



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 1, 2019

V DALE & MARLENE B LOPER FAMILY TRUST
3776 E THOMAS LN
COEUR D ALENE ID 83815

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA)
Incomplete Notice of Change in Water Right Ownership

Dear Mr. & Mrs. Loper:

I am writing to you in regards to the change of ownership you sent in for Kootenai County Parcel # 51N03W327050, Claim # 95-13908.

I have reviewed your change in water right ownership form you submitted, and we cannot accept it because it is incomplete. Please fill out the form in its entirety by completing # 1, 2, 3, and 5.

After you fill out the Notice of Change in Water Right Ownership form, please include a copy of the signed and notarized Quitclaim Deed (**Instrument # 2354133000**) and return it to me. That is the only document I will need to process this change.

I'm sorry for any inconvenience this may have caused you.

If you have any questions, please feel free to call me at 208-762-2800.

Thank you,

A handwritten signature in blue ink that reads 'Dawn R. Lenon'.

Dawn R. Lenon
Technical Records Specialist 1

Enclosure: Original Notice of Change in Water Right Ownership 95-13908

RECEIVED

FEB 28 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

Mailing address

City

State

ZIP

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:

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 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

Date

Receipt No.

Receipt Amt.

Approved by

Processed by

Date

2/19/2019

Adjudication Recommendation 95-13908 V1

AFTER RECORDING RETURN TO:

RICHARD P. WALLACE
Attorney at Law
1044 Northwest Blvd, Ste. B
COEUR D'ALENE, ID 83814

CORRECTON DEED

THIS DEED made this day of May, 2012, does hereby correct the Quitclaim Deed dated April 4th 2012, recorded April 16th 2012 as instrument number 2354132000 to correct a typographic error and to read as follows:

FOR NO CONSIDERATION, V. DALE LOPER and MARLENE B. LOPER, husband and wife, Grantors, do hereby convey, release, remise and forever quitclaim unto V. DALE LOPER and MARLENE B. LOPER, husband and wife, or their successors, as Co-Trustees of THE V. DALE and MARLENE B. LOPER FAMILY TRUST U/A 04/06/12, the Grantees, whose current address is 3776 E. Thomas Lane, Coeur d'Alene, ID 83815, an undivided one half interest, whether now owned or hereafter acquired, in the following described premises situated in Kootenai County, State of Idaho, to-wit:

All that portion of Government Lot 4, Section 32, Township 51 North, Range 3 West, described as follows:

COMMENCING at the Southwest corner of said Section 32; thence, East, 574.81 feet to an iron rod on the West edge of a roadway; thence, North 22° 21' East, 251.72 feet to an iron rod; thence, South 83° 53' East, 187 feet to an iron rod; thence, North 53° 13' East, 55.80 feet to an iron rod; thence, North 29° 33' East, 126.19 feet to an iron rod; thence, North 67° 53' 20" East, 110.79 feet to an iron rod; thence, South 70° 28' 45" East, 116.75 feet to an iron rod being the POINT OF BEGINNING of this description; thence, South 24° 27' 40" West, 89.78 feet to an iron rod; thence, South 40° 17' 30" West, 186.23 feet to an iron rod; thence, South 28° 04' 50" West, 94.93 feet to an iron rod; thence, South 51.14 feet to an iron rod on the South line of said Section 32; thence, East to the Southeast corner of said Government Lot 4; thence, North along the East line of said Government Lot 4 to a point which bears East of the POINT OF BEGINNING; thence, West 143.93 to the POINT OF BEGINNING.

Subject to such mortgages, deeds of trust, and contracts, if any, which are of record, and subject to easements and encumbrances in view or of record, together with their appurtenances.

DATED this 9th day of May, 2012.

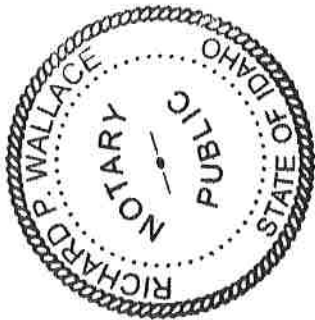

V. DALE LOPER, Grantor


MARLENE B. LOPER, Grantor

STATE OF Idaho)
 ss
County of Kootenai)

On this 9 day of May, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared V. DALE LOPER and MARLENE B. LOPER, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the 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.




Richard P. Wallace
Notary Public for
Residing at:
Comm. Exp.: 3/211/2017

4
39.47

TAX No.

10,908

(A-25-1063-7)

6075

14.641 AC.

MICHAEL BERNARDO
PO BOX 1508

6329

(A-25-1063-3)

6200

5.460 AC.

PARCEL # 51N03W-32-6200
LEGAL 32-51N-3W

TAX No.

39.47

179.31

1320

PARCEL # 51N03W-32-6075
LEGAL 32-51N-3W

PARCEL # 51N03W-32-7000
LEGAL 32-51N-3W

EAST
1143.34'

PARCEL # 51N03W-32-7000
LEGAL 32-51N-3W

A-25-1069-1

7000

9.765 AC.

GRAY

N 40° 51' 55" E
727.99'

7050

9.759

12824

S 73° 04' 45" E
227.75'

#6330

less 1.366

2.010 AC.

Tax No.'s

6550

TAX No.

9437

6500

398.96

745.19

RHONDA J. ROOK
22 RIQUE RUN RD
MARIETTA, GA

SEE RCD SURVEY
4-256

SCALE:

PARCEL # 51N03W-32-6500
LEGAL 32-51N-3W

PARCEL # 51N03W-32-6550
LEGAL 32-51N-3W

150.01

1288.65'
EAST

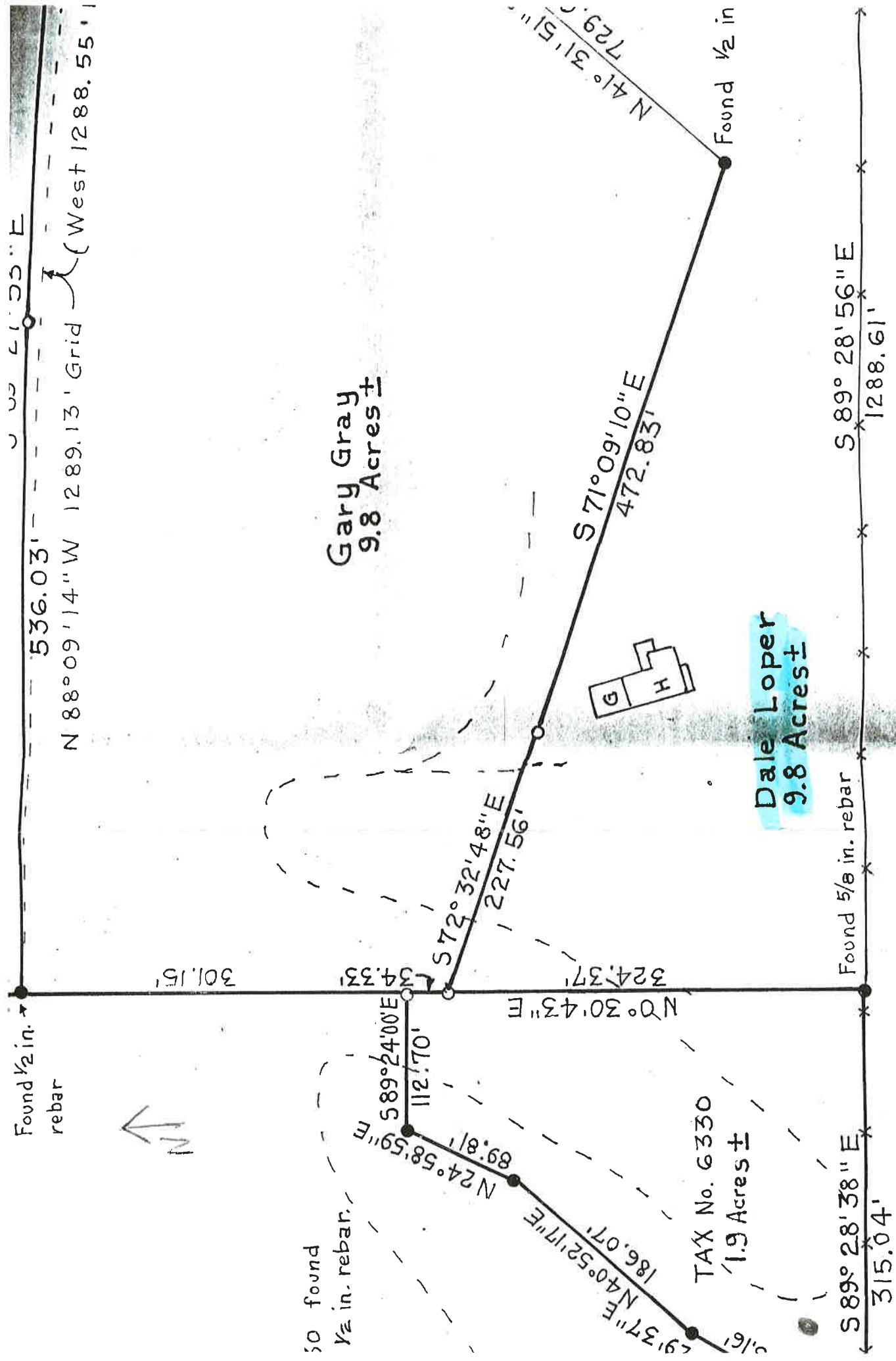
15

ETUX

71

2.6250

3W



• = IRON NAIL

NO 6330 & SF, SW, Survey for LOP

AFFIDAVIT REGARDING REAL PROPERTY TAX EXEMPTION
(Idaho Code § 63-602G(2))

STATE OF IDAHO)
)ss.
County of Kootenai)

V. DALE LOPER and MARLENE B. LOPER, being first duly sworn on oath, depose and state as follows:

1. That we are the Grantors and Trustees of that certain Trust known as THE V. DALE LOPER and MARLENE B. LOPER FAMILY TRUST U/A 04/06/12
2. That we have named ourselves as Beneficiaries of the Trust and during our lifetimes the Trust will be administered for our benefit;
3. That the Trust is revocable during our lifetimes;
4. That we are the owners and occupiers of certain residential property used as our primary dwelling place prior to April 06, 2012, which property's address is commonly known as 3776 E. Thomas Lane, Coeur d'Alene ID 83815 and legally described as:

A parcel of land in SE ¼ SW ¼ of Section 32, Township 51 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, and described as follows:

BEGINNING at the South quarter corner of said Section 32, which is the true point of beginning; thence

North 660.00 feet to an iron rod; thence

West 145.21 feet to a point; thence

South 40 ° 51' 55" West, 727.99 feet to an iron rod; thence

North 71 ° 41' 10" West, 473.22 feet to an iron rod; thence

North 73 ° 04' 45" West, 227.75 feet to a point; thence

South 324.44 feet to an iron rod on the South line of Section 32; thence

Along said line East 1288.65 feet to an iron pipe at the South quarter corner of

- ## 1. AFFIDAVIT OF TRUST

Section 32, which was the true point of beginning.

Containing 9.76 acres, more or less. records of Kootenai County, State of Idaho.

5. Attached to this Affidavit are copies of the portions of the Trust document which set forth the Grantor, the Grantor as beneficiary, and the signature page of the Trust.

6. Pursuant to Idaho Code § 63-602G(2)(e), Affiants request the return of any copies of the documents submitted with this Affidavit.

DATED this 6th day of April, 2012.

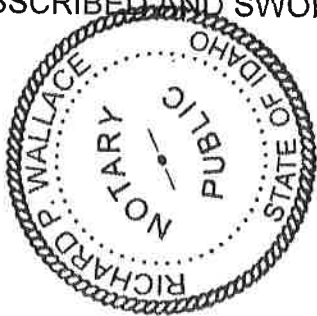
V. Dale Loper

V. DALE LOPER

Marlene B. Loper

MARLENE B. LOPER

SUBSCRIBED AND SWORN TO before me this 6th day of April, 2012.



Richard P. Wallace

Notary Public for Idaho

Residing at:

CDA ID

Comm. Exp.:

3/21/17

THE V. DALE and MARLENE B. LOPER

FAMILY TRUST

U/A 04/06/12.

This Trust Agreement, made and executed this 6th day of April, 2012, by and between V. DALE LOPER and MARLENE B. LOPER, husband and wife, of Kootenai County, Idaho, hereinafter collectively referred to as "Grantors" and each singly as a "Grantor", and V. DALE and MARLENE B. LOPER, hereinafter referred to as the "Trustee" and each singly as a "Co-Trustee."

WITNESSETH:

WHEREAS, the Grantors desire to create a trust effective this date and the Trustee agrees to act as Trustee thereof;

NOW, THEREFORE, the Grantors and Trustee agree as follows:

ARTICLE I

1. **TRUST NAME:** This Trust shall be known as "THE V. DALE and MARLENE B. LOPER FAMILY TRUST U/A 04/06/12."

2. **TRUST PROPERTY:** The Grantors hereby transfer the sum of One Dollar (\$1.00), to the Trust, receipt of which is hereby acknowledged, to be held in trust and distributed as hereinafter set forth.

3. **ADDITIONAL PROPERTY:** The Grantors, or either of them, or any other person, with the consent of the Trustee, may name the Trust as beneficiary of life insurance policies, deposit property with the Trust, or devise property to the Trust.

4. **CHARACTER OF PROPERTY:** All community property transferred to this Trust by the Grantors shall retain its character as community property during the joint lifetime of the Grantors and any withdrawal from the Trust by the Grantors of such property shall be their community property. All separate property of either Grantor transferred to this Trust shall likewise retain its character as separate property.

1. THE V. DALE and MARLENE B. LOPER FAMILY TRUST U/A 4/06/12

multiple original counterparts.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

"Grantors & Trustee"

V. Dale Loper
V. DALE LOPER

Marlene B. Loper
MARLENE B. LOPER

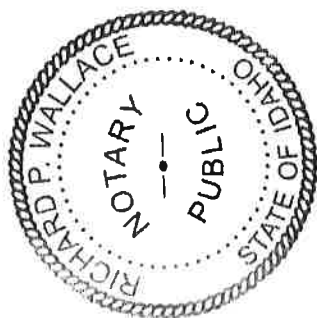
STATE OF IDAHO)

ss

County of Kootenai)

On this 6th day of April, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared V. DALE LOPER and MARLENE B. LOPER, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the 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.



Richard P. Wallace
Richard P. Wallace
Notary Public for Idaho
Residing at: Coeur d'Alene
Comm. Exp: March 21, 2017