



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

June 28, 2018

ALLEN FUNK
18914 W RIVERVIEW DR
POST FALLS ID 83854

SUBJECT: Ownership Change on Notice of Claim Number(s) 95-13470

Dear Mr. Funk:

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.

Sincerely,

Dawn R. Lenon
Technical Records Specialist 1

Enclosure(s) Notice of Claim 95-13470

RECEIVED

JUN 26 2018

STATE OF IDAHO
COUNTY OF KOOTENAI
FILED: LSS

2018 APR 18 PM 2:37

CLERK DISTRICT COURT

DEPUTY

95-13470

Kacey L. Wall, PLLC

Attorney at Law

1110 W. Park Place, Suite 212

Coeur d'Alene, ID 83814

Telephone: (208) 667-9531

Facsimile: (208) 667-8503

ISBN: 7116

Attorney for Plaintiff

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

POLLY FUNK,

Plaintiff,

vs.

ALLEN L. FUNK,

Defendant.

CASE NO. CV-12-7876

**DECREE OF DIVORCE
& MILITARY PAY ORDER**

THIS MATTER having come regularly before the above-entitled Court on the date this Decree was signed as set forth below, pursuant to stipulation of the parties authorizing the entry of a Divorce Decree in conformance with this original Decree of Divorce. The Plaintiff having been represented by Kacey L. Wall and the Defendant having chosen to represent himself and having ample time to consult with independent counsel. Based upon the Stipulation for Entry of Decree of Divorce of the parties, after

**DECREE OF DIVORCE &
MILITARY PAY ORDER - 1**

review of the records and files herein, Findings of Fact and Conclusions of Law having been formally waived and good cause thus appearing, now, therefore:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore and now existing between the parties be wholly and forever dissolved and the parties be released, each from the other and from all matrimonial obligations, and that the Plaintiff be granted an absolute Decree of Divorce from the Defendant on the grounds of Irreconcilable Differences.

IT IS FURTHER ORDERED and the community property of the parties is awarded to each party as follows:

TO PLAINTIFF AS HER SOLE & SEPARATE PROERTY:

2008 Dodge Ram 3500
Lance camper
Hide-a-bed couch
2 round end tables
Coffee table
Sofa table
Small 1/2 circle end table
Double recliner
Dining room table w/ 6 chairs
China cabinet
Wii and Wii Fit
Wii remotes and charging system
Small 2 drawer night stand
Pampered Chef square pan
Pampered Chef Dutch oven with deep dish pizza pan lid
Bean pot with basket
Weight bench and 110 lb weights
Small blue and black mountain bike

All black .270 Winchester with scope
Framed map of Acores Islands
36" TV
Toshiba lap top
Sewing machine
4'x4' table
Gold wheat pattern china
All teapots
Black marble slab from San Francisco 1906 earthquake
Electric wok
Electric roaster
Small desk
(2) pink scuba tanks
(1) blue woman's wetsuit
(1) black/grey woman's wetsuit
Portable manicure table
Square Waring pro popcorn popper
Her 401K account and outstanding loan
USAA checking account
USAA savings account
NFCU checking account #xxxxxx1711
NFCU savings account #xxxxxx1109
VHS Movies:
 All Walt Disney cartoons
 How the Grinch Stole Xmas
 Rudolph, Frosty the Snowman
 Set of 4 Lethal Weapon DVD
 Harry Potter movie set
 All Star Wars
 All Walt Disney cartoon DVD's

TO DEFENDANT AS HIS SOLE & SEPARATE PROPERTY:

2 refrigerators, stove, dishwasher, microwave and chest freezer
2000 Escalade (sold)
2012 Dodge Charger
2010 Adventure truck camper

Kubota tractor
Coronet project car and all parts
1990 26' Maxum boat
White leather love seat and chair
Octagon end table
Cedar chest
Rocker recliner
Indian art
Tapestry
Master bedroom set
White queen bed
4 drawer dresser
Pampered chef pizza stones w/ baskets
Portuguese fish basket
Picnic basket
Treadmill
Miracle blade knife set
Chrome rack cart
Push-up/pull-up rack
Bike rack
Man's gray mtn. bike
4-bike carrier hitch stile
All guns except that awarded to Wife
Flat screen TV
Entertainment computer
Stoneware dishes
Pots and pans
Cutco knife set
Cutco cooking utensils
BBQ grill
Stir-crazy popcorn popper
All John Wayne VHS movies
Lord of the Rings DVD sets
All Star Wars DVD's
USAA checking account
USAA checking account
NFCU checking account #xxxxxxx1703
NFCU savings account #xxxxxxx1000

**DECREE OF DIVORCE &
MILITARY PAY ORDER - 4**

Each party is awarded their personal property set forth above as their sole and separate property, free from any claim by the other.

IT IS FURTHER ORDERED that the community real property located at 18914 W. Riverview Dr., Post Falls, Idaho is awarded to the Defendant subject to all liabilities and/or other liens against said property. Defendant is required to refinance or remove Plaintiff's name from the financial obligation thereof within six months from the date of entry of this Decree. The Court shall retain jurisdiction over this issue until the property is refinanced and/or the Plaintiff's name is removed from the financial obligation of the property

IT IS FURTHER ORDERED that the community indebtedness be assumed and paid as follows:

TO BE PAID BY THE PLAINTIFF:

Loan for Dodge Ram
USAA credit card in her name
Loan on 401K account
Any debts incurred in Plaintiff's name since the separation of the parties on June 2, 2012.

TO BE PAID BY THE DEFENDANT:

Mortgage on family residence
Loan on 2012 Dodge Charger
NFCU credit card in his name
Loan for 2010 truck camper

Any debts incurred in Defendant's name since the separation of the parties on June 2, 2012.

Each party will assume and be liable for the indebtedness as set forth above and will indemnify and hold the other harmless from the collection thereof. Defendant is required to refinance or remove the Plaintiff's name from the loan on the 2010 truck camper within six months from the entry of this Decree of Divorce.

IT IS FURTHER ORDERED that each party will sign, execute and deliver any titles, endorsements, or similar documents necessary to effect the property disposition and debt allocation contemplated herein.

IT IS FURTHER ORDERED and Defendant is required to timely pay and indemnify and hold the Plaintiff harmless from any and all judgments, either existing prior to the parties' marriage or arising during the pendency thereof, for damages against the Defendant, and Plaintiff, jointly, severally and individually, and resulting directly or indirectly from untimely or non-payment of any indebtedness, community or separate, allocated to the Defendant pursuant to the provisions set forth herein, including, but not limited to any prior child support obligations due by the Defendant.

MILITARY PAY ORDER

IT IS FURTHER ORDERED that this court has jurisdiction of the subject matter of this action and also personal jurisdiction over both parties. The Defendant, ALLEN

FUNK has been a member of the uniformed services of the United States having joined
**DECREE OF DIVORCE &
MILITARY PAY ORDER - 6**

the U.S. Army in February, 1977 and enlisting in the U.S. Navy in October, 1981. The parties were married on December 31, 1976 in the state of Nevada and were continuously married thereafter until the entry of this Decree of Divorce. The current mailing address of the Plaintiff, Polly Funk is 113 W. 19th Ave., Post Falls, Idaho 83854, and the current mailing address of the member of the uniformed services, Allen L. Funk, the Defendant, is P.O. Box 877, Post Falls, Idaho 83854. The Social Security numbers of the parties are as follows: Allen L. Funk [REDACTED] and Polly Funk [REDACTED]

[REDACTED] The court certifies that all rights of Allen L. Funk under the Soldiers and Sailors Civil Relief Act of 1940 (50 U.S.C. App. 501 et seq) were observed during the course of these proceedings. The court intends this to be a "court order" of a division of the parties' property pursuant to the provisions of Title 10, United States Code, Section 1408:

IT IS HEREBY ORDERED that, to the extent the Defendant Allen L. Funk is currently receiving retirement pay by virtue of his military service of the United States of America, forty (40%) of the disposable retired pay which would otherwise be paid to him be paid to his spouse, the Plaintiff, Polly Funk to commence at the time of entry of this Decree of Divorce.

IT IS FURTHER ORDERED that the Defendant's disposable retirement pay be paid to the former spouse, POLLY FUNK, monthly, provided that the Secretary of the

**DECREE OF DIVORCE &
MILITARY PAY ORDER - 7**

Army or Navy shall not be required to vary normal pay and disbursement cycles.

IT IS FURTHER ORDERED that the payments of retirement pay as provided herein to the spouse, POLLY FUNK, be made until the death of ALLEN L. FUNK, or the death of POLLY FUNK, whichever occurs first.

IT IS FURTHER ORDERED that Plaintiff will receive 40% of Defendant's current military pay by way of military allotment.

IT IS FURTHER ORDERED that the Plaintiff will be entitled to any and all benefits of a former spouse of a military member pursuant to Federal Law.

IT IS FURTHER ORDERED that each party shall pay their own attorney fees and costs incurred herein.

NOTICE IS HEREBY GIVEN that **Kacey L. Wall** withdraws as attorney of record for the Plaintiff, Polly Funk, effective 43 days from the date of entry of the order or judgment herein.

DATED this 17 day of April, 2013.

Clark A. Peterson

Clark Peterson, Magistrate

CERTIFICATE OF SERVICE

I certify that on the 18 day of April, 2013, I caused a copy of the foregoing to be served by the method indicated below on the following:

Kacey L. Wall, PLLC
Attorney at Law
1110 W. Park Place, Suite 212
Coeur d'Alene, ID 83814
Allen L. Funk
P.O. Box 877
Post Falls, ID 83854
☒ Facsimile to: 667-8503
☐ Overnight Mail
☒ U.S. Mail

CLIFFORD T. HAYES
CLERK OF THE DISTRICT COURT

By: [Signature]
Deputy Clerk