

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAR 29 2019
DEPARTMENT OF
WATER RESOURCES

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?
95-15045	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Kenneth E Zehm
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Gary + Cheryl McCully
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☐ and/or
- 28721 S Ator Hill Rd Worley Id 83876
Mailing address City State ZIP
- 208-660-5231 grayotekid@gmail.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: _____
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] Title, if applicable _____ Date 3-26-2019
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable _____ Date 3-26-2019
Signature of new owner/claimant

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 4-17-2019

RECORDING REQUESTED BY
First American Title Company

RECORDING FEE: \$15.00
Electronically Recorded

DD

AND WHEN RECORDED MAIL TO:
Gary McCully and Cheryl McCully
28721 S. Ator Hill Road
Worley, ID 83876

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **710362-C (cmt)**

Date: **January 14, 2019**

For Value Received, **Anisoara Negru and Emil Negru, wife and husband, as community property with right of survivorship**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Gary McCully and Cheryl McCully, husband and wife**, hereinafter called the Grantee, whose current address is **28721 S. Ator Hill Road, Worley, ID 83876**, the following described premises, situated in **Kootenai County, Idaho**, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR LEGAL DESCRIPTION.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
Gary McCully and Cheryl McCully
28721 S. Ator Hill Road
Worley, ID 83876

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Date: 01/14/2019

Warranty Deed
- continued

File No.: 710362-C (cml)

Anisoara Negru
Anisoara Negru

Emil Negru
Emil Negru

STATE OF Idaho)
COUNTY OF Kootenai)
ss.

On this 15th day of January, 2019, before me, a Notary Public in and for said State, personally appeared **Anisoara Negru and Emil Negru**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

JOCELYN HENNING
Notary Public - State of Idaho
Commission Number 66040
My Commission Expires 06-08-2021

Jocelyn Henning
Notary Public for the State of Idaho
Residing at: Bathurst, COVINGTON, ID
My Commission Expires: 5/10/2022 06/08/2021

Date: January 14, 2019

File No.: 710362-C (cml)

EXHIBIT 'A'

LEGAL DESCRIPTION:

A tract of land lying southwesterly of Ator Hill Road in the Southeast quarter of the Southeast quarter of Section 10, Township 47 North, Range 4 West, Boise Meridian, Kootenai County, Idaho and being described as follows:

Beginning at the Northwest corner of the Southeast quarter of the Southeast quarter of Section 10;

thence along the West line of the Southeast quarter of the Southeast quarter of Section 10, South $00^{\circ}06'36''$ West, a distance of 854.38 feet, more or less;

thence parallel with the North line of the Southeast quarter of the Southeast quarter, North $89^{\circ}42'30''$ East, a distance of 895.96 feet, more or less, to the West right of way line of Ator Hill Road;

thence along the southwesterly right of way line of Ator Hill Road, North $42^{\circ}15'06''$ West, a distance of 1039.46 feet, more or less, to a point of curvature;

thence along the arc of a curve right, having a radius of 200.20 feet, through a central angle of $26^{\circ}46'23''$, an arc distance of 93.55 feet whose chord bears North $28^{\circ}51'55''$ West, 92.70 feet, more or less to the North line of the Southeast quarter of the Southeast quarter of Section 10;

thence along the North line South $89^{\circ}42'30''$ West, a distance of 150.64 feet to the Northwest corner of the Southeast quarter of the Southeast quarter and being the Point of Beginning.



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

April 18, 2019

GARY & CHERYL MC CULLY
28721 S ATOR HILL RD
WORLEY ID 83876-7739

Re: Water Right No. 95-15045

Dear Mr. & Mrs. McCully:

Enclosed is a copy of the Notice of Completed Administrative Procedure and associated water right(s) that has been sent to the Coeur d'Alene-Spokane River Basin Adjudication Court, reflecting the ownership change for your water right(s). These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

This notification to the Court does not affect the previous approval of this water right(s). You will be notified of any future action on your water right(s) by the CSRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

A handwritten signature in blue ink that reads "Dawn R. Lenon". The signature is written in a cursive, flowing style.

Dawn R. Lenon
Technical Records Specialist 1