

RECEIVED

JUN 20 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
#196-7978	Yes ☐	#3 subcase	Yes ☐		Yes ☐
#49-576	Yes ☐	94-08486	Yes ☐		Yes ☐
94-8483	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Arthur or Delia Oliver
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Oliver Family Trust
New owner(s) as listed on the conveyance document

1583 N Greensterry Rd Post Falls ID 83854
Mailing address City State ZIP

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: 10-26-2000

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 #

94-8483

8. Signature: Marsha D Davis Estate Rep 6-20-17
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by NS Date 6-20-17 Receipt No. N032734 Receipt Amt. \$50.00
Approved by _____ Processed by NS Date 3-28-19

After Recording Return to:
Lamanna Law Firm
P.O. Box 789
Priest River, ID 83856

395948
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the Grantors, **A. L. OLIVER and D. M. OLIVER, husband and wife**, FOR A VALUABLE CONSIDERATION do hereby grant, bargain, sell and convey unto **THE OLIVER FAMILY TRUST**, dated July 30, 1981, of c/o Post Office Box 706, Sagle, Idaho 83860, the Grantee, the following-described property in Shoshone County, State of Idaho, to wit:

PARCEL 1:

The West ½ of the Southwest ¼, Section 2, Township 52 North, Range 1, E.B.M.

AND

The North ½ of the Southeast ¼ of Section 3, Township 52 North, Range 1, E.B.M.

PARCEL 2:

Tract "A" of H.E. Survey No. 802, embracing a portion of Section 15, Township 49 North, Range 4 E.B.M., Idaho, more particularly bounded and described as follows:

Beginning at corner No. 1, from which the Northwest corner of said Section 15, bears North 89°46' West 6.80 chains distant; thence South 64°53' East 13.66 chains to corner No. 2; thence South 3°26' East 18.49 chains to Corner No. 3; thence South 20°18' East 9.87 chains to corner No. 4; thence South 85°02' West 11.97 chains to corner No. 5; thence North 39° West 3.90 chains to corner No. 6; thence North 82°50' West 3.0 chains to corner No. 7; thence North 11°37' West 7.98 chains to corner No. 8; thence North 44°24' East 4.77 chains to

WARRANTY DEED

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94-8483
94-8486

395948

corner No. 9; thence North 03°42' West 19.97 chains to corner No. 1, the place of beginning, containing 41.33 acres, according to the official plat of the survey of the said Land returned to the General Land Office by Surveyor-General.

PARCEL 3:

H.E. Survey No. 184, embracing a portion of Sections 9, 10 and 15 in Township 49 North, Range 4, E.B.M., Idaho, more particularly bounded and described as follows:

Beginning at corner No. 1, from which the corner of Sections 9, 10, 15 and 16, said Township and Range, bears North 89°46' West 6.8 chains distant; thence North 64°47' West 36 links to corner No. 2; thence North 25°50' West 14.87 chains to corner No. 3; thence North 25°50' West 10.73 chains to corner No. 4; thence North 3°18' East 4.26 chains to corner No. 5; thence North 74°15' East 4.56 chains to corner No. 6; thence North 74°15' East 6.95 chains to corner No. 7; thence South 2°49' East 17.62 chains to corner No. 8; thence South 37°54' East 6.88 chains to corner No. 9; thence South 29°4' East 8.65 chains to corner No. 10; thence South 29°4' East 6.62 chains to corner No. 11; thence North 64°47' West 13.68 chains to corner No. 1, the place of beginning, containing 30.24 acres.

Exclusive of that portion of the lands above described, heretofore conveyed to the Oregon-Washington Railroad & Navigation Company, an Oregon corporation, and School District No. 3 of Shoshone County, State of Idaho.

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

And, the above-named Grantors hereby covenant that the above-described premises are free from encumbrances and that they and their heirs, executors and administrators shall warrant and defend the above premises against all lawful claims and demands except current taxes, easements, restrictions, covenants, reservations, exceptions and rights of way of record and view.

DATED this 26 day of October, 2000.



A. L. Oliver



D. M. Oliver

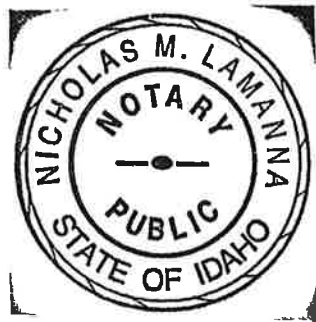
WARRANTY DEED

P-2

STATE OF IDAHO)
)
County of Banner)
)

On this 26 day of October, 2000, before me, a notary public in and for the State of Idaho, personally appeared **A. L. Oliver and D. M. Oliver**, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Nicholas M. Lamanna
Notary Public – State of Idaho.
Residing at Priest River, therein.
My commission expires: 11-04-03.

RECORDED
at the request of

Nick M. Lamanna

in

Deeds

Return to:

Nick M. Lamanna

Attorney at Law

PO Box 789

Priest River, ID 83856

Fee \$ 9.00

395948

OCT 30 PM 3 42

MARCIA WINGFIELD
SHOSHONE CITY RECORDER
BY Janet Zamboni DEPUTY

WARRANTY DEED

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After Recording Return to:
Lamanna Law Firm
P.O. Box 789
Priest River, ID 83856

FILED BY
Lamanna
2000 OCT 31 A 9:19
MARIE SCOTT
BONNER COUNTY RECORDER
MS DEPUTY

572132

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the Grantors, **A. L. OLIVER and D. M. OLIVER, husband and wife**, FOR A VALUABLE CONSIDERATION do hereby grant, bargain, sell and convey unto **THE OLIVER FAMILY TRUST**, dated July 30, 1981, of c/o Post Office Box 706, Sagle, Idaho 83860, the Grantee, the following-described property in Bonner County, State of Idaho, to wit:

910-7978

A tract of land situated in Sections 35 and 36 in Township 57 North, Range 2, West of the Boise Meridian, described as follows: All that part of the Southwest Quarter of Southwest Quarter of said Section 36, lying West of the right of way of the Northern Pacific Railway as the same was located on the 16th day of August, 1920, and North of and East of the following described lines: Commencing at a point on the said Westerly boundary of said railway right of way, which point is 697.52 feet North and 165.05 feet East of the Southwest corner of said Section 36; thence North 60°07' West 161.65 feet; thence North 0°01' West 86.42 feet; thence North 32°31' East 62.40 feet; thence North 34°16' West 104.25 feet to a point on the Section line between said Sections 35 and 36, which point is North 0°01' West a distance of 1003.26 feet from the Southwest corner of said Section 36; together with that part of said Section 35 described as follows: commencing at a point on the section line between said Sections 35 and 36, which point is North 0°01' West a distance of 1003.26 feet from the Southeast corner of said Section 35; thence North 34°16' West to the waters of Lake Pend Oreille; thence Northeasterly along said waters of Lake Pend Oreille to the Section line between said Sections 35 and 36;

WARRANTY DEED

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thence South 0°01' East along said Section line to the point of beginning.

AND

That part of the Northern Pacific Railway 400-foot Charter right of way lying on each side of the centerline in the Southeast ¼ of Section 35, Township 57 North, Range 2 West, and the Southwest ¼ of Section 36, Township 57 North, Range 2 West, Boise Meridian, Bonner County, Idaho, described as follows:

Beginning at the intersection of the centerline of the abandoned portion of said 400-foot Charter right of way and the South line of said Section 35; thence Northeasterly along said centerline 1800 feet to the end of that portion of said 400 foot Charter right of way that has been abandoned, this being the TRUE POINT OF BEGINNING; thence continuing Northeasterly along said centerline 50 feet.

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

And, the above-named Grantors hereby covenant that the above-described premises are free from encumbrances and that they and their heirs, executors and administrators shall warrant and defend the above premises against all lawful claims and demands except current taxes, easements, restrictions, covenants, reservations, exceptions and rights of way of record and view.

DATED this 26 day of October, 2000.

A. L. Oliver
A. L. Oliver
D. M. Oliver
D. M. Oliver

STATE OF IDAHO)
 :SS
County of Bonner.)

On this 26 day of October, 2000, before me, a notary public in and for the State of Idaho, personally appeared **A. L. Oliver and D. M. Oliver**, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Nicholas M. Lamanna
Notary Public - State of Idaho.
Residing at West River, therein.
My commission expires: 11-04-03.

LAW OFFICE OF
JOHN J. ROSE, JR., P.C.
708 West Cameron Avenue
Kellogg, Idaho 83837
(208) 783-3501
ISB # 2094

Attorney for Plaintiff

489199

STATE OF IDAHO
COUNTY OF SHOSHONE/SS
FILED

2017 MAY -1 AM 10:13

PEGGY WHITE
CLERK DIST. COURT.
BY *M. Mahan*
DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

- - - - -

MARSHA DIANNE DAVIS, Personal]
Representative of the Estate of]
ARTHUR LeROY OLIVER and DELIA MAE]
OLIVER, and trustee of THE OLIVER]
FAMILY TRUST,]

v.]

ELONORA LORENZI HILL, NELDA LORENZI]
CHAPIN, ROBERT LORENZI, LEILA]
LORENZI DIBONA, ROMOLA LORENZI,]
DOMINCO LUCCHESI, ALPHONSO LUCCHESI]
REMO LUCCHESI, DANTE LUCCHESI,]
ITALIA PHILLIPA and ALL UNKNOWN]
HEIRS AND DEVISEES OF THE ABOVE]
NAMED PERSONS AND ALL UNKNOWN]
OTHERS, UNKNOWN HEIRS AND DEVISEES]
OF ALL DEFENDANTS THAT MAY BE]
DECEASED, UNKNOWN SPOUSES OF ALL]
DEFENDANTS THAT MAY MARRIED AND ALL]
OTHER PERSONS CLAIMING OR WHO MIGHT]
CLAIM ANY RIGHT, TITLE, ESTATE OR]
INTEREST IN OR LIEN OR INCUMBRANCE]
ADVERSE TO PLAINTIFFS' OWNERSHIP]

CASE No. CV 2016-639

AMENDED JUDGMENT, NUNC
PRO TUNC, QUIETING TITLE
TO REAL PROPERTY

1. AMENDED JUDGMENT, NUNC PRO TUNC, QUIETING TITLE TO REAL
PROPERTY

OR ANY CLOUD UPON PLAINTIFFS']
 TITLE TO THE DESCRIBED REAL]
 PROPERTY OR ANY PART THEREOF,]
 WHETHER SUCH CLAIM BE PRESENT OR]
 CONTINGENT, BEING A TRACT OF LAND]
 LYING IN H.E. SURVEY NO. 184,]
 EMBRACING A PORTION OF SECTIONS]
 9, 10, AND 15 IN TOWNSHIP 49 NORTH,]
 RANGE 4, E.B.M., SHOSHONE COUNTY,]
 STATE OF IDAHO, BEING MORE]
 PARTICULARLY DESCRIBED AS FOLLOWS:]
 BEGINNING AT CORNER NO. 1, FROM]
 WHICH THE CORNER OF SECTIONS 9, 10,]
 15 AND 16, SAID TOWNSHIP AND RANGE,]
 BEARS NORTH 89°46' WEST 6.8 CHAINS]
 DISTANT; THENCE NORTH 64°28'48"]
 EAST, 23.09 FEET (SHOWN OF RECORD]
 AS NORTH 64°47' WEST 36 LINKS TO]
 CORNER NO. 2; THENCE NORTH]
 25°24'58" EAST, 982.07 FEET (SHOWN]
 OF RECORD AS NORTH 25°50' WEST]
 14.87 CHAINS) TO CORNER NO. 3;]
 THENCE NORTH 25°45'49" EAST 706.54]
 FEET (SHOWN OF RECORD AS NORTH]
 25°50' WEST 10.73 CHAINS) TO CORNER]
 NO. 4; THENCE NORTH 03°37'24" WEST,]
 280.24 FEET (SHOWN OF RECORD AS]
 NORTH 3°18' EAST 4.26 CHAINS) TO]
 CORNER NO. 5; THENCE NORTH 73°16'03]
 EAST, 15.31 FEET; THENCE NORTH]
 74°25'14" WEST, 744.14 FEET (SHOWN]
 OF RECORD AS NORTH 74°15' EAST 4.56]
 CHAINS TO CORNER NO. 6; THENCE]
 NORTH 74°15' EAST 6.95 CHAINS) TO]
 CORNER NO. 7; THENCE SOUTH]
 02°17'09" WEST, 1,169.52 (SHOWN OF]
 RECORD AS SOUTH 2°49' EAST 17.62]
 CHAINS) TO CORNER NO. 8; THENCE]
 SOUTH 37°24'50" WEST, 456.67 FEET]
 (SHOWN OF RECORD AS SOUTH 37°54']
 EAST 6.88 CHAINS) TO CORNER NO. 9;]
 THENCE SOUTH 29°28'19" WEST, 555.77]
 FEET (SHOWN OF RECORD AS SOUTH]
 29°4' EAST 8.65 CHAINS) TO CORNER]
 NO. 10; THENCE SOUTH 29°20'19"]
 WEST, 432.03 FEET (SHOWN OF RECORD]
 AS SOUTH 29°4' EAST 6.62 CHAINS)]

2. AMENDED JUDGMENT, NUNC PRO TUNC, QUIETING TITLE TO REAL
 PROPERTY

489199

TO CORNER NO. 11; THENCE NORTH]
65°09'19" EAST, 891.48 FEET (SHOWN]]
OF RECORD AS NORTH 64°47' WEST]
13.68 CHAINS) TO CORNER NO. 1, THE]
PLACE OF BEGINNING.]

Defendant(s).]

- - - - -

AMENDED JUDGMENT, NUNC PRO TUNC, IS ENTERED AS FOLLOWS:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, and the Court
does hereby ORDER, ADJUDGE AND DECREE that the above named
Defendants have no estate or interest whatsoever in or to the
land or premises, and that the title of Plaintiffs to the
property described as follows, to-wit:

H.E. Survey No. 184, embracing a portion of Sections 9, 10 and 15
in Township 49 North, Range 4, E.B.M., Idaho, more particularly
bounded and described as follows:

Beginning at corner No. 1, from which the corner of Sections
9, 10, 15 and 16, said Township and Range, bears North 89°46'
West 6.8 chains distant; thence

North 64°28'48" West, 23.09 feet (shown of record as North 64°47'
West 36 links) to corner No. 2; thence

North 25°24'58" West, 982.07 feet (shown of record as North
25°50' West 14.87 chains) to corner No. 3; thence

North 25°45'49" West 706.54 feet (shown of record as North 25°50'
West 10.73 chains) to corner No. 4; thence

North 03°37'24" East, 280.24 feet (shown of record as North 3°18'
East 4.26 chains) to corner No. 5; thence

North 73°16'03 East, 15.31 feet; thence

North 74°25'14" East, 744.14 feet (shown of record as North
74°15' East 4.56 chains) to corner No. 6; thence North 74°15'
East 6.95 chains) to corner No. 7; thence

3. AMENDED JUDGMENT, NUNC PRO TUNC, QUIETING TITLE TO REAL
PROPERTY

489199

South 02°17'09" East, 1,169.52 (shown of record as South 2°49' East 17.62 chains) to corner No. 8; thence

South 37°24'50" East, 456.67 feet (shown of record as South 37°54' East 6.88 chains) to corner No. 9; thence

South 29°28'19" East, 555.77 feet (shown of record as South 29°4' East 8.65 chains) to corner No. 10; thence

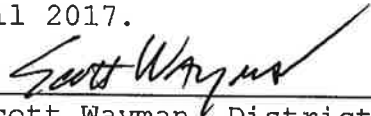
South 29°20'19" East, 432.03 feet (shown of record as South 29°4' East 6.62 chains) to corner No. 11; thence

North 65°09'19" West, 891.48 feet (shown of record as North 64°47' West 13.68 chains) to corner No. 1, the place of beginning,

be, and the same hereby is, good and valid and the Plaintiffs are the sole owners of said real property described above in fee simple absolute.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, and the Court does hereby ORDER, ADJUDGE AND DECREE that the Defendants and each of them be, and they hereby are, forever enjoined and barred from asserting any claim whatsoever in or to said land or premises adverse to the Plaintiffs.

DATED this 29 day of April 2017.



Scott Wayman, District Judge

4. AMENDED JUDGMENT, NUNC PRO TUNC, QUIETING TITLE TO REAL PROPERTY

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of ~~April~~ ^{May} 2017, I mailed a true and correct copy of the foregoing by regular mail, postage pre-paid, to the following:

John J. Rose, Jr.
Attorney at Law
708 West Cameron, Ave.
Kellogg, Idaho 83837

Mala Anson

STATE OF IDAHO }
COUNTY OF SHOSHONE } ss

THIS IS TO CERTIFY THAT THE FOREGOING IS A
TRUE COPY OF THE ORIGINAL NOW ON RECORD
IN THIS OFFICE SEALED ON THIS 1st DAY
OF May - 2017
PEGGY WHITE, CLERK OF THE DISTRICT COURT
By Mala Anson Deputy

5. AMENDED JUDGMENT, NUNC PRO TUNC, QUIETING TITLE TO REAL PROPERTY

MARSHA DAVIS
1583 GREENSFERRY
POST FALLS, ID 83854

Instrument # 489199

WALLACE, SHOSHONE COUNTY, IDAHO

5-11-2017 03:31:00 PM No. of Pages: 5

Recorded for : MARSHA DAVIS

PEGGY DELANGE-WHITE

Ex-Officio Recorder Deputy

Index to: JUDGMENT QUIETING TITLE

Fee: 22.00

489199 '17 MAY 11 PM 3:31



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

March 28, 2019

OLIVER FAMILY TRUST
1583 N GREENSFERRY RD
POST FALLS ID 83854-4434

Re: Change in Ownership for Water Right No(s): 94-8483 & 96-7978

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)