

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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FEB 02 2018

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?
95-10889	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Ron Pratte

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Windy Bay, LLC

New owner(s) as listed on the conveyance document

Name connector

☐ and☐ or☐ and/orP.O. Box 2350

Mailing address

Coeur d'Alene

City

ID

State

83816

ZIP

208-667-0100

Telephone

john@magnusononline.com

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: 2/17/16

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]

Signature of new owner/claimant

Attorney

Title, if applicable

1/28/18

Date

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by TA

Date

2-2-18Receipt No. N033140Receipt Amt. \$500

Approved by _____

Processed by PDDate 4/9/18

JOHN F. MAGNUSON
ATTORNEY AT LAW

ADMITTED IN IDAHO AND WASHINGTON

TELEPHONE
208•667•0100

FAX
208•667•0500

P.O. BOX 2350
1250 NORTHWOOD CENTER COURT
SUITE A
COEUR D'ALENE
IDAHO 83816

January 30, 2018

RECEIVED
FEB 02 2018
IDWR / NORTH

State of Idaho
Department of Water Resources
Attn: Ms. Linda A. Werner
Water Resource Agent, Sr.
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

Re: Your Correspondence of December 4, 2017

Dear Linda:

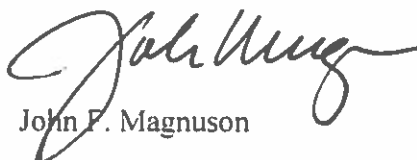
I am writing to respond to your correspondence of December 4, 2017. I enclose a copy of your letter for your reference.

You asked for a copy of the Quitclaim Deed whereby Lot 2, Block 1, Warr's Addition was conveyed to Windy Bay, LLC. I enclose a copy of the referenced Deed for your reference. Please append that copy to the "Notice of Change in Water Right Ownership" that I previously submitted on behalf of Windy Bay, LLC on August 16, 2017.

You also requested completed notices to reflect the change in ownership for Water Rights 95-10889 and 95-12295. I enclose those documents. If you need any additional information in this regard, please let me know.

I also enclose a check made payable to the State of Idaho in the amount of \$50.00, in payment for the \$25.00 fee to change ownership for each of the two referenced claims (95-10889 and 95-12295). Thank you for your assistance.

Sincerely,



John F. Magnuson

JFM/krm
Enclosure
DEPT OF WATER RESOURCES LTR wpd

RECORDING FEE \$19.00

DD



RECEIVED
FEB 02 2018
IDWR / NORTH

QUITCLAIM DEED

THIS INDENTURE is made this 17 day of February, 2016, by RON PRATTE, a single man, of 4400 W. Earhart Way, Chandler, Arizona 85226.

WITNESSETH:

RON PRATTE, a single man, hereby grants, bargains, sells, remises, releases, and forever quitclaims unto WINDY BAY, LLC, an Idaho limited liability company, of 4400 W. Earhart Way, Chandler, Arizona 85226, as well as its successors and assigns forever, all right, title, and interest in and to a certain parcel of real property situate, lying, and being in Kootenai County, State of Idaho, to wit:

Lot 2, Block 1, Warr's Addition to Benpoint, according to the plat recorded in Book "G" of Plats at pages 497-497A and 497B, records of Kootenai County, Idaho.

Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging, or in any way appertaining to said real property.

The real property conveyed hereunder is specifically conveyed subject to a retained easement for the benefit of the real property described on Exhibit A (the benefitted property). The easement shall run with and burden the property conveyed hereunder (as the burdened property) for the benefit of the benefitted property. The easement shall be for ingress, egress, and utilities over and across the existing road located on the burdened property that provides access and utilities to the benefitted property. This easement shall bind the successors-in-interest to the burdened property as a benefit to the benefitted property, and all heirs, successors, and assigns in and to the same. This easement for ingress, egress, and utilities over and across the burdened property, as described herein, may not be changed, altered, or otherwise interfered with, in any manner, without the expressed written consent of the then-owner of the benefitted property.

EXHIBIT A
PARCEL A-2 LEGAL DESCRIPTION

A parcel of land being a portion of Government Lot 2 and a portion of the Southwest Quarter of Section 20, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho and being more particularly described as follows:

Beginning at the West Quarter corner of said Section 20 being a 3/4 inch iron pipe per CP&F 1297896;

Thence, along the West line of said Section 20, N00°15'21"E a distance of 835.82 feet to a point;

Thence, along a non-tangent curve to the left with a radius of 490.00 feet, an arc length of 11.09 feet, a delta of 01°17'49" with a long chord that bears S75°29'51"E a distance of 11.09 feet to a point;

Thence, S74°50'57"E a distance of 22.33 feet to a point;

Thence, S77°13'53"E a distance of 33.00 feet to a point;

Thence, along a curve to the left with a radius of 510.00 feet, an arc length of 77.37 feet, a delta of 08°41'30" with a long chord that bears S81°34'38"E a distance of 77.29 feet to a point;

Thence, S85°23'30"E a distance of 43.84 feet to a point;

Thence, S83°04'41"E a distance of 35.88 feet to a point;

Thence, along a curve to the right with a radius of 490.00 feet, an arc length of 168.11 feet, a delta of 19°39'25" with a long chord that bears S73°14'58"E a distance of 167.29 feet to a point;

Thence, S64°48'02"E a distance of 42.49 feet to a point;

Thence, S67°01'50"E a distance of 28.05 feet to a point;

Thence, S66°52'44"E a distance of 22.48 feet to a point;

Thence, along a curve to the left with a radius of 145.00 feet, an arc length of 113.84 feet, a delta of 44°58'55" with a long chord that bears S89°22'11"E a distance of 110.94 feet to a point;

Thence, S05°36'08"E a distance of 249.45 feet to a 1/2 inch rebar with cap marked PLS 3451;

Thence, N69°39'26"E a distance of 37.63 feet to a 5/8 inch rebar with yellow plastic cap marked PLS 4194;

Thence, N52°56'45"E a distance of 43.86 feet to a point;

Thence, S07°21'49"E a distance of 331.78 feet to a point;

Thence, N76°17'14"E a distance of 74.96 feet to a point;

Thence, S07°21'49"E a distance of 50.33 feet to the northwest corner of lot 3 Warr's Addition filed in book G of plats at pages 497, 497A, B, records of Kootenai County;

EXHIBIT A

Thence, along said North line, S76°17'14"W a distance of 161.33 feet to a bolt in concrete being the Northwest corner of said plat;

Thence, along the West line of said plat, S01°27'29"W a distance of 204.42 feet to a 3/4 Inch iron pipe;

Thence, continuing along said West line, S01°23'46"W a distance of 104.32 feet to a bolt in concrete;

Thence, continuing along said West line, S00°51'03"W a distance of 77.53 feet to a 5/8 Inch rebar with yellow plastic cap marked PLS 4194 on the Ordinary High Water of Lake Coeur d'Alene;

Thence, along said Ordinary High Water the following twenty-nine courses:

- 1.) S60°18'14"W a distance of 7.70 feet to a point;
- 2.) Thence, S77°24'37"W a distance of 16.26 feet to a point;
- 3.) Thence, S68°36'03"W a distance of 14.35 feet to a point;
- 4.) Thence, N79°23'46"W a distance of 16.91 feet to a point;
- 5.) Thence, S74°45'15"W a distance of 15.73 feet to a point;
- 6.) Thence, S84°13'34"W a distance of 19.37 feet to a point;
- 7.) Thence, S37°52'51"W a distance of 11.52 feet to a point;
- 8.) Thence, S54°07'55"W a distance of 9.53 feet to a point;
- 9.) Thence, S65°18'25"W a distance of 18.95 feet to a point;
- 10.) Thence, N14°43'08"W a distance of 14.60 feet to a point;
- 11.) Thence, N61°56'29"W a distance of 13.93 feet to a point;
- 12.) Thence, N64°21'25"W a distance of 36.81 feet to a point;
- 13.) Thence, N73°23'09"W a distance of 36.35 feet to a point;
- 14.) Thence, N88°38'41"W a distance of 38.30 feet to a point;
- 15.) Thence, S84°52'49"W a distance of 31.92 feet to a point;
- 16.) Thence, S73°10'24"W a distance of 37.14 feet to a point;
- 17.) Thence, S55°14'48"W a distance of 48.88 feet to a point;
- 18.) Thence, S47°20'00"W a distance of 28.82 feet to a point;
- 19.) Thence, S04°42'08"E a distance of 25.30 feet to a point;
- 20.) Thence, S51°49'19"W a distance of 10.45 feet to a point;
- 21.) Thence, N38°32'55"W a distance of 17.04 feet to a point;
- 22.) Thence, N79°52'36"W a distance of 29.29 feet to a point;
- 23.) Thence, S72°28'07"W a distance of 31.38 feet to a point;
- 24.) Thence, S56°28'57"W a distance of 71.09 feet to a point;
- 25.) Thence, S66°48'39"W a distance of 44.79 feet to a point;
- 26.) Thence, S61°19'27"W a distance of 20.97 feet to a point;
- 27.) Thence, S64°08'32"W a distance of 23.74 feet to a point;
- 28.) Thence, S63°44'13"W a distance of 37.76 feet to a point;
- 29.) Thence, S73°35'55"W a distance of 9.12 feet to a point on said West line of Section 20;

Thence, along said West line, N00°19'05"W a distance of 451.40 feet to the True Point of Beginning.

Said parcel containing 713,953 square feet of land, more or less.

RECORDING FEE: \$19.00

DD



QUITCLAIM DEED

THIS INDENTURE is made this 17 day of February, 2016, by RON PRATTE, a single man, of 4400 W. Earhart Way, Chandler, Arizona 85226.

WITNESSETH:

RON PRATTE, a single man, hereby grants, bargains, sells, remises, releases, and forever quitclaims unto WINDY BAY, LLC, an Idaho limited liability company, of 4400 W. Earhart Way, Chandler, Arizona 85226, as well as its successors and assigns forever, all right, title, and interest in and to a certain parcel of real property situate, lying, and being in Kootenai County, State of Idaho, to wit:

Lot 1, Block 1, Warr's Addition to Benpoint, according to the plat recorded in Book "G" of Plats at pages 497-497A and 497B, records of Kootenai County, Idaho.

Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging, or in any way appertaining to said real property.

The real property conveyed hereunder is specifically conveyed subject to a retained easement for the benefit of the real property described on Exhibit A (the benefitted property). The easement shall run with and burden the property conveyed hereunder (as the burdened property) for the benefit of the benefitted property. The easement shall be for ingress, egress, and utilities over and across the existing road located on the burdened property that provides access and utilities to the benefitted property. This easement shall bind the successors-in-interest to the burdened property as a benefit to the benefitted property, and all heirs, successors, and assigns in and to the same. This easement for ingress, egress, and utilities over and across the burdened property, as described herein, may not be changed, altered, or otherwise interfered with, in any manner, without the expressed written consent of the then-owner of the benefitted property.

IN WITNESS WHEREOF, Grantor has subscribed its name to this instrument on the day and year first above written.

GRANTOR:

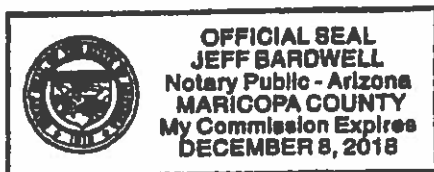


RON PRATTE, a single man

STATE OF Arizona)
) ss:
COUNTY OF Maricopa)

On this 17 day of February, 2016, before me, the undersigned, a Notary Public in and for the said State and County, personally appeared RON PRATTE, known or identified to me to be the person whose name is subscribed to the within instrument and who acknowledged that he executed the same.

WITNESS my hand and official seal.




Notary Public in and for the State of ARIZONA
Residing at: Maricopa County
My commission expires: Dec 8, 2018

PRATTE DEED QUITCLAIM-LOT 1 BLOCK 1.wpd

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EXHIBIT A

SCANNED

DEC 04 2017

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Said parcel containing 713,953 square feet of land, more or less.

SCANNED
DEC 04 2017



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 09, 2018

WINDY BAY LLC
PO BOX 2350
COEUR D ALENE ID 83816-2350

Re: Change in Ownership for Water Right No(s): 95-10889 and 95-12295

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) 287-4803.

Sincerely,

Rosemary DeMond
Administrative Assistant II

Enclosure(s)