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NOV 08 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR/NORTHERN 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?
92-10699	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: Karen Snedden & Carol Umphress
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Keith Swallows & Nichole Swallows
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- Mailing address: 274 Shay Hill Rd City: St. Maries State: ID ZIP: 83861
- Telephone: 208-582-4648 Email: Keith.Swallows@usda.gov

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: 10/12/2012
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: Keith Swallows Title, if applicable: _____ Date: 10-30-19
Signature of new owner/claimant
- Signature: Nichole Swallows Title, if applicable: _____ Date: 10-30-19
Signature of new owner/claimant

For IDWR Office Use Only:

Received by NS Date 11-8-19 Receipt No. N035740 Receipt Amt. \$25.00

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 11-8-19

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
831 Main Avenue
St. Maries, ID 83861

Instrument # 264093

BENEWAH COUNTY

11-13-2012 02:35:50 No. of Pages: 4

Recorded for : FATCO

MICHELE MCDANIEL

Ex-Officio Recorder Deputy

Index to: DEEDS, WARRANTY & S W D

Fee: 19.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **414146-SM (ps)**

Date: **October 10, 2012**

For Value Received, **The Carol A. Umphress Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Keith Swallows and Nichole Swallows, husband and wife**, hereinafter called the Grantee, whose current address is **274 Shay Hill Road, St. Maries, ID 83861**, the following described premises, situated in **Benewah 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.

K.S.

Date: 10/10/2012

Warranty Deed
- continued

File No.: 414146-SM (ps)

The Carol A. Umphress Trust

Karen Snedden, Co-Trustee
Karen Snedden, Co-Trustee

STATE OF

Kansas

)

ss.

COUNTY OF

Johnson

)

On this 9th day of November, 2012, before me, a Notary Public in and for said State, personally appeared **Karen Snedden**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Co-Trustee of **The Carol A. Umphress Trust**, and acknowledged to me that she executed the same as such Co-Trustee.



Elizabeth D. Roller
Notary Public of

Kansas

Residing at:

Lawrence, KS

Commission Expires:

6/22/2014

EXHIBIT A

A parcel in the East Half of the Northwest Quarter of Section 20, Township 46 North, Range 2 West of the Boise Meridian, Benewah County, Idaho. The boundary of said parcel is described as:

Beginning at a point on the West line of said East Half of the Northwest Quarter from which the Northwest 1/16 corner of said Section 20 bears N 00°28'15" West 89.0 feet; running thence North 89°32'00" East, a distance of 789.83 feet to a point on the westerly right-of-way boundary of State Highway No. 5; thence northerly along said highway right-of-way boundary along a 231.0 feet radius curve right, concave to the east, an arc distance of 111.98 feet; thence North 33°24'30" East, along said highway right-of-way a distance of 193.70; thence northwesterly along said highway right-of-way along a 318.10 foot radius curve left, concave to the southwest, an arc distance of 394.28 feet; thence North 37°36'30" West, along said highway right-of-way a distance of 484.60 feet; thence northwesterly along said highway right-of-way along a 437.50 foot radius curve left, concave to the southwest, an arc distance of 83.01 feet; thence South 89°35'30" West, a distance of 234.25 feet; thence South 00°23'45" West, a distance of 330.99 feet; thence South 89°34'30" West, a distance of 167.18 feet; thence South 00°29'45" East, a distance of 165.52 feet; thence South 89°33'45" West, a distance of 167.08 feet to a point on said west line of the East Half of the Northwest Quarter; thence South 00°28'15" East along said west line a distance of 585.65 feet to the point of beginning.

Excepting therefrom any portion lying within the boundary of a public roadway.

ALSO EXCEPTING THEREFROM that portion conveyed to Benewah County in Warranty Deed recorded October 26, 2006 as Instrument Number 244590, more particularly described as follows:

A part of the NW1/4 of section 20, Township 46 North, Range 2 West, Boise Meridian, Benewah County, Idaho; more particularly described as follows:
COMMENCING at the Center-West 1/16 section corner of said section (the Southwest corner of the E1/2 of said NW1/4), monumented with an iron rod, 1/2 inch diameter, no cap, from which the Center 1/4 section corner of said section 20 (the Southeast corner of the E1/2 of said NW1/4), monumented with an iron rod, 3/8 inch diameter, no cap, bears North 89°34'36" East, 1328.11 feet (of record as North 89°34'14" East, 1327.96 feet and North 89°27'40" East, 1327.41 feet) distant;
thence North 30°34'42" East, 1618.84 feet to the POINT OF BEGINNING, on the westerly right-of-way line of STATE HIGHWAY No. 5, from which a point of curvature on said westerly right-of-way line (centerline Highway station 868+50.1), bears South 33°45'32" West, 71.65 feet (of record as South 34°20' West) distant;

thence North 27°00'00" west, 61.06 feet, and leaving said westerly right-of-way line; thence 44.94 feet along the arc of a 50.00 foot radius curve right, through a central angle of 51°30'00", said curve having a chord bearing North 1°15'00" West, 43.44 feet distant; thence North 24°30'00" East, 109.39 feet; thence 292.58 feet along the arc of a 225.00 foot radius curve left, through a central angle of 74°30'00", said curve having a chord bearing North 12°45'00" West, 272.38 feet distant; thence North 50°00'00" West, 495.58 feet; thence North 44°11'03" West, 70.95 feet, to a point on the westerly right-of-way line of the SHAY HILL ROAD (A.K.A. SARGENT ROAD, No. 356); thence traversing said westerly right-of-way line, as follows: 126.95 feet along the arc of a 269.40 foot, non-tangent radius curve right, through a central angle of 27°00'00", said curve having a chord bearing South 64°00'00" East, 125.78 feet distant; thence South 50°30'00" East, 153.52 feet; thence South 53°36'00" East, 127.15 feet; thence 171.74 feet along the arc of a 960.00 foot radius curve right, through a central angle of 10°15'00", said curve having a chord bearing South 48°28'30" East, 171.51 feet distant; thence South 43°21'00" East, 53.73 feet; thence 329.98 feet along the arc of a 275.00 foot radius curve right, through a central angle of 68°45'00", said curve having a chord bearing South 8°58'30" East, 310.53 feet distant; thence South 25°24'00" West, 123.84 feet to a point on said westerly right-of-way line of STATE HIGHWAY No. 5; thence South 33°45'32" West, 39.51 feet (of record as South 34°20' West) along said right-of-way line, and leaving said westerly right-of-way line of the SHAY HILL ROAD, to the POINT OF BEGINNING.

An aerial photograph of a residential area with green property boundaries. A yellow line runs horizontally across the top of the image. The text is overlaid on a wooded area. The text reads: KEITH AND NICHOLE SWALLOWS
274 SHAY HILL ROAD
ST. MARIES, IDAHO
PLACE OF USE

KEITH AND NICHOLE SWALLOWS
274 SHAY HILL ROAD
ST. MARIES, IDAHO
PLACE OF USE



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

November 08, 2019

KEITH SWALLOWS
NICHOLE SWALLOWS
274 SHAY HILL RD
SAINT MARIES ID 83861-9720

Re: Change in Ownership for Water Right No(s): 92-10699

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) 762-2800.

Sincerely,


Natalie Steading
Tech Records Specialist 1

Enclosure(s)