



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

May 10, 2018

LANCE BARNES
LORINDA BARNES
338 SHAW RD
PRIEST RIVER ID 83856-9543

RE: Change in Ownership Water Right No(s): 97-2073 and 97-2074

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on January 29, 2018 for the above referenced water rights. The Notice could not be processed because additional information and filing fees were needed.

On April 5, 2018, the Department requested the required information and additional fees from you. As of the date of this letter, the Department has not received the required information and additional fees.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$50 has been requested and will be mailed to you under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

RECEIVED

MAR 29 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

JAN 29 2018

IDWR / NORTH

DEPT. OF WATER RESOURCES

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?
97-2073	Yes ☐	Yes ☐		Yes ☐	Yes ☐
97-2074	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Estate of Albert Shoun
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lance or Lorinda Barnes
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☒ and/or
- 338 Shaw Road Priest River ID 83856
Mailing address City State ZIP
208-306-9049 NWHomestead@outlook.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: 06/30/2010
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] Lance A. Barnes 10/30/2017
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] Lorinda R. Barnes 10/30/2017
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by NS Date 1-29-18 Receipt No. N033132 Receipt Amt. 35000

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 _____

After Recording Return to:
J. Todd Taylor
RANDALL | DANSKIN, P.S.
601 W. Riverside Ave., Suite 1500
Spokane, WA 99201-0626

Instrument # 896308
BONNER COUNTY, SANDPOINT, IDAHO
10-12-2016 02:41:50 PM No. of Pages: 2
Recorded for: STI
MICHAEL W ROSEDALE Fee: 13.00
Ex-Officio Recorder Deputy *MB*
Index to: DEED

CORRECTED PERSONAL REPRESENTATIVE'S DEED
TO CORRECT LEGAL DESCRIPTION on deed
recorded as instrument # 892450.

The undersigned Grantor, **MARCELLA BENJAMIN**, as the duly appointed, qualified and acting Personal Representative of the Estate of Albert Joe Shoun, Deceased, in Probate Cause No. CV2008-00731 in the District Court of the First Judicial District in and for Bonner County, and not in Grantor's individual capacity, and as authorized by the Statement of Informal Probate of Will entered in the probate cause on May 6, 2008, to settle the Estate of Albert Joe Shoun, Deceased, hereby grants, bargains, sells, conveys and confirms to **LANCE BARNES and LORINDA BARNES, husband and wife, as community property with right of survivorship**, whose address is 338 Shaw Road, Priest River, Idaho 83856, Grantee, all of the interest of the Estate of Albert Joe Shoun, Deceased, in the following described real estate, together with all after acquired title of the Grantor therein:

The East half of the Northwest quarter of the Southwest quarter of Section 17, Township 56 North, Range 4 West, Boise Meridian, Bonner County, and being Parcel 8 of that certain record of survey, recorded May 3, 2010 as Instrument No. 791778.

EXCEPT the County Road, records of Bonner County, Idaho.

AND

The West half of the Northeast quarter of the Southwest quarter of Section 17, Township 56 North, Range 4 West, Boise Meridian, Bonner County, and being Parcel 9 of that certain record of survey, recorded May 3, 2010 as Instrument No. 791778.

EXCEPT the County Road, records of Bonner County, Idaho.

SUBJECT TO 2016 real estate taxes; easements and conditions of record.

Grantor, as the Personal Representative of the Albert Joe Shoun, Deceased, expressly limits the covenants of this deed to those expressed herein and excludes all covenants arising or to arise by statutory or other implication.

GOOD AND VALUABLE CONSIDERATION PAID BY A QUALIFIED
INTERMEDIARY PURSUANT TO AN IRC 1031 TAX-DEFERRED EXCHANGE.

DATED this 6th day of October, 2016.

ESTATE OF ALBERT JOE SHOUN

By:

Marcella Benjamin
Marcella Benjamin
Personal Representative

STATE OF WASHINGTON)

) ss.

County of Spokane)

I certify that I know or have satisfactory evidence that **MARCELLA BENJAMIN** is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Personal Representative of the Estate of Albert Joe Shoun to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 6th day of October, 2016.

Notary Public
State of Washington
Susan C Cress
Commission Expires 08-20-17

Name Printed: Susan C Cress

Notary Public in and for the State
of Washington, residing at Spokane
My Appointment Expires: 8/20/17

1/10/18

PA0410 - PARCEL MASTER INQUIRY

09:31:03

PARCEL: RP 56N04W174950 A

*** I *** PARCEL EXISTS

F17=DD F19=SP

BARNES, LANCE & LORINDA

338 SHAW RD

CHANGE DATE: 00 00 0000

PRIEST RIVER ID 83856

Previous Deed Numbers

896308 PR

R CD

DE 3220

E 3012018

4803T

CAT	RY	QUANTITY	UN	VA
12	2014	39000	AC	102
12	2014	1000	AC	21

OTHER

F3=Exit F12=Cancel

TOTALS 40000 124

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Src h

After Recording Return to:
Peter J. Grabicki
RANDALL J. DANSKIN, P.S.
601 W. Riverside Ave., Suite 1500
Spokane, WA 99201-0626

Instrument # 794724
BONNER COUNTY, SANDPOINT, IDAHO
6-30-2010 09:10:01 No. of Pages: 2
Recorded for: STI
MARIE SCOTT Fee: 6.00
Ex-Officio Recorder Deputy
Index to: DEED

57232 VW

PERSONAL REPRESENTATIVE'S DEED

The undersigned Grantor, **MARCELLA BENJAMIN**, as the duly appointed, qualified and acting Personal Representative of the Estate of Albert Joe Shoun, Deceased, in Probate Cause No. CV2008-00731 in the District Court of the First Judicial District in and for Bonner County, and not in Grantor's individual capacity, and as authorized by the Statement of Informal Probate of Will entered in the probate cause on May 6, 2008, to settle the Estate of Albert Joe Shoun, Deceased, hereby grants, bargains, sells, conveys and confirms to **LANCE BARNES and LORINDA BARNES**, husband and wife, whose address is 1615 A Cedar Street, Fort Dix, NJ 08640, Grantees, all of the interest of the Estate of Albert Joe Shoun, Deceased, in the following described real estate, together with all after acquired title of the Grantor therein:

The East Half of the Southwest Quarter of the Southwest Quarter of Section 17, Township 56 North, Range 4 West, Boise Meridian, Bonner County, Idaho, and being Parcel 3 of that certain Record of Survey recorded May 3, 2010 as Instrument No. 791778, records of Bonner County, Idaho.

TOGETHER WITH an easement for ingress, egress and utilities on, over and across the East 15 feet of the East half of the Northwest Quarter of the Southwest Quarter (being Parcel 8) and the West 15 feet of the West half of the Northeast Quarter of the Southwest Quarter (being Parcel 9), all in Section 17, Township 56 N, Range 4, West, Boise Meridian, Bonner County, ID

The immediately preceding easement is in lieu of a "proposed access and utility easement" on the record of survey recorded May 3, 2010 as Instrument No. 791778 records of Bonner County, Idaho. Said "PROPOSED ACCESS AND UTILITY EASEMENT" IS HEREBY WITHDRAWN AND NOT DEDICATED AND OF NO FURTHER FORCE AND EFFECT.

Reserving unto the Grantor herein all rights attached to License and Certificate of Water Right No. 22313 and 18966, issued by the Idaho Department of Reclamation.

SUBJECT TO easements and conditions of record.

DATED this 28th day of June, 2010.

F:\USERS\17943\PR DEED 2- BARNES 628.10

1/10/18

PA0410 - PARCEL MASTER INQUIRY

09:27:21

PARCEL: RP 56N04W176000 A

F10=SW
F17=DD F19=SP

F14=HO

BARNES, LANCE & LORINDA

CHANGE DATE: 00 00 0000

338 SHAW RD

PRIEST RIVER ID 83856-9543

338 SHAW RD

Previous Deed Numbers
794724 PR

R CD

DE 3220

E

6000T

CAT	RY	QUANTITY	UN	VA
4	2014	6960	AC	3
6	2014	12440	AC	6
10	2014	1000	AC	34
31	2014			97
TOTALS		20400		141

F3=Exit F12=Cancel

OTHER

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Src h

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley 
DATE: May 10, 2018
RE: **Refund: Ownership change returned**

Please refund \$50.

NAME: LANCE & LORINDA BARNES
338 SHAW RD
PRIEST RIVER ID 83856-9543

RECEIPT #: N033132

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, May 10, 2018 1:16 PM
To: Marston, Sascha
Cc: Steed, Susan
Subject: Refund for Barnes
Attachments: Refunds.doc

Please process the attached refund. Thank you.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

April 05, 2018

LANCE BARNES
338 SHAW RD
PRIEST RIVER ID

RE: Water Right No(s): 97-2074 & 97-2073

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:

X Additional Filing Fee of \$150 for changes resulting from division of a water right. The place of use for water right 97-2073 is located in Township 56N, Range 04W, Section 17, NESW & SESW. The deed you provided only conveys property located in NESW. The place of use for water right 97-2074 is located in Township 56N, Range 04W, Section 17, SWSW and Section 18 SESE. According to taxlot information, your property is located in Section 17, SWSW. Both of these water rights will need to be divided.

X Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property located in Township 56N, Range 04W, Section 17, SWSW. The deed you provided conveys land located in Township 56N, Range 04W, Section 17, NESW. I have enclosed a map indicating your property and the water right place of use along with water right reports for your benefit.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$150.

Because the Department cannot process the Notice without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees 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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)