

RECEIVED

DEC 15 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR/NORTH Notice of Change in Water Right Ownership

101

INCC

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?
95-16989	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: STEVEN R MENDEZ AND CATHRINE E MENDEZ LIVING TRUST

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): James D. Kenway and Alison K. Kenway Living Trust
 New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or ☐ Trust
5895 W. Kidd Island Rd Coeur D Alene ID 83814
 Mailing address City State ZIP
619-843-0105 jmalikway@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: June 22, 2017
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] Title, if applicable: _____ Date: 12/13/17
 Signature: Alison Kenway Title, if applicable: _____ Date: 12/13/17
 Signature of new owner/claimant Signature of new owner/claimant

For IDWR Office Use Only:

Received by N/A Date N/A Receipt No. N/A Receipt Amt. N/A
 Approved by [Signature] Processed by [Signature] Date 12-20-2017

PARCEL LOCATION FOR CSRBA WATER RIGHT CLAIM 95-16989



Escrow No.: N-41223-KRL

WARRANTY DEED

FOR VALUE RECEIVED, **Steven R. Mendez and Catherine E. Mendez, Trustees of the Steven R. Mendez and Catherine E. Mendez Living Trust dated February 24, 2010,** Hereinafter called Grantor, does hereby grant, bargain, sell and convey unto **James D. Kenway and Alison K. Kenway, Trustees of the James and Alison Kenway Living Trust,** Grantee, whose address is: 5895 W Kidd Island Road, Coeur d'Alene, ID 83814 the following described premises, County of Kootenai, State of Idaho to-wit:

A portion of the Southeast quarter of the Northeast quarter of Section 4, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Section 4;

thence South 89°11'21" West, a distance of 2660.82 feet to the North quarter corner of said Section 4;

thence South 0°48'07" West, a distance of 1706.51 feet to a 1/2 inch rebar with cap marked "Durtschi LS 3814";

thence North 89°31'00" East, a distance of 2658.68 feet to a point marked by a 1/2 inch rebar with cap marked "ME & S RCE/LS 3451" said point also being the True Point of Beginning;

thence from said point beginning South 0°50'34" West a distance of 698.83 feet, to a point on the Northerly right of way for Kidd Island Bay Road, marked by a 1/2 inch rebar with cap marked "ME & S RCE/LS 3451";

thence Westerly along said Northerly right of way North 78°40'06" West, a distance of 333.23 feet to a 5/8 inch rebar with cap marked "I.N.C. PLS 6602";

thence leaving said right of way North 0°50'34" East, a distance of 630.59 feet to a 5/8 inch rebar with a cap marked "I.N.C. PLS 6602";

This document is now recorded electronically with the County Recorder. Attached to this original document is a copy of the recorder stamp as it appears of record.

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A portion of the Southeast quarter of the Northeast quarter of Section 4, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Section 4;

thence South 89°11'21" West, a distance of 2660.82 feet to the North quarter corner of said Section 4;

thence South 0°48'07" West, a distance of 1706.51 feet to a 1/2 inch rebar with cap marked "Durtschi LS 3814";

thence North 89°31'00" East, a distance of 2658.68 feet to a point marked by a 1/2 inch rebar with cap marked "ME & S RCE/LS 3451" said point also being the True Point of Beginning;

thence from said point beginning South 0°50'34" West a distance of 698.83 feet, to a point on the Northerly right of way for Kidd Island Bay Road, marked by a 1/2 inch rebar with cap marked "ME & S RCE/LS 3451";

thence Westerly along said Northerly right of way North 78°40'06" West, a distance of 333.23 feet to a 5/8 inch rebar with cap marked "I.N.C. PLS 6602";

thence leaving said right of way North 0°50'34" East, a distance of 630.59 feet to a 5/8 inch rebar with a cap marked "I.N.C. PLS 6602";

thence North 89°31'00" East, a distance of 327.75 feet to the Point of Beginning.

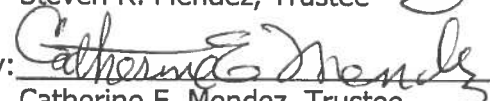
EXCEPTING THEREFROM that portion conveyed to the Worley Highway District in Warranty Deed recorded May 30, 2017 as Instrument No. 2596488000, Official Records.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject to those made, suffered or done by the Grantee(s); current taxes, levies, assessments, easements, reservations and rights of way of view and covenants, conditions, restrictions, easements, reservations, dedications, rights of way and agreements of record and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

DATED. June 22, 2017

Steven R. Mendez and Catherine E. Mendez Living Trust

By: 
Steven R. Mendez, Trustee

By: 
Catherine E. Mendez, Trustee

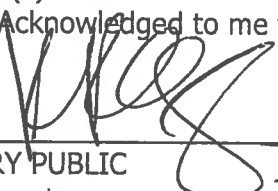
STATE OF IDAHO

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)ss.
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COUNTY OF KOOTENAI

On this 22nd day of JUNE, 2017, before me, the undersigned, a notary public in and for said state, personally appeared, STEVEN R. MENDEZ AND CATHERINE E. MENDEZ known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, as

Trustee(s) of the Trust for the benefit of Steven R. Mendez and Catherine E. Mendez Living Trust, Acknowledged to me that he/she/they executed the same as Trustee(s).



NOTARY PUBLIC

Residing at: _____

My Commission Expires: _____

Post Falls

4/9/2019.

