

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership 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. 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?
95-10837	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: MARK D. CLEVELAND
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MICHAEL AND RENATA GRUBER
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 6112 N. OLD TRAILS RD SPokane WA 99229
Mailing address City State ZIP
- 509-999-3200 DSTYROSEMRG@MSN.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: SEPT. 7, 2013
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] OWNER 8/28/17
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] OWNER 8/28/17
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by TA Date 8-31-2017 Receipt No. 11032908 Receipt Amt. 25.00
 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 _____

Werner, Linda

From: MICHAEL GRUBER <dstyrosemrg@msn.com>
Sent: Tuesday, September 19, 2017 3:47 PM
To: Werner, Linda
Subject: Re: Change of Ownership for Claim Number 95-10837
Attachments: WD 2428310.pdf

Dear Ms Werner: I just received the "Exhibit A" from Alliance Title and am forwarding it via pdf file. Please let me know that this is the correct info that you requested.

Thank you,

Michael R. Gruber

On Sep 19, 2017, at 11:15 AM, Werner, Linda <Linda.Werner@idwr.idaho.gov> wrote:

Dear Mr. or Ms. Gruber,

We have received the change of ownership information you recently sent us for the property purchased from Mark Cleveland.

We do, however, also need the portion of the warranty deed listed as Exhibit "A". This document contains the legal description of the property which is used to verify the correct parcel.

Please email or send this sheet as soon as possible before September 29, 2017. This will allow me to complete the ownership change in a timely fashion.

Thank you.

*Linda Werner
Water Resource Agent, Sr.
Idaho Department of Water Resources
Northern Region
7600 N Mineral Drive, Ste 100
Coeur d'Alene, ID 83815
(208) 762-2802*

RECEIVED
SEP 20 2017
IDWR / NORTH

CLIFFORD T. HAYES 4 P 2428310000
KOOTENAI COUNTY RECORDER
DAS 9/13/2013 10:21 AM
REQ OF ALLIANCE TITLE - COEUR D'ALENE
OFFICE
RECORDING FEE: \$19.00 DD
Electronically Recorded

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:205583

FOR VALUE RECEIVED

Muriel Cleveland, an unmarried woman as to an undivided one third interest; Mark D.Cleveland and Lori Cleveland, husband and wife as to an two third interest

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

Michael Gruber and Renata Gruber, husband and wife

whose current address is **6112 N. Old Trails Rd.
Spokane, WA 99224**

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

See Attached Exhibit "A"

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: September 7, 2013

Mark D. Cleveland
Mark D. Cleveland

Lori A. Cleveland
Lori Cleveland

Muriel A. Cleveland
Muriel Cleveland

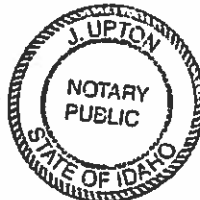
State of Idaho } ss
County of Kootenai }

On this 10th day of September, 2013, before me, J. Upton, a Notary Public in and for said state, personally appeared ~~Muriel Cleveland~~, Mark D.Cleveland, and Lori Cleveland, 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.

J. Upton
J. Upton

Notary Public for the State of Idaho
Residing at: Post Falls, ID
Commission Expires: 09/03/14



State of Idaho) ss
County of Kootenai)

On this 12th day of September, 2013, before me, J. Upton, a Notary Public in and for said state, personally appeared Muriel Cleveland, 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.



J. Upton
Notary Public for the State of Idaho
Residing at: Post Falls, ID
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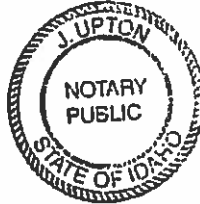


EXHIBIT "A"

205583

A parcel of land in Government Lot 1, Section 24, Township 53 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows:

Commencing at the Southwest corner of Lot 5, Coman's Addition to Kootenai County as recorded in Book "E of Plats, page 20; thence

North 89°57'00" East along the North line of said Section 24, a distance of 485.33 feet to the Meander Corner marked by an iron pin set in concrete (Plat distance 485.00 feet); thence

South 04°27'32" East a distance of 930.12 feet to an iron pin and the True Point of Beginning for this description thence

along the shoreline of Spirit Lake a distance of 95 feet to an iron pin (chord bears South 83°04'25" East a distance of 89.88 feet); thence

continuing along the shoreline a distance of 95 feet to an iron pin (chord bears North 42°08'42" East a distance of 95 feet); thence

South 42°31'36" East a distance of 150.00 feet; thence

South 64°23'51" West a distance of 236.17 feet; thence

North 82°22'52" West a distance of 95.00 feet; thence

North 62°12'49' West a distance of 95.00 feet; thence

North 29°08'41" East a distance of 150.00 feet; thence

along the shoreline a distance of 75 feet(chord bears South 61°19'12" East a distance of 72.70 feet) to the True Point of Beginning.

AND EXCEPTNG THEREFROM:

A parcel of land in Government Lot 1, Section 24, Township 53 North; Range 5 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows:

Commencing at the Southwest corner of Lot 5, Coman's Addition to Kootenai County as recorded in Book "B" of Plats, page 20; thence

North 89°57'00" East along the North line of said Section 24, a distance of 485.33 feet to the Meander Corner marked by an iron pin set in concrete (Plat distance 485.00 fret); thence

MPZ LAC (M)

South $04^{\circ}27'32''$ East a distance of 930.12 feet to an iron pin and the True Point of Beginning for this description; thence

along the shoreline of Spirit Lake a distance of 95 feet to an iron pin (chord bears South $83^{\circ}04'25''$ East a distance of 89.88 feet); thence

South $18^{\circ}36'04''$ West a distance of 150.00 feet to an iron pin; thence

North $82^{\circ}22'52''$ West a distance of 95.00 feet to an iron pin; thence

North $62^{\circ}12'49''$ West a distance of 95.00 feet to an iron pin; thence

North $29^{\circ}08'41''$ East a distance of 150.00 feet to an iron pin on the shoreline of Spirit Lake; thence

South $61^{\circ}19'12''$ East along the shoreline a distance of 72.70 feet to the Point of Beginning.

Less the Easterly 95 feet.

msr / vAc
(m)



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

September 20, 2017

MICHAEL OR RENATA GRUBER
6112 N OLD TRAILS RD
SPOKANE WA 99224

SUBJECT: Completed Ownership Change on Notice of Claim Number 95-10837

Dear Mr. or Ms. Gruber:

I have completed the ownership change on the above numbered claim and have enclosed a copy for your records. This change will ensure that you receive all future correspondence related to this claim and the adjudication. Thank you for your prompt attention to this matter.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Copy Claim Number 95-10837

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/23/2017

Adjudication Claim 95-10837

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARK D CLEVELAND 14702 E COOPER RD MEAD, WA 99021-8777

Priority Date: 6/1/1960

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPIRIT LAKE	SPIRIT CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	04/01	11/30	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion

SPIRIT LAKE	NENE	Sec. 24, Twp 53N, Rge 05W, KOOTENAI County
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Place Of Use

DOMESTIC within KOOTENAI County

T53N R05W S24	NENE
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Conditions of Approval:

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

Werner, Linda

From: Werner, Linda
Sent: Tuesday, September 19, 2017 11:16 AM
To: 'dstyrosemrg@msn.com'
Subject: Change of Ownership for Claim Number 95-10837

Dear Mr. or Ms. Gruber,

We have received the change of ownership information you recently sent us for the property purchased from Mark Cleveland.

We do, however, also need the portion of the warranty deed listed as Exhibit "A". This document contains the legal description of the property which is used to verify the correct parcel.

Please email or send this sheet as soon as possible before September 29, 2017. This will allow me to complete the ownership change in a timely fashion.

Thank you.

*Linda Werner
Water Resource Agent, Sr.
Idaho Department of Water Resources
Northern Region
7600 N Mineral Drive, Ste 100
Coeur d'Alene, ID 83815
(208) 762-2802*

CLIFFORD T. HAYES 4 P 2428310000
KOOTENAI COUNTY RECORDER
DAS 9/13/2013 10:21 AM
REQ OF ALLIANCE TITLE - COEUR D'ALENE
OFFICE
RECORDING FEE: \$19.00 DD
Electronically Recorded

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:205583

FOR VALUE RECEIVED

**Muriel Cleveland, an unmarried woman as to an undivided one third interest; Mark
D.Cleveland and Lori Cleveland, husband and wife as to an two third interest**

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

Michael Gruber and Renata Gruber, husband and wife

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Spokane, WA 99224

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

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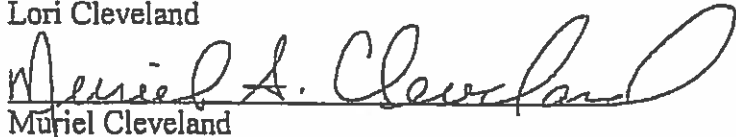
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the
said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free
from all encumbrances Except: 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: September 7, 2013


Mark D. Cleveland


Lori Cleveland


Muriel Cleveland

State of Idaho } ss
County of Kootenai }

On this 10th day of September, 2013, before me, J. Upton, a Notary Public in and for said state,
personally appeared ~~Muriel Cleveland~~, Mark D.Cleveland, and Lori Cleveland, 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.

Lori Cleveland

Muriel A. Cleveland
Muriel Cleveland

State of Idaho } ss
County of Kootenai }

On this 10th day of September, 2013, before me, J. Upton, a Notary Public in and for said state, personally appeared ~~Muriel Cleveland~~^{Muriel A. Cleveland}, Mark D. Cleveland, and Lori Cleveland, 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.

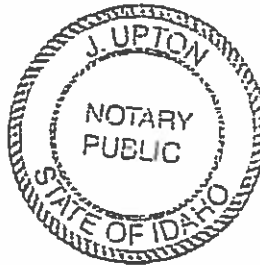
J. Upton

J. Upton

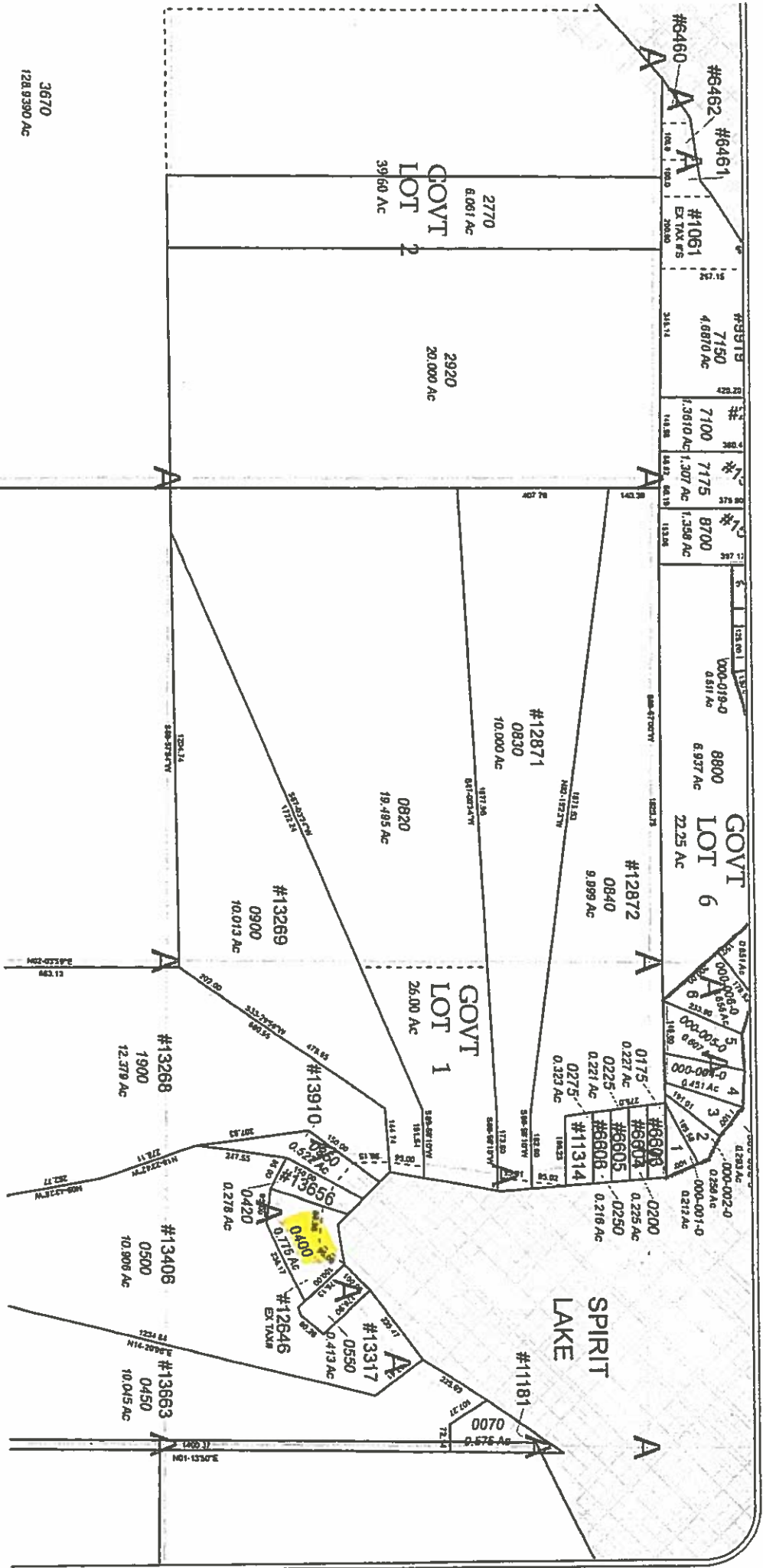
Notary Public for the State of Idaho

Residing at: Post Falls, ID

Commission Expires: 09/03/14



PARCEL # 53N 05W 240 400
ADDRESS : 15618 SOUTH SPIRIT LAKE SHORE



3670
128.8390 Ac



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4500 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

RECEIVED
AUG 31 2017
IDWR/NORTH

August 23, 2017

MICHAEL GRUBER
6112 N OLD TRAILS RD
SPOKANE WA 99224

RE: CSRBA CLAIM 95-10837

Dear Claimant,

According to records with the County of Kootenai, you now own the parcel number 53N05W240400. If this is correct and you are the new owner, it is necessary for you to complete the enclosed Change of Ownership form. This will allow me to list you as owner of the water right claim previously filed by Cleveland.

Please complete and return the Change of Ownership form to update ownership of this right.

Feel free to contact me on these issues via phone, email or mail.

Sincerely,

STEVE CLELLAND

Sr. Water Resource Agent

Phone: 208-287-4913

Email: steve.clelland@idwr.idaho.gov

8/28/17

DEAR MR. CLELLAND:

THANK YOU FOR BRINGING THIS MATTER TO
MY ATTENTION. ENCLOSED ARE THE REQUESTED
DOCUMENTS. PLEASE CONTACT ME WITH QUESTIONS
@ 509-999-3200. THANK YOU

09/20/2017

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 95-10837
NAME AND ADDRESS: MARK D CLEVELAND
14702 E COOPER RD
MEAD WA 99021-8777
SOURCE: SPIRIT LAKE TRIBUTARY: SPIRIT CREEK
QUANTITY: 0.040 CFS
The quantity of water under this right shall not exceed
13,000 gallons per day.
PRIORITY DATE: 06/01/1960
POINT OF
DIVERSION: T53N R05W S24 NENE Within KOOTENAI County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	04/01 11/30	0.040 CFS
Domestic use is for 1 home.		

PLACE OF
USE: DOMESTIC in KOOTENAI County
T53N R05W S24 NENE T53N R05W S24 Lot 1 NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER
RIGHT:

The quantity of water decreed for this water right is
not a determination of historical beneficial use.

This partial decree is subject to such general
provisions necessary for the definition of the rights
or for the efficient administration of the water rights
as may be ultimately determined by the Court at a point
in time no later than the entry of a final unified
decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. 53N05W240400.