

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 10 2019

Notice of Change in Water Right Ownership IDWR / NORTH

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
94-8486	Yes ☒		Yes ☐		Yes ☐
94-8486	Yes ☐		Yes ☐		Yes ☐
94-9631	Yes ☐		Yes ☐		Yes ☐
94-9633	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Oliver Family Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Marsha D Davis or John S Davis
New owner(s) as listed on the conveyance document
- 1583 N Queensberry Rd, Astoria, OR 97103
Mailing address City State ZIP
- 208-654-3014 Telephone mdavis104@aol.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: Jan 3, 2019
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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.

SUPPORT DATA

IN FILE #

94-8486

8. Signature: Marsha D Davis Title, if applicable: Jan 3, 2019
Signature of new owner/claimant Date
- Signature: John S Davis Title, if applicable: Jan 3, 2019
Signature of new owner/claimant Date

For IDWR Office Use Only:

Received by NS Date 1-10-19 Receipt No. N033991 Receipt Amt. \$100.00
 Approved by _____ Processed by _____ Date _____ +25.00 (94-8486)

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 Create a Map tool on IDWR's website at: maps.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.

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.**

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

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

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

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

J. T. Diehl
Attorney at Law
106 W. Superior Street
Sandpoint, Idaho 83864
(208) 263-8529

497833

QUITCLAIM DEED

FOR VALUE RECEIVED, MARSHA D. DAVIS, Trustee of the OLIVER FAMILY TRUST, of P.O. Box 706, Sagle, Idaho 83860 (Grantor), does hereby convey, release, remise and forever quitclaim unto MARSHA D. DAVIS and JOHN S. DAVIS, husband and wife, "as community property with right of survivorship", of 1583 N. Greensferry Road, Post Falls, Idaho 83854 (Grantee), all right, title and interest now owned or hereafter acquired in the following described premises, located in the County of Shoshone, State of Idaho, to-wit:

See attached Exhibit "A" incorporated herein by this reference.

TOGETHER WITH all and singular, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

DATED this 26th day of December, 2018.

OLIVER FAMILY TRUST

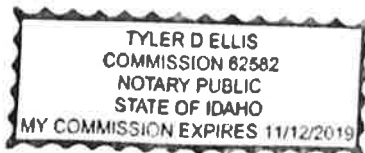
Marsha D. Davis
MARSHA D. DAVIS, TRUSTEE

STATE OF IDAHO)
) ss.
County of Kootenai)

497833

On this 26th day of December, 2018, before me, a Notary Public in and for said State, personally appeared, MARSHA D. DAVIS, as trustee of the OLIVER FAMILY TRUST.

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



Tyler D. Ellis
NOTARY PUBLIC—State of Idaho
Residing at: Kootenai
My Commission Expires: 11/12/2019

Legal Description

Portion of Homestead Entry Surveys 184 and 802

As Shown on Record of Survey Inst. 496339 as Parcel 2

Located in Sections 9, 10 and 15

Township 49 North, Range 4 East B.M.

Shoshone County, Idaho

Portions of Homestead Entry Surveys (H.E.S.) 184 and 802 as shown on Record of Survey Inst. 496339 as Parcel 2 which includes portion of former railroad right-of-way described in Judgement Quieting Title recorded as Inst. No. 488472 located in Sections 9, 10 and 15, Township 49 North, Range 4 East B.M., Shoshone County, Idaho; more described as follows:

Beginning at Corner 8 of Homestead Entry Survey 184;

Thence S37°25'03"E along Line 8 – 9 of said H.E.S. 184 a distance of 456.67 feet (Shown of record as S37°54'E 454.08 feet) to Corner 9 of H.E.S. 184;

Thence S29°28'32"E (Shown of record as S29°04'E) along Line 9 – 10 of said H.E.S. 184 a distance of 555.77 feet to Corner 10 of H.E.S. 184;

Thence S29°20'32"E (Shown of record as S29°04'E) along Line 10 – 11 of said H.E.S. 184 a distance of 432.03 feet to Corner 11 common with Corner 2 of H.E.S. 802;

Thence S03°31'06"E (Shown of record as S03°26'E) along Line 2 – 3 of said H.E.S. 802 a distance of 805.72 feet to a point;

Thence S86°29'15"W a distance of 784.56 feet to a point on Line 9 – 1 of said H.E.S. 802;

Thence N03°30'45"W (Shown of record as N03°42'W) along Line 9 – 1 of said H.E.S. 802 a distance of 1229.17 feet to Corner 1 of said H.E.S. 802;

Thence N64°29'20"W (Shown of record as N64°47'W) a distance of 23.09 feet to Corner 2 of H.E.S. 184;

Thence N25°25'30"W along Line 2 – 3 of said H.E.S. 184 a distance of 982.13 feet (Shown of record as N25°50'W 982.13 feet) to Corner 3 of H.E.S. 184;

Thence N25°46'21"W (Shown of record as N25°50'W) along Line 3 – 4 of said H.E.S. 184 a distance of 249.67 feet to a point;

Thence N83°47'07"E a distance of 587.36 feet to a point on Line 7 – 8 of said H.E.S. 184;

Thence S02°17'09"E (Shown of record as S02°49'E) along Line 7 – 8 of said H.E.S. 184 a distance of 337.12 feet to Corner 8 of H.E.S. 184 being the true point-of-beginning.

Exhibit "A"

Instrument # 497833

WALLACE, SHOSHONE COUNTY, IDAHO

12-26-2018 11:19:00 AM No. of Pages: 3

Recorded for : MARSHA D. DAVIS

PEGGY DELANGE-WHITE

Fee: 15.00

Ex-Officio Recorder Deputy

Index to QUITCLAIM DEED

Bambino

AMENDED RECORD OF SURVEY

Homestead Entry Surveys 184 and 802
Located in Sections 9, 10 and 15
Township 48 North, Range 1 East B.M.
Shoshone County, Idaho

STATE OF IDAHO
COUNTY OF SHOSHONE } SS
AND PLAT THIS MAP AND RECORD IS THE OFFICE OF THE CLERK OF
SHOSHONE COUNTY, IDAHO, AT THE OFFICE OF SHOSHONE COUNTY CLERK
ON THE _____ DAY OF _____, 2017.
RECORD NO. 488888
PEDDY WHITE
SHOSHONE COUNTY CLERK
BY _____
DATE _____

BASIS OF BEARING

THE LINE FROM CORNER 8 OF H.E.S. 184 TO THE
CORNER 7 OF H.E.S. 184 AND CORNER 4 OF
JUNCTION MINERAL SURVEY 1923 AS ESTABLISHED BY
EARL E. SANDERS RLS 3814 ON RECORD OF SURVEY
Inst. No. 314102; WHICH HAS A RECORD BEARING OF
N02°17'09"W.

NOTES

THIS SURVEY AMENDS RECORD OF SURVEY Inst. No. 488888
TO CHANGE LINES DIVIDING PARCELS.

THIS SURVEY WAS PERFORMED TO CREATE LEGAL
DESCRIPTIONS TO DIVIDE H.E.S. 184 AND 802 FOR
DISTRIBUTION OF THE OLIVER FAMILY TRUST.

COPPERWELDS SET BY EARL E. SANDERS RLS 3814
HAVE BEEN OBLITERATED IN REPAVING PROJECT OF BEAVER
CREEK COUNTY ROAD BY SHOSHONE COUNTY. THE
MONUMENTS WERE NOT REPLACED IN THIS SURVEY.
POSITION OF MONUMENTS BASED ON RECORD OF SURVEY
Inst. No. 314102 AND FOUND MONUMENTS.

THIS RECORD OF SURVEY DOES NOT ATTEMPT TO SHOW
ALL EASEMENTS OR RIGHT-OF-WAYS OF RECORD, THE
SIZE OR LOCATION OF PRESCRIPTIVE EASEMENTS,
ITEMS SUCH AS FENCE LINES, ROADS, STRUCTURES,
ETC. WHICH ARE SHOWN, ARE FOR INFORMATIONAL
PURPOSES ONLY.

REFERENCES

1913 - HOMESTEAD ENTRY SURVEY 184 BY ELMER B.
JOHNSON

1923 - HOMESTEAD ENTRY SURVEY 802 BY A. O. MODLIN

1984 - RECORD OF SURVEY Inst. No. 314102 BY EARL E.
SANDERS RLS 3814

2017 - JUDGEMENT QUIETING TITLE Inst. No. 488472

2017 - RECORD OF SURVEY Inst. No. 488888 BY J. CHRIS
PFAHL PLS 4458

LINE TABLE

LINE NO.	BEARING	DISTANCE	AREA
1	N 87° 20' 00" W	744.37	12.55
2	S 87° 20' 00" W	744.14	12.55
3	S 87° 20' 00" W	744.14	12.55
4	S 87° 20' 00" W	744.14	12.55
5	S 87° 20' 00" W	744.14	12.55
6	S 87° 20' 00" W	744.14	12.55
7	S 87° 20' 00" W	744.14	12.55
8	S 87° 20' 00" W	744.14	12.55
9	S 87° 20' 00" W	744.14	12.55
10	S 87° 20' 00" W	744.14	12.55
11	S 87° 20' 00" W	744.14	12.55
12	S 87° 20' 00" W	744.14	12.55
13	S 87° 20' 00" W	744.14	12.55
14	S 87° 20' 00" W	744.14	12.55
15	S 87° 20' 00" W	744.14	12.55
16	S 87° 20' 00" W	744.14	12.55
17	S 87° 20' 00" W	744.14	12.55
18	S 87° 20' 00" W	744.14	12.55
19	S 87° 20' 00" W	744.14	12.55
20	S 87° 20' 00" W	744.14	12.55

LEGEND

- FOUND 3 1/4" ALUMINUM MONUMENT SET
BY EARL E. SANDERS RLS 3814
- ◆ FOUND 3 1/4" ALUMINUM MONUMENT ON
3/4" REBAR SET BY EARL E. SANDERS RLS 3814
- 30" X 5/8" REBAR MONUMENT WITH
PLASTIC CAP MARKED J.C. PFAHL PLS
4458 SET PREVIOUS SURVEY
- POSITION OF COPPERWELD MONUMENT
ON RECORD OF SURVEY 314102
See Notes
- () RECORD BEARING OR DISTANCE PER
EARL E. SANDERS RLS 3814
- [] RECORD BEARING OR DISTANCE PER
ORIGINAL HOMESTEAD ENTRY SURVEY
- CALCULATED POINT NOTHING FOUND OR SET
- CALCULATED POINT NOTHING FOUND OR SET
- SET 30" X 5/8" REBAR MONUMENT WITH
PLASTIC CAP MARKED J.C. PFAHL PLS
4458

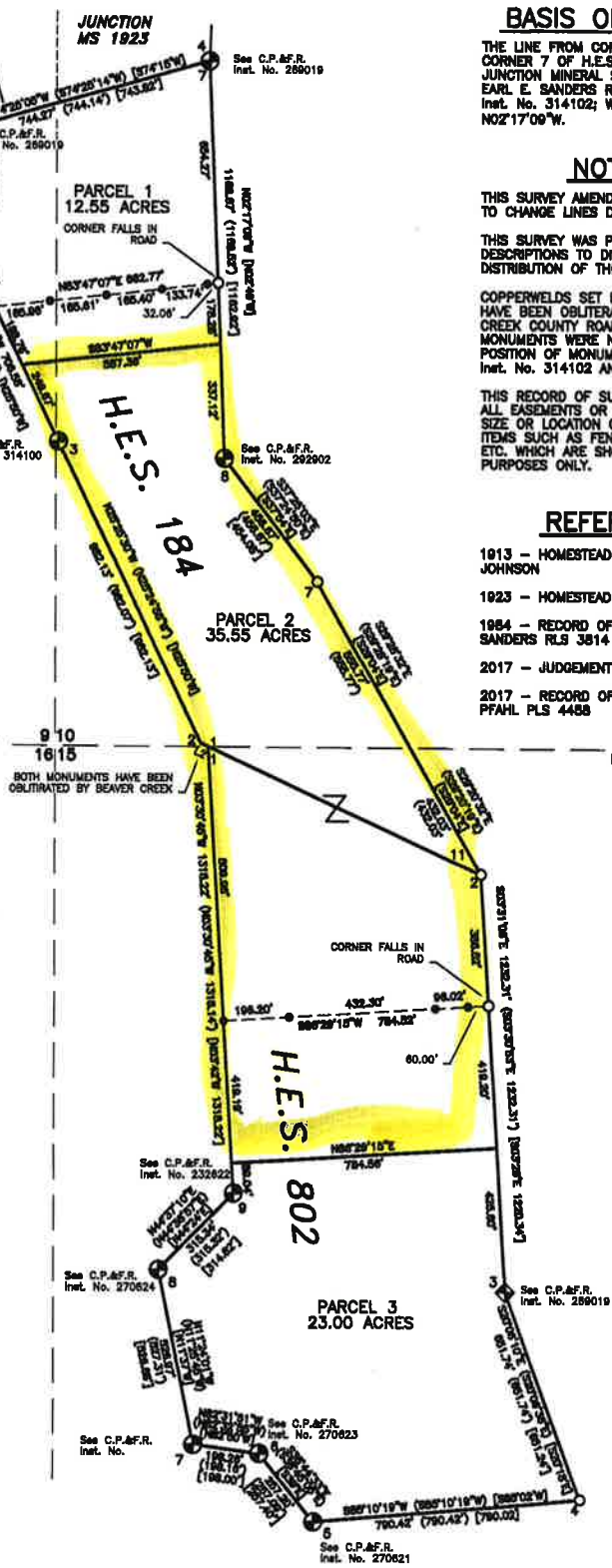


SCALE 1" = 250'

125 0 250 750

SILVER
ALLEY
ENGINEERING BOX 438 WALLACE, IDAHO 83873
PHONE 1-208-753-3812

SHARED DOC/DWG/DWG18/ROS/184/AMHES184



DRAFT COPY
FOR REVIEW ONLY
NOT VALID UNLESS SIGNED

SURVEYOR'S CERTIFICATION

I, J. CHRIS PFAHL P.L.S. 4458 STATE OF IDAHO
DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS
A SURVEY DONE BY ME OR UNDER MY SUPERVISION.





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

December 29, 2020

MARSHA DAVIS
JOHN S DAVIS
1583 N GREENSFERRY RD
POST FALLS ID 83854-4434

Re: Change in Water Right Ownership: 94-8486 (Split into 94-8486 and **94-9631**),

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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
Technical Records Specialist 1

Enclosure(s)

c: OLIVER FAMILY TRUST
MARSHA DAVIS