

AUG 20 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
94-7394	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: Ken + Debra Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Stephen M. Hayden
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2950 Killmore Road Ellensburg WA 98926
Mailing address City State ZIP
- 509 929 1931 smhayden72@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: _____
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):
- ☐ \$25 per undivided water right.
 - ☐ \$100 per split water right.
 - ☐ 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: Stephen M. Hayden 7-2521
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JR Date 8-20-21 Receipt No. N037292 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 8-30-21

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

In Re CSRBA

Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 94-07394

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

FEB 15 2017

By

Clerk

Deputy Clerk

NAME AND ADDRESS: KEN SMITH
15170 S BULL RUN RD
CATALDO, ID 83810

SOURCE: GROUND WATER

QUANTITY: 0.20 CFS
31.40 AFY

Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

RECEIVED

FEB 16 2017

DEPARTMENT OF
WATER RESOURCES

PRIORITY DATE: 10/23/2003

POINT OF DIVERSION: T48N R01W S04 LOT 11 (SWNE) Within Kootenai County
LOT 11 (SWNE)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	0.20 CFS
		21.00 AFY
Domestic	01-01 TO 12-31	0.04 CFS
		1.20 AFY
Recreation Storage	01-01 TO 12-31	9.20 AFY
Diversion to Storage	01-01 TO 12-31	0.20 CFS

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.

PLACE OF USE: Irrigation Within Kootenai County
T48N R01W S04 LOT 11 (SWNE) 3.1 LOT 11 (SENE) 1.3
LOT 12 (NESW) 0.8 LOT 10 (NWSE) 1.8
7.0 Acres Total

Domestic Within Kootenai County
T48N R01W S04 LOT 11 (SWNE) LOT 11 (SENE)

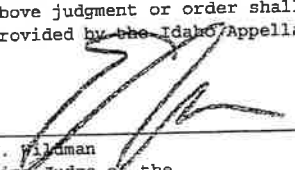
Recreation Storage Within Kootenai County
T48N R01W S04 LOT 11 (SWNE) LOT 10 (NWSE)

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

Fax# 1-208 762 2819

August 27 2021

File # 21419682

RECEIVED

AUG 27 2021

IDWR/NORTH

Please give to Natalie Steading
From Stephen M. Hayden. I got
your test email Funny. Please
let me know you got this thank you
Stephen M. Hayden

1509 9291931 or

email me ~~smhayden71@gmail.com~~
smhayden71@gmail.com

⑧

pages including
cover

15170 South Bull Run
Catoldo Id 83810

Mail to Stephen M. Hayden
2950 Killmore Road
Ellensburg Wash. 98926



2065 West Riverstone Dr., Ste 300
Coeur D Alene, ID 83814
Ph. (208)770-2575
www.titleonecorp.com

Stephen M. Hayden
15170 S Bull Run Rd
Cataldo, ID 83810

Date: 08/09/2021

Regarding: 15170 S Bull Run Rd, Cataldo, ID 83810

Buyer/Borrower: Stephen M. Hayden

File No.: 21419682

Greetings:

It's been our pleasure serving as your title and escrow company for your recent real estate transaction. Related to your transaction, please find attached the following:

Original Warranty Deed

Please feel free to contact us if you have any questions at the number listed above. We appreciate your business and look forward to assisting you with your next closing.

Best Regards,

Laurie Ann King

RECORDING FEE: \$15.00 DD
Electronically Recorded



Order Number: 21419682

Warranty Deed

For value received,

Kenneth L. Smith and Debra L. Schackmuth-Smith, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Stephen M. Hayden, an unmarried man

whose current address is 15170 S Bull Run Rd Cataldo, ID 83810

the grantee, the following described premises, in Kootenai County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

ELECTRONICALLY RECORDED - DO NOT
RECORD AGAIN. KOOTENAI COUNTY, ID. IT
RECORDING FEE: \$15.00. 7/12/2021 10:33 AM
JIM BRANNON, RECORDER.

Order Number: 21419682

Warranty Deed - Page 1 of 5



TitleOne
a title & escrow co.

Order Number: 21419682

Warranty Deed

For value received,

Kenneth L. Smith and Debra L. Schackmuth-Smith, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Stephen M. Hayden, an unmarried man

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See Exhibit A, attached hereto and incorporated herein.

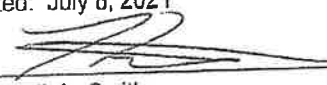
To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

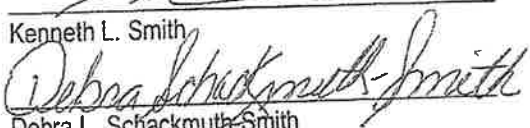
Remainder of page intentionally left blank.

Order Number: 21419682

Warranty Deed - Page 1 of 5

Dated: July 8, 2021


Kenneth L. Smith


Debra L. Schackmuth-Smith

State of Idaho, County of Kootenai, ss.

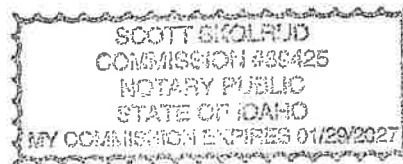
On this 12th day of July in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Kenneth L. Smith and Debra L. Schackmuth-Smith, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.


Notary Public

Residing In: *Coeur d'Alene*

My Commission Expires: *01-29-2027*

(seal)



Order Number: 21419682

Warranty Deed - Page 2 of 5

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Parcel 1:

A portion of Government Lots 10, 11 and 12, Section 4, Township 48 North, Range 1 West, Boise Meridian, Kootenai County, Idaho as shown on record of survey recorded April 27, 1992 as Instrument No. 1256279, and described as follows:

Beginning at the Northeast corner of the West half of Government Lot 10, from which the West Quarter corner of said Section 4 bears South 89°46'53" West, 3287.52 feet;

Thence South 0°14'22" East 43.06 feet along the East line of the West half of Government Lot 10 to the North right-of-way line of the Union Pacific Railroad,

Thence Westerly, 763.73 feet along a curve to the left, and said North right-of-way line, having a central angle of 22°02'37" and a radius of 1985.08 feet to a point that bears South 89°33'03" West, 759.02 feet;

Thence leaving the North right-of-way line North 6°19'46" West, 476.70 feet,

Thence continuing North 6°19'46" West, 12.0 feet, more or less, to the shore of Coeur d'Alene River;

Thence Southeasterly along the shore of the Coeur d'Alene River as follows:

South 71°51'23" East, 67.64 feet;

Thence South 68°35'56" East, 173.02 feet;

Thence South 64°36'19" East, 287.21 feet;

Thence South 65°55'40" East, 126.82 feet;

Thence South 63°31'26" East, 125.63 feet;

Thence South 62°21'01" East, 99.57 feet;

Thence South 65°43'03" East, 89.89 feet;

Thence South 65°31'03" East, 91.50 feet to the North line of Government Lot 10;

Thence leaving the shore of the Coeur d'Alene River, South 89°46'53" West, 23.5 feet, more or less, along said North line,

Thence continuing South 89°46'53" West, 130.27 feet along a said line to the Point of Beginning.

Excepting therefrom that portion lying within the road right-of-way.

Parcel 2:

A portion of Government Lots 11 and 12, Section 4, Township 48 North, Range 1 West, Boise Meridian, Kootenai County, Idaho, and described as follows;

Commencing at the Northeast corner of the West half of Government Lot 10 from which the West Quarter corner of said Section 4, bears South 89°46'53" West, 3287.52 feet;

Thence South 0°14'22" East, 43.06 feet along the East line of the West half of Government Lot 10 to the North right-of-way line of the Union Pacific Railroad;

Thence Westerly, 763.73 feet along a curve to the left, and said North right-of-way line, having a central angle of 22°02'37" and a radius of 1985.08 feet to a point that bears South 89°33'03" West, 759.02 feet and the True Point of Beginning;

Thence leaving the North right-of-way line North 6°19'46" West, 476.70 feet;

Thence continuing North 6°19'46" West 12.0 feet, more or less, to the shore of the Coeur d'Alene River;

Thence Northwesterly, Westerly and Southwesterly along the shore of the Coeur d'Alene River as follows:

North 71°51'23" West, 22.55 feet;

Thence North 76°32'38" West, 97.55 feet;

Thence North 82°31'34" West 65.59 feet;

Thence North 87°23'02" West, 109.15 feet;

Thence South 73°11'47" West, 162.58 feet;

Thence South 34°41'29" West, 153.10 feet to the Easterly line of the Bull Run Bridge Improvement Project as recorded in Book 322 of Deeds, page 270,
Thence along boundary of said Improvement Project as follows;
South 49°28'47" East, 186.39 feet;
Thence North 81°26'18" East, 186.86 feet;
Thence South 8°33'42" East, 50.00 feet;
Thence South 81°26'18" West, 143.52 feet;
Thence leaving the boundary of the Bull Run Bridge Improvement Project South 26° 49'08" East, 295.88 feet to the Northwestern right-of-way line of the Union Pacific Railroad,
Thence Northeasterly, 271.49 feet along said Northwestern right-of-way line and a curve to the right having a central angle of 7°50'10" and a radius of 1985.08 feet to a point that bears North 74°36'40" East, 271.28 feet and the True Point of Beginning.

Excepting therefrom that portion lying within the road right-of-way.

Parcel 3:

Government Lot 9 and the East one-half of Lot 10, in Section 4, Township 48 North, Range 1 West, Boise Meridian, Kootenai County, Idaho.

Excepting therefrom any portion that lies within the county road right-of-way and also except therefrom the railroad right-of-way.

Parcel 4:

That portion of Government Lot 12, and the West half of Government Lot 10, in Section 4, Township 48 North, Range 1 West Boise Meridian, Kootenai County, Idaho, lying South of the South right-of-way line of Union Pacific Railroad, in Kootenai County, State of Idaho;

Excepting therefrom a tract described as beginning at a point from which the Quarter corner of Sections 4 and 9, bears South 35°13'30" East, 1655.44 feet,

Thence North 72°29' West, 142.3 feet;

Thence South 80°4' West, 170.0 feet;

Thence North 17°4' West, 50.0 feet;

Thence North 80°4' East, 294.2 feet;

Thence South 14°42' East, 113.4 feet to the Point of Beginning, being a portion of the Southeast Quarter of the Southwest Quarter and Lot 12, of said Section 4, assessed as Tax No. 1668;

And also excepting a tract conveyed to Edward M. Noland by Deed dated February 18, 1939 recorded in Book 110 of Deeds at Page 608, records of Kootenai County, Idaho, described as beginning at a point from which the Quarter corner between Sections 4 and 9, bears South 43°21' East, 1,554.4 feet;

Thence from Point of Beginning North 67°04' West, 107.2 feet;

Thence North 36°59' West 67.3 feet;

Thence North 24°41' West, 55.7 feet;

Thence North 19°04' West, 68.9 feet;

Thence North 80°04' East, 170.0 feet;

Thence South 3°37' East, 241.8 feet to the Place of Beginning, being a part of Lot 12,

Thence and also excepting a tract conveyed to Frank Crawford by Deed dated August 10, 1935, recorded in Book 123 of Deeds at Page 396, described as beginning at a point from which the South Quarter corner of Section 4, Township 48 North, Range 1 West Boise Meridian, Kootenai County, Idaho, bears South 40°15' East, 1,348 feet;

Thence South 65°3' West, 77.9 feet;

Thence North 40°58' West, 207.9 feet;



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

August 30, 2021

STEPHEN M HAYDEN
2950 KILLMORE RD
ELLENSBURG WA 98926-5510

Re: Change in Ownership for Water Right No(s): 94-7394

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)