



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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

June 15, 2020

JAMES J DEVLIN  
PATRICIA E DEVLIN  
5575 WAPITI LN  
KINGSTON ID 83839-6000

RE: Change in Ownership: 94-9476

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Because this water right is still in the permit stage, an Assignment of Permit will be required to complete the ownership change. Enclosed is an assignment form for your use. We are returning the paperwork that you sent as we only require the completed assignment form and filing fee to process the change.

Because the Department cannot process the Assignment without proper documentation, we will hold any action on your notice pending receipt of the necessary form. If we do not receive the necessary form within 30 days we will request a refund of the \$25 filing fee previously submitted.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 762-2813.

Sincerely,

*Natalie Steading*

Natalie Steading  
Tech Records Specialist 1

Enclosure(s)

**\$25 fee per permit**

Received by TA

Receipt amt. \$ 25.00

Receipt no. N0361105

Date 6-11-2020

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## ASSIGNMENT OF PERMIT

## To change the ownership of a permit

I, \_\_\_\_\_, hereby assign to \_\_\_\_\_  
 Current owner(s) New owner(s)  
 of, \_\_\_\_\_  
 New owner's address including city, state and ZIP Phone

All my right, title, and interest in and to Permit No(s): \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

**OR** (for partial assignments)

The following described portion of my right, title, and interest in and to Permit Number(s):

\_\_\_\_\_, to appropriate the public waters of the State of Idaho.

Describe in detail the portion of the permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.

Does the new permit holder own the property at the:

Point of diversion? ☐ Yes ☐ No

Place of use? ☐ Yes ☐ No

If no, describe the arrangement enabling the new owner to access the point of diversion and/or the place of use:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Permit holder	Title (if applicable)	Permit holder	Title (if applicable)
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State of Idaho )  
 )ss  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he/she/they executed the same.

SEAL

Notary Public

My commission expires: \_\_\_\_\_

RECEIVED

JUN 11 2020

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?
94-9476	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name:

Michael David McCoy

Name of current water right holder/claimant

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

James L. Devlin, Patricia E. Devlin

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

5575 Wapiti Ln.

Mailing address

Kingston

City

ID

State

83839

ZIP

208 682 4712

Telephone

pedevlin@pachell.net

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: 6/4/2020

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):

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.

8. Signature:

James L. Devlin

Signature of new owner/claimant

Title, if applicable

Date

6/8/20

Signature:

Patricia E. Devlin

Signature of new owner/claimant

Title, if applicable

Date

6/8/20

## For IDWR Office Use Only:

Received by Jca

Date 6-11-2020

Receipt No. N036165

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

Date

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
2 E. Mullan  
Kellogg, ID 83837

**Instrument # 503688**  
SHOSHONE COUNTY, IDAHO  
06-04-2020 10:05:19 AM No. of Pages: 3  
Recorded for: FIRST AMERICAN TITLE CO -KELLO  
TAMIE EBERHARD Fee: \$15.00  
Ex-Officio Recorder Deputy Mac Gibler  
Index to: WARRANTY DEED  
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

**WARRANTY DEED**

File No.: **902500-WA (JS)**

Date: **May 27, 2020**

For Value Received, **Michael David McCoy and Julie Marie McCoy, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **James Devlin and Patricia Devlin, husband and wife**, hereinafter called the Grantee, whose current address is **5575 Wapiti Lane, Kingston, ID 83839**, the following described premises, situated in **Shoshone County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.


TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 05/27/2020

Warranty Deed  
- continued

File No.: 902500-WA (JS)

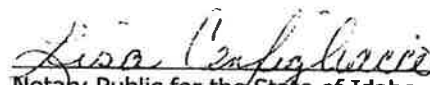
  
Michael David McCoy

  
Julie Marie McCoy

STATE OF Idaho )  
COUNTY OF Shoshone )  
SS.

On this 28<sup>th</sup> day of May, 2020, before me, a Notary Public in and for said State, personally appeared **Michael David McCoy and Julie Marie McCoy**, 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 for the State of Idaho  
Residing at: Pinehurst  
My Commission Expires: Aug 29, 2022

Date: 05/27/2020

Warranty Deed  
- continued

File No.: 902500-WA (JS)

### **EXHIBIT A**

**A tract of land situated in Lot 2, Section 25, Township 50 North, Range 2 East, B.M., Shoshone County, State of Idaho and more particularly described as follows:**

**Beginning at a point on the Southerly right-of-way of Forest Highway 9, a.k.a. Coeur d'Alene River Road, from which the Northwest corner of the Northeast quarter of said Section 25 bears North 51°21'54" West a distance of 1076.40 feet; thence**

**South 00°24'27" East a distance of 372.05 feet to a point; thence**

**North 78°00'54" West a distance of 856.04 feet to a point on the Westerly line of said Lot 2, Section 25, Township 50 North, Range 2 East, B.M.; thence**

**North 00°24'08" West along said Westerly line a distance of 137.05 feet to a point; thence**

**South 78°00'54" East a distance of 528.14 feet to a point; thence**

**North a distance of 414.31 feet to a point on said Forest Highway No. 9 right-of-way; thence**

**Along said right-of-way on a curve to the right with a radius of 2629.29 feet a distance of 88.87 feet (With a chord bearing of South 50°58'55" East 88.87 feet) to a point; thence**

**South 52°33'21" East along said right-of-way a distance of 314.91 feet to the true point-of-beginning.**