

DEV

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 31 2018

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
95-10400	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Steven L Rice & Cynthia M Rice

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Gregory L Kimberling

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/orMailing address: 140 Box 9213City: MoscowState: IDZIP: 83843Telephone: 208-301-0583Email: greg@gkias.com

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: May 29, 2015

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 and 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: Gregory Kimberling

Signature of new owner/claimant

Title, if applicable

Date: 8/28/18

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date: _____

For IDWR Office Use Only:

Received by: NIADate: NIAReceipt No. NIAReceipt Amt. NIAApproved by: ubProcessed by: ubDate: 9-10-2018



Pioneer Title Co.
GOING BEYOND

100 Wallace Avenue
Coeur d'Alene, ID 83814

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

File No. 571589 PC/TJ

JIM BRANNON 3 P 2499891000
KOOTENAI COUNTY RECORDER
JAJ 5/29/2015 10:10 AM
REQ OF PIONEER TITLE KOOTENAI
COUNTY
RECORDING FEE: \$16.00 DD
Electronically Recorded

WARRANTY DEED

For Value Received

Steven L. Rice and Cinthia M. Rice, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Gregory L. Kimberling, an unmarried man

hereinafter referred to as Grantee, whose current address is 322 Susan Drive Moscow, ID 83843

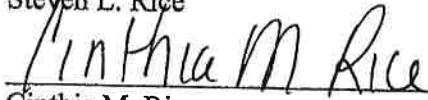
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: May 26, 2015

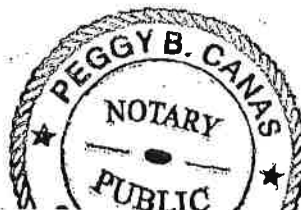

Steven L. Rice


Cinthia M. Rice

State of Idaho, County of Kootenai

On this 26th day of May in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven L. Rice and Cinthia M. Rice known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.


Residing at: Coeur d'Alene
Commission Expires: 10/27/17





Pioneer Title Co.
GOING BEYOND

100 Wallace Avenue
Coeur d'Alene, ID 83814

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

File No. 571589 PC/TJ

WARRANTY DEED

For Value Received

Steven L. Rice and Cinthia M. Rice, husband and wife
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Gregory L. Kimberling, an unmarried man
hereinafter referred to as Grantee, whose current address is 322 Susan Drive Moscow, ID 83843
The following described premises, to-wit:

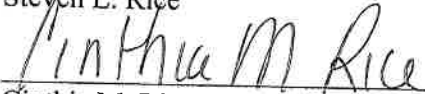
See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: May 26, 2015



Steven L. Rice



Cinthia M. Rice

State of Idaho, County of Kootenai

On this 26th day of May in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven L. Rice and Cinthia M. Rice known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.


Residing at: Coeur d'Alene
Commission Expires: 10/27/17

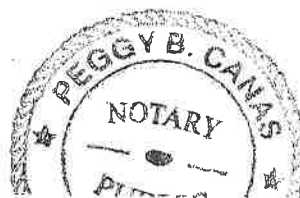


EXHIBIT A

PARCEL 1:

That portion of Government Lot 3, Section 11, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

COMMENCING at a concrete monument on the Westerly right of way line of U.S. Highway 95A at Station 354+08.2, said point being North 32°50' East, 911.55 feet from the South Quarter corner of said Section; thence

North 67°44'30" East, 339.16 feet to a concrete monument on said Highway right of way line at Station 357+21.2, being the TRUE POINT OF BEGINNING; thence

South 80°57' East along said Highway right of way line, 222.3 feet to a concrete monument on said right of way line at Station 359+43.7, being also a point on the boundary of land described in the deed to George E. Shurgart and wife recorded June 29, 1951 in Book 148 of Deeds at Page 599; thence

Along the boundary of said Shugart land as follows:

North 76°31' West, 97.38 feet (record North 76°46' West, 97.65 feet); thence

North 12°59' East, 65.62 feet (record North 12°46' East, 65.62 feet); thence

North 67°10' West, 142.04 feet (record North 68°14' West to the meander line); to a point on the shore of Lake Coeur d'Alene; thence

South 86°57' West along said shore, 100.00 feet; thence

North 78°06' West along said shore 24.64 feet; thence

Leaving said shore, South 25°42' East, 113.75 feet to a point on the Northerly right of way line of U.S. Highway 95A; thence

Easterly along said right of way line, being along a curve having a radius of 326.5 feet, a distance of 66.12 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

That portion of Government Lot 3, Section 11, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at a concrete monument on the Northerly right of way line of U.S. Highway 95A, at Station 359+43.7, said point being North 50°05'30" East, 1339.6 feet from the South Quarter corner of said Section; said point being also a point in the boundary of land described in the deed to George E. Shugart and wife recorded June 29, 1951 in Book 148 of Deeds at Page 599; thence

North 76°31' West along the boundary of said Shugart land, 97.38 feet (record North 76°46' West, 97.65 feet); thence

Continuing along the boundary of said Shugart land, North 12°59' East (record North 12°46' East), 35.00 feet; thence

South 60°25'24" East 122.45 feet to a point on the Northerly right of way line of U.S. Highway 95A; thence

Westerly along said right of way to the POINT OF BEGINNING.

PARCEL 3:

A tract of land in Government Lot 3, Section 11, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, described as follows:

BEGINNING at the South Quarter corner of Section 11; thence

Along said Southerly line as follows:

North 89°35' East, 63.54 feet; thence

South 77°03' East, 225.44 feet to a point on the Westerly right of way line of Highway 95A, being the Southeast corner of the Wolfe tract; thence

Along said right of way line along a curve to the right with a radius of 189.2 feet and a central angle of 125°56' to the POINT OF BEGINNING, being South 35°56' West, 337.06 feet from the aforesaid point.

EXCEPT THEREFROM that portion conveyed to Erwin R. Juedes and Esther F. Juedes, husband and wife, in Warranty Deed recorded November 15, 1972 as Instrument No. 613971, records of Kootenai County, Idaho, more particularly described as:

A tract of land in Government Lot 3, Section 11, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, described as follows:

BEGINNING at the South One-Quarter corner of Section 11; thence

North 50°05' East, 1339.6 feet to a concrete right of way monument on the Northerly right of way line of Highway 95A at Station 359+43.7; thence

North 29°51'45" East, 353.31 feet to a concrete right of way monument at Station 377+35.4; thence

South 33°20' East, 40.0 feet to the TRUE POINT OF BEGINNING being a point on the Westerly right of way line of Highway 95A and the Southeast corner of Wolfe tract; thence

Along the Southerly line of the Wolfe tract as follows:

North 77°03'30" West, 225.44 feet; thence

South 89°35'30" West, 63.54 feet to a point on the shore of Lake Coeur d'Alene; thence

Along the shore, South 34°41'30" West, 79.45 feet; thence

Parallel with the South line of the Wolfe tract and 65 feet distant therefrom, measured at right angles, as follows:

North 89°35'30" East, 101.61 feet; thence

South 77°03'30" East, 253.40 feet to a point on said Westerly right of way line; thence

Along a curve to the left with a radius of 189.2 feet and a central angle of 22°35', a distance of 74.57 feet to the TRUE POINT OF BEGINNING, being North 15°42' West, 74.1 feet from the aforesaid point.

AND ALSO EXCEPTING from the first above described land that portion described as follows:

A tract of land in Government Lot 3, Section 11, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at the South Quarter corner of said Section 11; thence

North 50°05'30" East, 1339.6 feet to a concrete right of way monument on the Northerly right of way line of Highway 95A at Station 359+43.7 and the TRUE POINT OF BEGINNING; thence

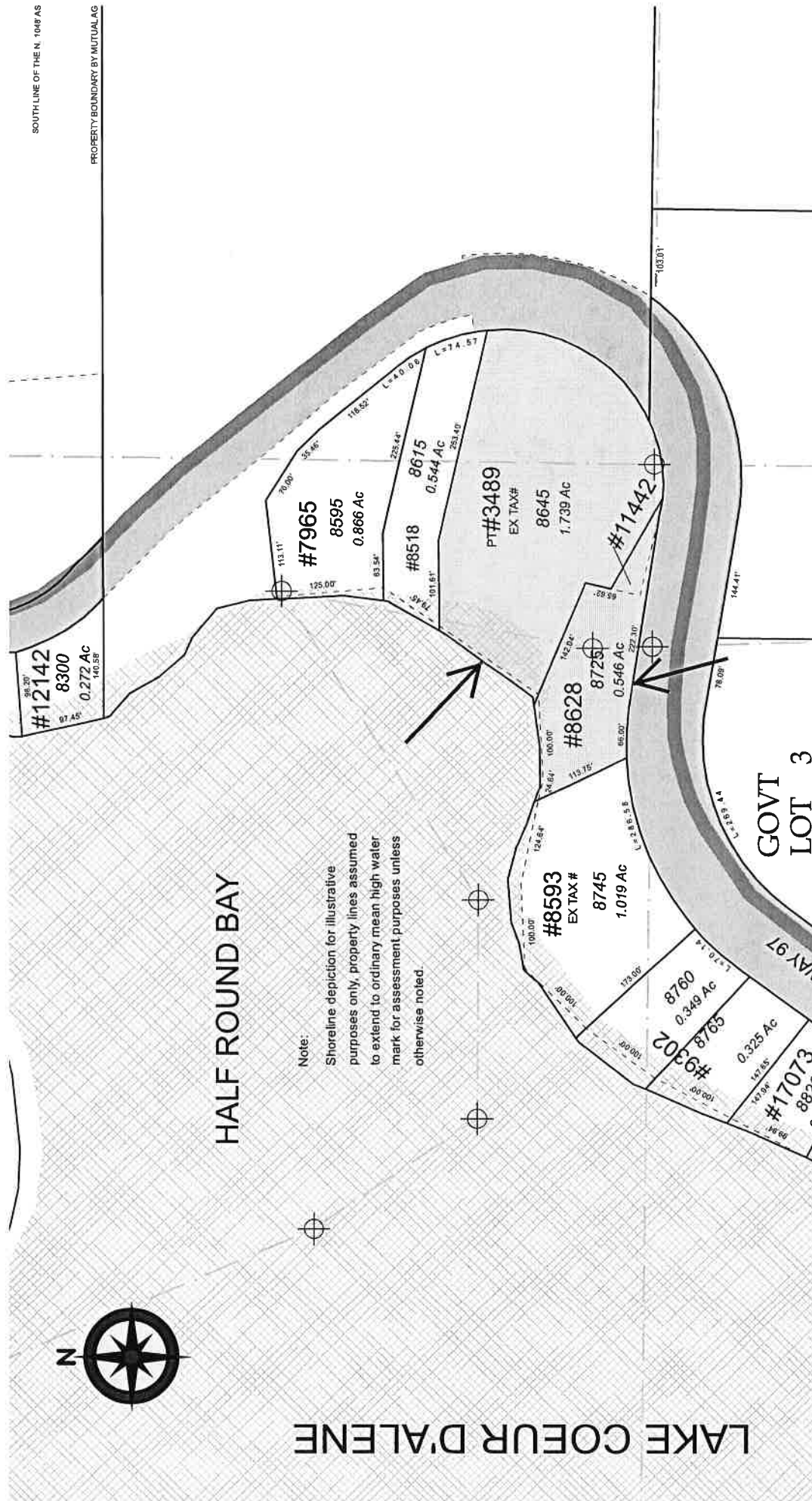
North 76°31'00" West, 97.38 feet; thence

North 12°59'00" East, 35.00 feet; thence

South 60°25'24" East, 122.45 feet to a point on the Northerly right of way line of Highway 95A; thence

Along said right of way line along a curve to the right with a radius of 189.2 feet and a central angle of 6°03'24" to the TRUE POINT OF BEGINNING, being North 79°32'42" West, 19.99 feet from the aforesaid point.

This sketch is solely for the purpose for assisting in locating said land. Pioneer Title of Coeur d'Alene assumes no liability for any matter related to this sketch. Reference should made to an actual survey for further information.





100 Wallace Avenue
Coeur d'Alene, ID 83814

June 20, 2015

Gregory L. Kimberling
322 Susan Drive
Moscow, ID 83843

File No. 571589

Property Address: 38431 S. Highway 97, Harrison, ID 83833

The closing of the above-noted property has now been completed. Enclosed for your records is the original recorded deed together with your final title policy.

We appreciate having had the opportunity to be of service to you. If you have questions please contact the Title Officer listed below.

Sincerely,

Tanya Jensen, Title Officer
Ph: (208) 665-2238
Email: tjensen@pioneertitleco.com

Enclosures



Owner's Policy

Policy Issuing Agent For:
Old Republic National Title Insurance Company
400 Second Avenue South
Minneapolis, MN 55401

File No.: 571589

Policy No.: OX-9415456

Date of Policy: May 29, 2015 at 10:10AM

Address Reference: 38431 S. Highway 97, Harrison,
ID 83833

Amount of Insurance: \$ [REDACTED]

Premium: \$ [REDACTED]

Endorsement Premium: \$0.00

Schedule A

1. Name of Insured:

Gregory L. Kimberling

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

FEE SIMPLE

3. Title is vested in:

Gregory L. Kimberling, an unmarried man

4. The land referred to in the Policy is described as follows:

See Exhibit A attached hereto and made a part hereof.

Schedule B

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. Rights or claims of parties on possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matter contradictory to any survey plat shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by 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 to title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Taxes or special 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. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings, whether or not shown by the records of such agency or by the public records.

Special Exceptions:

1. General taxes for the year 2015, which are liens and are not yet due and payable.
Parcel No.: 48N04W118645
2. The taxes showing on the title report and closing documents reflect the current information available from the Kootenai County Treasurer. Any discrepancy with the taxes will be the responsibility of the seller/borrower.
3. Reservations in United States Patent or State Deeds.
4. Water rights, claims or title to water, whether or not the matters are shown by the public records.
5. Any adverse claim based upon the assertion that some portion of said land lies below the ordinary high water mark of Coeur d'Alene Lake.

6. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
In Favor of: Washington Water Power Company
Recorded: March 13, 1914
Instrument No.: Book 56 of Deeds, Page 163
7. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
In Favor of: Washington Water Power Company
Recorded: July 16, 1947
Instrument No.: Book 135 of Deeds, Page 333
8. Covenants, conditions, restrictions and easements contained in Deed.
Recorded: February 2, 1973
Instrument No.: 618351
9. Matters disclosed by Record of Survey
Survey No.: Book 22 of Surveys, Page 91
Recorded: June 20, 2003
Instrument No.: 1808678
10. Assignment of Encroachment Permit Number L-95-S-2362, recorded July 18, 2006 as Instrument No. 2043827000, records of Kootenai County, Idaho.
11. Assignment of Encroachment Permit Number 95-S-2362A, recorded July 18, 2006 as Instrument No. 2043828000, records of Kootenai County, Idaho.
12. Boundary Agreement upon the terms, conditions and provisions contained therein:
Between: Chee Chee Phillips, a single woman and Steven L. Rice and Cinthia Rice, husband and wife
Recorded: March 6, 2007
Instrument No.: 2086638000
13. A Deed of Trust with Second Home Rider to secure an indebtedness of \$650,000.00, and any other amounts as therein provided, payable under the terms, conditions, provisions and stipulations thereof.
Dated: May 29, 2015
Grantor: Gregory L. Kimberling, an unmarried man
Trustee: Pioneer Title Company
Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS) is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns
Lender: AmericanWest Bank
Recorded: May 29, 2015
Instrument No.: 2499892000

END OF EXCEPTIONS

EXHIBIT A

PARCEL 1:

That portion of Government Lot 3, Section 11, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

COMMENCING at a concrete monument on the Westerly right of way line of U.S. Highway 95A at Station 354+08.2, said point being North 32°50' East, 911.55 feet from the South Quarter corner of said Section; thence

North 67°44'30" East, 339.16 feet to a concrete monument on said Highway right of way line at Station 357+21.2, being the TRUE POINT OF BEGINNING; thence

South 80°57' East along said Highway right of way line, 222.3 feet to a concrete monument on said right of way line at Station 359+43.7, being also a point on the boundary of land described in the deed to George E. Shurgart and wife recorded June 29, 1951 in Book 148 of Deeds at Page 599; thence

Along the boundary of said Shugart land as follows:

North 76°31' West, 97.38 feet (record North 76°46' West, 97.65 feet); thence

North 12°59' East, 65.62 feet (record North 12°46' East, 65.62 feet); thence

North 67°10' West, 142.04 feet (record North 68°14' West to the meander line); to a point on the shore of Lake Coeur d'Alene; thence

South 86°57' West along said shore, 100.00 feet; thence

North 78°06' West along said shore 24.64 feet; thence

Leaving said shore, South 25°42' East, 113.75 feet to a point on the Northerly right of way line of U.S. Highway 95A; thence

Easterly along said right of way line, being along a curve having a radius of 326.5 feet, a distance of 66.12 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

That portion of Government Lot 3, Section 11, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at a concrete monument on the Northerly right of way line of U.S. Highway 95A, at Station 359+43.7, said point being North 50°05'30" East, 1339.6 feet from the South Quarter corner of said Section; said point being also a point in the boundary of land described in the deed to George E. Shugart and wife recorded June 29, 1951 in Book 148 of Deeds at Page 599; thence

North 76°31' West along the boundary of said Shugart land, 97.38 feet (record North 76°46' West, 97.65 feet); thence

Continuing along the boundary of said Shugart land, North 12°59' East (record North 12°46' East), 35.00 feet; thence

South 60°25'24" East 122.45 feet to a point on the Northerly right of way line of U.S. Highway 95A; thence

Westerly along said right of way to the POINT OF BEGINNING.

PARCEL 3: ✓

A tract of land in Government Lot 3, Section 11, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, described as follows:

BEGINNING at the South Quarter corner of Section 11; thence

North 50°05' East, 1339.6 feet to a concrete right of way monument on the Northerly right of way line of Highway 95A at Station 359+43.7, being the TRUE POINT OF BEGINNING; thence

Along the Southerly line of that tract conveyed from Shugart to Nelson and Clemo in Warranty Deed dated June 7, 1967, as follows:

North 76°31' West, 97.38 feet (record North 76°49' West, 97.65); thence

North 12°59' East, 65.62 feet (record North 12°46' East, 65.62); thence

North 67°10' West, 142.04 feet (record North 68°14' West, to the meander line) to a point on the shore of Lake Coeur d'Alene; thence

Along the shore North 34°41' East, 220.37 feet to a point on the Southerly line of the Wolfe tract; thence

Along said Southerly line as follows:

North 89°35' East, 63.54 feet; thence

South 77°03' East, 225.44 feet to a point on the Westerly right of way line of Highway 95A, being the Southeast corner of the Wolfe tract; thence

Along said right of way line along a curve to the right with a radius of 189.2 feet and a central angle of 125°56' to the POINT OF BEGINNING, being South 35°56' West, 337.06 feet from the aforesaid point.

EXCEPT THEREFROM that portion conveyed to Erwin R. Juedes and Esther F. Juedes, husband and wife, in Warranty Deed recorded November 15, 1972 as Instrument No. 613971, records of Kootenai County, Idaho, more particularly described as:

A tract of land in Government Lot 3, Section 11, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, described as follows:

BEGINNING at the South One-Quarter corner of Section 11; thence

North 50°05' East, 1339.6 feet to a concrete right of way monument on the Northerly right of way line of Highway 95A at Station 359+43.7; thence

North 29°51'45" East, 353.31 feet to a concrete right of way monument at Station 377+35.4; thence

South 33°20' East, 40.0 feet to the TRUE POINT OF BEGINNING being a point on the Westerly right of way line of Highway 95A and the Southeast corner of Wolfe tract; thence

Along the Southerly line of the Wolfe tract as follows:

North 77°03'30" West, 225.44 feet; thence

South 89°35'30" West, 63.54 feet to a point on the shore of Lake Coeur d'Alene; thence

Along the shore, South 34°41'30" West, 79.45 feet; thence

Parallel with the South line of the Wolfe tract and 65 feet distant therefrom, measured at right angles, as follows:

North 89°35'30" East, 101.61 feet; thence

South 77°03'30" East, 253.40 feet to a point on said Westerly right of way line; thence

Along a curve to the left with a radius of 189.2 feet and a central angle of 22°35', a distance of 74.57 feet to the TRUE POINT OF BEGINNING, being North 15°42' West, 74.1 feet from the aforesaid point.

AND ALSO EXCEPTING from the first above described land that portion described as follows:

Owner's Policy
File No.: 571589

Policy No.: OX-9415456

A tract of land in Government Lot 3, Section 11, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at the South Quarter corner of said Section 11; thence

North 50°05'30" East, 1339.6 feet to a concrete right of way monument on the Northerly right of way line of Highway 95A at Station 359+43.7 and the TRUE POINT OF BEGINNING; thence

North 76°31'00" West, 97.38 feet; thence

North 12°59'00" East, 35.00 feet; thence

South 60°25'24" East, 122.45 feet to a point on the Northerly right of way line of Highway 95A; thence

Along said right of way line along a curve to the right with a radius of 189.2 feet and a central angle of 6°03'24" to the TRUE POINT OF BEGINNING, being North 79°32'42" West, 19.99 feet from the aforesaid point.



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 11, 2018

GREGORY L KIMBERLING
PO BOX 9213
MOSCOW ID 83843

SUBJECT: Ownership Change on Notice of Claim Number(s) 95-10400

Dear Mr. Kimberling:

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 95-10400