

RECEIVED**FEB 21 2019**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**LDWR / 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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-9927	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Metropolitan Mortgage and Security Co., Inc. (owner); Black Bear Water Association (claimant).
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Eric Fairfield and Sandra Forde, husband and wife
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
c/o Macomber Law, PLLC, 1900 NW Blvd., Ste. 110 Coeur d'Alene ID 83814
Mailing address City State ZIP
(208) 664-4700 greg@macomberlaw.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: January 9, 2019
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: SEE ATTACHED SHEET
Signature of new owner/claimant Title, if applicable Date
- Signature: SEE ATTACHED SHEET
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

RECEIVED

FEB 21 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

IDWR / NORTH

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Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-9927	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	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 is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Sandra G. Lake
 Signature of new owner/claimant

Title, if applicable

Date

2/15/2019

Signature: [Signature]
 Signature of new owner/claimant

Title, if applicable

Date

15 FEB 2019

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

February 18, 2019

Via U.S. Mail

Idaho Department of Water Resources
Northern Regional Office
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763

RECEIVED
FEB 21 2019
IDWR / NORTH

Re: Notice of Change in Water Right Ownership (Water Right No. 95-9927)

Dear Idaho Department of Water Resources —

Enclosed please find a Notice of Change in Water Right Ownership together with supporting documentation for Water Right No. 95-9927. My clients Eric Fairfield and Sandra Forde, husband and wife, own the property on which the well for this water right is situated. This application is made to update IDWR's ownership records for the water right.

Two copies of the first page of the Notice are provided: one with the relevant information entered into each applicable field and the other with Mr. Fairfield and Ms. Forde's signatures. This is due to the PDF version of this document not retaining the information entered on the screen when the PDF was printed.

We noticed that for this water right the current owner is listed as Metropolitan Mortgage and Security Co., Inc. while the claimant under the adjudication is listed as "Black Bear Water Association." However, "Black Bear Water Association" does not and never has owned the well parcel. The relevant chain of title is as follows. Metropolitan Mortgage used to own my clients' property. Subsequently there were three (3) conveyances leading to the present ownership. First, Metropolitan Mortgage sold my clients property to Richard and Cindra Mueller.¹ Second, Richard and Cindra Mueller conveyed the property to Sandra Forde and Sandra's father Edward Santos. Third, the property was conveyed to the current owners Mr. Fairfield and Ms. Forde. All three (3) of these deeds are attached to the enclosed Notice application.

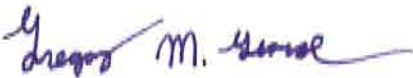
¹ Mr. Mueller used to be President of Black Bear Water Association and appears to have completed the "Notice of Claim to a Water Right" in 2009 under the Association's name. But to reiterate, Black Bear Water Association has never owned the well parcel, which is now owned by Mr. Fairfield and Ms. Forde.

Also enclosed are two (2) aerial maps showing the place of use and point of diversion for this water right. Both maps were pulled from the IDWR website. No filing fee is included as this is a pending adjudication claim.

Please contact me with any questions. If this Change in Water Right Ownership can be registered with the documents enclosed, please send me a copy of any document(s) reflecting the change in record ownership.

Thank you for your attention to this matter.

Best Regards,

A handwritten signature in blue ink, reading "Gregory M. George". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gregory M. George, Attorney
Macomber Law, PLLC

Enc.: Notice of Change in Water Right Ownership (with supporting documents)

Cc: Client (via e-mail)
File

JIM BRANNON 3 P 2676727000
KOOTENAI COUNTY RECORDER
KKR Date 01/09/2019 11:46 AM
REQ OF SANDRA FORDE

RECORDING FEE: \$15.00

DD



WHEN RECORDED RETURN TO:

Gregory M. George
Macomber Law, PLLC
1900 Northwest Boulevard, Ste. 110
Coeur d'Alene, ID 83816-0519

(Space Above For Recorder's Use)

QUITCLAIM DEED

For value received, SANDRA G. FORDE, a married person, who acquired title as an unmarried person, and EDWARD R. SANTOS, an unmarried person, who acquired title as a married person but obtained his spouse's interest in the below-described property pursuant to the "Decree Determining Surviving Spouse is Sole Beneficiary" recorded as Kootenai County Instrument No. 2395007000 on January 31, 2013 (collectively "Grantor"), does hereby release and forever quitclaim unto ERIC M. FAIRFIELD and SANDRA G. FORDE, husband and wife ("Grantee"), whose address is 9069 East Black Bear Road, Athol, Idaho 83801, and their heirs and assigns forever, all right, title and interest which Grantor now has in the real property described as:

See Exhibit "A" attached hereto.

IN WITNESS WHEREOF, the Grantor executed this instrument as of the dates set forth the below.

Sandra G. Forde
Sandra G. Forde

Date signed: 1/9/2019

Edward R. Santos
Edward R. Santos

Date signed: 1/9/2019

Butt of
Attorney for Edward Santos

Acknowledgments on Following Page

STATE OF IDAHO)

) ss.

County of Kootenai)

On this 9th day of January, ²⁰¹⁹~~2018~~, before me Sean Siroshton, personally appeared SANDRA G. FORDE, known or identified to me (or proved to me on the oath of Sandra G. Forde), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.



NOTARY PUBLIC FOR IDAHO

Residing at CDA, ID

My Commission Expires 03/23/2021

STATE OF IDAHO)

) ss.

County of Kootenai)

On this 9th day of January, ²⁰¹⁹~~2018~~, before me Sean Siroshton, personally appeared ~~EDWARD R. SANTOS~~, known or identified to me (or proved to me on the oath of Sandra G. Forde), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. a.s. Attorney in-Fact of Edward R. Santos and acknowledged to me that she subscribed the name of Edward R. Santos there to as principle and her own Attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC FOR IDAHO

Residing at CDA, ID

My Commission Expires 03/23/2021

Exhibit "A" Legal Description on Following Page

EXHIBIT "A"
LEGAL DESCRIPTION

Real property situated in the County of Kootenai, State of Idaho, more fully described as follows:

The Northeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 11, Township 53 North, Range 3 West, Boise Meridian, Kootenai County, Idaho.

EXCEPTING THEREFROM that portion lying within the 100 foot wide strip of land described as Parcel 18 in Final Decree of Condemnation filed April 25, 1944 in United States District Court, District of Idaho, in Case No. 1528, entitled "United States of America, Petition vs. 80.66 Acres of Land, more or less, in Kootenai County, Idaho et al., Defendants," a certified copy of which was recorded April 29, 1944 in Book 20 of Miscellaneous at Page 436, records of Kootenai County, Idaho.

8-31-12
2373429000



100 Wallace Avenue/ Coeur d'Alene, Idaho

Order No. 144540

CLIFFORD T. HAYES 2 P 2373429000
KOOTENAI COUNTY RECORDER
SEH 8/31/2012 1:37 PM
REQ OF PIONEER TITLE KOOTENAI
COUNTY
RECORDING FEE: \$13.00 DD
Electronically Recorded

WARRANTY DEED

For Value Received

Richard F. Mueller and Cindra L. Mueller, husband and wife

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

Sandra G. Forde, an unmarried person and Edward R. Santos and Jean Santos, husband and wife

hereinafter referred to as Grantee, whose current address is

9069 E. Black Bear Rd, Artha ID
83801

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 Grantee(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that 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: August 30, 2012

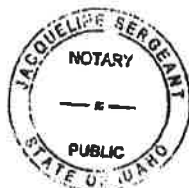
Richard F. Mueller
Richard F. Mueller

Cindra L. Mueller
Cindra L. Mueller

STATE OF IDAHO

COUNTY OF KOOTENAI

On this 30th day of August, in the year of 2012, before me, the undersigned, a Notary Public, personally appeared Richard F. Mueller and Cindra L. Mueller known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Jacqueline Sergeant
Notary Public of Idaho
Residing at Hailey, ID
Commission expires: February 24, 2016

EXHIBIT A

The Northeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 11, Township 53 North, Range 3 West, Boise Meridian, Kootenai County, Idaho.

EXCEPTING THEREFROM that portion lying within the 100 foot wide strip of land described as Parcel 18 in Final Decree of Condemnation filed April 25, 1944 in United States District Court, District of Idaho, in Case No. 1528, entitled "United States of America, Petitioner, vs. 80.66 Acres of Land, more or less, in Kootenai County, Idaho, et al., Defendants," a certified copy of which was recorded April 29, 1944 in Book 20 of Miscellaneous at Page 436, records of Kootenai County, Idaho.

CJM
RFm

12569.A

1243134

WARRANTY DEED

FOR VALUE RECEIVED METROPOLITAN MORTGAGE & SECURITIES COMPANY, INC., dba
METROPOLITAN FINANCIAL SERVICES, INC.

the Grantor . . . does hereby grant, bargain, sell and convey unto RICHARD F. MUELLER AND CINDRA L. MUELLER, husband and wife

the Grantee . . . whose address is 3105 N. 4th St. #6, Coeur D'Alene, Idaho 83814

the following described premises, to-wit:

The Northeast quarter of the Southwest quarter of the Southeast Quarter of Section 11, Township 53 North, Range 3 West, B.M., Kootenai County, Idaho. EXCEPTING THEREFROM that portion lying within the 100 foot wide strip of land described as Parcel 18 of Final Decree of Condemnation filed April 25, 1944 in United States District Court, District of Idaho, in Case NO. 1528, entitled "United States of America, Petitioner, vs. 80.66 acres of land, more or less, in Kootenai County, Idaho, et al, defendants", a certified copy of which was recorded April 29, 1944 in Book 20 of Miscellaneous at page 436, records of Kootenai County, Idaho.

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that they are the owner in fee simple of said premises; that said premises are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated November 29, 1991

METROPOLITAN MORTGAGE & SECURITIES COMPANY, INC., dba METROPOLITAN FINANCIAL SERVICES INC.

BY: IRV MARCUS, Sr. Vice President

BY: CHARLES V. CARROLL, Ass't Secretary

State of Washington)
County of Spokane } ss.

On this 20 day of Dec, 1991,
before me personally appeared

IRV MARCUS & CHARLES V. CARROLL
to me known to be the Sr. V. President and
Ass't Secretary of the corporation
that executed the within and foregoing
instrument, and acknowledged said instru-
ment to be the free and voluntary act and
deed of said corporation, for the uses and
purposes therein mentioned, and on oath
stated that they are authorized to execute
said instrument and that the seal affixed

IN WITNESS WHEREOF I have hereunto set my
hand and affixed my official seal the day
and year first above written.

Notary Public in and for the State of
Washington, residing at Spokane
My commission expires: 6-20-93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy

Fees \$
Mail to:

COUNTY OF KOOTENAI } ss
AT THE DISTRICT OF
First American Title Company

Dec 31 11 22 AM '91

FEES \$ 6.00 DEPUTY

RICHARD MUELLER
F# 61415

1243134

SUBJECT TO: 1991 taxes; the right to prohibit junkyards and other outdoor advertising signs, recorded January 19, 1967 in Book 210 of Deeds at page 462; provisions that no buildings or structures, except irrigation or drainage structures will be permitted to be constructed within 20 feet of the right of way of State Highway No. 54, recorded January 19, 1967 in Book 210 at page 462, ownership of land does not include rights of access to and from State Highway No. 54, recorded January 19, 1967 in Book 210 at page 462; easement recorded September 25, 1978, instrument No. 782585; easement recorded November 28, 1978 under File No. 789338; easement recorded December 2, 1980 under File No. 861134; easement recorded March 16, 1987 under File No. 1077870; Easement recorded April 10, 1987 under File No. 1080741; easement recorded December 19, 1989 under File No. 1169722;

State of Idaho
Department of Water Resources

Water Right 95-9927

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.15 0.3 0.6 Miles



State of Idaho
Department of Water Resources
Adjudication Recommendation
95-9927
Irrigation



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 240 480 960 Feet

Prepared By: Steve Clelland
May 7, 2015
Aerial photo: 2013

