said Parcel No. 1, also being the Northeast corner of Parcel No. 2 of land as described in the certain Warranty Deed recorded as Instrument No. 1787793, records of Kootenai County Idaho;

thence North 89°50'36" West (shown of record to be North 89°49'40" West) along the North line of said Parcel No. 2 a distance of 274.30 feet to the Southeast corner of Parcel No. 3 of land as described in the certain Warranty Deed recorded as Instrument No. 1267515, records of Kootenai County Idaho;

thence North and West along the East and North lines of said Parcel No. 3 as follows:

North 0°54'11" East (shown of record to be North 0°52'44" East—423.82 feet) 424.00 feet,

South 89°36'16" West (shown of record to be South 89°38'18" West—522.45 feet) 522.25 feet to the Northwest corner of said Parcel No. 3, being a point in the East right-of-way line of said North-South Greenferry Road;

thence North 1°18'16" East along the said East line 554.59 feet to a point in the Southeasterly right-of-way line of said Burlington Northern Railroad;

thence North 49°03'29" East along said Southeasterly right-of-way line 1402.91 feet to the **TRUE POINT OF BEGINNING.**

The above described parcel contains 31.8 acres more or less, EXCEPTING therefrom 4.3 acres of existing road right-of-way for Greenferry Road Re-alignment as described in the certain Quit Claim Deed recorded as Instrument No. 1711028, records of Kootenai County Idaho.

The basis of bearings of the above described parcel is from the Record of Survey, recorded in Book 13 at Page 181, records of Kootenai County Idaho.

AND ALSO all that property in Tract I, STATES ADD. TO RATHDRUM TOWNSITE according to the plat record in Book C at Page 159, records of Kootenai County Idaho, lying South of the Southeasterly right-of-way line of said Burlington Northern Railroad, East of the Easterly Greenferry Road Re-alignment right-of-way and Westerly of the Westerly C.M. & St. Paul Railroad right-of-way line.

AND ALSO a portion of the Southeast Quarter of the Northwest Quarter of Section 1 Township 51 North Range 5 West Boise Meridian, Kootenai County Idaho, being a parcel of land for a well site and easement for water lines, described as the South 100 feet of the West 60 feet of Parcel E of that certain survey of F. W. Gentry Surveying dated 12/30/84 and recorded in Book 4 of Surveys at Page 126 as Instrument No. 997925, records of Kootenai County Idaho; said Parcel E being further described as follows, to-wit:

Commencing at the North Quarter corner of said Section 1 from which the Northwest corner of said Section bears North 89°22'11" West 2640.27 feet; thence

South 0°37'47" West 1284.05 feet to the point of beginning; thence

South 0°31'56" West 655.59 feet; thence

North 88°46'43" West 666.15 feet; thence

North 0°37'16" East 653.36 feet; thence

South 88°58'14" East 665.12 feet to the point of beginning.

AND ALSO a portion of the Southwest Quarter of the Northwest Quarter of Section 1 Township 51 North Range 5 West Boise Meridian, Kootenai County Idaho, being a parcel of land for a well site and easement for water lines, described as follows:

Commencing at the Southwest corner of Parcel K of that certain survey of F. W. Gentry Surveying dated 12/30/84 and recorded in Book 4 of Surveys at Page 126 as Instrument No. 997925, records of Kootenai County Idaho, thence along the South line of said Parcel K Easterly 100.0 feet; thence North to the West line of said Parcel K; thence Southwesterly to the point of beginning; said Parcel K being further described as follows, to-wit:

Commencing at the West Quarter Corner of said Section 1 from which the Northwest corner of said Section 1 bears North 0°53'35" East 2594.51 feet; thence

South 88°57'13" East 1328.41 feet along the East-West centerline of said Section 1 to the North-South centerline of the Northwest Quarter of Section 1; thence

North 0°42'40" East 27.00 feet along said North-South centerline; thence

North 88°35'13" West 5.00 feet to the point of beginning; thence

North 88°57'10" West 891.45 feet; thence

North 30°44'49" East 777.80 feet; thence

South 89°49'40" East 161.79 feet; thence

180.15 feet along a radial curve to the right having a central angle of 10°19'18" and a radius of 1,000.00 feet; thence

161.84 feet along a radial curve to the left having a central angle of 9°16'21" and a radius of 1,000.00 feet; thence

South 0°42'40" West 651.10 feet to the point of beginning.

All above described parcels subject to all easements of record or view as of this date.

ORIGINAL

STATE OF IDAHO } SS
COUNTY OF KOOTENAI }
FILED

FREDERICK G. LOATS
Attorney at Law
2005 Ironwood Parkway, Suite 210
P. O. Box 831
Coeur d'Alene, ID 83816-0831
Telephone: (208)667-6424
Fax: (208) 664-3644
ISB No. 2147

2698 FEB -1 AM 9:36

CLERK DISTRICT COURT

DEPUTY

Attorney for Personal Representative

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

In the Matter of the Estate)

of)

VIOLET F. NAGEL,)

Deceased.)

Case No. CV08-774

LETTERS TESTAMENTARY

1. Henry Nagel was duly appointed and qualified as Personal Representative of the estate of the above-named decedents on the 31 day of Jan, 2008 by the Court with all authority pertaining there to.

2. Administration of the estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of the said personal representative or special administrator.

WITNESS, my signature and seal of this Court, this 31 day of Jan, 2008.

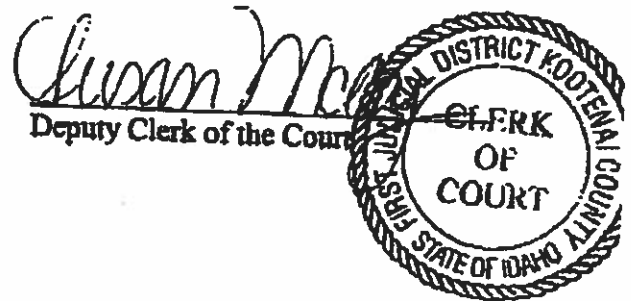

Magistrate

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that on the 1 day of Feb., 2008, a true and correct copy of the foregoing was mailed, postage prepaid, addressed to:

Frederick G. Loats
Attorney at Law
Fax: (208)664-3644

DANIEL J. ENGLISH



Deputy Clerk of the Court

STATE OF IDAHO } ss
COUNTY OF KOOTENAI

THIS IS TO CERTIFY THAT THE FOREGOING
IS A TRUE COPY OF THE ORIGINAL NOW ON
FILE ON RECORD IN THIS OFFICE

SEALED ON THIS 4 DAY OF FEB 2008

COURT BY [Signature] CLERK OF THE DISTRICT
Deputy

faxed

LETTERS TESTAMENTARY - Page 2

TO: Fred Loats / 664-3644 / 2-1-08 / Sue M.

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by Henry J. Nagel, as personal representative of the estate of Violet F. Nagel, deceased, Grantor, to *Henry J. Nagel*, Grantee, whose current address is 1135 Burma Road, Oak Harbor, Washington 98277.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. CV08-774, in Kootenai County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee all the right title and interest of the decedent and the estate in and to the following described real property located in Kootenai County, Idaho and more particularly described as follows:

See attached Exhibit "A" attached hereto

together with all the right, title and interest of Violet F. Nagel and her deceased husband, Carl Nagel in and to the following WATER RIGHT LICENSES issued by the State of Idaho, Department of Water Resources that were owned in whole or in part, by Violet F. Nagel at the time of her death:

- (1) Water Right No. 95-08508 issued on October 26, 1992 together with Herbert Nagel, as joint owners;
- (2) Water Right License No. 95-07779 issued August 22, 1989.

with all appurtenances.

EXECUTED this 5th day of December, 2009.

DANIEL J. ENGLISH 4P I 2244448000
KOOTENAI CO. RECORDER Page 1 of 4
AAA Date 12/09/2009 Time 11:48:45
REC-REQ OF HERBERT NAGEL
RECORDING FEE: 12.00
2244448000 DC 9


HENRY J. NAGEL
Personal Representative for the
Estate of Violet F. Nagel, deceased

WASHINGTON)
STATE OF IDAHO)
JULIANO)ss.
COUNTY OF KOOTENAI)

On this 5 day of December, 2009, before me, the undersigned, a notary public

EXHIBIT A

**Parcel 1
Kootenai County Idaho
September 16, 2008**

A parcel of land, being East of the East right of way line of North-South Greenferry Road, Southerly of the Southeasterly right of way line of Burlington Northern Railroad, being a portion of Tracts H & I STATE ADD. TO RATHDRUM TOWNSITE according to the plat recorded in Book C at Page 159, records of Kootenai County Idaho, lying situated in Section 36 Township 52 North Range 5 West Boise Meridian, AND ALSO a portion of the SW ¼ NW ¼, Gov't Lots 3 and 4, Section 1 Township 51 North Range 5 West Boise Meridian, more particularly described as follows, to-wit:

Commencing at a aluminum cap 2 inch diameter, as shown on CP&F form recorded under Instrument No. 1017735, records of Kootenai County Idaho, marking the Northwest corner of said Section 1 Township 51 North Range 5 West Boise Meridian;

thence South 89°21'08" East along the North line of said Section 1 a distance of 1066.44 feet to a point in the Southeasterly right of way line of said Burlington Northern Railroad, being the **TRUE POINT OF BEGINNING**;

thence North 49°03'29" East along said Southeasterly right of way line 567.30 feet to a point in the Westerly right of way line of Greenferry Road Re-alignment;

thence Southwesterly along the said Westerly right of way line of Greenferry Road Re-alignment as follows:

Along a 200.0 foot radius curve right, (the long chord of which bears South 7°53'39" West—258.33 feet) an arc length of 280.84 feet,

South 49°04'13" West 198.55 feet to a point in the East line of said Gov't Lot 4 Section 1 Township 51 North Range 5 West Boise Meridian;

thence South 0°42'52" West along the said East Line 548.18 feet to the Northeast corner of parcel No. 1 of land as described in that certain Quit Claim Deed recorded as Instrument No. 214686100, records of Kootenai County Idaho;

thence West & South along the North & West line of said Parcel No. 1 as follows:

North 89°17'20" West 326.55 feet,

South 0°40'00" East 997.42 feet,

South 22°50'00" West 49.0 feet,

South 41°30'00" East 63.0 feet,

South 2°00'00" West 41.0 feet,

South 31°10'00" West 35.20 feet,

South 67°15'00" West 79.70 feet,

EXHIBIT A

Parcel 1
Kootenai County Idaho
September 16, 2008

South 42°45'00" West 197.40 feet to the Southwest corner of said Parcel No. 1, also being the Northeast corner of Parcel No. 2 of land as described in that certain Warranty Deed recorded as Instrument No. 1787793, records of Kootenai County Idaho;

thence North 89°50'36" West (shown of record to be North 89°49'40" West) along the North line of said Parcel No. 2 a distance of 274.30 feet to the Southeast corner of Parcel No. 3 of land as described in that certain Warranty Deed recorded as Instrument No. 1267515, records of Kootenai County Idaho;

thence North and West along the East and North lines of said Parcel No. 3 as follows:

North 0°54'11" East (shown of record to be North 0°52'44" East—423.82 feet), 424.00 feet,

South 89°36'16" West (shown of record to be South 89°38'18" West—522.45 feet) 522.25 feet to the Northwest corner of said Parcel No. 3, being a point in the East right of way line of said North-South Greenferry Road;

thence North 1°18'16" East along the said East Line 554.59 feet to a point in the Southeasterly right of way line of said Burlington Northern Railroad;

thence North 49°03'29" East along said Southeasterly right of way line 1402.91 feet to the **TRUE POINT OF BEGINNING**.

The above described parcel contains 31.8 acres more or less, EXCEPTING therefrom 4.3 acres of existing road right of way for Greenferry Road Re-alignment as described in that certain Quit Claim Deed recorded as Instrument No. 1711028, records of Kootenai County Idaho.

AND ALSO all that property in Tract I, STATES ADD. TO RATHDRUM TOWNSITE according to the plat record in Book C at Page 159, records of Kootenai County Idaho, lying South of the Southeasterly right of way line of said Burlington Northern Railroad. East of the Easterly Greenferry Road Re-alignment right of way and Westerly of the Westerly C.M. & St. Paul Railroad right of way line.

AND ALSO a parcel of land for a well site and easement for water lines, refer to a parcel of land as described in that certain Warranty Deed recorded as Instrument No. 1266883, records of Kootenai County Idaho.

The above described parcels subject to all easement of record or view as of this date.

The basis of bearings of the above described parcel is from Record of Survey, recorded in Book 13 at Page 181, records of Kootenai County Idaho.



Civil Case # 49576

Ident. #

Claimants: Carl and Herbert Nagel

#588

EXH. B

Well Site

Section Corner

Distribution Line

House & System

S.36 Twp 52N R5W BM

Ptn Raging Bull

REMAINDER OF RAGING BULL
ASSESSED IN SEC 35 S24W5W

States Add

GOVT
LOT 3
39.63 Ac

GOVT
LOT 4
39.44 Ac



6	8	10	12	14	16
17	19	21	23	25	27
28	30	32	34	36	38
39	41	43	45	47	49
50	52	54	56	58	60

OOTENAI COUNTY
IDAHO

REVISIONS

ACTIVITY	DATE
INITIAL CONVERSION	11-01-98
IS CONVERSION	08-20-08

IT USED
515WD1.DWG

roads with given bearings and distances were
traverse closure. All other parcels were calculated
accurate means possible with the given information
utilized by width, triangulation, planimeter, section
map, and coordinate geometry. Accroper shown
map, and coordinate geometry. Accroper shown
map, and coordinate geometry. Accroper shown