

RECEIVED

DEC 21 2021

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-9675	Yes ☐	Yes ☐		Yes ☐	Yes ☐
95-9291	Yes ☐	Yes ☐		Yes ☐	Yes ☐
95-10759	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Griesen

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Scott & Brenna Cowan

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ orMailing address 24027 N. McGary Rd.City ArholState IDZip 83801Telephone 208-691-7855Email powder-stc@hotmail.com

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. Do you own the land identified as the water right place of use? Yes ☒ No ☐

- o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

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.

SUPPORT DATA

IN FILE # 95-9291

8. Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date 12/21/21Print name Scott Cowan

- Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

Print name

For IDWR Office Use Only:

Received by NS Date 12-21-21Receipt No. N038021Receipt Amt. \$75⁰⁰Active 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 NSDate 12/28/21



File No.: W2946 TW

RECORDING FEE: \$15.00

DD



QUITCLAIM DEED

For Value Received

John T. Giesen and Helen M. Talkington, Trustees of The John T. Giesen and Helen M. Talkington Revocable Trust, established under the trust agreement dated the 16th day of December 2003 as may be amended

do hereby convey, release and forever quit claim unto

Scott Cowan and Brenna Cowan, husband and wife

whose address is: 24027 McCoy Road, Athol, Idaho 83801

the following described premises, to wit:

*See Exhibit 'B' attached hereto and made a part hereof for legal description:

together with their appurtenances and including any and all after acquired title.

Dated: September 23, 2021

The John T. Giesen And Helen M. Talkington Revocable Trust

BY: John T. Giesen Trustee

John T. Giesen, Trustee

BY: Helen M. Talkington Trustee

Helen M. Talkington, Trustee

STATE OF IDAHO

COUNTY OF KOOTENAI

On this 29th day of September, 2021, before me, the undersigned Notary Public in and for said State, personally appeared John T. Giesen and Helen M. Talkington, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as Trustees, and acknowledged to me that they executed the same as such Trustees.

Notary Public for Kootenai County, Idaho

Residing at Post Falls, ID

My Commission Expires: 05.10.2024

DEBORAH A. HISLOP
Notary Public - State of Idaho
Commission Number 31275
My Commission Expires 05-10-2024

409890 km

JIM BRANNON 5 P 2755426000
KOOTENAI COUNTY RECORDER
MRR 6/3/2020 2:56 PM
REQ OF KOOTENAI COUNTY TITLE
COMPANY
RECORDING FEE: \$15.00 DD
Electronically Recorded

PARCEL ADJUSTING DEED

FOR VALUE RECEIVED, JOHN T. GIESEN and HELEN M. TALKINGTON, Trustees of the JOHN T. GIESEN AND HELEN M. TALKINGTON REVOCABLE TRUST, Grantors, whose mailing address is 7124 English Point, Hayden, ID 83835, for the purposes of accomplishing a lot line adjustment, does hereby bargain, sell, transfer, convey and grant unto the JOHN T. GIESEN and HELEN M. TALKINGTON REVOCABLE TRUST, Grantee, the properties described herein as Parcels A and B, as described on Exhibits attached hereto.

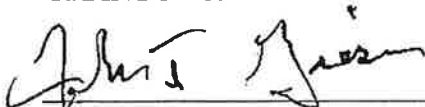
The purpose of this Deed is to create two lots of twenty acres or more from existing parcels. Grantor's newly adjusted sites are legally described as Parcels A and B, on the Exhibits attached hereto.

A copy of the survey recorded as Instrument No. 2747996000 is attached as Exhibit C.

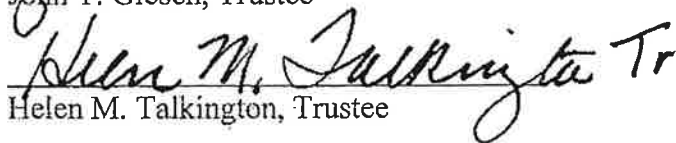
DATED this 3 day of June, 2020.

JOHN T. GIESEN and HELEN M. TALKINGTON REVOCABLE TRUST

GRANTORS:

 Tr

John T. Giesen, Trustee

 Tr

Helen M. Talkington, Trustee

~~ACCOMODATION RECORDING~~
KOOTENAI COUNTY TITLE COMPANY
has not examined this document,
and assumes no liability as to its
validity or its effects on title.

409810 km

PARCEL ADJUSTING DEED

FOR VALUE RECEIVED, JOHN T. GIESEN and HELEN M. TALKINGTON, Trustees of the JOHN T. GIESEN AND HELEN M. TALKINGTON REVOCABLE TRUST, Grantors, whose mailing address is 7124 English Point, Hayden, ID 83835, for the purposes of accomplishing a lot line adjustment, does hereby bargain, sell, transfer, convey and grant unto the JOHN T. GIESEN and HELEN M. TALKINGTON REVOCABLE TRUST, Grantee, the properties described herein as Parcels A and B, as described on Exhibits attached hereto:

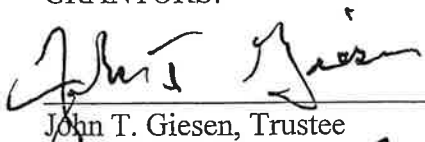
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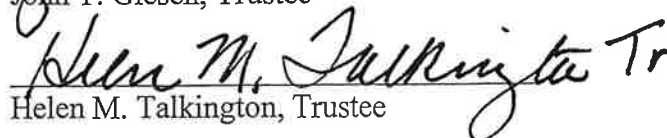
A copy of the survey recorded as Instrument No. 2747996000 is attached as Exhibit C.

DATED this 3 day of June, 2020.

JOHN T. GIESEN and HELEN M. TALKINGTON REVOCABLE TRUST

GRANTORS:

 Tr
John T. Giesen, Trustee

 Tr
Helen M. Talkington, Trustee

ACCOMODATION RECORDING
KOOTENAI COUNTY TITLE COMPANY
has not examined this document,
and assumes no liability as to its
validity or its effects on title.

STATE OF IDAHO)
 ss.
County of Kootenai)

On this 3 day of June, 2020, before me, the undersigned Notary Public, personally appeared John T. Giesen and Helen M. Talkington, Husband and wife, known or identified to me to be the Trustees of the John T. Giesen and Helen M. Talkington Revocable Trust, and known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same as Trustees.

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

 [Signature]
Notary Public for Idaho
Residing at Harrison
My Commission expires: 9-3-24

6/7

EXHIBIT A

Property Description
Parcel 1 (20 Acre split)
Kootenai County Idaho
June 3, 2020

A parcel of land being on the West side of McCoy Road located in the SE ¼ SE ¼ Section 34 Township 53 North Range 3 West Boise Meridian, more particularly described as follows, to-wit:

COMMENCING at a rebar ½ inch diameter as shown on CP&F form Instrument No. 1390793 records of Kootenai County Idaho, marking the SE corner of said Section 34 Township 53 North Range 3 West Boise Meridian;

thence North 0°25'07" East along the East line of said Section 34 a distance of 743.45 feet to the **TRUE POINT OF BEGINNING**;

thence North 89°38'54" West 987.24 feet to a rebar ½ inch diameter;

thence South 26°21'42" West 179.85 feet to a rebar ½ inch diameter;

thence South 0° 08'10" West 583.89 feet to a point in the South line of said Section 34 being a rebar ½ inch diameter;

thence North 89°45'36" West along said South line 240.00 feet to the Southwest corner of parcel No. 9200, records of Kootenai County Idaho, being a Al. cap 2.5 inch diameter;

thence North, Northeasterly, Easterly and Southerly along said parcel No. 9200 boundary lines as follows:

North 0°08'10" East 1010.53 feet (shown of record to be 1010.67 feet) to a rebar ½ inch diameter,

North 42°27'49" East 378.63 feet to a rebar ½ inch diameter,

North 79°59'31" East 76.99 feet to a rebar ½ inch diameter,

South 89°38'54" East 302.75 feet to a rebar ½ inch diameter,

North 0°08'14" East 15.0 feet to a rebar ½ inch diameter,

South 89°38'54" East 676.06 feet to the Northeast corner of the said parcel & a point in the East line of said Section 34 being a Al. cap 2.5 inch diameter,

South 0°25'07" West along said East line 574.26 feet to the **TRUE POINT OF BEGINNING**.

The above described parcel contains 20.37 acres more or less, 0.37 acres being McCoy Road Right of Way, all subject to all easements of record or view as of this date.

Basis of Bearings is the East line of said Section 34 as shown in Record of Survey recorded in Book 22 at Page 298 records of Kootenai County Idaho.

This description was written by Gale R. Dahlman PLS 772 in Idaho, June 3, 2020

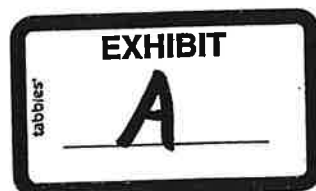


EXHIBIT B

Property Description
Parcel 2 (Boundary Line Adjustment)
Kootenai County Idaho
March 21, 2020

A parcel of land being on the West side of McCoy Road located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34 Township 53 North Range 3 West Boise Meridian, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3 Township 52 North Range 3 West Boise Meridian, more particularly described as follows, to-wit:

BEGINNING at a rebar $\frac{1}{2}$ inch diameter as shown on CP&F form Instrument No. 1390793 records of Kootenai County Idaho, marking the SE corner of said Section 34 Township 53 North Range 3 West Boise Meridian and the NE corner of said Section 3 Township 52 North Range 3 West Boise Meridian;

thence North $89^{\circ}45'36''$ West along the South line of said Section 34 a distance of 60.0 feet to a rebar $\frac{1}{2}$ inch diameter;

thence South $0^{\circ}14'12''$ West into said Section 3 a distance of 106.13 feet to a rebar $\frac{1}{2}$ inch diameter;

thence North $89^{\circ}45'58''$ West 1003.05 feet to a rebar $\frac{1}{2}$ inch diameter;

thence North $0^{\circ}14'00''$ East 106.23 feet to a point in the North line of said Section 3, being a rebar $\frac{1}{2}$ inch diameter;

thence North $0^{\circ}08'10''$ East 583.89 feet to a rebar $\frac{1}{2}$ inch diameter;

thence North $26^{\circ}21'42''$ East 179.85 feet to a rebar $\frac{1}{2}$ inch diameter;

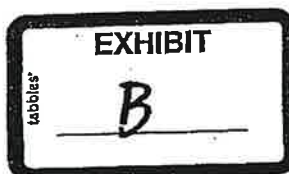
thence South $89^{\circ}38'54''$ East 987.24 feet to a point in the East line of said Section 34, being a rebar $\frac{1}{2}$ inch diameter;

thence South $0^{\circ}25'07''$ West along said East line 743.45 feet to the **TRUE PLACE OF BEGINNING**.

The above described parcel contains 20.46 acres more or less, 0.46 acres being McCoy Road Right of Way, all subject to all easements of record or view as of this date.

Basis of Bearings is the East line of said Section 34 as shown in Record of Survey recorded in Book 22 at Page 298 records of Kootenai County Idaho.

This description was written by
Gale R. Dahlman PLS 772 in Idaho,
March 21, 2020

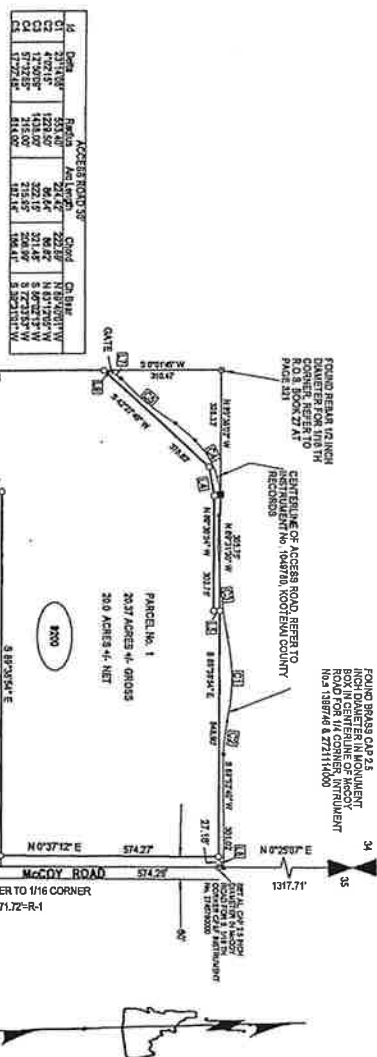




BOOK 31 Page 315 Instrument No.: 274991000

SE 1/4 SE 1/4 SECTION 34 T53N R3W B.M.

RECORD OF SURVEY
BOUNDARY LINE ADJUSTMENT & 20 ACRE SPLIT
KOOTENAI COUNTY IDAHO



LEGEND

- CORNER FOUND BEARING 60 INCH DIAMETER
- CORNERS SET, BEARING 1/2 INCH DIAMETER WITH ID CAPS
- ⊕ 1/4 INCH CORNERS FOUND OR SET AS SHOWN
- CALCULATED POINT, NOTHING FOUND OR SET
- GOVT CORNERS FOUND AS SHOWN
- R = RECORD NO.

SCALE 1" = 200'

NOTE:
THE SURVEY SHOWN HERE DOES NOT ATTEMPT TO SHOW ALL PHYSICAL FEATURES, EASEMENTS OF RECORD OR VIEWAS OF THIS DATE. THIS SURVEY WAS PREPARED WITH OUT THE BENEFIT OF A TITLE REPORT.

REFERENCES IN KOOTENAI COUNTY:
R-1 RECORD OF SURVEY, BOOK 22 AT PAGE 238
R-2 RECORD OF SURVEY, BOOK 27 AT PAGE 121
R-3 RECORD OF SURVEY, BOOK 18 AT PAGE 36
R-4 PLAT, BOUNDARY ADJUSTMENT, BOOK 3 AT PAGE 354
R-5 WARRANTY DEED, INSTRUMENT NO. 118287

A SURVEY OF 20 ACRE SPLIT AND BOUNDARY LINE ADJUSTMENT FOR JOHN GIESEN

STATE OF IDAHO
COUNTY OF KOOTENAI
LAND SURVEYOR
JOHN GIESEN
ON THE 28th DAY OF APRIL 2024 AT 11:30 A.M.
INSTRUMENT NO. 274991000
COUNTY OF KOOTENAI
CLERK
1201 772-2455
1201 971-3285
gje@idhsr.com



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV - 8 2019

By _____ Clerk
Deputy Clerk

In Re CSRBA
Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 95-09675

NAME AND ADDRESS: JOHN T GIESEN
7124 ENGLISH POINT RD
HAYDEN, ID 83835

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.10 CFS

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 02/09/1911

POINT OF DIVERSION: T53N R03W S34 SESE Within Kootenai County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

Irrigation

04-01 TO 10-31

0.10 CFS

Domestic

01-01 TO 12-31

0.06 CFS

Domestic use is for 1 home.

PLACE OF USE:

Irrigation

Within Kootenai County

T53N R03W S34

SESE 5.0

5.0 Acres Total

Domestic

Within Kootenai County

T53N R03W S34

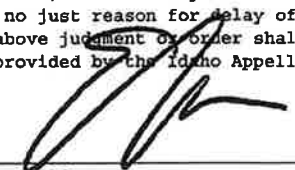
SESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

RECEIVED
NOV 22 2019
DEPARTMENT OF
WATER RESOURCES

Call Todd
762 2814





State of Idaho
Department of Water Resources

Adjudication Recommendation 95-9675 Irrigation



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 205 410 820 Feet

Prepared By: Steve Clelland
April 24, 2015
Aerial photo: 2013



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09291

Priority: August 12, 2005

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 15.8 AF

It is hereby certified that JOHN T GIESEN
7124 ENGLISH POINT RD
HAYDEN ID 83835 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 12, 2005; and has
submitted Proof of Beneficial Use on June 23, 2009. An examination confirms water is diverted from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
IRRIGATION	04/01 to 10/31	0.10 CFS	15.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING L1 (NE1/4NE1/4NE1/4) Sec. 3, Twp 52N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION, STOCKWATER, DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals	
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
53N 03W 34																	5.0 X	5.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. Stockwater use is for 7 head mixed stock.
2. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
5. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 30 day of December, 2014.


For, GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Water Right License
95-9291
Domestic

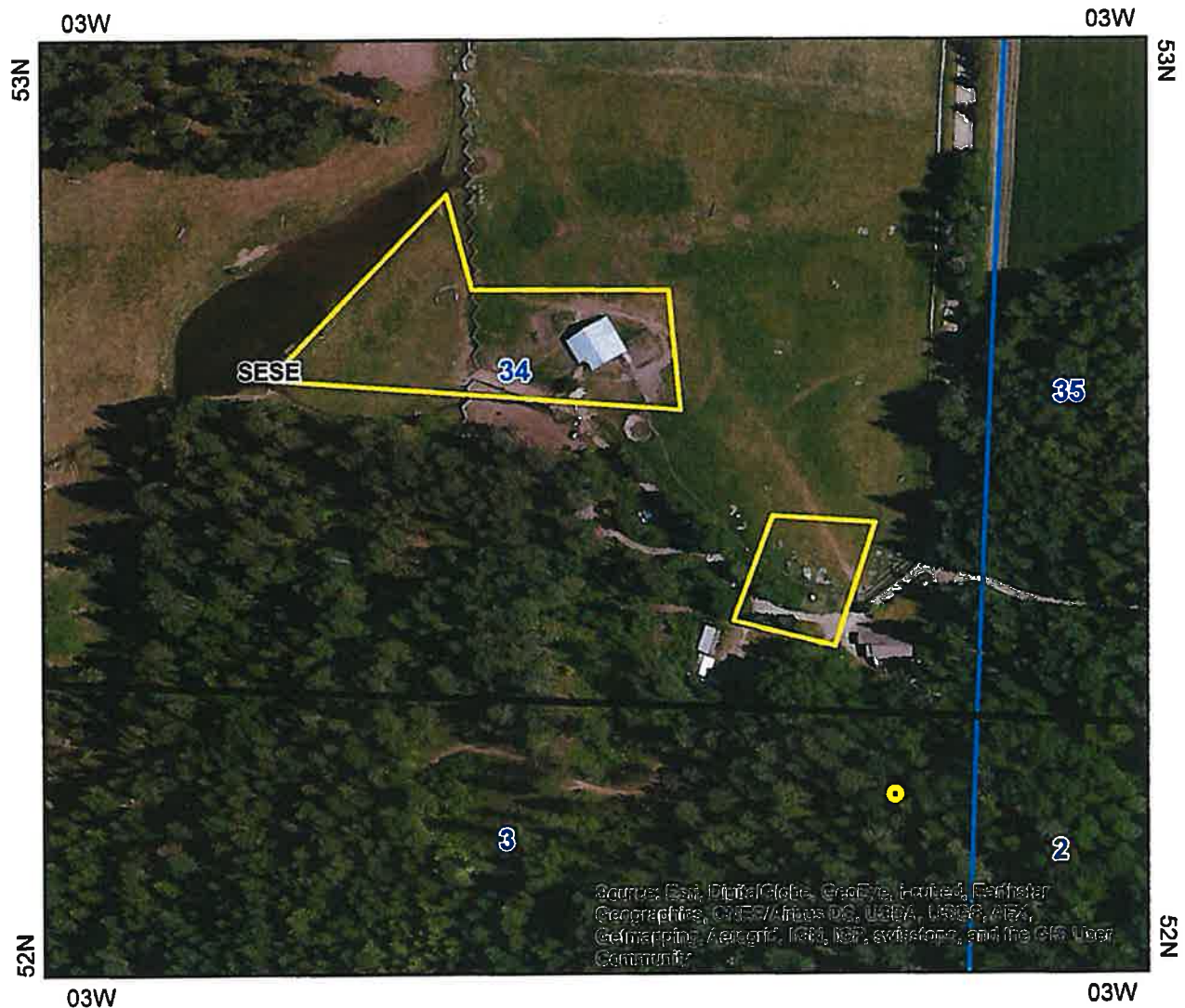


-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.015 0.03 0.06 Miles



State of Idaho
Department of Water Resources
Water Right License
95-9291
Stockwater



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.0275 0.055 0.11 Miles









Domestic use is for this cabin, 95-9291



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-10759

Priority: June 23, 2009

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 3.0 AF

It is hereby certified that JOHN GIESEN
7124 ENGLISH PT
HAYDEN ID 83835 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 23, 2009; and has
submitted Proof of Beneficial Use on July 03, 2014. An examination confirms water is diverted from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.03 CFS	3.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING L1 (SW1/4NE1/4NE1/4) Sec. 3, Twp 52N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals	
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
53N 03W 34																	1.0	1.0

Total Acres: 1

CONDITIONS OF APPROVAL

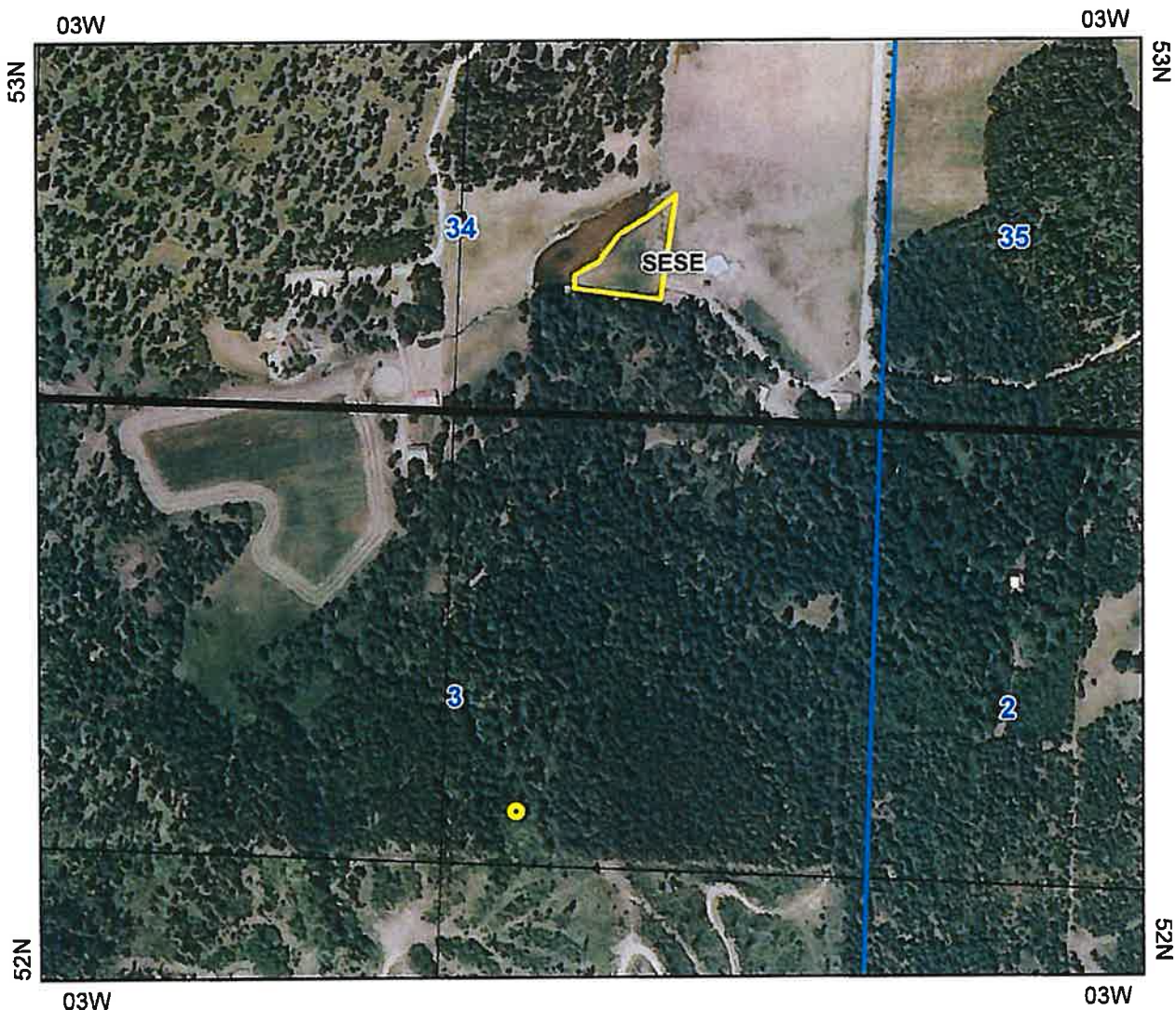
1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
2. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 29 day of December, 2014.


For, GARY SPACKMAN
Director

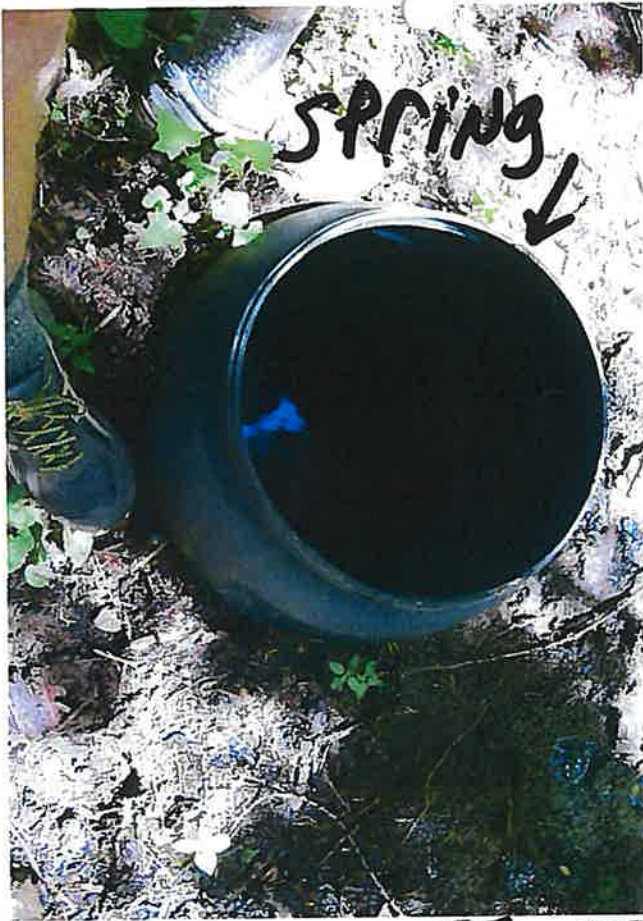
State of Idaho
Department of Water Resources
Water Right License
95-10759



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles





95-10259



Spring Gravity Feeds
This Tank,







IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-9675

WATER RIGHT NUMBER: 95-9675

Owner Type Name and Address
 Current Owner JAMES E WHITFIELD
 RATHDRUM, ID 83858

Priority Date: 02/09/1911

Basis: License

Status: Active

Source Tributary
 SPRINGS SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.100 CFS	
DOMESTIC	/ to /		
<u>Total Diversion:</u>		0.100 CFS	

Location of Point(s) of Diversion

SPRINGS SE1/4SE1/4 Sec. 34, Twp 53N, Rge 03W, B.M.
 KOOTENAI County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
53N	03W	34													5.0

Total Acres: 5

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

1. Renumber 12/20/2008 6:40:00 PM Renumber WR 95-9675
 Comment: This has been renumbered from 96-2054

Dates and Other Information: