

RECEIVED
MAY 13 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. 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?
95-12540	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: Rockford Bay Investments
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Black Rock Marina, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO BOX 2350 Coeur d'Alene ID 83815-2350
Mailing address City State ZIP
208 667-0100 john@magnusononline.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: 12/20/2018
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):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o 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:  manager 5-9-19
Signature of new owner/claimant Title, if applicable Date
Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by N/A Date N/A Receipt No. N/A Receipt Amt. N/A
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 10-17-2019

PARCEL LOCATION FOR CSRBA WATER RIGHT CLAIM 95-12540



NOV 13 2017

RECORDING REQUESTED BY:

405179-KM

DEED

FOR VALUE RECEIVED, **THE MARINA AT BLACK ROCK, LLC**, an Idaho limited liability company of 4450 West Earhart Way, Chandler, Arizona 85226, does convey, release, remise, and forever quit claim unto **BLACK ROCK MARINA LLC**, an Idaho limited liability company, of 1250 Northwood Center Court, Suite A, Coeur d'Alene, Idaho 83814, as Grantee, the following described premises, which is located in Kootenai County, State of Idaho, to wit:

Legal Description: See Exhibit A hereto.

Together with all existing buildings, improvements, fixtures, easements, rights of way, appurtenances, water rights, docks, dock permits, dock leases, submerged lands leases, ditch rights (including stock in utilities with ditch or irrigation rights), and all other rights, royalties, and property relating to the real property described in Exhibit A hereto, including without limitation all minerals, oil, gas, geothermal and similar matters.

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DATED: 12-20-18

GRANTOR:

THE MARINA AT BLACK ROCK, LLC
An Idaho limited liability company

By: _____

RON PRATTE
Manager

SIGN HERE

STATE OF California)
County of Imperial) ss.

On this 20th day of December, 2018, before me, the undersigned, a Notary Public in and for the said State and County, personally appeared, **RON PRATTE**, known or identified to me to be the Manager of The Marina at Black Rock, LLC, whose name is subscribed to the within instrument and who acknowledged that he is authorized to execute the same.

WITNESS my hand and official seal.



Monica M. Leon
Notary Public in and for the State of California
Residing at: Calxico CA
My commission expires: 11/15/21

NOTARIES

BR MARINA TO BR MARINE.DEED.wpd

CHICAGO TITLE INSURANCE COMPANY

The Land is described as follows:

Parcel 1:

The West 128 feet of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

EXCEPT that portion described in Warranty Deed to the State of Idaho Department of Fish and Game, dated November 5, 1974 and recorded November 19, 1974 as Instrument No. 661608, records of Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of the Minneehewa Park Subdivision, Kootenai County (now vacated); thence

North 33° East in accordance with the survey plat of the Minneehewa Park Subdivision and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point, is on the North right of way boundary line of an existing County Road; thence

Continuing North 33° East in accordance with Minneehewa Park Subdivision Plat and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 86.27 feet to a point, which point is the Northeast corner of a land tract recorded as Instrument No. 609242 in Book 258 at page 209, records of Kootenai County, and which point is East 370 feet distance from the West boundary line of said Government Lot 1; thence

North 57° West, in accordance with the Minneehewa Park Subdivision Plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision Plat; a distance of 151.3 feet to a point on the North boundary line of that property recorded as Instrument No. 609242, which point is the TRUE POINT OF BEGINNING; thence

North 12°56' West, in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 100.4 feet to a point; thence

North 61°18' West, a distance of 37 feet to a point; thence

South 28°42' West, a distance of 178.46 feet, more or less, to a point on the North right of way boundary line of an existing County Road; thence

South 59°20' East along the North right of way boundary line of said County Road, a distance of 37.02 feet to a point on the West boundary line of that property recorded as Instrument No. 609242; thence

North 28°42' East along said West property boundary line, a distance of 103.39 feet to a point, which point is the Northwest corner of that property recorded as Instrument No. 609242; thence

South 61°18' East along said property boundary line a distance of 66.7 feet to the TRUE POINT OF BEGINNING.

Parcel 2:

That portion of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, described as follows:

Beginning at a point on the North side of the County Road where a line parallel and 128 feet East of the West line of Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, intersects said road; thence

North parallel with the West line of said Lot 1, to the North line of said Lot 1; thence

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EXHIBIT A

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CHICAGO TITLE INSURANCE COMPANY

East along the North line of Lot 1, 242 feet; thence

South on a straight line about 533 feet to the Northeast corner of a tract deeded to the School District No. 64; thence

West along the North side of said School Tract, 209 feet to the Northwest corner of said School District; thence

South along the West line of said School District 160 feet; thence

In a Northwesterly direction on a straight line to the POINT OF BEGINNING, Kootenai County, Idaho.

EXCEPT that portion described in Warranty Deed to the State of Idaho Department of Fish and Game, dated November 5, 1974 and recorded November 19, 1974 as Instrument No. 661608, records of Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of the Minnehewa Park Subdivision, Kootenai County (now vacated); thence

North 33° East, in accordance with the survey plat of the Minnehewa Park Subdivision and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point; which point is on the North right of way boundary line of an existing County Road; thence

Continuing North 33° East in accordance with the Minnehewa Park Subdivision Plat and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 86.27 feet to a point, which point is the Northeast corner of a land tract recorded as Interstate No. 609242 in Book 258 at page 209, records of Kootenai County, and which point is East 370 feet distance from the West boundary line of said Government Lot 1; thence

North 57° West in accordance with the Minnehewa Park Subdivision Plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 151.3 feet to a point on the North boundary line of that property recorded as Instrument No. 609242, which point is the TRUE POINT OF BEGINNING; thence

North 12°56' West in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 100.4 feet to a point; thence

North 61°18' West, a distance of 37 feet to a point; thence

South 28°42' West, a distance of 178.46 feet, more or less, to a point, on the North right of way boundary line of an existing County Road; thence

South 59°20' East along the North right of way boundary line of said County Road, a distance of 37.02 feet to a point on the West boundary line of that property recorded as Instrument No. 609242; thence

North 28°42' East along said West property boundary line, a distance of 103.39 feet to a point, which point is the Northwest corner of that property recorded as Instrument No. 609242; thence

South 61°18' East along said property boundary line a distance of 66.7 feet to the TRUE PONT OF BEGINNING.

Parcel 3:

The East 90 feet of Lot 2, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, lying South of the County Road.

Parcel 4:

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CHICAGO TITLE INSURANCE COMPANY

Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

EXCEPT the West 370 feet thereof;

ALSO EXCEPT the Plat of Lenz Lakewood Park, Kootenai County, State of Idaho, recorded in Book D of Plats at page 137;

ALSO EXCEPT that portion of Government Lot 1, described as follows:

Beginning in the Southeast corner of said Government Lot 1; thence

North along the East line of said Government Lot 1, 150 feet, more or less, to a point of 20 feet South of the South line of Lot 1, Block 3, Lenz Lakewood Park; thence

West 50 feet; thence

South along the East line of Lot 1, Block 4, Lenz Lakewood Park, 150 feet, more or less, to the shore line of Lake Coeur d'Alene; thence

East 50 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPT that portion conveyed in Warranty Deed recorded April 22, 1932, in Book 98 of Deeds at page 292, records of Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of Minnehewa Park in Lot 1, Section 18, Township 48 North, Range 4 West; thence

North 33° East, 181.0 feet; thence

North 57° West, 218.0 feet; thence

South 33° West, 160.0 feet to a point on the County Road; thence

Southeasterly along the North side of the County Road to the POINT OF BEGINNING.

ALSO EXCEPT County Roads.

ALSO EXCEPT that portion conveyed in Warranty Deed recorded April 2, 1962 as Instrument No. 464717 deed as follows:

Beginning at the Southeast corner of said Lot 1; thence

North along the East line of said Lot 1, 170 feet more or less to the South line of Lot 2, Block 4, Lenz Lakewood Park extended East; thence

West 50 feet; thence

South along the East line of Lot 1, Block 4, Lenz Lakewood Park 170 feet more or less to the shore line of Lake Coeur d'Alene; thence

East 50 feet to the POINT OF BEGINNING.

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ALSO EXCEPT that portion conveyed by Warranty recorded May 10, 2017 2593870000 and re-recorded May 10, 2017 as Instrument No. 2593877000, described as follows:

A parcel of land being a portion of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho and being described per plat as follows:

COMMENCING at the northeast corner of said Section 18; thence

Along the east line of Section 18, South 00°02'00" West, a distance of 1252.00 feet to the southeast corner of Lot 1, Block 3, Lenz Lakewood Park as recorded in Book D of Plats at page 137 being the POINT OF BEGINNING; thence

Along the south line of said Lot 1, Block 3, North 90°00'00" West, a distance of 50.00 feet to the northeast corner of Lot 1, Block 4, Lenz Lakewood Park; thence

Along the east line of said Lot 1, Block 4, South 00°02'00" West, a distance of 15.00 feet; thence

North 90°00'00" East, a distance of 50.00 feet to the east line of Section 18; thence

Along said east line of Section 18, North 00°02'00" East, a distance of 15.00 feet to the POINT OF BEGINNING.

Parcel 5:

Lot 1, Block 2, Lenz Lakewood Park, Kootenai County, State of Idaho, according to the plat recorded in Book D of Plats at page 137.

Parcel 6:

Lots 11, 12 and 13, Block 4, Lenz Lakewood Park, Kootenai County, State of Idaho, all according to the plat recorded in Book D of Plats at page 137.

Parcel 7:

That portion of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of the Minnehewa Park Subdivision, Kootenai County, (now vacated); thence

North 33° East, in accordance with the survey plat of said Minnehewa Park Subdivision and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point, which point is on the North right of way boundary line of an existing county road, and which point is the TRUE POINT OF BEGINNING; thence

North 33° East, in accordance with the Minnehewa Park Subdivision plat and North 28°42' East, in accordance with the Lenz Lakewood Park Subdivision plat, a distance of 86.27 feet to a point, which is the Northeast corner of a land tract recorded as Instrument No. 609242 in Book 258 at page 209, records of Kootenai County and which point is East 370 feet from the West boundary line of Government Lot 1; thence

North 57° West in accordance with the Minnehewa Park Subdivision survey plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 151.3 feet; thence

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South 27°18'30" East in accordance with Minnehewa Park Subdivision survey plat and South 31°36'30" East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 174.16 feet to the TRUE POINT OF BEGINNING.

Parcel 8:

A parcel of land consisting of a portion of Tax Numbers 3050, 6104 and 13043, as described in correction Trustee Deed recorded under Instrument No. 1096802 and Warranty Deed recorded under Instrument No. 1418260, situated in Government Lot 2, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and being more particularly described as follows:

COMMENCING at the Northeast corner of said Government Lot 2;

thence along the East line of said Government Lot 2, according to the aforementioned deeds recorded under Instrument No's. 1418260 and 1096802, South 01°03'20" East, 275.30 feet to the Southeast corner of Tax No. 9734;

thence along the South line of said Tax Number, South 88°57' West, 110.00 feet to the Northern most corner of Tax Number 13043, according to said Warranty Deed recorded under Instrument No. 1418260, THE POINT OF BEGINNING;

thence along the Northerly line of said Tax Number 13043, South 32°06' West, 69.15 feet to the Northwesterly corner of said Tax Number 13043, according to said Warranty Deed;

thence along the Westerly line of said Tax Number 13043, South 06°48' East, 114.49 feet to an angle point in the Westerly line of said Tax Number 13043, according to said Warranty Deed;

thence continuing along the Westerly line of said Tax Number 13043, South 45°10' West, 110.33 feet to the Northerly right of way line of Rockford Bay Road, County Road No. 66-C, according to said Warranty Deed;

thence along the Northerly right of way line of said County Road, South 76°35' East, 109.55 feet to the Southeast corner of said Tax Number 13043 which is the Southwest corner of said Tax Number 6104 on the West line of said Tax Number 3050, according to said correction Trustee Deed recorded under Instrument No. 1096802;

thence along the West line of said Tax Number 3050, South parallel with the East line of said Government Lot 2 to the mean high water mark of Lake Coeur d'Alene, according to said Correction Trustee Deed;

thence along the mean high water line of Lake Coeur d'Alene, Easterly, 20 feet, according to said Correction Trustee Deed;

thence Northerly, parallel with the East line of said Government Lot 2 to the Northerly right of way line of said Rockford Bay Road, County Road No. 66-C, according to said Correction Trustee Deed;

thence along the Northerly right of way line of said County Road, in a Southeasterly direction to the intersection with the East line of said Government Lot 2, according to said Correction Trustee Deed;

thence along the East line of said Government Lot 2, North 01°03'20" West, to a point that lies 350 feet North of the intersection of said East line of Government Lot 2 with the mean high water mark of Lake Coeur d'Alene;

thence parallel with the North line of said Government Lot 2, West, 110 feet to the East line of Tax No. 13043;

thence along the East line of said Government Lot 2, North 01°03'20" West, to the POINT OF BEGINNING.

Parcel 9:

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A parcel of land in the Southeast Quarter of the Southeast Quarter of Section 7, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as follows:

Commencing at the Southeast corner of said Section 7; thence

North along the East line 647.70 feet; thence

West 330.90 feet; thence

South 644.65 feet to a point; thence

East 330.97 feet along the South line to the POINT OF BEGINNING.

Parcel 10:

A portion of parcel of land in the Southeast Quarter of the Southeast Quarter of Section 7, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as follows:

Beginning at a point that is South 89°57'09" West, 330.97 feet from the Southeast corner of Section 7; thence

Continuing South 89°57'09" West, 330.97 feet to a point; thence

North 0°11'23" East, 638.53 feet to a point; thence

South 89°48'09" East, 163.90 feet to a point; thence

South 46°32'30" East, 226.54 feet to a point; thence

South 0°13'13" West, 484.32 feet to the POINT OF BEGINNING.

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IDAHO Department of Water Resources



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WATER RIGHT REPORT

5/9/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommended Right Report

WATER RIGHT NO. 95-12540

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROCKFORD BAY INVESTMENTS PO BOX 3070 COEUR D ALENE, ID 83816

Priority Date: 12/31/1987

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.03 CFS	
Total Diversion			0.03 CFS	

Location of Point(s) of Diversion:

GROUND WATER | NWNE Lt 2 | Sec. 18 | Township 48N | Range 04W | KOOTENAI County

DOMESTIC Use:

Number of other uses: 1

Place(s) of use:

Place of Use Legal Description: DOMESTIC KOOTENAI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
48N	04W	18	2	NWNE										

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. N06 The quantity of water under this right shall not exceed 2,500 gallons per day.
4. X04 Domestic use is for a boat maintenance and storage facility.
5. PIN Parcel No. 48N04W181095

Dates:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False