

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

NOV 29 2017

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?
91-07596	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: DAVID JAMES + JILL ANN DUTT
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): GAIL A HARAKAS + CHRISTINE DENHART
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2622 E. 33RD AVE SPOKANE WA 99223
Mailing address City State ZIP
- 509-981-8889 gailharakas@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: 10-29-2017

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: Gail A. Harakas 11-29-2017
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by Ja Date 11-29-17 Receipt No. N033056 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 11-29-17

2015 NOV 13 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 CSRB)
) PARTIAL DECREE PURSUANT TO
Case No. 49576) I.R.C.P. 54(b) FOR
)
) Water Right 91-07596

NAME AND ADDRESS: DAVID J DUTT
JILL A DUTT
2022 E THURSTON AVE
SPOKANE, WA 99203

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

The quantity of water under Right Nos. 91-7579 and 91-7596 shall not exceed 2,500 gallons per day.
Right Nos. 91-7579 and 91-7596 are limited to a total combined diversion rate of 0.04 cfs.

PRIORITY DATE: 07/25/1995

POINT OF DIVERSION: T45N R03E S05 LOT 9 (NWSE) 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 T45N R03E S05 NESW LOT 9 (NWSE) Within Shoshone County

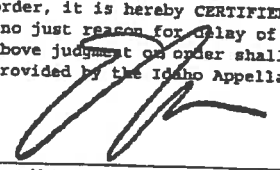
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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:
Gail A. Harakas
2622 E 33rd Ave
Spokane, WA 99203

491397

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **658700-C (smc)**

Date: **November 06, 2017**

For Value Received, **David James Dutt and Jill Ann Dutt, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Gail A. Harakas, an unmarried woman and Christine Denhart, an unmarried woman**, hereinafter called the Grantee, whose current address is **2622 E 33rd Ave, Spokane, WA 99203**, the following described premises, situated in **Shoshone County, Idaho**, to-wit:

Parcel 1:

Lot 11, Block 6, Herrick Park Subdivision, Shoshone County, State of Idaho, according to the official and recorded plat thereof.

Parcel 2:

Lot 12, Block 6, Herrick Park Subdivision, Shoshone County, State of Idaho, according to the official and recorded plat thereof.

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.

Date: 11/06/2017

Warranty Deed
- continued

File No.: 658700-C (smc)

David James Dutt
David James Dutt

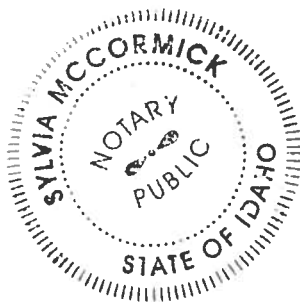
Jill Ann Dutt
Jill Ann Dutt

STATE OF Idaho)
SS.
COUNTY OF Kootenai)

On this 9th day of November, 2017, before me, a Notary Public in and for said State, personally appeared **David James Dutt and Jill Ann Dutt**, 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.

Sylvia McCormick

Notary Public for the State of Idaho
Residing at: Hayden, Idaho
My Commission Expires: 07-16-2021



491397 '17 NOV 15 PM 2:25

Instrument # 491397

WALLACE, SHOSHONE COUNTY, IDAHO

11-15-2017 02:26:00 PM No. of Pages: 2

Recorded for : FIRST AMERICAN TITLE CO.

PEGGY DELANGE-WHITE Fee: 15.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED



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

November 29, 2017

GAIL A HARAKAS
CHRISTINE DENHART
2622 E 3RD AVE
SPOKANE WA 99223

Re: Change of Ownership for Water Right/Permit No(s): 91-7596

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)