

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 14 2018

IDWR / NORTH 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
95-10461	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Martin Hernandez and Dolores Hernandez

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Mary L Marshall, Trustee of The Mary Marshall Trust dated 11/29/2011

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

25295 North Infinity Rd. Athol Id. 83801
Mailing address City State ZIP

208 683-1214

Telephone

None

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: 9/6/2016

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):
 - o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o No fee is required for pending adjudication claims.

8. Signature: Mary L Marshall

Signature of new owner/claimant

Trustee

Title, if applicable

5-14-18

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

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 6-8-2018

JIM BRANNON 2 P 2561435000
KOOTENAI COUNTY RECORDER
PRP 9/6/2016 3:31 PM
REQ OF ALLIANCE TITLE - COEUR D' ALENE
OFFICE

RECORDING FEE: \$13.00 DD
Electronically Recorded

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

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:321432

FOR VALUE RECEIVED

Martin Hernandez and Dolores Hernandez husband and wife

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

Mary L. Marshall, Trustee of The Mary Marshall Trust dated November 29, 2011

whose current address is: : 25295 North Infinity Road, Athol, ID 83801

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

See 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: August 26, 2016


Martin Hernandez


Dolores Hernandez

State of Idaho } ss
County of Kootenai }

On this 2 day of September, 2016, before me, Kimi Dennison, a Notary Public in and for said state, personally appeared Martin Hernandez and Dolores Hernandez, 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.


Kimi Dennison

Notary Public for the State of Idaho
Residing at: Rathdrum, ID
Commission Expires: 9/2/2016



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Dated: August 26, 2016



Martin Hernandez

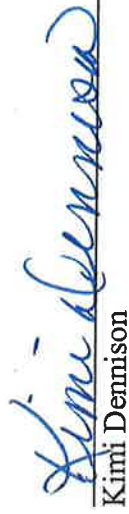


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County of Kootenai }

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EXHIBIT "A"

321432

A portion of the Northeast Quarter of the Northeast Quarter, Section 36, Township 53 North, Range 3 West, Boise Meridian, Kootenai County, Idaho more specifically described as follows:

COMMENCING at the Northeast corner of Section 36, Township 53 North, Range 3 West, Boise Meridian, Idaho; thence

South 00°20'15" East along the East line of said Section 36, 708.0 feet to a point on the centerline of Sage Creek, said point being the POINT OF BEGINNING for this description; thence

Continuing South 0°20'15" East along said East line of Section 36, 603.08 feet to an iron pin, which is the Southeast corner of the Northeast Quarter of the Northeast Quarter, said Section 36; thence

South 89°15'12" West along the South line of said Northeast Quarter of the Northeast Quarter, 677.55 feet to an iron pin; thence

North 0°01'10" East, 207.12 feet to an iron pin; thence

South 89°58'50" East, 90.0 feet to an iron pin; thence

North 0°01'10" East, 120.0 feet to an iron pin; thence

North 89°58'50" West, 82.36 feet to the centerline of Sage Creek; thence

Along the centerline of Sage Creek as follows:

North 62°57'00" East, 137.13 feet; thence

North 57°42'00" East, 136.80 feet; thence

North 82°51'00" East, 120.60 feet; thence

North 71°15'00" East, 121.90 feet; thence

North 51°43'00" East, 123.80 feet; thence

North 79°09'00" East, 97.90 feet to the POINT OF BEGINNING



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D'ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

June 08, 2018

MARY MARSHALL TRUST
25295 N INFINITY RD
ATHOL ID 83801-5054

Re: Change in Ownership for Water Right No(s): 95-10461

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 762-2808.

Sincerely,

Dawn Lenon
Technical Records Specialist I

Enclosure(s) Notice Of Claim 95-10461