

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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NOV 30 2017

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?
95-12851	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: Eileen R Barber N/K/A Eileen R Ash.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Steven & Kathy Horness
New owner(s) as listed on the conveyance document Name connector ☒ and/or ☐ and/or
- 4108 S. Myrtle St Spokane WA 99223
Mailing address City State ZIP
- 509-953-7808 horness@comcast.net
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: 8/31/2012
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: Steven M Horness 11/26/2017
Signature of new owner/claimant Title, if applicable Date
- Signature: Kathy R Horness 11/26/2017
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by NS Date 11-20-17 Receipt No. NO33050 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 NS Date 12-8-17

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NOV 20 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
 Received by _____
 Receipt amt. \$ _____
 Receipt no. _____
 Date _____

IDWR / NORTH

ASSIGNMENT OF PERMIT

To change the ownership of a permit

→ I, Eileen R Barber, hereby assign to Steven & Kathy Homess
Current owner(s) New owner(s)
 of, 4108 S. Myrtle St Spokane WA 99223 509-9537808
New owner's address including city, state and ZIP Phone
Property Address = 1008 W Wave Ct Wozky ID 83876
 All my right, title, and interest in and to Permit No(s): 95-12851 to
 appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit Number(s):

N/A, to appropriate the public waters of the State of Idaho.

Describe in detail the portion of the permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.

N/A

Does the new permit holder own the property at the:

 Point of diversion? ☒ Yes ☐ No
 Place of use? ☒ Yes ☐ No

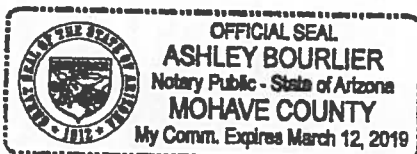
If no, describe the arrangement enabling the new owner to access the point of diversion and/or the place of use:

N/A⇒ Dated this 31 day of August, 20 15.
 ⇒ Eileen R Barber
 Permit holder Title (if applicable) Permit holder Title (if applicable)

Arizona
 State of ~~Idaho~~)
 County of MOHAVE)ss

 ⇒ On this 31 day of August, 20 15, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he/she/they executed the same.

SEAL


Ashley Bourlier
 Notary Public
 My commission expires: March 12 2019

State of Idaho
Department of Water Resources
Permit to Appropriate Water
95-12851



- ⊙ Point of Diversion
- Place Of Use Boundary

- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-12851

Priority: June 14, 2010

Maximum Diversion Rate: 0.07 CFS

This is to certify, that EILEEN R BARBER
PO BOX 118
WORLEY ID 83876

has applied for a permit to appropriate water from:

Source: COEUR D ALENE LAKE **Tributary:** SPOKANE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS
IRRIGATION	03/15 to 11/15	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE L6 (SW1/4SE1/4) Sec. 25, Twp 48N, Rge 05W, B.M. KOOTENAI County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N	05W	25															X		
																	L 6		

PLACE OF USE: IRRIGATION

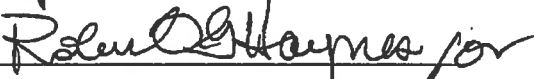
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N	05W	25															.5	.25	.75
																	L 6	L 6	

Total Acres: 0.75

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2014**.
2. Subject to all prior water rights.
3. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
4. Domestic use is for 2 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. This right does not grant any right-of-way or easement across the land of another.
7. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 15th day of September, 2010.


GARY SPACKMAN, Interim Director

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report

9/25/2012

WATER RIGHT NO. 95-12851

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EILEEN R BARBER PO BOX 118 WORLEY, ID 83876 (208)664-1573

Priority Date: 06/14/2010
Status: Active

<u>Source</u>	<u>Tributary</u>
COEUR D'ALENE LAKE	SPOKANE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.03 CFS	
DOMESTIC	01/01	12/31	0.04 CFS	
Total Diversion			0.07 CFS	

Location of Point(s) of Diversion:

COEUR D'ALENE LAKE	SWSE Lt 6	Sec. 25	Township 48N	Range 05W	KOOTENAI County
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DOMESTIC Use:
Number of homes: 2

Place(s) of use:

Place of Use Legal Description: IRRIGATION KOOTENAI County

[illegible]

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
48N	05W	25	6	SWSE	0.25	6	SESE	0.5						

Place of Use Legal Description: DOMESTIC KOOTENAI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
48N	05W	25	6	SWSE										

Total Acres: 0.75

Conditions of Approval:

1.	X15	A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
2.	132	Domestic use is for 2 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
3.	R66	This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4.	004	This right does not grant any right-of-way or easement across the land of another.
5.	26A	Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

Dates:

Proof Due Date: 09/01/2014

Proof Made Date: 08/22/2011

Approved Date: 09/15/2010

Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Application Received Date: 06/14/2010

Protest Deadline Date: 08/23/2010

Number of Protests: 0

Field Exam Date::

Date Sent to State Off:

Date Received at State Off:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

RECORDING REQUESTED BY
First American Title

AND WHEN RECORDED MAIL TO:
First American Title Company
1866 North Lakewood Drive
Coeur d'Alene, ID 83814

CLIFFORD T. HAYES 2 P 2380508000
KOOTENAI COUNTY RECORDER
JAJ 10/22/2012 2:29 PM
REQ OF FIRST AMERICAN TITLE KOOTENAI

RECORDING FEE: \$13.00 DD
Electronically Recorded

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DEC 08 2017
IDWR / NORTH

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 436252-C (nc)

Date: October 01, 2012

For Value Received, **Eileen R. Barber, as Trustee of the Eileen R. Barber Living Trust dated March 2, 2004 and Eileen R. Barber (fma Eileen R. Ashbaugh), an unmarried person,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Steve Holness and Kathleen Holness, Husband and Wife,** hereinafter called the Grantee, whose current address is 4108 S Myrtle, Spokane, WA 99223, the following described premises, situated in Kootenai County, Idaho, to-wit:

That portion of Government Lot 6, Section 25, Township 48 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at the intersection of the East line of said Lot 6 and the Southeasterly shore line of Windy Bay, Lake Coeur d'Alene; thence

Southwesterly along said shore line, 1220.83 feet to a point; thence

continuing Southwesterly along said line 505 feet, more or less, to the most Westerly corner of the parcel conveyed to Robert H. Goss, et ux, by Partition Deed recorded in Book 173 of Deeds at page 465, records of Kootenai County, Idaho, being the TRUE POINT OF BEGINNING; thence

Southwesterly along the shore line of Lake Coeur d'Alene, a distance of 100.00 feet; thence

South 74°32'20" East, a distance of 400.00 feet to a point; thence

North 54°30' East to a point which is South 74°32'20" East of the TRUE POINT OF BEGINNING ; thence

North 74°32'20" West to the TRUE POINT OF BEGINNING.

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.

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DEC 08 2017
IDWR / NORTH

Date: 10/01/2012

Warranty Deed
- continued

File No.: 436252-C (nc)

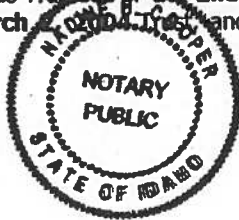
Eileen R. Barber fna Eileen R. Ashbaugh
Eileen R. Barber (fna) Eileen R. Ashbaugh

Eileen R. Barber, as Trustee of the Eileen R.
Barber Living Trust dated March 2, 2004

Eileen R. Barber, Trustee
Eileen R. Barber, Trustee

STATE OF Idaho)
SS.
COUNTY OF Kootenai)

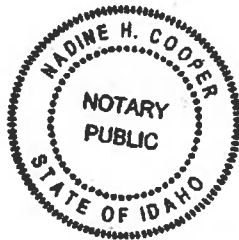
On this **1st day of October, 2012**, before me, a Notary Public in and for said State, personally appeared **Eileen R. Barber**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Eileen R. Barber, as Trustee of the Eileen R. Barber Living Trust dated March 2, 2004**, and acknowledged to me that she executed the same as such Trustee.



Nadine H. Cooper
Notary Public of Idaho
Residing at: Athol, ID
Commission Expires: 11-04-2017

STATE OF Idaho)
SS.
COUNTY OF Kootenai)

On this **1st day of October, 2012**, before me, a Notary Public in and for said State, personally appeared **Eileen R. Barber**, 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.



Nadine H. Cooper
Notary Public for the State of Idaho
Residing at: Athol, ID
My Commission Expires: 11-04-2017



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

December 8, 2017

STEVEN HOINESS
KATHLEEN HOINESS
4108 S MYRTLE ST
SPOKANE WA 99223

Re: Change of Ownership for Water Right/Permit No(s): 95-12851

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
Technical Records Specialist I

Enclosure(s)