

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 26 2017

Notice of Change in Water Right Ownership

IDWR / NORTH

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?
84-12129	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: JOHN S. AND JOYCE I. KANDLE
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): KENNETH LEE BROWN AND CHARLOTTE M. MICHEL
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 225 MOON HOUSE RD. KAMIAH ID 83536
Mailing address City State ZIP
530-515-7726 Kennybmail@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: 9-22-17
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):
 ☒ \$25 per undivided water right.
 ☐ \$100 per split water right.
 ☐ 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: Kenneth Lee Brown 10-20-17
Signature of new owner/claimant Title, if applicable Date
Signature: Charlotte M. Michel 10-20-17
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SA Date 10/26/17 Receipt No. N033015 Receipt Amt. \$2500
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 12-5-17

WARRANTY DEED

GRANTORS, John S. Kandle and Joyce I. Kandle, Trustees of THE KANDLE FAMILY TRUST, dated April 16, 1998, as amended by that certain FIRST AMENDMENT TO THE KANDLE FAMILY TRUST dated April 16, 1998, dated May 25, 2007, of 225 Moon House Rd., Kamiah, ID 83536, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to KENNETH LEE BROWN and CHARLOTTE M. MICHEL, husband and wife, of 7440 Happy Valley Rd., Anderson, CA 96007, 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) Matters as shown on Survey No. S-949, recorded June 8, 1994, under Instrument No. 376348 and Survey No. S-1699, recorded November 17, 1999, under Instrument No. 409243, records of Idaho County, Idaho.
- 4) Right of Way Easement, including the terms and provisions thereof, by and between GERALD J. McLAMB TRUST MGR FOR CITIZEN MGT TRUST, and Idaho County Light & Power Cooperative Assoc. INC., a corporation, recorded July 8, 1996, under Instrument No. 387667, records of Idaho County, Idaho.
- 5) Right of Way Easement, including the terms and provisions thereof, by and between JOHN S. KANDLE and IDAHO COUNTY LIGHT & POWER COOPERATIVE ASSOC., INC., a corporation, recorded January 5, 2000, under Instrument No. 410049, 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.

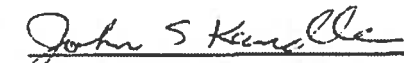
Except as otherwise expressly provided in this instrument, Grantors hereby declare, pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event Grantors shall have permitted or suffered, at any time prior to the making of this instrument, any person or entity to possess, use, or occupy the above-described 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.

THE KANDLE FAMILY TRUST, dated April 16, 1998, as amended by that certain FIRST AMENDMENT TO THE KANDLE FAMILY TRUST dated April 16, 1998, dated May 25, 2007

By


JOHN S. KANDLE, Trustee

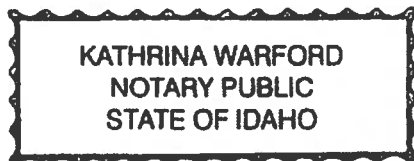

JOYCE L. KANDLE, Trustee

STATE OF Idaho)

County of Idaho)^{SS}

On this 19 day of September, 2017, before me, a Notary Public in and for said County and State, personally appeared JOHN S. KANDLE and JOYCE I. KANDLE, Trustees for THE KANDLE FAMILY TRUST, dated April 16, 1998, as amended by that certain FIRST AMENDMENT TO THE KANDLE FAMILY TRUST dated April 16, 1998, dated May 25, 2007, 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 the capacities described above.

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



Kathrina Warford
Notary Public for the State of Idaho
Residing at Grangeville, therein.
My commission expires 07/05/2023

File No.: 28226

SCHEDULE C

PARCEL I

Lot 1, Doves of the Valley Subdivision, Idaho County, Idaho, according to the recorded plat thereof.

LESS

Township 34 North, Range 3 East, Boise Meridian, Idaho County, Idaho
Sections 13 and 14:

A portion of Lot 1 of said subdivision, also shown as record as Lot 1A, more particularly described as follows:

Commencing at a 5/8"x30" rebar marking the Southwest corner of said Lot 1, the True Point of Beginning;
thence N 00°31'48" W, 202.08 feet along the easterly right of way boundary of a county road to a 5/8"x30" rebar;
thence northeasterly 134.53 feet along said right of way boundary on the arc of a curve to the right having a radius of 86.80 feet, a central angle of 88°47'46", and a long chord which bears N 43°52'05" E, 121.46 feet to a 5/8"x30" rebar;
thence N 88°15'58" E, 71.34 feet along the southerly right of way boundary of a county road to a 5/8"x30" rebar;
thence S 00°31'48" E, 290.06 feet to a 5/8"x30" rebar marking the southerly boundary of said Lot 1;
thence S 89°21'24" W, 156.30 feet along said southerly boundary to the True Point of Beginning.
Sometimes known as Assessor's Tax No. 2.

PARCEL II

Township 34 North, Range 3 East, Boise Meridian, Idaho County, Idaho
Sections 13 and 14:

A portion of Lot 1 of said subdivision, also shown as record as Lot 1A, more particularly described as follows:

Commencing at a 5/8"x30" rebar marking the Southwest corner of said Lot 1, the True Point of Beginning;
thence N 00°31'48" W, 202.08 feet along the easterly right of way boundary of a county road to a 5/8"x30" rebar;
thence northeasterly 134.53 feet along said right of way boundary on the arc of a curve to the right having a radius of 86.80 feet, a central angle of 88°47'46", and a long chord which bears N 43°52'05" E, 121.46 feet to a 5/8"x30" rebar;
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thence S 00°31'48" E, 290.06 feet to a 5/8"x30" rebar marking the southerly boundary of said Lot 1;
thence S 89°21'24" W, 156.30 feet along said southerly boundary to the True Point of Beginning.
Sometimes known as Assessor's Tax No. 2.

(end schedule c)



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 5, 2017

KENNETH LEE BROWN
CHARLOTTE M MICHEL
225 MOON HOUSE RD
KAMIAH ID 83536

Re: Change of Ownership for Water Right/Permit No(s): 84-12129

Dear Water Right Holder(s):

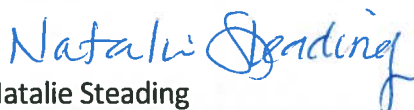
The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

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)