

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 01 2021

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?
94-8489	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:

John & Judith McCusky
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Dawn E Downs
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

PO Box 525
Mailing address

Osburn
City

ID 83849
State ZIP

208-666-6497
Telephone

d downs 1968@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: 1/28/2021

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:

[Signature]
Signature of new owner/claimant

Title, if applicable

6/28/2021
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by NS Date 7-1-21 Receipt No. N037131 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 7-23-21



File No. 412779 RH 940453-WA(sc)

WARRANTY DEED

For Value Received

John Michael McCluskey and Judith Ann McCluskey, husband and wife

The Grantor, does hereby grant, bargain, sell and convey unto

Dawn E. Downs, an unmarried woman

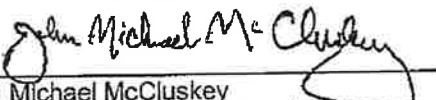
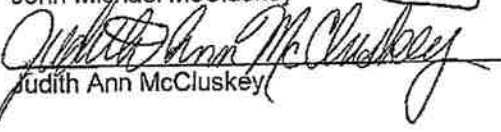
Address: P.O. Box 525, Osburn, ID 83849

The Grantee, the following described premises, in Shoshone County, Idaho, to wit:

See Exhibit A attached hereto and made a part hereof for legal description

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject to those made, suffered or done by the Grantee(s); current taxes, levies, assessments, easements, reservations and rights of way of view and covenants, conditions, restrictions, easements, reservations, dedications, rights of way and agreements of record and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 14, 2021


John Michael McCluskey

Judith Ann McCluskey

STATE OF IDAHO

COUNTY OF KOOTENAI

On this 22nd of January, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared John Michael McCluskey and Judith Ann McCluskey, 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 they executed the same.


Notary Public for Idaho
Residing at Hayden

My Commission Expires: 9/2/2026

RHONDA HARVITT
Notary Public - State of Idaho
Commission Number 12411
My Commission Expires 09-02-2026

(SEAL)

JUN 11 1981
JMM
JLH

EXHIBIT A

A tract of land situated in the Northwest 1/4 of Section 18, Township 48 North, Range 4 East B.M., Shoshone County, State of Idaho and being Lots 1 and 2 Michael's Subdivision with an adjoining parcel more particularly described as follows:

Beginning at the Southwest corner of Lot 2, Michael's Subdivision from which Corner No. 10 of HES 216 bears North 46°46'11" East a distance of 930.03 feet; thence

North 22°31'04" East along the West line of said Lot 2 a distance of 95.63 feet to the Southwest corner of Lot 1 of said Michael's Subdivision (shown of record to be North 21°45' East, 100.50 feet;) thence

North 22°31'04" East along the West line of said Lot 1 a distance of 54.34 feet to the accepted Northwest corner of said Lot 1 (shown of record to be North 22°40' East, 50.18 feet;) thence

South 62°49'20" East along the accepted North line of said Lot 1 a distance of 168.46 feet to the accepted Northeast corner of Lot 1 (shown of record to be South 62°31'00" East, 180.76 feet;) thence

South 04°31'00" West along the East (shown of record as West) line of said Lot 1 a distance of 59.79 feet to the Southeast corner of said Lot 1 (shown of record to be South 04°31" West, 50.16 feet;) thence

South 04°31'00" West a distance of 103.46 feet; thence

North 62°31'00" West a distance of 119.11 feet to the Southeast corner of Lot 2 of said subdivision; thence

North 62°31'00" West along the South line of said Lot 2 a distance of 100.00 feet to the point of beginning.

State of Idaho
Department of Water Resources

Water Right

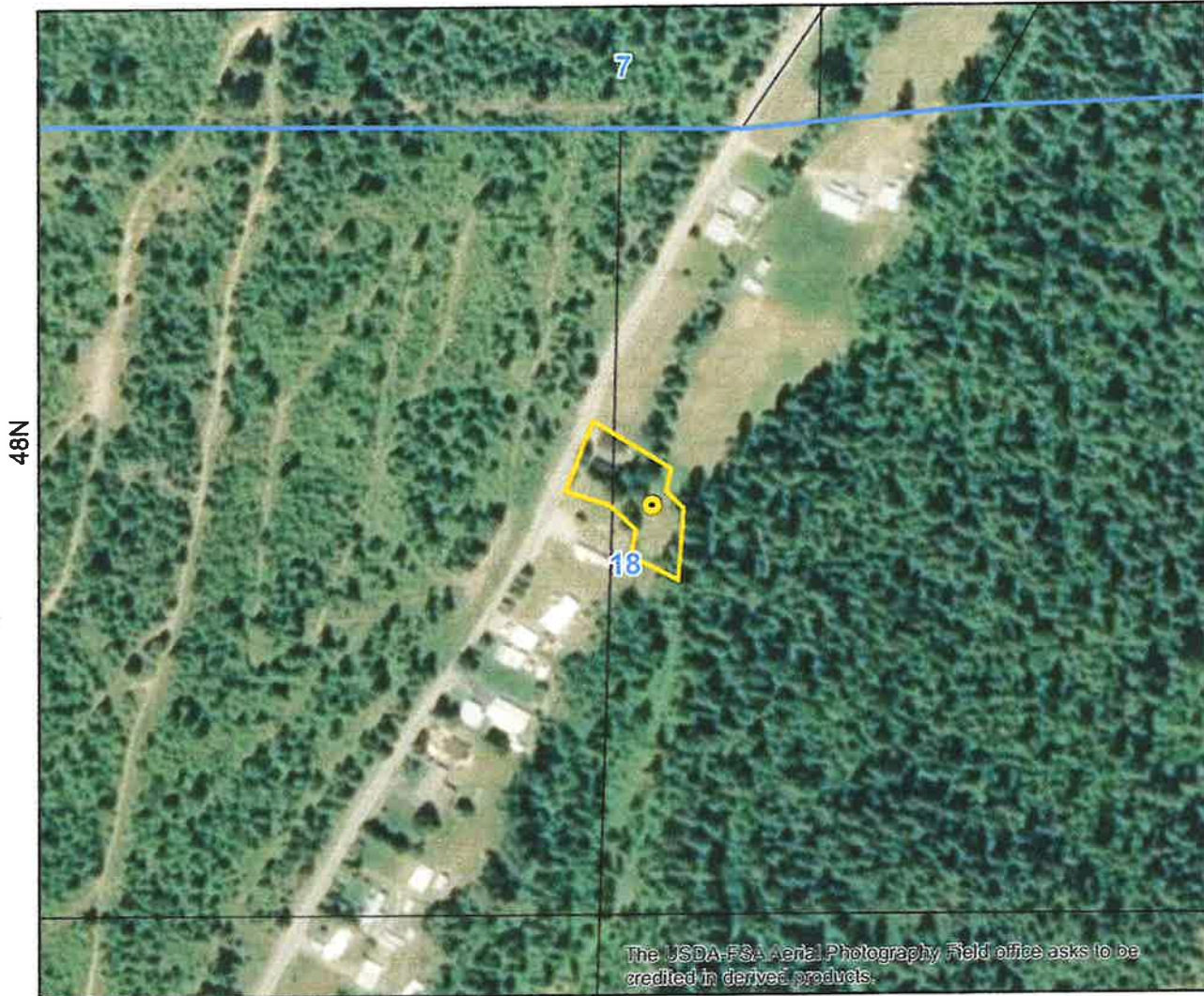
94-8489

DOMESTIC

7600 N.
Mineral Dr.
Ste 100

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

04E



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

0 0.035 0.07 0.14 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 23, 2021

DAWN E DOWNS
PO BOX 525
OSBURN ID 83849-0525

Re: Change in Ownership for Water Right No(s): 94-8489

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)