

Roda, Evan

From: Travis Thompson <tl@idahowaters.com>
Sent: Monday, August 29, 2022 2:02 PM
To: Roda, Evan
Subject: RE: Clark Fork / PdO Adjudication
Attachments: Deed 2.pdf; Deed.pdf

RECEIVED

AUG 29 2022

IDWR/NORTH

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Evan

Thanks, please see attached for 96-7267. If you need it submitted as a hard copy with a letter I can do that too.

Thanks

Travis

From: Roda, Evan <Evan.Roda@idwr.idaho.gov>
Sent: Monday, August 29, 2022 3:00 PM
To: Travis Thompson <tl@idahowaters.com>
Subject: RE: Clark Fork / PdO Adjudication

Travis,

Yes, my team and I are working the on the CFPRBA (Basins 96 & 97) also. If you have additional evidence to submit for a claim, you can just submit that to our Northern Regional Office with reference to the specific claim number it is associated with. From there, we will get it to the appropriate claim file.

Thanks,

Evan

Evan W. Roda
Water Rights Supervisor
Idaho Department of Water Resources, Northern Region
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2815 / 2800
<https://idwr.idaho.gov>



IDAHO DEPARTMENT OF
WATER RESOURCES

From: Travis Thompson <tl@idahowaters.com>
Sent: Monday, August 29, 2022 1:52 PM

To: Roda, Evan <Evan.Roda@idwr.idaho.gov>

Subject: Clark Fork / PdO Adjudication

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Evan

Are you working on the adjudication in Basin 96? If so, I filed a claim last week online for the University of Idaho (96-7267). I was only able to upload one ownership deed document, and have another. Is that something I can send you or another agent directly for purposes of the claim filing?

Thanks

Travis

SANDPOINTTITLEINSURANCE

FILED BY

Recording Requested By and
When Recorded Return to:

743377

2001 DEC 26 P 12:00

9:00

BONNER COUNTY RECORDER

LA

DEPUTY

Board of Regents of the University of Idaho
Gerard Billington
Office of Finance and Administration
P.O. Box 443168
Moscow, ID 83844-3168

51533

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GIFT DEED

Dakota Consulting, LLC, ("**Grantor**") whose current address is One Coldwater Creek Drive, Sandpoint, ID 83864, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby give, grant, convey, and confirm unto the BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO ("**Grantee**"), whose current address is Office of Finance and Administration, PO Box 443168, Moscow, ID 83844-3168, that certain real estate situated in Bonner County, Idaho, more particularly described in Exhibit 'A' attached hereto and by this reference incorporated herein ("**Property**").

Except as otherwise expressly reserved herein, Grantor grants the Property to Grantee together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, water rights and profits thereof; and all estate, right, title, and interest in and to the Property, as well in law as in equity.

Provided that Grantee shall only utilize property for public education, agricultural research and supporting purposes. If Grantee or its successors or assigns in ownership initiate use of the property for purposes other than public education, agricultural research, and supporting purposes, Grantor may notify Grantee in writing of such violation of this condition of grant. If Grantee's violation of the condition or restriction is for any reason other than (a) strikes, lockouts or other labor difficulties, (b) fire or other casualty, (c) condemnation, (d) war, riot, or insurrection, (e) acts of God, (f) the requirements of any local, state or federal law, rule or regulation, (g) the preparation of the Property for subsequent educational or research purposes, or (h) temporary closure or vacancy due to temporary program suspension, or the restoration, reconstruction, expansion, alteration or remodeling of improvements; and if Grantee fails to remedy the violation within 180 days of receipt of notice of the violation, Grantor shall have the right to exercise a right of reversion. The restrictions in this paragraph and the right of reversion shall expire at 11:59 p.m. on December 31, 2056.

Grantee and its successors and assigns forever shall have and hold, all and singular the above-described Property together with the appurtenances unto.

Witness the hand of said Grantors this 19th day of December, 2007.

Dakota Consulting, LLC Manager

BY: Ford Elsaesser

ITS: Attorney in Fact

STATE OF Idaho)
) ss.
County of Bonner)

On this 19th day of December, 2007, before me, the undersigned, a Notary Public in and for said state, personally appeared Ford Elsaesser, known or identified to me to be the attorney in fact of Dakota Consulting, LLC that he executed the instrument or the person who executed the instrument on behalf of said Dakota Consulting, LLC, and acknowledged to me that Dakota Consulting, LLC 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.



Lois LaPointe
Notary Public for Idaho
Residing at Sandpoint
My commission expires: 1-24-2013

EXHIBIT 'A'

Legal Description of Property

That portion of Section 3, Township 57 North, Range 2 West, Boise Meridian, Bonner County, Idaho described as follows:

Beginning at the Center quarter corner of said Section 3; thence North $00^{\circ}12'23''$ East along the North-South centerline of said Section 3, a distance of 882.12 feet; thence leaving said North-South centerline, South $88^{\circ}03'43''$ East, 735.46 feet; thence South $01^{\circ}05'00''$ East, 15.83 feet; thence South $88^{\circ}03'43''$ East, 199.21 feet; thence South $00^{\circ}12'23''$ West, 834.06 feet to a point of intersection with the East-West centerline of said Section 3; thence South $89^{\circ}57'42''$ West, along said East-West centerline, a distance of 934.61 feet to the point of beginning. EXCEPT the West 25 feet thereof for County Road. Said parcel contains 18.51 acres (including road).

SPECIAL WARRANTY DEED

GRANTOR, DAKOTA CONSULTING, LLC, an Idaho Limited Liability Corporation, whose address is 11053 N Boyer Rd, Sandpoint ID 83864, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sells, conveys, and specially warrants unto the BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO, a body politic and corporate organized and existing under the laws and constitution of the state of Idaho, whose address is 875 Perimeter Dr MS 3168, Moscow ID 83844-3168, as GRANTEE, and to grantee's heirs and assigns forever, all of the real property, improvements, and appurtenances on the premises as described in the attached Exhibit A.

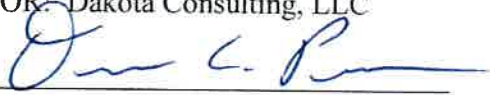
TOGETHER with all and singular, the rights and appurtenances pertaining to such real property, as they exist, including any and all timber, water rights, mineral rights, easements, rights-of-way and any and all improvements constructed thereon.

SUBJECT to all rights of reversion, reservations, easements, rights-of-way and defects in title arising prior to Grantor's ownership of the premises, Grantor warrants to Grantee, its successors and assigns, that Grantor has not created or permitted to be created any encumbrance, lien, charge, reservation or impediment of any kind against the premises and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claim of all persons.

GRANTEE, by accepting delivery of this Special Warranty Deed, acknowledges and agrees that Grantee has had an opportunity to investigate title to and inspect and test the premises to the extent that Grantee deemed appropriate and that Grantee is satisfied with the title and the premises. Grantee accepts the premises AS IS, WITH ALL FAULTS, KNOWN OR UNKNOWN, without any representations or warranties by Grantor, or any agent or representative of Grantor except as expressly set forth in this Special Warranty Deed.

IN WITNESS WHEREOF, GRANTOR has hereunto caused this instrument to be executed this 16th day of July 2018.

GRANTOR: Dakota Consulting, LLC

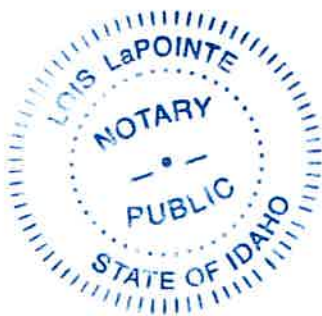
By: 
Dennis Pence, Manager and Sole Owner

Date: July 16, 2018

STATE of IDAHO)
) ss.
County of Bonner)

On this 16th day of July 2018, before me, the undersigned, a Notary Public in and for said State of Idaho, personally appeared Dennis Pence, known or identified to me to be the Manager and Sole Owner, Dakota Consulting, LLC, who executed the within instrument, and acknowledged to me that the instrument was executed on behalf of Dakota Consulting LLC.

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



Lois LaPointe
NOTARY PUBLIC for Idaho
Residing at Sandwich, Idaho
My commission expires: 2-4-2019

EXHIBIT A

A parcel of land being a portion of that property described in Warranty Deed, Instrument No. 713790, records of lying in West half of the northeast quarter of Section 3, Township 57 North, Range 2 West, Boise Meridian, Bonner County, Idaho, and being more particularly described as follows:

COMMENCING at a point on the North-South section centerline of said Section 3, lying S00°12'23"E, 2043.22 feet from the North quarter corner of said Section 3;

Thence North 89°52'01" East, 25.00 feet to the easterly right-of-way of North Boyer Road, being marked by a 5/8" rebar and cap by PLS 14879 and being the **TRUE POINT OF BEGINNING**;

Thence continuing North 89°52'01" East, 467.67 feet to a 5/8" rebar and cap by PLS 14879;

Thence North 00°07'59" West, 117.82 feet to a 5/8" rebar and cap by PLS 14879;

Thence South 89°58'43" East, 141.00 feet to a 5/8" rebar and cap by PLS 14879;

Thence South 00°07'59" East, 117.44 feet to a 5/8" rebar and cap by PLS 14879;

Thence North 89°52'01" East, 694.73 feet to the East line of said West half of Section 3, being marked by a 5/8" rebar and cap by PLS 14879;

Thence along said East line, South 00°16'19" West, 2190.23 feet to a 5/8" rebar and cap by PLS 5713 and being on the East-West centerline of said Section 3;

Thence along said East-West section centerline, South 89°57'42" West, 391.27 feet to to a 5/8" rebar and cap by PLS 5713 and being the easterly line of the University Park as recorded on August 21, 2008 in Book 9 of Plats, Page 109, Instrument No. 757202, records of Bonner County, Idaho;

Thence along said along the easterly and northerly boundary of said University Park, the following four (4) courses:

1. North 00°12'23" East, 834.06 feet to a 5/8" rebar and cap by PLS 5713;
2. North 88°03'43" West, 199.21 feet to a 5/8" rebar and cap by PLS 5713;
3. Thence North 01°05'00" West, 15.83 feet to a 5/8" rebar and cap by PLS 5713;
4. Thence North 88°03'43" West, 710.45 feet to a 5/8" rebar and cap by PLS 5713, to said easterly right-of-way of North Boyer Road;

Thence along said easterly right-of-way of North Boyer Road, North 00°12'23" East, 1306.81 feet to the **TRUE POINT OF BEGINNING** 47.82 acres.