



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

February 13, 2019

TIMOTHY M SOKOLOWSKI
140 LARRADON DR
KAMIAH ID 83536-5146

RE: Water Right Change in Ownership No(s): 84-10106

Dear Interested Parties:

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

During our review of the documentation you submitted we found discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. I have enclosed a copy of the water right(s) for your reference.

Because the place of use does not match the legal description of the property, the Department cannot process the Notice. As such, we are returning the paperwork that was submitted and requesting a refund of the \$25 filing fee.

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)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/13/2019

Water Right 84-10106

Owner Type **Name and Address**
Current Owner FRANCIS D BEERS
2323 CONSTITUTION DR
SAN JOSE, CA 94124
(408) 269-1970

Priority Date: 1/1/1907

Basis: Decreed

Status: Active

Source
SPRING

Tributary
CLEARWATER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.030 CFS	
DOMESTIC	1/01	12/31	0.050 CFS	
	<u>Total Diversion</u>		0.080 CFS	

Source and Point(s) of Diversion

SPRING L1(NENW) Sec. 32, Twp 34N, Rge 04E, IDAHO County

Place Of Use

STOCKWATER within IDAHO County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
34N	04E	32					X												
							L1												

DOMESTIC within IDAHO County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
34N	04E	32					X												
							L1												

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PARCEL NO. 34N04E320915 STOCKWATER, 50 CATTLE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/13/2019

Dates and Other Information

Decreed Date: 12/29/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

RECEIVED

FEB 13 2019

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. 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?
84-10106	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: Frances D. Beers
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Timothy M. Sokolowski Courtney J. Sokolowski
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 140 Larradon Drive Kamiah ID 83536
Mailing address City State ZIP
(208)451-6015 soko616@yahoo.com
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: 7/25/2017
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: [Signature] 2/8/2019
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] 2/8/2019
Signature of new owner/claimant Title, if applicable Date

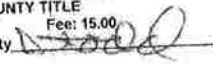
For IDWR Office Use Only:

Received by NS Date 2-13-19 Receipt No. N034047 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 _____ Date _____

Instrument # 509850

IDAHO COUNTY, IDAHO,
7-26-2017 11:22:43 AM No. of Pages: 4
Recorded for : IDAHO COUNTY TITLE
KATHY M. ACKERMAN Fee: 15.00
Ex-Officio Recorder Deputy 

WARRANTY DEED

GRANTORS, SUSAN H. HAIGHT, also known as SUSAN HELEN BLACK HAIGHT, and GARY D. HAIGHT, wife and husband, as community property with right of survivorship, of 211 Winona Rd., Kamiah, ID 83536, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to TIMOTHY MARTIN SOKOLOWSKI and COURTNEY JANE SOKOLOWSKI, husband and wife, of 140 Larradon Dr., Kamiah, ID 83536, and the Grantees' heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and incorporated herein by this reference.

TOGETHER WITH, all improvements, water, water rights, ditches, ditch rights, easements, hereditaments, and appurtenances thereto.

SUBJECT TO:

- 1) General taxes for the year 2017, which are a lien, not yet due and payable.
- 2) All matters, covenants, provisions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by the recorded plat of said subdivision as recorded in the official Idaho County records, but deleting any covenant, provision or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, provisions or restrictions violate 42 USC §3604 (c).
- 3) Right of Way Easement, including the terms and provisions thereof, by and between FRANCIS D. BEERS and IDAHO COUNTY LIGHT & POWER CO-OPERATIVE, INC., a corporation, recorded March 17, 1989, under Instrument No. 346555, records of Idaho County, Idaho.
- 4) Right of Way Easement, including the terms and provisions thereof, by and between LARRY W. KNIGHT and DONNA KNIGHT and IDAHO COUNTY LIGHT & POWER COOPERATIVE ASSOC., INC., a corporation, recorded April 8, 1996, under Instrument No. 386144, records of Idaho County, Idaho.
- 5) Restrictive Covenants, including the terms and provisions thereof, recorded April 9, 1996, under Instrument No. 386175, records of Idaho County, Idaho.



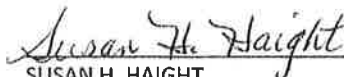
- 6) Right of Way Easement, including the terms and provisions thereof, by and between RUSSEL BLACK and IDAHO COUNTY LIGHT & POWER COOPERATIVE INC., a corporation, recorded July 13, 2001, under Instrument No. 417728, records of Idaho County, Idaho.
- 7) Matters as shown on Survey No. S-3469, recorded June 28, 2017, under Instrument No. 509518, records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns, forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that it is free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, EXCEPT General taxes, easements, reservations, restrictions, and rights of way of record or in use.

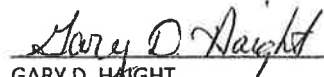
Except as otherwise expressly provided in this instrument, Grantors hereby declare, pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event Grantors shall have permitted or suffered, at any time prior to the making of this instrument, any person or entity to possess, use, or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of Grantors, it was not the intent of Grantors, by permitting or suffering such possession, use, or occupation to thereby define property boundaries or ownership thereof.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine, and the neuter.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals.



SUSAN H. HAIGHT
a/k/a SUSAN HELEN BLACK HAIGHT



GARY D. HAIGHT

County of Idaho)

On this 25th day of July, 2017, before me, a Notary Public in and for said County and State, personally appeared SUSAN H. HAIGHT, also known as SUSAN HELEN BLACK HAIGHT, and GARY D. HAIGHT, wife and husband, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they freely executed the same.

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

Notary Public for the State of Idaho,
Residing at Craneville, therein.
My commission expires 4/14/2023

File No.: 28027

SCHEDULE C

Township 34 North, Range 4 East, Boise Meridian, Idaho County, Idaho
Section 31 and 32:

This parcel of land is a portion of Lot 24 of LarraDon Heights Subdivision, as shown on the official plat thereof, filed as Instrument No. 385174, records of Idaho County, Idaho, more particularly described as follows:

Beginning at the northwesterly corner of said Lot 24, a found 5/8" diameter rebar;
thence N 87°57'42" E, along the northerly boundary of said Lot 24, 231.02 feet to the northeasterly corner thereof;
thence S 11°53'25" W, along the East boundary of said Lot 24, 42.35 feet to a 1/2"x24" rebar set with a plastic cap stamped L.S. 3627;
thence N 84°16'38" W, 23.44 feet to a 1/2"x24" rebar set with a plastic cap stamped L.S. 3627;
thence S 55°39'43" W, 458.60 feet to a found 5/8" rebar marking the northwesterly corner of Lot 23 of said Subdivision;
thence N 56°16'24" W, along the westerly boundary of said Lot 24, 99.16 feet to a found 5/8" diameter rebar;
thence N 48°12'13" E, along the boundary of said Lot 24, 351.87 feet to the Point of Beginning.

(end schedule c)



State of Idaho
Department of Water Resources
Notice of Change In Water Right

Black Boundary:
Place of Use
(owned property)
Use: Domestic



0 0.05 0.1 0.2 Miles

- PLS Sections
- Quarter Quarters
- Taxlots

Tax parcel information provided by Idaho County.



State of Idaho
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