

RECEIVED

SEP 09 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?
86-07309	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: Michael W. Garton
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Eric and Stephanie Brady
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or

34709 River Road
Mailing address

Lenore ID 83541
City State Zip

509-954-7662
Telephone

Steph. Brady 99019@gmail.com
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: 6/26/2015
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
☐ 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):
☐ \$25 per undivided water right.
☐ \$100 per split water right.
☐ No fee is required for pending adjudication claims.

- n/a ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- n/a ☐ 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] 9/7/2021
Signature of new owner/claimant Title, if applicable Date
- Stephanie Brady
Print name
- Signature: [Signature] 9/7/2021
Signature of new owner/claimant Title, if applicable Date
- Eric Brady
Print name

For IDWR Office Use Only:

Received by ja Date 9-9-21 Receipt No. N037356 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 11-15-21

25672
Instrument # 831496

NEZ PERCE COUNTY

6-29-2016 12:48:14 PM No. of Pages: 4

Recorded for : LAND TITLE

PATTY WEEKS

Fee: 19.00

Ex-Officio Recorder Deputy

Index to: WARRANTY

WARRANTY DEED

GRANTORS, ROBERT D. BURNER and KIMBERLY S. BURNER, husband and wife, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto ERIC J. BRADY and STEPHANIE A. BRADY, husband and wife, whose current address is 34709 River Road, Lenore, Idaho 83541, as GRANTEES, and to Grantees' heirs and assigns forever all of the following described real property located in the County of Nez Perce, State of Idaho, to wit:

Lots 1, 2, 3, 4, 5 and the Easterly one-half of Lot 6, Block 4, and Lots 4 and 5, Block 3, Town of Agatha, according to the recorded plat thereof, records of Nez Perce County, Idaho.

AND

Part of Government Lot 3 and part of the Northwest One-Quarter of the Northwest One-Quarter (NW1/4NW1/4) of Section 34, Township 37 North, Range 2 West, Boise Meridian, County of Nez Perce, State of Idaho, more particularly described as follows:

Commencing at the Northwest corner of said Section 34 marked by an iron pin; thence South 27°40'44" East a distance of 1,701.91 feet to a rebar; thence South 40°05'30" West a distance of 79.12 feet to a rebar being the TRUE POINT OF BEGINNING; thence continuing South 40°05'30" West a distance of 6.44 feet to the Northeasterly line of a 20 foot wide public alley as shown on the Plat of Agatha; thence Northwesterly along said Northeasterly line, North 49°53'31" West a distance of 379.75 feet; thence North 49°24'37" East a distance of 31.16 feet to a rebar; thence South 49°58'17" East a distance of 78.92 feet to a rebar; thence South 48°57'27" East a distance of 87.02 feet to a rebar; thence South 45°58'28" East a distance of 85.48 feet to a rebar; thence South 41°58'43" East, a distance of 124.70 feet to the TRUE POINT OF BEGINNING.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT TO:

1. Taxes and assessments for the year 2015 and thereafter, and such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

2. All matters contained on the recorded plat of Agatha.

3. Telephone Line Right-of-Way Easement including its terms, covenants and provisions as disclosed by Instrument to Inland Telephone Company, an Idaho Corporation, recorded September 11, 1980, as Instrument No. 439240, records of Nez Perce County, Idaho.

4. Easement and Grant of Water Right including its terms, covenants and provisions as disclosed by Instrument to Greg L. Munther, a married man, recorded November 18, 1980, as Instrument No. 441225, records of Nez Perce County, Idaho.

5. All rights of way for public utilities and public roads as the same now exist over and across the herein described property.

Grantors, for themselves, their heirs, successors and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantees, their heirs and assigns forever against the lawful claims of all persons. In construing this deed, and where the context so requires, the singular includes plural and the masculine, the feminine and the neuter.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT TO:

1. Taxes and assessments for the year 2015 and thereafter, and such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.
2. All matters contained on the recorded plat of Agatha.
3. Telephone Line Right-of-Way Easement including its terms, covenants and provisions as disclosed by Instrument to Inland Telephone Company, an Idaho Corporation, recorded September 11, 1980, as Instrument No. 439240, records of Nez Perce County, Idaho.
4. Easement and Grant of Water Right including its terms, covenants and provisions as disclosed by Instrument to Greg L. Munther, a married man, recorded November 18, 1980, as Instrument No. 441225, records of Nez Perce County, Idaho.
5. All rights of way for public utilities and public roads as the same now exist over and across the herein described property.

Grantors, for themselves, their heirs, successors and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantees, their heirs and assigns forever against the lawful claims of all persons. In construing this deed, and where the context so requires, the singular includes plural and the masculine, the feminine and the neuter.

READ AND APPROVED
 (V) *[Signature]*
 (V) *[Signature]*

 Buyers to sign

(441225)
441225

MICROFILM No.
EASEMENT AND GRANT OF WATER RIGHT

RECEPTION
INDEXED
FILED
SERIALIZED
FILED

THIS AGREEMENT, made and entered into this 8 day of November, 1980, by and between GEORGE PAYTON and ALICE PAYTON, husband and wife, of Route 1, Lenore, County of Nez Perce, State of Idaho, the parties of the first part, and GREG L. MUNTHER, a married man, as his sole and separate property, the party of the second part;

WITNESSETH:

That the parties of the first part, for themselves, their heirs and assigns, hereby grant and convey unto the party of the second part, his heirs and assigns forever, all right to waters emanating from that certain spring situate on the following described real property situate and being in the County of Nez Perce, State of Idaho, to-wit:

Commencing at the Section corner common to Sections 27, 28, 33 and 34; thence South 0°03' East along the Section line 515.3 feet to the True Point of Beginning; thence South 57°57' East 922.1 feet; thence South 57°03' West 631.0 feet to the Fir Bluff County Road right-of-way; thence Northwesterly along the County Road right-of-way 344 feet more or less to a point on the Section line between Sections 33 and 34; thence North 0°03' West along the Section line 763.5 feet to the True Point of Beginning, except that part in the townsite of Agatha.

which water presently serves the following described real property situate and being in the County of Nez Perce, State of Idaho, to-wit:

Lots 1, 2 and 3 of Block 4, and Lots 4 and 5, Block 3, of the Village of Agatha, according to the recorded plat thereof.

The parties of the first part further grant unto the party of the second part, an easement for ingress and egress, water line maintenance and installation, and all matters directly relating to development and use of said spring over, across and along the real property hereinabove described.

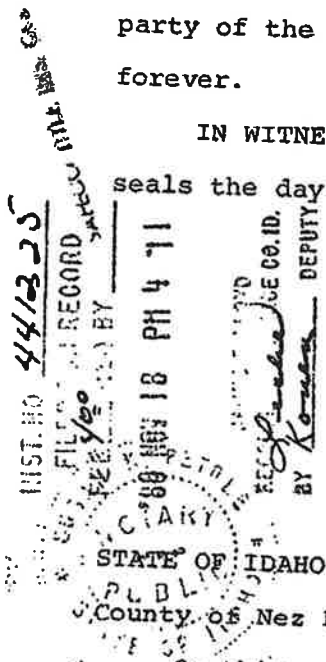
The party of the second part shall bear full responsibility for the use and enjoyment of the easement and right hereinabove conveyed, and shall hold the parties of the first part harmless from any claim of damages to person or premises resulting from the use, occupancy and possession thereof by the party of the second part.

TO HAVE AND TO HOLD the said easement and right unto the party of the second part and unto his successors and assigns forever.

IN WITNESS WHEREOF, the parties hereto set their hands and seals the day and year in this agreement first above written.

George Payton
GEORGE PAYTON

Alice Payton
ALICE PAYTON



STATE OF IDAHO)
COUNTY OF NEZ PERCE) SS.

On this 8 day of November, 1980, before me, the undersigned a Notary Public in and for the State of Idaho, personally appeared GEORGE PAYTON and ALICE PAYTON, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

Susan K. Petree
Notary Public in and for the State of
Idaho, residing at 921 E. 1st St.
therein.

Introduction

Layers

Legend

Assessor & Treasurer

Structure

Transportation

Highways

All Roads

- Major Arterials
- Minor Arterials
- Collectors
- Streets
- Ramps/Exits
- Recreational

Lakes



Streams



Parcels



City

© 2021 - Nez Perce County, ID



Plat Map and aerial photo showing place of use for the water right. Please use both pictures to assist in your review.

The dark outline measuring .94 acres represents the area of water use (approx 1 acre). This should approximate the Twn 1 Rge 1 SE of 37N 02W 34, Lot 3 (SWNW)

Introduction

Layers

Streams

Parcels

Herd Districts

Lewiston ACI

Subdivision

Surveys

Zip Code

Zoning

PLSS

Township & Range

Sections

City

NPT_ReservationBndry

Imagery

Lew_Imagery_2018

Lew_Imagery_2015

Lew_Imagery_2012

NPC_Imagery_2018

NPC_Imagery_2013

County Boundary

Region

Legend



From: Deanna Beplate deannab@co.nezperce.id.us
Subject: 34709 River Rd
Date: September 3, 2021 at 10:45 AM
To: steph.brady99019@gmail.com

Hope this works for you.
Auditor # 208-799-3020

Thank you

Deanna Beplate

Deputy Assessor
Records Technician
1230 Main St, P.O. Box 896
Lewiston ID 83501
(208)799-3011
deannab@co.nezperce.id.us

Chain of title that goes back to the
water right / claimant of record (Michael Gratson)
Source > Nez Perce County Assessor

RP030000040030A RIVER RD -6009 8
34709
BURNER ROBERT D &
BURNER KIMBERLY S
34709 RIVER RD ID 83541
LENORE
719-0-834-02
AGATHA:
3 4

WD. 641351 4/14/92 2/26/99

QCD 641352 2/22/99 2/26/99
MICHAEL W GRATSON TO MICHAEL W GRATSON &
NANCY J HOEFS

PRD 671287 1/18/02 1/23/02
---HOEFS NANCY J, PERS REP for Michael W Gratson Est to
HOEFS NANCY J

WRNTY/QCD 751549 12/10/07 12/12/07

HOEFS NANCY J
TO: AGATHA HILLS LLC.

WRNTY/QCD 821319 4/30/2014 4/30/2014

AGATHA HILLS LLC TO HOEFS NANCY J

WRNTY/QCD 821994 5/27/2014 5/27/2014

HOEFS NANCY J TO BURNER ROBERT D & KIMBERLY S - H/W



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

November 15, 2021

ERIC J BRADY
STEPHANIE A BRADY
34709 RIVER RD
LENORE ID 83541-6000

Re: Change in Ownership for Water Right No(s): 86-7309

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)