

RECEIVED

MAY 06 2020

IDWR/NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
94-8984	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
94-8992	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
94-8993	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: Jennifer P. Oertli; Jeramie T. Oertli
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): James J. Devlin; Patricia E. Devlin
New owner(s) as listed on the conveyance document
- Name connector ☒ and ☐ or ☐ and/or
- 5575 Wapiti Ln Kingston ID 83839
Mailing address City State ZIP
- 208 6824712 pedevlin@pachell.net
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: 4/21/2020

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.

SUPPORT DATA

IN FILE # 94-8984

8. Signature: [Signature]
Signature of new owner/claimant

Title, if applicable

Date

Signature: [Signature]
Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by NS Date 5-6-2020 Receipt No. N036058 Receipt Amt. \$75.00

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 5-6-2020

Instrument # 503275
SHOSHONE COUNTY, IDAHO
04-21-2020 11:07:01 AM No. of Pages: 6
Recorded for: FIRST AMERICAN TITLE CO -KELLO
TAMIE EBERHARD Fee: \$15.00
Ex-Officio Recorder Deputy Mac Gible
Index to: WARRANTY DEED
Electronically Recorded by Simplifile

AFTER RECORDING, RETURN TO:

James and Patricia Devlin
1146 Upper Happy Valley Road
Lafayette, CA 94549

884058

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **Jeramie T. Oertli and Jennifer P. Oertli, husband and wife,** hereinafter called the Grantor, hereby grants, bargains, sells, and conveys unto **James J. Devlin and Patricia E. Devlin, husband and wife,** hereinafter called the Grantee, whose current address is **1146 Upper Happy Valley Road, Lafayette, CA 94549,** the following described premises, situated in Shoshone County, Idaho, to-wit:

Legal Description attached hereto as Exhibit A,

and by this reference 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 year's 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.


Jeramie T. Oertli


Jennifer P. Oertli

AFTER RECORDING, RETURN TO:

James and Patricia Devlin
1146 Upper Happy Valley Road
Lafayette, CA 94549

884058

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **Jeramie T. Oertli and Jennifer P. Oertli, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells, and conveys unto **James J. Devlin and Patricia E. Devlin, husband and wife**, hereinafter called the Grantee, whose current address is **1146 Upper Happy Valley Road, Lafayette, CA 94549**, the following described premises, situated in Shoshone County, Idaho, to-wit:

Legal Description attached hereto as Exhibit A,

and by this reference 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 year's 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.


Jeramie T. Oertli


Jennifer P. Oertli

On this 15th day of April, 2020, before me, a Notary Public in and for said State, personally appeared **Jeramie T. Oertli and Jennifer P. Oertli**, 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.



Kristen A. Mann
Notary Public for the State of Idaho
Residing at: 29743 E Canyon Rd. Catalina AZ 85810
My Commission Expires: 8/8/2024

EXHIBIT A

Portions of Lot 2 and the Southwest 1/4 of the Northeast 1/4, Section 25, Township 50 North, Range 2 East, B.M., Shoshone County, State of Idaho more particularly described as follows:

PARCEL 1:

Beginning at a point on the west line of Lot 2 from which the North ¼ corner of said Section 25 (shown of record as North ¼ corner of said Section 24) bears North 00°24'08" West a distance of 866.73 feet; thence South 00°24'08" East along said West line a distance of 480.00 feet to CN 1/16 corner of said Section 25; thence South 00°24'39" East along the West line of the Southwest ¼ of the Northeast ¼ of Section 25 a distance of 378.38 feet to a point; thence South 88°40'18" East a distance of 688.66 feet to a point; thence North 11°35'32" East a distance of 711.06 feet to a point; thence North 78°00'53" West a distance of 856.04 feet to the true point-of-beginning and sometimes referred to as Tract B, as per survey recorded December 20, 2019 as Instrument No. 502090.

PARCEL 2:

Beginning at a point on the east line of Lot 2 and Southwest 1/4 of the Northeast 1/4 of Section 25 from which the Standard Meander Corner (C.P.&F. Inst. No 317827) bears North 00°22'33" West a distance of 820.42 feet; thence South 00°22'33" East along the East line of said Lot 2 and Southwest 1/4 of the Northeast 1/4 of Section 25 a distance of 433.37 feet to a point; thence North 88°40' 18" West a distance of 620.12 feet to a point; thence North 00°24'26" West a distance of 345.93 feet to a point; thence North 11°35'32" East a distance of 711.06 feet to a point; thence South 78°00'53" East a distance of 220.95 feet to a point; thence South 00°24'26" East a distance of 571.68 feet to a point; thence South 88°40'18" East a distance of 256.56 feet to the true-point-of-beginning and sometimes referred to as Tract C as shown on record of survey recorded December 20, 2019 as Instrument No. 502090.

PARCEL 3:

Beginning at the Center corner of said Section 25 (C.P.&F. Inst. No. 317827); thence North

00°24'39" West along the West line of said Southwest 1/4 of the Northeast 1/4 of Section 25 a distance of 968.13 feet; thence South 88°40'18" East a distance of 688.66 feet to a point; thence South 00°24'26" East a distance of 345.93 feet to a point; thence South 88°40'18" East a distance of 620.12 feet to a point on the East line of said Southwest 1/4 of the Northeast 1/4 of Section 25; thence South 00°22'33" East (shown of record as South 00°22'23" East) along said East line of the Southwest 1/4 of the Northeast 1/4 a distance of 590.30 feet to the CE 1/16 corner of said Section 25; thence South 89°55'54" West along the South line of said Southwest 1/4 of the Northeast 1/4 a distance of 1307.83 feet to the true point-of-beginning, and sometimes referred to Tract D as shown on record of survey recorded as Instrument No. 502090.

TOGETHER WITH thirty (30') foot wide perpetual, non-exclusive easements as measured fifteen (15) feet on either side of the centerline of the existing roads; to use and maintain those existing roads shown in their approximate locations on **Exhibit B** across the property described in **Exhibit C**, which exhibits are by this reference incorporated herein, for ingress and egress, including utilities, from Forest Highway Number 9 to the properties described in this **Exhibit A**.

-- END of Exhibit A --

Exhibits B (Page 4-A), and C on Following Two Pages.

Exhibit B

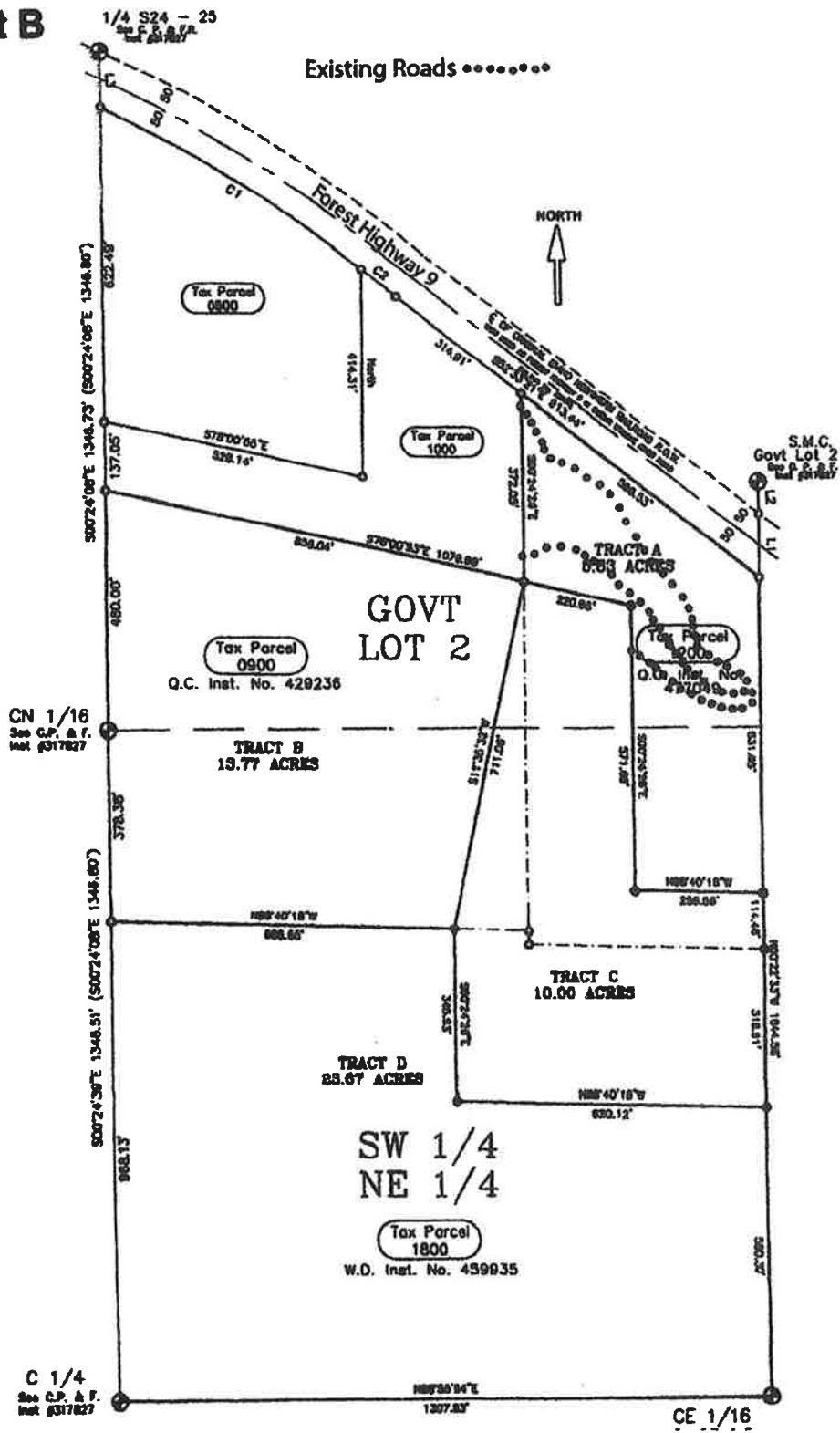


Exhibit C

A parcel of land located in Government Lot 2 and SW ¼ NE ¼ of Section 25, Township 50 North, Range 2 East B.M., Shoshone County, Idaho; shown as "Tract A" on Record of Survey Instrument No. 502090 recorded in the Shoshone County Courthouse; more particularly described as follows:

Beginning at a point on the southwesterly right-of-way of the former Idaho Northern Railroad aka Forest Highway No. 9 aka Coeur d'Alene River Road from which the Standard Meander Corner (C.P.&F. Inst. No 317827) bears N00°22'33"W a distance of 188.77 feet; thence S00°22'33"E along the east line of said Government Lot 2 and SW ¼ NE ¼ Section 25 a distance of 631.65 feet to a point; thence N88°40'18"W a distance of 256.56 feet to a point; thence N00°24'26"W a distance of 571.68 feet to a point; thence N78°00'53"W a distance of 220.95 feet to a point; thence N00°24'26"W a distance of 372.05 feet to a point on said right-of-way; thence S52°33'21"E along said right-of-way a distance of 598.53 feet to the true **Point-of-Beginning**.

-- END of Exhibit C --



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

May 06, 2020

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

Re: Change in Ownership for Water Right No(s): 94-8984, 94-8992, & 94-8993

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)