

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAY 10 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?
95-13656	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: WILLIAM H GRAY
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): LAYNE WINFIELD DEVAUGHN JR / KIMBERLY KAY DEVAUGHN
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2113 W GRANGE AVE POST FALLS ID 83854
Mailing address City State ZIP
- 208 691 9424 KIMIKAY2010@YAHOO.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: 8/21/2015

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 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 5/3/19
- Signature: [Signature] Title, if applicable _____ Date 5/3/19

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 5-24-2019



TitleOne Corporation: Coeur d'Alene
Authorized Agent for:
Fidelity National Title Insurance Company

File Number: 15255399

Contact Information

We would like to thank you for your business and we appreciate the opportunity to serve you. The title commitment has been sent to the parties listed below.

If you have any closing questions, please contact your Escrow team:

Tami Culp

Address: 2065 West Riverstone Dr., Ste 300
Coeur D Alene, ID 83814

Email: tculp@titleonecorp.com

Phone: (208) 770-2575

Fax: (866) 811-0247

Courtney Goroski

Address: 2065 West Riverstone Dr., Ste 300
Coeur D Alene, ID 83814

Email: cgoroski@titleonecorp.com

Phone: (208) 770-2575

Fax: (208) 811-0247

If you have any title questions, please contact your Title Officer:

Kim May

Address: 2065 West Riverstone Dr., Ste 300
Coeur D Alene, ID 83814

Email: kmay@titleonecorp.com

Phone: (208) 770-2575

Fax: (866) 811-0247

Maricela Avelar

Company: Star One Credit Union
Address: P.O. Box 3643

Sunnyvale, CA 94088

Email: maricelaa@starone.org

Phone: (408) 543-5087

Fax:

Laurie Ho

Company: Star One Credit Union
Address: P.O. Box 3643

Sunnyvale, CA 94088

Email: laurieh@starone.org

Phone:

Fax:

Jane Schippers

Company: Northwest Realty Group
Address: 1919 N. 3rd St.

Coeur D Alene, ID 83814

Email: jane@northwestrealtygroup.com

Phone: (208) 664-4200

Fax:

Lea Williams

Company: Tomlinson Sotheby's
Address: 221 Sherman Ave

Coeur D Alene, ID 83814

Email: leawilliams21@gmail.com

Phone: (208) 661-8368

Fax:

Sarah Griffin

Address:

Email: sarah.griffin@sothebysrealty.com

Phone: (208) 699-9965

Fax:

Copies of recorded documents noted in the title commitment are available upon request.

Copy
— legal description
on last page

TitleOne
a title & escrow co.

TitleOne Corporation: Coeur d'Alene
Authorized Agent for:
Fidelity National Title Insurance Company

SCHEDULE A

1st Revision 8/7/15
Effective Date/Loan Amount

1. Effective Date: July 23, 2015 at 07:30 AM

2. Policy or Policies to be issued:

X ALTA Homeowners Policy (2/3/10)	Standard Coverage	Policy Amount:	[REDACTED]
Proposed Insured:		Premium:	\$[REDACTED]
Layne W. DeVaughn Jr. and Kimberly K. DeVaughn			
Endorsements: None Requested		Charge:	\$0.00
X ALTA Loan Policy (6/17/06)	Extended Coverage	Policy Amount:	\$[REDACTED]
Proposed Insured:		Premium:	\$[REDACTED]
Star One Credit Union, its successors and/or assigns as their respective interests may appear			
Endorsements: 9-08/22-06/8.1-06 [REDACTED]		Charge:	\$[REDACTED]

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:
Fee Simple

4. Title to the estate or interest in said land is at the effective date hereof vested in:
William H. Gray III

5. The land referred to in this Commitment is described as follows:
See Attached Schedule C

TitleOne Corporation: Coeur d'Alene
By:



Kim May, Authorized Signatory

SCHEDULE B-I
Requirements

The following are to be complied with:

1. The Company will require delivery of and approval by the Company of an Indemnity and Affidavit as to Debts, Liens and Possession, prior to the issuance of the policy.
2. Necessary conveyance to the proposed insured.
3. Deed of Trust or Mortgage securing the loan.

NOTE: If a Deed of Trust is contemplated as a part of this transaction, the correct name to be entered as the Trustee is "TITLEONE CORPORATION"

4. NOTE: The Company has conducted a judgment and lien search of the public records, as of the effective date shown on Schedule A, against the vested owner and/or the proposed insured owner/borrower. The Company has found no such items other than those shown on Schedule B, if any.

5. The policy requested in the Application for Title Insurance is the ALTA Homeowner's Policy of Title - One-to-Four Family Residence (10-22-03 or 1-1-08). Said policy is not available for this property and the ALTA Owner's Policy identified in Schedule "A" hereof will be issued instead. Please contact your Title Officer if there are any questions.

6. Because of the provision of the Idaho Homestead law (Chapter 10, Title 55, I.C.), the Company will require: (a) the personal execution and acknowledgement of any deed, deed of trust, mortgage or special power of attorney to convey or encumber the homestead by the vested owner and spouse, if any; or (b) an affidavit, signed by the vested owner and spouse, if applicable, which states (i) that the land described herein is not their principal residence; (ii) the land is not claimed as homestead property; and (iii) their principal residence is located elsewhere, and, if applicable, the vested owner is not married.

7. Note: In the event this transaction fails to close, or this commitment is cancelled, a cancellation fee will be charged to comply with the State of Idaho Department of Insurance regulations.

8. NOTE: According to the available records, the purported address of said land is:

1300 W Glory Rd, Worley, ID 83876

9. NOTE: The only deed(s) affecting said land, which recorded within 24 months of the date of this report, or the last recorded vesting deed, is (are) as follows:

Document: Quitclaim Deed
Grantor: Kelsey Gray
Grantee: William H. Gray III
Recorded: November 21, 2002
Instrument No.: 1765382

SCHEDULE B-II
Exceptions From Coverage

Note: The Policy (or Policies) may contain a clause permitting arbitration of claims at the request of either the Insured or the Company. Upon request the Company will provide a copy of this clause and the accompanying arbitration rules prior to the closing of the transaction.

Any policy we issue will have the following Exceptions unless they are taken care of to our satisfaction. If the Company's requirements are satisfied, Exceptions 1 through 6 will be removed on Enhanced/Extended coverage policies.

Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land, and that is not 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 materials 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.
7. Taxes, including any assessments collected therewith, for the year 2015 which are a lien not yet due and payable.

Taxes for the year 2014 are paid in full.
Parcel Number: 0126000010AA
Original Amount: \$[REDACTED]
8. Any failure of the Kootenai County Treasurer's Office to provide complete and accurate information on all taxes and/or assessments owed.
9. Any rights, interests or easements in favor of the State of Idaho, the United States of America, Coeur d'Alene Tribe, or the public which exist or are claimed to exist in and over the waters, bed and banks of the Lake Coeur d'Alene.
10. Paragraphs 1 and 2 of the Exclusions from Coverage are expressly extended to include those laws, ordinances or regulations of an Indian tribe or nation.
11. Public Records as defined in this Policy do not include records of an Indian tribe or nation, or any other repository of Indian Land Records, including, but not limited to the Bureau of Indian Affairs Land Titles and Records Office.
12. Any difference in the mean high water line of the Lake Coeur d'Alene and the meander line as shown by Government Survey.
13. Any adverse claim based upon the assertion that:
 - a) Some portion of the land forms the bed or bank of a navigable river or lake, or lies below the mean high water mark thereof;
 - b) The boundary of the land has been affected by a change in the course or water level of a navigable river or lake;
 - c) The land is subject to water rights, claims or title to water and to any law or governmental regulation pertaining to wetlands.

14. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Washington Water Power Company

Purpose: Public Utilities
Book 48 of Deeds at Page(s) 122

15. Covenants, Conditions, and Restrictions, and Easements but omitting any covenants or restrictions, if any, to the extent that such covenants, conditions or restrictions violate 42 USC 3604 (c) or any other ordinance, statute or regulation.

Recorded: June 18, 1951
Book 147 of Deeds at Page 524

16. Covenants, Conditions, and Restrictions, and Easements of the Plat of Cedar Grove Tracts, but omitting any covenants or restrictions, if any, to the extent that such covenants, conditions or restrictions violate 42 USC 3604 (c) or any other ordinance, statute or regulation.

17. An easement for the purpose shown below and rights incidental thereto as set forth in a Warranty Deed.

Granted to: Ralph E. Jennings and Mary J. Jennings, husband and wife

Recorded: August 9, 1971
Book 249 of Deeds at Page(s) 347

18. An easement for the purpose shown below and rights incidental thereto as set forth in a Road Easement by and between Ralph Berg, Jr. and Mary O. Berg, Trustees of The Berg Revocable Trust dated October 5, 1994; John W. Mercer and Dorothy K. Mercer, husband and wife; Russell A. Shane and Frances M. Shane, husband and wife; Joseph B. Olson and Betty Joan Olson, Trustees of The J. Olson Trust; Jon P. Cox and Shirley J. Cox; William H. Gray, III; Dewey Whiting; Elizabeth L. McCoy; Gary S. Dickson and Karen M. Dickson, husband and wife; Dennis P. Reiersen and Linda L. Reiersen, husband and wife; Ron Gullberg, an unmarried person; Steven G. Kirk and Deborah D. Kirk, husband and wife; Deborah D. Kirk, a married person as her sole and separate property; Gregory Holben and Bethany Holben; Thomas A. Corbett and Kristina R. Corbett, husband and wife; and Paul Gustafson and Carrie Gustafson, husband and wife.

Purpose: Providing access for ingress and egress

Recorded: August 29, 2006

Instrument No.: 2052246

19. Right, title and interest of the spouses of William H. Gray, III and Kelsey Gray (if any) at the time of acquiring title in Warranty Deed recorded November 16, 1992 as Instrument No. 1283063 and in Quitclaim Deed recorded November 21, 2002 as Instrument No. 1765382.

(End of Exceptions)

SCHEDULE C

Legal Description:

Lot 10A of Cedar Grove Tracts, according to the plat recorded in the office of the County Recorder in Book C of Plats at Page 237, records of Kootenai County, Idaho.

Excepting therefrom that part of said Lot 10-A lying Northwesterly of a line lying parallel with and one (1) foot Southeasterly, from, measured at right angles to the lot line common to Lots 10-A and 11, Cedar Grove Tracts.



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

May 24, 2019

LAYNE & KIMBERLY DEVAUGHN
2113 W GRANGE AVE
POST FALLS ID 83854-9660

Re: Water Right No. 95-13656

Dear Mr. & Mrs. Devaughn:

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