

**RECEIVED****MAY 31 2018**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**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.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 95-15047              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 95-15050              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Martha Green  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Matthew Hershberger  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1090 Ellis lane Plummer Id 83851  
Mailing address City State ZIP
- 208-582-0050 MattSiding@icloud.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: Oct, 15-2016 - July 10-2017

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] 5-31-2018  
Signature of new owner/claimant Title, if applicable 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 6-20-2018

**First American Title**

## Owner's Policy of Title Insurance

ISSUED BY

**First American Title Insurance Company**

POLICY NUMBER

**5011400-643285-SM****Schedule A****First American Title Company  
831 Main Avenue  
St. Maries, ID 83861**File No.: **643285-SM**Address Reference: **nna  
Plummer, ID 83851**Amount of Insurance: **[REDACTED]**Premium: **[REDACTED]**Date of Policy: **August 14, 2017 at 2:32 P.M.**

1. Name of Insured:

**Matthew R. Hershberger and Rhoda L. Hershberger**

2. The estate or interest in the Land that is insured by this policy is:

**Fee Simple**

3. Title is vested in:

**Matthew R. Hershberger and Rhoda L. Hershberger, husband and wife**

4. The Land referred to in this policy is described as follows:

**The East Half of the Northeast Quarter of the Northeast Quarter of Section 9,  
Township 46 North, Range 4 West, B.M., Benewah County, Idaho. ✓****(Being PDR 29 as depicted on Record of Survey recorded February 17, 1993, as  
Instrument No. 191800, records of Benewah County, Idaho)**

By:

Authorized Countersignature

(This Schedule A valid only when Schedule B is attached.)



*First American Title*

Owner's Policy of Title Insurance

ISSUED BY

**First American Title Insurance Company**

POLICY NUMBER

**5011400-643285-SM**

# Schedule B

File No. 643285-SM

## EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien, or rights to a lien, for services, labor or materials theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. 2017 taxes are an accruing lien, not yet payable.
8. Road Maintenance Declaration by Northern Rockies Corporation dba Rocky Mountain Land Corporation, an Idaho corporation, as recorded August 27, 1992, Instrument No. 190110, records Benewah County, Idaho.
9. Covenants, Conditions and Restrictions recorded as Instrument No. 190111, but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or national origin to the extent that such covenants, conditions or restrictions violate 42 USC 3604(c).
- Waiver of Restrictive Covenant as to Described parcel by Martha Green as recorded February 26, 2001, Instrument No. 222546, records of Benewah County, Idaho.
10. Easement and Maintenance Declaration by Northern Rockies Corporation, an Idaho corporation dba Rocky Mount Land Co. as recorded October 14, 1992, Instrument No. 190653, records of Benewah County, Idaho.

11. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded February 17, 1993, as Instrument Number 191800, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
12. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded April 12, 2001, as Instrument Number 222904, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
13. Paragraphs 1 and 2 of the Exclusions from Coverage are expressly extended to include those laws, ordinances or regulations of an Indian tribe or nation.
14. Public Records as defined in this Policy do not include records of an Indian tribe or nation, or any other repository of Indian Land Records, including, but not limited to the Bureau of Indian Affairs Land Titles and Records Office.
15. Mortgage dated August 11, 2017, to secure an original indebtedness of \$65,000.00, and any other amounts and/or obligations secured thereby.  
Recorded: August 14, 2017, as Instrument No. 278082  
Mortgagor: Matthew R. Hershberger and Rhoda L. Hershberger, husband and wife  
Mortgagee: Anabaptist Financial

*First American Title*

## Owner's Policy of Title Insurance

ISSUED BY

**First American Title Insurance Company**

POLICY NUMBER

**5011400-606969-SM**

# Schedule A

**First American Title Company  
831 Main Avenue  
St. Maries, ID 83861**

File No.: **606969-SM**  
Address Reference: **1090 Ellis Lane  
Plummer, ID 83851**

Amount of Insurance: [REDACTED]  
Date of Policy: **October 18, 2016 at 11:46 A.M.**

Premium: [REDACTED]

1. Name of Insured:

**Matthew R. Hershberger and Rhoda L. Hershberger**

2. The estate or interest in the Land that is insured by this policy is:

**Fee Simple**

3. Title is vested in:

**Matthew R. Hershberger and Rhoda L. Hershberger, husband and wife**

4. The Land referred to in this policy is described as follows:

**Parcel 1**

**The West Half of the Northeast Quarter of the Northeast Quarter;  
AND the East 165' of the Northwest Quarter of said Northeast Quarter;  
all in Section 9, Township 46 North, Range 4 West of the Boise Meridian, Benewah  
County, Idaho.**

**Parcel 2**

**That portion of the Northwest Quarter of the Northeast Quarter  
of Section 9, Township 46 North, Range 4 West of the Boise Meridian, Benewah  
County, Idaho, described as follows:  
Commencing at the northwest corner of said Northwest Quarter of the Northeast  
Quarter;  
thence N 89° 58' 37" E, a distance of 1156.75 feet;  
thence S 00° 07' 56" W, a distance of 740.00 to the Point of Beginning;  
thence continuing S 00° 07' 56" W, a distance of 579.75 feet;  
thence N 89° 56' 45" W, a distance of 1155.88 feet, more or less, to the easterly  
boundary of the county road, known as Ellis Lane;**

**thence Northeasterly, along said easterly boundary of the county road known as Ellis Lane to a point, said point being 450 feet, more or less, West of the point of beginning;**

**thence East 450 feet, more or less to the Point of Beginning.**

**(Being a portion of PDR 39 as depicted on Record of Survey recorded February 17, 1993, as Instrument No. 191800, records of Benewah County, Idaho)**



By:

Authorized Countersignature

(This Schedule A valid only when Schedule B is attached.)



First American Title

## Owner's Policy of Title Insurance

ISSUED BY

**First American Title Insurance Company**

POLICY NUMBER

**5011400-606969-SM**

# Schedule B

File No. 606969-SM

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
  2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
  3. Easements, claims of easement or encumbrances which are not shown by the public records.
  4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
  5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
  6. Any lien, or rights to a lien, for services, labor or materials theretofore or hereafter furnished, imposed by law and not shown by the public records.
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  8. Road Maintenance Declaration by Northern Rockies Corporation dba Rocky Mountain Land Corporation, an Idaho corporation, as recorded August 27, 1992, Instrument No. 190110, records Benewah County, Idaho.
  9. Covenants, Conditions and Restrictions recorded as Instrument No. 190111, but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or national origin to the extent that such covenants, conditions or restrictions violate 42 USC 3604(c).
- Waiver of Restrictive Covenant as to Described parcel by Martha Green as recorded February 26, 2001, Instrument No. 222546, records of Benewah County, Idaho.
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11. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded February 17, 1993, as Instrument Number 191800, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
12. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded April 12, 2001, as Instrument Number 222904, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
13. Paragraphs 1 and 2 of the Exclusions from Coverage are expressly extended to include those laws, ordinances or regulations of an Indian tribe or nation.
14. Public Records as defined in this Policy do not include records of an Indian tribe or nation, or any other repository of Indian Land Records, including, but not limited to the Bureau of Indian Affairs Land Titles and Records Office.



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

June 20, 2018

MATTHEW HERSHBERGER  
1090 ELLIS LN  
PLUMMER ID 83851-9791

SUBJECT: Ownership Change on Notice of Claim Number(s) 95-15047 & 95-15050

Dear Mr. Hershberger:

We have processed your change of ownership request on the Notice of Claim to a Water Right Number(s) listed above. Enclosed is a copy of the claim showing such change; for your records. Also, this information can be accessed on our website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Sincerely,

A handwritten signature in blue ink that reads "Dawn R. Lenon". The signature is fluid and cursive, with the first name "Dawn" being the most prominent part.

Dawn R. Lenon  
Technical Records Specialist 1

Enclosure(s) Notice of Claim 95-15047 & 95-15050