

RECEIVED
FORM 202 Rev. 09/16

JUL 15 2019

IDWR / NORTH

83448

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 94-9633
7/15/19

RWO
7-15-19

1. Name of applicant(s) RANDALL W. OENS Phone 208-446-4329
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 503 BURNS RD City SPOKANE VALLEY
State WA ZIP 99216 Email _____
2. Name of representative, if any _____ Phone _____
Mailing address _____ City _____
State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply COEUR D ALENE RIVER which is a tributary of COEUR D ALENE LAKE
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
49N	01E	31	8		NE	SE	KOOTENAI	COEUR D ALENE RIVER	

5. Water will be used for the following purposes:
- Amount 01 for IRRIGATION purposes from 3-15 to 10-31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 01 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. 5HP WATER PUMP
2 GARDEN HOSE / SPRINKLER, TEMPORARY PUMP INSTALLED AND REMOVED EACH YEAR
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 100.00 Received by JA Receipt No. N035199 Date 7-15-19

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households _____
 - Other; describe fully. _____
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	01E	31													.3				.3
															GL8				

Total number of acres to be irrigated: .3

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____
11. a. Who owns the property at the point of diversion? RANDALL W. OENS
- b. Who owns the land to be irrigated or place of use? SAME
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. DRAW WATER for two sprinklers to water 75' x 100'
13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

RW Oens

Signature of Applicant

RANDALL W. OENS

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit



-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.0375 0.075 0.15 Miles



Point of diversion Pump



IRRIGATION PLACE of USE

Tax parcel information provided by Kootenai County.

N

PURCHASE AND SALE AGREEMENT

THIS AGREEMENT, made and entered into this 30th day of May, 2019, by and between J. Edward Short & Elena Ann Hennick-Short, hereinafter referred to as "SELLER" and Randall Oens or assign hereinafter referred to as "BUYER". The terms SELLER and BUYER are used herein without regard to the number or gender of the persons constituting such parties. If the SELLER and/or BUYER consists of TWO (2) or more persons, including but not limited to individuals, corporations, partnerships, associations or other entities, such persons shall be jointly and severally liable hereunder. Furthermore, whenever any other neuter or singular term is used herein, such term shall be construed to include any party, whether male, female or a corporation, partnership, or other entity as may be appropriate. .

WHEREAS, the SELLER is the owner of the real property more specifically described in **EXHIBIT A, reserving an easement for Owners heirs and assigns as described in EXHIBIT B.**

WHEREAS, the BUYERS do desire to purchase, buy and acquire the SELLERS' hereinafter described real property upon the terms and conditions set forth and in consideration thereof do hereby agree to pay the sums in the amounts and at the times called for and specified in this agreement; and in addition thereto does covenant to perform each and every term and condition upon their part to be performed hereunder,

NOW, THEREFORE, FOR AND IN CONSIDERATION for the conveyance of the real property described in **Exhibit A** and the sum of **\$145,000 (One-Hundred Forty-Five Thousand)**, to be paid by the BUYER unto the SELLER at the times and in the manner hereinafter specified; the SELLER does hereby agree to sell, transfer and convey unto the BUYER said property described in **EXHIBIT A** upon the following terms, conditions and covenants:

PURCHASE PRICE:

The total purchase price of One-Hundred Forty Five Thousand dollars (\$145,000), shall be paid in the manner and form as follows:

- a. SELLER acknowledges the receipt of One-Hundred Dollars (\$100.00), deposited earnest money leaving a balance of One Hundred Forty-Four Thousand Nine Hundred (\$144,900).
- b. Buyer will tender the remaining balance at closing, plus buyer's portion of closing costs.
- c. Closing to be within 30 days of execution of agreement

TAXES:

Real property taxes, personal property taxes and assessments on the property for the year 2019 shall be prorated as of the date of close. Each Party shall be responsible for the payment of any and all taxes and assessments on its respective parcels as the same accrue after the date of execution of this instrument.

TITLE INSURANCE:

Buyer will procure, at its own expense, prior to closing, a purchaser's title insurance policy in the amount of \$145,000 insuring BUYER against loss or damage by reason of defect in the title of SELLER or by reason of prior liens not disclosed or not assumed by BUYER under this agreement or vice-versa.

WARRANTY DEED:

Seller does covenant and agree that they will execute a good and sufficient Warranty Deed conveying the property to the Buyer. Said deed shall be deposited with the escrow holder hereinafter named. The escrow holder shall record and deliver said Warranty Deed to the respective Buyer after the Buyer has paid the principal obligation herein at close.

ESCROW HOLDER:

The Escrow Holder who shall act hereunder and receive the original of this Agreement, the Warranty Deed, and any other related documents shall be First American Title in Kellogg, Idaho. BUYER and Seller shall pay all of the costs equally of the closing by the Escrow Holder, First American Title. Upon closing, and the transference of the funds, the Escrow Holder is hereby authorized to transfer to each BUYERS their Warranty Deed, and cause the same to be recorded.

DEFAULT:

TIME IS OF THE ESSENCE OF THIS AGREEMENT, and in the event the BUYER shall fail or refuse to close the transaction on the closing date as hereinabove contemplated, the earnest money hereinabove referenced shall be forfeited to the SELLER, as liquidated damages, without further claim of the BUYER as consideration for the SELLER removing the property to be conveyed from the "market".

GIVING OF NOTICE:

Service of any notice permitted or required under the terms of this Agreement shall be deemed complete upon the depositing of the same in the United States mail by one party to the other, by certified or registered mail, addressed:

Notice to Seller:
J. Edward Short
P.O. Box 2728
Cd'a, Idaho 83816
208-660-0305

Notice to Buyer:
Randall Oens
503 N. Burns Rd.
Spokane Valley, WA 99216
208-446-4329

as the case may be, or such other address as either shall hereafter, in writing to the other, designate or by causing said Notice to be served personally upon the BUYER, or on the

SELLER, as the case may be. In the event there be more than one person constituting the SELLER or the BUYER herein, service by mail or personal service as provided above, upon any one person in such party, shall be good and sufficient service upon all persons constituting such party the same as though such service had been made upon each and every member of such party.

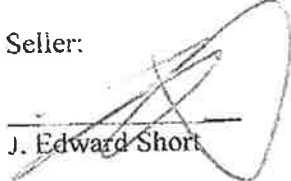
REPRESENTATIONS:

Seller has not made and does not make any representations as to the physical condition, income, expense of operation or other matter or thing affecting or related to the property except as specifically set forth herein. Buyer acknowledges that the property conveyed is deemed a recreational non-conforming parcel by Kootenai County. Seller has retained a transferable easement right for ingress/egress and utilities across the multiple parcels previously sold and will convey to Buyer that same right. Seller will participate proportionately in the cost with those owners including Buyer interested in bringing electrical power to the properties east of the current power junction box. The property conveyed lies entirely within the flood hazard. The property conveyed is subject to periodic flooding and the depositing of sediments that are a product of the Silver Valley's historic mining activities. Each party expressly acknowledges that it has examined the premises, understands the same, and purchases the premises subject to the same. Buyer agrees not to subdivide the property in any manner and acknowledges that a single non-divisible easement will be granted to the lot.

THIS AGREEMENT shall be binding upon the heirs, administrators, executors, assigns, and successors of the parties.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year in this agreement first above written.

Seller:


J. Edward Short

Buyer:

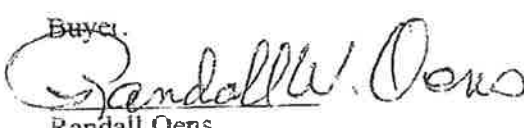

Randall Oens

EXHIBIT A

Legal Description

Portion of Government Lots 7 and 8

Section 31, Township 49 North, Range 1 East B.M.

Kootenai County, Idaho

Portion of Government Lots 7 and 8 of Section 31, Township 49 North, Range 1 East B.M., Kootenai County, Idaho; more particularly described as follows:

Beginning at a point on the northeasterly right-of-way of the Union Pacific Railroad from which the southeast corner of said Section 31 bears S35°02'41"W a distance of 1109.46 feet;

Thence N00°34'35"E a distance of 1177.77 feet to the southerly high water line of the Coeur d'Alene River;

Thence N76°45'01"E along said high water line a distance of 354.53 feet to a point;

Thence S00°34'35"W a distance of 1354.45 feet to a point of said railroad right-of-way;

Thence N74°28'00"W along said right-of-way a distance of 356.33 feet to the true point-of-beginning.

EXHIBIT B

**Legal Description
Road Easement located in**

TO BE PROVIDED PRIOR TO CLOSING



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 22, 2019

RANDALL W OENS
503 N BURNS RD
SPOKANE VLY, WA 99216-2098

Application For Permit No. 94-9633

Dear Applicant:

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 8/1/2019 and 8/8/2019. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads 'Tammy Alleman'. The signature is fluid and cursive, with a long horizontal line extending from the end.

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, July 23, 2019 12:43 PM
To: 'Thomas.Herron@deq.idaho.gov'
Subject: FW: Request for Comments on Application for Permit 94-9633
Attachments: 94-9633 Application for Permit.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right application. You can find copies of the application attached to the email and also at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. The deadline for comments on the application is August 19, 2019.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the application.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
Tammy.Alleman@idwr.idaho.gov
208-762-2800 Phone
208-762-2819 Fax*

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, July 23, 2019 12:39 PM
To: 'Mike Ahmer'; 'Anna.Moody@deq.idaho.gov'; 'merritt.horsmon@idfg.idaho.gov'; Skoro, Emily; Golden, Kala
Subject: Request for Comments on Application for Permit 94-9633
Attachments: 94-9633 Application for Permit.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right application. You can find copies of the application attached to the email and also at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. The deadline for comments on the application is August 19, 2019.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the application.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
Tammy.Alleman@idwr.idaho.gov
208-762-2800 Phone
208-762-2819 Fax*

Alleman, Tammy

From: Alleman, Tammy
Sent: Monday, July 22, 2019 4:40 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice for CdA Press including North Kootenai Water District.doc

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **August 1st and August 8th, 2019** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. Please send a proof once you have the article ready for print for our review.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **August 19, 2019**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
Tammy.Alleman@idwr.idaho.gov
208-762-2800 Phone
208-762-2819 Fax*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83459

BLACKSTONE ESTATES WATER ASSOCIATION INC, 320 E NEIDER AVE STE 204, COEUR D ALENE, ID 83815-6007; has filed Application No. 83459 for changes to the following water rights within KOOTENAI County(s): Right No(s). 95-9312; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes to add a new point of diversion to Blackstone Estates Water Assn Inc's existing groundwater right in the NE1/4NE1/4 of Section 2, Twp 49N, Rge 05W.

For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 8/19/2019. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

94-9633

RANDALL W OENS

503 N BURNS RD

SPOKANE VLY, WA 99216-2098

Point of Diversion L8(NESE)

S31 T49N R01E

KOOTENAI County

Source COEUR D ALENE RIVER

Tributary COEUR D ALENE LAKE

Use: IRRIGATION

03/15 to 10/31 0.01 CFS

Total Diversion: 0.01 CFS

Date Filed: 7/15/2019

Place Of Use: IRRIGATION

T49N R01E S31

L8(NESE)

Total Acres: 0.3

95-17608

NORTH KOOTENAI WATER DISTRICT

13649 N MEYER RD

RATHDRUM, ID 83858-4904

Points of Diversion:

26 existing GROUND WATER source wells in KOOTENAI County within portions of T51N R04W Sec 2, 14, 15, 23, & 24; T51N R05W Sec 23 & 32; T52N R03W Sec 8 & 18; T52N R04W Sec 6, 17, 28 & 33; and T53N R04W Sec 28. See remarks below.

Use: MUNICIPAL

01/01 to 12/31 32 CFS

Total Diversion: 32 CFS

Date Filed: 7/24/2018

Place Of Use: MUNICIPAL See remarks below.

Applicant proposes a Reasonably Anticipated Future Needs (RAFN) municipal water right of 32.0 CFS for a 30 year planning horizon within the North Kootenai Water District service area. Total beneficial use for a RAFN water right will occur by the end of the planning horizon.

95-17847

TRAVIS R BURGUS

JENNIFER L BURGUS

14808 E 48TH LN

VERADALE, WA 99037-8701

Point of Diversion SESW

S14 T48N R04W

KOOTENAI County

Source COEUR D ALENE LAKE

Tributary SPOKANE RIVER

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 7/12/2019

Place Of Use: DOMESTIC

T48N R04W S14

L5(ESW)

95-17849

RICK LOUIE

13907 N WANDERMERE ESTATES LN

SPOKANE, WA 99208-4981

Point of Diversion NENW
S11 T50N R05W
KOOTENAI County
Source SPOKANE RIVER
Tributary COLUMBIA RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 7/17/2019
Place Of Use: DOMESTIC
T50N R05W S11 NENW
95-17850

JAMES M MC NAMARA
JODY MC NAMARA
18670 N CRYSTAL SPRINGS LN
RATHDRUM, ID 83858-6045
Point of Diversion SWSENE
S26 T52N R05W
KOOTENAI County
Source SPRING
Tributary SINKS
Use: AESTHETIC STORAGE
01/01 to 12/31 2.4 AF
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 2.4 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 2.4 AF
Total Diversion: 2.4 AF
Date Filed: 7/17/2019
Place Of Use: FIRE PROTECTION STORAGE
T52N R05W S26 SENE
Place Of Use: AESTHETIC STORAGE
T52N R05W S26 SENE
Place Of Use: WILDLIFE STORAGE
T52N R05W S26 SENE

95-17851
JAMES M MC NAMARA
JODY MC NAMARA
18670 N CRYSTAL SPRINGS LN
RATHDRUM, ID 83858-6045
Point of Diversion SENE
S26 T52N R05W
KOOTENAI County
Source GROUND WATER
Point of Diversion SENE
S26 T52N R05W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
03/15 to 11/15 0.09 CFS
Total Diversion: 0.13 CFS
Date Filed: 7/17/2019
Place Of Use: DOMESTIC
T52N R05W S26 SENE
Place Of Use: IRRIGATION
T52N R05W S26 SENE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 8/19/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/1/2019 and 8/8/2019

MEMORANDUM

July 15, 2019

Application for Permit: 94-9633

Author: smaxey

Subject: Comment/Analysis

APPLICANT INFORMED OF NEED TO OBTAIN ENCROACHMENT PERMIT / DOCK PERMIT FROM IDAHO DEPARTMENT OF LANDS AT VISIT TO IDWR NORTHERN REGION OFFICE 7/15/2019.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur d'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 15, 2019

Randall W. Oens
503 N Burns RD
Spokane Valley, WA 99216

Re: Application for Permit Additional Information Requested

Dear Mr. Oens:

Idaho Department of Water Resources (IDWR) has completed initial review of your Application for Permit to draw .01 CFS from the Coeur d'Alene River for Irrigation use. The Application has been assigned Identification Number 94-9633.

Please provide IDWR with a signed photocopy of the Warranty Deed signed by the prior owners of the Place of Use property that conveys ownership of the property to you. This copy should bear the Kootenai County Recorder's office stamp. Please provide IDWR with the new property identification number (PIN) when this is assigned. This information is needed to insure publication of accurate legal notices and expedite review of your Application by other government agencies.

Please telephone me at (208) 762.2816 if you have questions.

Respectfully,

Shaun M. Maxey
Senior Water Resource Agent
Idaho Department of Water Resources, Northern Region

Parcel Number	AIN	Situs Address	Data as of
49N01E319250	251434		7/13/2019

Owner Information

Owner Name	SHORT J EDWARD HENNICK-SHORT ELENA A
Owner Address	PO BOX 2728 COEUR D ALENE ID 83816
Transfer Date	10/28/2008
Document #	
Deed Book/Page	

Location / Description

Tax Authority Group	242000	Current Legal Desc.	TAX #23343 [IN LTS 7, 8] Section 31 Township 49N Range 01E
Situs Address			
Acreage	20.0059		

Parcel Type

Property Class Code	512- Rural residential tract
Neighborhood Code	6010 RURAL CATALDO-ROSE LAKE

RECORDING REQUESTED BY
First American Title Company

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

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **735559-WA (JS)**

Date: **June 19, 2019**

For Value Received, **J. Edward Short and Elena A. Hennick-Short, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Randall W. Oens, Trustee of The Randall W. Oens Revocable Living Trust, dated June 5, 2019**, hereinafter called the Grantee, whose current address is **503 N. Burns Rd., Spokane Valley, WA 99216**, the following described premises, situated in **Kootenai County, Idaho**, to-wit:

THAT PORTION OF GOVERNMENT LOTS 7 AND 8 OF SECTION 31, TOWNSHIP 49 NORTH, RANGE 1 EAST BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 31 BEARS SOUTH 35°02'41" WEST A DISTANCE OF 1109.46 FEET;

THENCE NORTH 00°34'35" EAST A DISTANCE OF 1177.77 FEET TO THE SOUTHERLY HIGH WATER LINE OF THE COEUR D'ALENE RIVER;

THENCE NORTH 76°45'01" EAST ALONG SAID HIGH WATER LINE A DISTANCE OF 354.53 FEET TO A POINT;

THENCE SOUTH 00°34'35" WEST A DISTANCE OF 1354.45 FEET TO A POINT OF SAID RAILROAD RIGHT-OF-WAY;

THENCE NORTH 74°28'00" WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 356.33 FEET TO THE TRUE POINT-OF-BEGINNING.

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: **06/19/2019**

Warranty Deed
- continued

File No.: **735559-WA (JS)**

Date: **06/19/2019**

Warranty Deed
- continued

File No.: **735559-WA (JS)**

J. Edward Short

Elena A. Hennick-Short

STATE OF Idaho)
COUNTY OF Kootenai)
SS.

On this _____ day of June, 2019, before me, a Notary Public in and for said State, personally appeared **J. Edward Short and Elena A. Hennick-Short**, 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:
My Commission Expires: