

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

DEC 29 2016

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?
95-11467	Yes ☐		Yes ☐		Yes ☐
95-15897	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: WAYNE P BAILY & DONNA K BAILY

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Michael J. BERG and/or Susan K. BERG

New owner(s) as listed on the conveyance document

Name connector

☐ and☐ or☒ and/or6900 South Tall PinesCoeur d'AleneID83814

Mailing address

City

State

ZIP

208-660-6237 208-660-6281snmberg@aol.commjbnsk6@yahoo.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: 06/23/2016

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: Michael J. Berg

Signature of new owner/claimant

Title, if applicable

12/29/16

Date

- Signature: Susan K. Berg

Signature of new owner/claimant

Title, if applicable

12/29/16

Date

For IDWR Office Use Only:

Received by —Date —Receipt No. —Receipt Amt. —Approved by —Processed by C. M. SmithDate 3-2-17



100 Wallace Avenue
Coeur d'Alene, ID 83814

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

File No. 592941 PC/RW

JIM BRANNON 5 P 2550508000
KOOTENAI COUNTY RECORDER
SAC 6/23/2016 9:34 AM
REQ OF PIONEER TITLE KOOTENAI
COUNTY
RECORDING FEE: \$22.00 DD
Electronically Recorded

WARRANTY DEED

For Value Received Wayne P. and Donna K. Bailey as Trustees of The Wayne and Donna Bailey
Revocable Trust

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Michael J. Berg and Susan K. Berg, husband and wife

hereinafter referred to as Grantee, whose current address is 6900 SOUTH TALL PINES ROAD
COEUR D'ALENE, ID 83814

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable,
and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: June 20, 2016

The Wayne and Donna Bailey Revocable Trust

By: Wayne P. Bailey
Wayne P. Bailey, Trustee

By: Donna K. Bailey
Donna K. Bailey, Trustee

State of Idaho, County of Kootenai

On this 20th day of June in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Wayne P. Bailey and Donna K. Bailey, as Trustee(s) of The Wayne and Donna Bailey Revocable Trust known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument as said Trustee(s), and acknowledged to me that he/she/they executed the same as Trustee(s) of said trust and as his/her/their free and voluntary act and deed of said trust, for the uses and purposes therein mentioned.


Residing at: Dalton Gardens
Commission Expires: 10-27-17

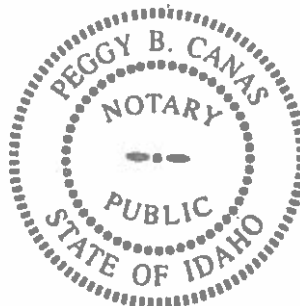


EXHIBIT A

A parcel of land located in the North Half of Section 9, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and being described by metes and bounds as follows:

COMMENCING at a found iron rod and cap marking the North Quarter corner of Section 9; thence

Along the North line of Section 9, South $89^{\circ}20'02''$ West, a distance of 359.50 feet to an iron rod and cap marking the Easterly right of way line of Tall Pines Road, and the POINT OF BEGINNING; thence

Along the Easterly right of way line of Tall Pines Road, along the arc of a curve left, concave to the East, having a radius of 205.00 feet, through a central angle of $20^{\circ}27'37''$, an arc distance of 73.21 feet, whose chord bears South $06^{\circ}19'51''$ West, 72.82 feet to the intersection with the Northeasterly right of way line of a 60 foot paved private access road and utility easement; thence

Along the Northeasterly right of way line of said 60 foot paved private access road and utility easement the following eight (8) courses:

1. South $82^{\circ}36'55''$ East, a distance of 45.23 feet; thence
2. South $61^{\circ}15'46''$ East, a distance of 131.70 feet; thence
3. South $34^{\circ}10'40''$ East, a distance of 111.18 feet; thence
4. South $28^{\circ}56'10''$ East, a distance of 45.21 feet; thence
5. South $17^{\circ}22'15''$ East, a distance of 40.01 feet; thence
6. South $13^{\circ}38'19''$ East, a distance of 172.06 feet; thence
7. South $23^{\circ}35'52''$ East, a distance of 13.88 feet; thence
8. South $45^{\circ}28'18''$ East, a distance of 23.96 feet; thence

Leaving said line, South $34^{\circ}33'39''$ West, a distance of 30.46 feet to the centerline of the aforementioned 60 feet paved private access road and utility easement; thence

Along the centerline of said 60 foot wide paved access and utility easement the following twenty-seven (27) courses:

1. South $45^{\circ}28'18''$ East, a distance of 14.38 feet; thence
2. South $54^{\circ}42'18''$ East, a distance of 56.73 feet; thence
3. South $44^{\circ}47'12''$ East, a distance of 24.54 feet; thence
4. South $29^{\circ}14'14''$ East, a distance of 31.32 feet; thence
5. South $22^{\circ}43'59''$ East, a distance of 39.07 feet; thence
6. South $14^{\circ}33'16''$ East, a distance of 29.19 feet; thence
7. South $28^{\circ}10'26''$ East, a distance of 34.23 feet; thence
8. South $53^{\circ}15'47''$ East, a distance of 23.12 feet; thence
9. South $65^{\circ}37'56''$ East, a distance of 43.99 feet; thence
10. South $60^{\circ}14'40''$ East, a distance of 45.75 feet; thence
11. South $37^{\circ}56'12''$ East, a distance of 34.16 feet; thence
12. South $27^{\circ}44'06''$ East, a distance of 87.60 feet; thence
13. South $41^{\circ}57'58''$ East, a distance of 68.95 feet; thence
14. South $60^{\circ}59'09''$ East, a distance of 51.72 feet; thence
15. South $51^{\circ}18'48''$ East, a distance of 37.47 feet; thence
16. South $37^{\circ}03'43''$ East, a distance of 51.83 feet; thence
17. South $12^{\circ}42'13''$ East, a distance of 29.07 feet; thence
18. South $06^{\circ}25'27''$ West, a distance of 35.52 feet; thence
19. South $16^{\circ}09'48''$ West, a distance of 61.09 feet; thence
20. South $06^{\circ}03'37''$ West, a distance of 30.55 feet; thence
21. South $11^{\circ}16'06''$ East, a distance of 28.93 feet; thence
22. South $38^{\circ}48'51''$ East, a distance of 35.41 feet; thence
23. South $51^{\circ}24'26''$ East, a distance of 62.47 feet; thence
24. South $47^{\circ}02'36''$ East, a distance of 94.15 feet; thence
25. South $37^{\circ}38'26''$ East, a distance of 61.08 feet; thence
26. South $19^{\circ}04'57''$ East, a distance of 40.91 feet; thence

27. South 06°42'21" East, a distance of 53.58 feet to Point "A" marking the terminus point of the 60 foot wide paved private road and utility easement; thence

Along the centerline of a 30 foot wide paved private access road and utility easement the following twenty-three (23) courses:

1. South 07°33'30" West, a distance of 28.28 feet; thence
2. South 15°28'21" West, a distance of 24.78 feet; thence
3. South 09°57'07" West, a distance of 34.81 feet; thence
4. South 04°47'07" East, a distance of 50.09 feet; thence
5. South 11°16'11" East, a distance of 132.99 feet; thence
6. South 10°42'48" East, a distance of 26.76 feet; thence
7. South 03°19'28" East, a distance of 37.66 feet; thence
8. South 04°08'16" West, a distance of 107.82 feet; thence
9. South 31°44'59" East, a distance of 22.97 feet; thence
10. South 57°40'13" East, a distance of 24.53 feet; thence
11. South 88°29'15" East, a distance of 25.64 feet; thence
12. North 67°12'57" East, a distance of 21.84 feet; thence
13. North 62°52'24" East, a distance of 50.98 feet; thence
14. North 68°34'45" East, a distance of 25.47 feet; thence
15. North 80°26'51" East, a distance of 31.15 feet; thence
16. South 83°10'54" East, a distance of 26.63 feet; thence
17. South 66°55'12" East, a distance of 28.74 feet; thence
18. South 48°24'10" East, a distance of 20.91 feet; thence
19. South 34°40'48" East, a distance of 24.24 feet; thence
20. South 28°57'33" East, a distance of 76.64 feet; thence
21. South 33°20'52" East, a distance of 26.64 feet; thence
22. South 49°16'59" East, a distance of 27.84 feet; thence
23. South 74°09'50" East, a distance of 26.60 feet to the terminus point of said 30 foot easement; thence

Leaving said centerline South 51°16'43" East, a distance of 586.36 feet; thence

South 71°48'16" West, a distance of 319.16 feet; thence

North 20°53'09" West, a distance of 187.26 feet; thence

North 82°56'49" West, a distance of 745.22 feet to the intersection with the Northeasterly right of way line of a private road; thence

Along the Northeasterly right of way line of said private road the following six (6) courses:

1. North 21°36'34" West, a distance of 14.00 feet; thence
2. North 17°47'25" West, a distance of 31.96 feet; thence
3. North 20°07'47" West, a distance of 60.77 feet; thence
4. North 33°21'47" West, a distance of 72.45 feet; thence
5. North 39°50'06" West, a distance of 93.82 feet; thence
6. North 34°06'38" West, a distance of 151.12 feet to the intersection with the centerline of Tall Pines Road; thence

Along the centerline of Tall Pines Road the following ten (10) courses:

1. North 00°54'34" West, a distance of 149.64 feet; thence
2. North 08°11'29" West, a distance of 270.56 feet; thence
3. North 11°32'24" West, a distance of 100.46 feet; thence
4. North 24°44'14" West, a distance of 56.23 feet; thence
5. Along the arc of a curve left, concave to the Southwest, having a radius of 1,500.00 feet, through a central angle of 12°34'54", an arc distance of 329.39 feet whose chord bears North 25°28'36" West, 328.73 feet to a point of reverse curvature; thence
6. Along the arc of a curve right, concave to the Northeast, having a radius of 330.00 feet, through a central angle of 26°15'23", an arc distance of 151.23 feet whose chord bears North 18°38'23" West, 149.91 feet; thence
7. North 05°30'41" West, a distance of 208.65 feet; thence

8. Along the arc of a curve left, concave to the West, having a radius of 600.00 feet, through a central angle of $10^{\circ}19'02''$, an arc distance of 108.04 feet whose chord bears North $10^{\circ}40'12''$ West, 107.90 feet; thence
9. North $15^{\circ}49'43''$ West, a distance of 474.73 feet; thence
10. Along the arc of a curve right, concave to the East, having a radius of 230.00 feet, through a central angle of $30^{\circ}28'06''$, an arc distance of 122.31 feet whose chord bears North $00^{\circ}35'41''$ West, 120.87 feet to the intersection with the North line of Section 9; thence

Leaving said centerline and with the North line of Section 9, North $89^{\circ}20'02''$ East, a distance of 26.04 feet to the POINT OF BEGINNING.



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

March 2, 2017

Michael J and Susan K Berg
6900 S Tall Pines
Coeur d Alene ID 83814

Re: 95-11467 and 95-15897 – Notice of Change in Water Right Ownership

Dear Property Owner:

This letter will confirm that your ownership change has been received and processed by this office.

If you have any questions regarding this matter, please contact our office.

Sincerely,

A handwritten signature in blue ink that reads "Carolyn Monitz". The signature is written in a cursive, flowing style.

Carolyn Monitz
Technical Records Clerk
IDWR
Northern Region

CM