Form 42-248/42-1409(6) Rev. 03/13

RECEIVED
JUN 11 2018
IDWR/NORTHERN

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
94-7634	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Neil B. Sholey
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kevan G & Irene M Bowen
New owner(s) as listed on the conveyance document Name connector ☐ **and** ☐ **or** ☐ **and/or**

898 Drummond Peak Rd | Kingston | ID | 83839
Mailing address | City | State | ZIP

509-750-8131 | kevanbowen53@gmail.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: Aug 15, 2017.

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.

8. Signature: [signature] | | 6-11-18
Signature of new owner/claimant | Title, if applicable | Date

Signature: Irene M Bowen | | 6-11-18
Signature of new owner/claimant | Title, if applicable | Date

For IDWR Office Use Only:

Receipted by YA Date 6-11-18 Receipt No. N033485 Receipt Amt. 25.00

Approved by _____ Processed by YA Date 6-11-18

NS 7-30-18

2017 FEB 15 PM 02:00
DISTRICT COURT - CSRB
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA Case No. 49576	PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR Water Right 94-07634

NAME AND ADDRESS: LARRY LEHTO
MARILYN LEHTO
PO BOX 444
KINGSTON, ID 83839

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/17/1996

POINT OF DIVERSION: T48N R02E S07 NESW Within Shoshone County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Domestic	01-01 TO 12-31	0.04 CFS

Domestic use is for 1 home.

PLACE OF USE: Domestic
T48N R02E S07 NESW Within Shoshone County

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

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.: **647985-WA (JS)** Date: **August 15, 2017**

For Value Received, **Neil B Sholey, an unmarried man**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Kevan G Bowen and Irene M Bowen, husband and wife**, hereinafter called the Grantee, whose current address is **898 Drummond Peak RD, Kingston , ID 83839**, the following described premises, situated in **Shoshone** 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.

Neil B Sholey

STATE OF Idaho)
SS.
COUNTY OF Shoshone)

On this 13 **day of September, 2017**, before me, a Notary Public in and for said State, personally appeared **Neil B Sholey**, 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.

JENNIFER STOVERN
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for the State of Idaho
Residing at: Pinehurst
My Commission Expires: MAY 23 2023

EXHIBIT A

Portion of Tract 1 of Willow Point Tracts Subdivision located in Section 7, Township 48 North, Range 8 East, B.M., Shoshone County, Idaho as shown on Record of Survey Instrument Number 467796 as "Parcel 1"; more particularly described as follows:

Beginning at a point on the north-south centerline of said Section 7 from which the South Quarter corner bears S00°00'38"W a distance of 1317.44 feet;

Thence N00°00'38"E along said centerline a distance of 382.71 feet to a point;

Thence N89°39'08"W a distance of 564.68 feet to a point;

Thence S02°18'48"W a distance of 380.12 feet to a point;

Thence S89°22'27"E a distance of 593.08 feet to the true point of beginning.

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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

July 12, 2018

KEVAN G BOWEN
IRENE M BOWEN
898 DRUMMOND PEAK RD
KINGSTON ID 83839-8714

RE: Water Right No(s): 94-7634

Dear Interested Parties:

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

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

(Select all that apply)

____ Filing Fee of $25 per water right <permit>

____ Filing Fee of $100 per water right for changes resulting from division of a water right

____ Signature

____ Notarized Signature for Assignment of Permit

____ Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

____ Evidence of Security Interest: copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question

____ Security Interest Expiration Date

✓ Legal Description of Property (Please see comments below)

____ Plat of Property or Survey Map usually on file with the county

____ USDA Farm Service Agency (formerly ASCS) Aerial Photo with irrigated acres outlined and point(s) of diversion clearly marked

____ Description of Portion of Water Right resulting from division of water right

During our review of the documentation you submitted we found discrepancies between that legal description in the warranty deed and the legal description of the place of use for the water right(s). The warranty deed list a legal description that is nonexistent and will need to be corrected to reflect "Section 7, Township 48 North, Range 2 East". *The corrected warranty deed will need to be notarized as well.*

Because the Department cannot process the Notice without corrected documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

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 I

Enclosure(s)

State of Idaho
DEPARTMENT OF WATER RESOURCES
Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 30, 2018

KAVAN G BOWEN
IRENE M BOWEN
898 DRUMMOND PEAK RD
KINGSTON ID 83839

Re: Change of Ownership for Water Right/Permit No(s): 94-7634

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 § 42-222 and §42-223, Idaho Code.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 762-2800.

Sincerely,

Natalie Steading

Natalie Steading
Technical Records Specialist I

Enclosure(s)