



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 24, 2016

Margaret Jill Harrison
1404 E 11th Avenue
Spokane WA 99202

COPY

Re: 95-13529 Ownership Change

Dear Property Owner:

Please find returned Notice of Change in Water Right Ownership (enclosed) for your signature as indicated (yellow highlight), Item #8. When completed, please return to our office and change will be processed.

If you have any questions, please call our office.

Thank you,

Carolyn Monitz
Technical Records Clerk
IDWR
Northern Region

Cm/encl

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 20 2016

Notice of Change in Water Right Ownership 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. 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?
95-13529	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: please refer to attached document
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): same owners as above minus Daniel Kelly
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1404 E 11th Ave Spokane WA 99202
Mailing address City State ZIP
(509) 290-2649 jdkelly200@aol.com
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: 6/6/2016
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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: [Redacted] [Redacted]
Signature of new owner/claimant Date
Signature: [Redacted] [Redacted]
Signature of new owner/claimant 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 _____

FILED

JUN 06 2016

SPOKANE COUNTY CLERK

**Superior Court of Washington
County of Spokane**

In re the Marriage of:

DANIEL KELLY,

Petitioner,

and

JILL MADSEN KELLY,

Respondent.

No. 14-3-02916-9

Decree of Dissolution (DCD)

(Amended Re Maiden Name)

☒ Clerk's action required☐ Law Enforcement Notification, ¶ 3.8**I. Judgment Summaries****1.1 Real Property Judgment Summary:**

Real Property Judgment Summary is set forth below:

Name of Grantor: Jill Madsen-Kelly	Name of Grantee: Daniel Kelly
Assessor's property tax parcel or account number: 46223.0110 (Tracy Road)	
Or	
Legal description of the property awarded (including lot, block, plat, or section, township, range, county and state):	
	See Page _____ for full legal description
Name of Grantor: Jill Madsen-Kelly	Name of Grantee: Daniel Kelly
Legal description of the property awarded (including lot, block, plat, or section, township, range, county and state):	
Lot 6, POR H.O.V.E, GR 2791, BLOCK 212, KAHUKU, KAU. HI. FP. 787 (FORMERLY 9-2-01-6)	
	See Page _____ for full legal description
Name of Grantor: Daniel Kelly	Name of Grantee: Jill Madsen-Kelly
Assessor's property tax parcel or account number: 35213.2811 (11 th Street)	
Or	
Legal description of the property awarded (including lot, block, plat, or section, township, range, county and state):	
	See Page _____ for full legal description

Decree (Amended Re Maiden Name) (DCD) (DCLGSP) (DCJMG) 1:3 q e 1 1
 HPF DR 04.0490 Mandatory (12/2012)-RCW 26.09.030; .040; .07C(3)

ALLEN M. GAUPER
 Attorney at Law
 422 W. Rivers de Ave., Ste 1100
 Spokane Washington 99201
 PH: 509-838-2700

1.2 Money Judgment Summary:

Does not apply.

End of Summaries

II. Basis

Findings of Fact and Conclusions of Law have been entered in this case.

III. Decree

It is decreed that:

3.1 Status of the Marriage

The marriage of the parties is dissolved.

3.2 Property to be Awarded the Petitioner

The petitioner is awarded as separate property the following property:

1. Residence at 92-2032 Sea Breeze Pkwy, Ocean View, Hawaii;
2. Residence at 8311 N. Tracy Rd., Spokane, WA;
3. All right, title, and interest in the "Rohini" stock/investment;
4. 2001 Toyota Tundra;
5. 2003 Toyota Tundra;
6. Individual Retirement Account held in American Funds, account number [REDACTED] and/or ING, subject to an equalizing award of [REDACTED] which amount shall be transferred to wife's Individual Retirement Account.
7. One-half of any remaining ownership interest in "Pacinian."
8. Any checking and savings accounts presently in his name;
9. Household goods, furnishings, and personal effects presently in his possession.
10. Any retirement benefits with the State of Washington, earned prior to the parties' marriage.

3.3 Property to be Awarded to the Respondent

The respondent is awarded as separate property the following property:

1. Commercial property at 1404 E. 11th Ave., Spokane, WA;
2. Seven acres more or less, situate on Coeur d'Alene Lake, Idaho;
3. Float home situated adjacent to the Coeur d'Alene acreage;
4. 2008 Ford Ranger;
5. Roth IRA;
6. All right, title, and interest in Center for Family Development;
7. American Funds IRA;
8. Cash value-life insurance;
9. Any checking and savings accounts presently in her name;
10. Household goods, furnishings, and personal effects presently in her possession. Provided, however, the husband has certain personal property remaining in the Coeur d'Alene float home that is deemed to be "personal" to him; items such as a teaching desk, his personal glass, certain fishing gear, a Canadian wool blanket, and his snow shoes. Should there be a dispute as to husband's "personal property" in the float home, the same shall be arbitrated

Decree (Amended Re McIden Name) DCD (DCIGSP) (DCINAG) F + 3 + 1 2
WPF DR 04.0400 Mandatory (12/2012) - RCW 26.09.030; .040; .070 (3)

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Spokane, Washington 99201
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by submitting it to an arbitrator chosen by counsel. Costs of arbitration shall be shared equally by the parties.

11. All right, title, and interest in J&D Development, LLC;
12. [REDACTED] from the husband's Individual Retirement Account held in American Funds, account number [REDACTED] and/or ING;
13. One-half of any remaining ownership interest in "Pacinian."

3.4 Liabilities to be Paid by the Petitioner

The petitioner shall pay the following community or separate liabilities:

1. Mortgage liability attributable to the residence at 92-2032 Sea Breeze Pkwy, Ocean View, Hawaii;
2. Mortgage indebtedness attributable to the purchase of the Tracy Rd. property;

Unless otherwise provided herein, the petitioner shall pay all liabilities incurred by the petitioner since the date of separation.

3.5 Liabilities to be Paid by the Respondent

The respondent shall pay the following community or separate liabilities:

1. Mortgage indebtedness attributable to the 1404 E. 11th Street property;

Unless otherwise provided herein, the respondent shall pay all liabilities incurred by the respondent since the date of separation.

3.6 Hold Harmless Provision

Each party shall hold the other party harmless from any collection action relating to separate or community liabilities set forth above, including reasonable attorney's fees and costs incurred in defending against any attempts to collect an obligation of the other party.

3.7 Maintenance

Does not apply.

3.8 Restraining Order

No temporary personal restraining orders have been entered under this cause number.

3.9 Protection Order

Does not apply.

3.10 Jurisdiction Over the Children

Does not apply because there are no dependent children.

1 **3.11 Parenting Plan**

2 Does not apply.

3 **3.12 Child Support**

4 Does not apply.

5 **3.13 Attorney Fees, Other Professional Fees and Costs**

6 Does not apply.

7 **3.14 Name Changes**

8 The ~~WIFE'S MAIDEN NAME~~, of Margaret Jill Harrison, is hereby awarded to her.

9 **3.15 Other**

10
11 The wife is awarded a ~~1/2~~ interest in husband's (community property) retirement benefits, totaling
12 some ~~1/2~~ per month, i.e., approximately ~~1/2~~. Provided, however, the same shall not be
13 distributed to her during husband's lifetime. The parties shall continue to elect, and pay for, the
14 survivor benefit, the same being exclusively the wife's responsibility. Wife shall therefore, on a
15 monthly basis, beginning April 2016, tender directly to husband, the sum of ~~1/2~~ per month (i.e.,
16 the difference between the cost of the survivor benefit and her ~~1/2~~ interest in THE community
17 retirement benefit.)

18 Both parties are responsible to ensure that the ~~1/2~~ survivor benefit remains in full force and
19 effect.

20 The parties shall file a married, filing separate, tax return for 2015.

21 The wife shall be responsible for the following tax returns/filings for 2015 and thereafter:

- 22
23 (1) Center for Family Development;
24 (2) J&D Development.

25 Dated: 6/16/16

26 
27 Judge/Commissioner

28 GABRIELLE ROTH

COMMISSIONER PROTEM