

RECEIVED

JAN 18 2022

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?
95-16054	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: Dale F Nelson Testamentary Trust c/o Chatters, Meizger & Co PLLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): James and Sandra Sakaguchi
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3766 S Boothe Park Rd Coeur d'Alene ID 83814
Mailing address City State ZIP
- 530-401-0949 jimsakaguchi57@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: 10/24/2019
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):
 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: [Signature] Title, if applicable: _____ Date: 1/18/22
Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by NS Date 1-18-22 Receipt No. 110381466 Receipt Amt. \$2500
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 NS Date 2-10-22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the Water Right and Adjudication Search link at www.idwr.idaho.gov.

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at www.idwr.idaho.gov, or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.
6. If you are unsure about the status of your water right in the Water Supply Bank, go to: www.idwr.idaho.gov/apps/ExtSearch/WSBSearch/WSBSearch.aspx, input your water right number and click "Search." If you find your water right is in the Water Supply Bank and you want to release it so you can use it, you can download the Request to Release form from the forms portion of our website: www.idwr.idaho.gov. Your water right may not be available for immediate release if rented by another water user.
7. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a **USDA Farm Service Agency or equivalent aerial photograph** with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a **general water right adjudication** such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

If the water right is leased to the Water Supply Bank and there is more than one owner, a **Lessor Designation** form must be completed to specify who the designated lessor will be. Each of the owners must sign the Lessor Designation form.

An **IRS Form W-9** is required for all ownership changes pertaining to water rights leased to the Water Supply Bank. Refer to instructions in section 6 above to determine if the water right undergoing an ownership change is leased to the Water Supply Bank. An IRS W9 form can be downloaded from the Department's website: www.idwr.idaho.gov.

8. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee** with the IDWR office nearest you. Ownership changes for water rights leased to the Water Supply Bank should be sent to the State Office.

IDWR Northern Region
7600 N Mineral Dr, Ste 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Eastern Region
900 N Skyline Dr, Ste A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800



100 Wallace Avenue
Coeur d Alene, ID 83814

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 692546 HS/DB

*This document is being
rerecorded to correct
the legal description.

WARRANTY DEED

For Value Received Suzanne Sutton Metzger, CPA for Chatters, Metzger and Co., PLLC, Trustee
of the Dale F. Nelson Testamentary Trust, for the benefit of Nikolas Bonds, created under will dated May
13, 2003

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

James Sakaguchi and Sandra Sakaguchi, husband and wife

hereinafter referred to as Grantee, whose current address is 1724 E. Front Ave.
The following described premises, to-wit: Coeur d'Alene, ID 83814

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
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the 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: September 6, 2019

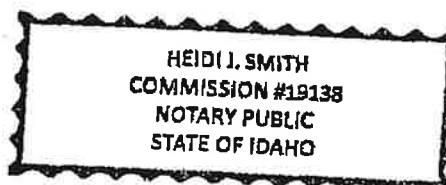
The Dale F. Nelson Testamentary Trust, For The Benefit of Nickolas Bonds

By: Suzanne Sutton Metzger CPA
Suzanne Sutton Metzger, CPA For Chatters, Metzger and Co., PLLC, Trustee
State of ID., County of Kootenai

This record was acknowledged before me on September 23, 2019 by Suzanne Sutton Metzger, CPA for
Chatters, Metzger and Co., PLLC, as Trustee of The Dale F. Nelson Testamentary Trust, for the benefit
of Nikolas Bonds, created under will dated May 13, 2003.

[Signature]
Signature of notary public

Commission Expires: 6-24-22



JIM BRANNON 2 P 2719029000
KOOTENAI COUNTY RECORDER
JAJ 10/24/2019 9:02 AM
REQ OF PIONEER TITLE KOOTENAI
COUNTY
RECORDING FEE: \$15.00 DD
Electronically Recorded

JIM BRANNON 5 P 2720839000
KOOTENAI COUNTY RECORDER
MRR 11/1/2019 2:25 PM
REQ OF PIONEER TITLE KOOTENAI
COUNTY
RECORDING FEE: \$15.00 DD
Electronically Recorded



Pioneer Title Co.
GOING BEYOND

100 Wallace Avenue
Coeur d'Alene, ID 83814

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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
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the 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: September 6, 2019

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Coeur d'Alene, ID 83814
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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
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the 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: September 6, 2019

The Dale F. Nelson Testamentary Trust, For The Benefit of Nickolas Bonds

By: Suzanne Sutton Metzger CPA
Suzanne Sutton Metzger, CPA For Chatters, Metzger and Co., PLLC, Trustee
State of ID., County of Kootenai

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Chatters, Metzger and Co., PLLC, as Trustee of The Dale F. Nelson Testamentary Trust, for the benefit
of Nikolas Bonds, created under will dated May 13, 2003.

Signature of notary public

Commission Expires: 6-24-22

HEIDI J. SMITH
COMMISSION #19138
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT A

A part of the Lakeshore Addition to Sunnyside described as Tax No. 3369 excepting therefrom the Right of Way of US Highway 10 and located in Kootenai County, State of Idaho.

Said Tax No. 3369 is legally described as follows: Part of Tracts 43 and 50 of Lakeshore Addition to Sunnyside in Section 33, Township 50 North, Range 3 W.B.M. according to the recorded plat and described as follows:

Beginning at a point 1210 feet South of the quarter corner on the North side of said Section 33, marked by a stake in mound of rock on South side of Old U.S. Highway 10 right-of-way;

Thence on a curve to the right 230 feet to a stake on the North side of creek, which flows Westerly into Coeur d'Alene Lake;

Thence Westerly along North side of said creek 514 feet to a $\frac{3}{4}$ " pipe set 20 feet West of center of County Road from which a 12" fir tree bears east 1 foot marked B.T.;

Thence North $51^{\circ}30'$ West, 210 feet to a $\frac{3}{4}$ " pipe which is the most Southerly point of Tract 39, at a point where old fence line intersects and recognized as the most South corner of Tract 39;

Thence North $53^{\circ}30'$ East 400 feet to a stake on South side of Old U.S. Highway;

Thence Easterly along old U.S. Highway, 116 feet to the Place of Beginning.

Excepting the right of way of U.S. Highway 10, and the County Road.

INITIAL
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EXHIBIT A

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Said Tax No. 3369 is legally described as follows: Part of Tracts 43 and 50 of Lakeshore Addition to Sunnyside in Section 33, Township 50 North, Range 3 W.B.M. according to the recorded plat and described as follows:

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Thence on a curve to the right 230 feet to a stake on the North side of creek, which flows Westerly into Coeur d'Alene Lake;

Thence Westerly along North side of said creek 514 feet to a $\frac{3}{4}$ " pipe set 20 feet West of center of County Road from which a 12" fir tree bears east 1 foot marked B.T.;

Thence North $51^{\circ}30'$ West, 210 feet to a $\frac{3}{4}$ " pipe which is the most Southerly point of Tract 39, at a point where old fence line intersects and recognized as the most South corner of Tract 39;

Thence North $53^{\circ}30'$ East 400 feet to a stake on South side of Old U.S. Highway;

Thence Easterly along old U.S. Highway, 116 feet to the Place of Beginning.

Excepting the right of way of U.S. Highway 10, and the County Road.

EXCEPTING THEREFROM; a portion of Lakeshore Addition to Sunnyside as recorded in Book C of Plat at Page 64, records of Kootenai County, Idaho, situated in Section 33, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, being described as follows:

Commencing at the Southeast corner of Parcel 1 of Exhibit A contained in Warranty Deed recorded as Instrument Number 1392298, said point being shown as the Southeast Corner of Tax No. 17025 on that record of Survey also filed in Book 21 of Surveys at Page 80 (both records of Kootenai County, Idaho), said point being the REAL POINT OF BEGINNING.

Thence along the Easterly projection of the Southerly boundary of said Parcel 1 North $80^{\circ}49'34''$ East a distance of 3.46 feet to a point on the edge of an existing asphalt travel way;

Thence leaving said Easterly projection along said edge the following courses and distances;

North $14^{\circ}26'28''$ West a distance of 33.00 feet;

Thence North $33^{\circ}34'32''$ West a distance of 25.14 feet;

Thence North $55^{\circ}25'50''$ West a distance of 25.26 feet;

Thence North $77^{\circ}00'03''$ West a distance of 29.62 feet;
Thence North $86^{\circ}02'02''$ West a distance of 67.58 feet;
Thence South $88^{\circ}19'59''$ West a distance of 21.87 feet;
Thence South $83^{\circ}24'15''$ West a distance of 24.40 feet;
Thence South $76^{\circ}21'20''$ West a distance of 32.48 feet;
Thence South $70^{\circ}08'19''$ West a distance of 8.18 feet;

Thence leaving said edge South $78^{\circ}23'05''$ West a distance of 157.93 feet to a point on the shore of Lake Coeur d'Alene;

Thence along said shore South $30^{\circ}50'06''$ East a distance of 100.00 feet;

Thence leaving said shore North $80^{\circ}49'34''$ East (record North $81^{\circ}32'31''$ East) a distance of 328.80 feet to the REAL POINT OF BEGINNING.

INITIAL




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 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 10, 2022

JAMES SAKAGUCHI
SANDRA SAKAGUCHI
3766 S BOOTHE PARK RD
COEUR D ALENE ID 83814-9560

Re: Change in Ownership for Water Right No(s): 95-16054

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 762-2813.

Sincerely,


Natalie Steading
Tech Records Specialist 1

Enclosure(s)