

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 30 2017

DEPARTMENT OF  
WATER RESOURCES

## Notice of Change in Water Right Ownership

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? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 35-15788-85-2127      | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| <del>85-11883</del>   | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Konen Farm  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert Konen  
New owner(s) as listed on the conveyance document
- Mailing address: 32073 Wake Rd City: Idahton State: ID ZIP: 83501
- Telephone: 208 743 4757 Email: makonen@idahton.com

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: \_\_\_\_\_
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.

SUPPORT DATA

IN FILE # 85-2127

8. Signature: [Signature] Title, if applicable: \_\_\_\_\_ Date: 6/30/17
- Signature: \_\_\_\_\_ Title, if applicable: \_\_\_\_\_ Date: \_\_\_\_\_

### For IDWR Office Use Only:

Received by VC Date 6/30/17 Receipt No. C103793 Receipt Amt. \$100.00

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 di Date 8-29-17

Instrument # 807924

NEZ PERCE COUNTY

1-4-2013 12:08:39 No. of Pages: 7

Recorded for : MALCOLM DYMOSKI

PATTY WEEKS

Fee: 28.00

Ex-Officio Recorder Deputy

Index to WARRANTY

*R Lewis*

### QUITCLAIM DEED

Grantors, Gelene M. Konen, Carol M. Church, and Sharon A. Konen, co-Trustees of the Orvelle Konen and Gelene M. Konen Survivor's Trust "A", and co-Trustees of the Orvelle Konen and Gelene M. Konen Family Trust "B", for a good and valuable consideration the receipt whereof is hereby acknowledged, do remise, release, and forever quitclaim unto Robert V. Konen, a married man, as his sole and separate property, whose current address is 32073 Waha Road, Lewiston, ID 83501, as Grantee, and to Grantee's heirs and assigns, forever, all of the Grantor's right, title and interest, including after-acquired title, in all the following described real estate, situated in the County of Nez Perce, State of Idaho, to-wit:

See Exhibit A, attached.

Reserving therefrom two easements along, under, and across the parcel described in Exhibit B, attached, for the purposes of conveying water from the parcel described in Exhibit C, attached, to the parcel described in Exhibit D, attached. One such easement shall be located where the pipe conveying such water exists at the time of execution of this Deed, and the other such easement shall be located north of the area of the pond located on Exhibit C. Both such easements shall include sufficient area on each side of said pipes in order to reasonably access and maintain those pipes, and

Reserving therefrom an easement along, across, and from the roadway located on the parcel described in Exhibit B for the purpose of ingress to and egress from the parcel described in Exhibit D, directly north of the locations and for the same width as the three gates that are presently located in the fence along the northern boundary of the parcel described in Exhibit C, so long as the parcel described in Exhibit D, or any part of it, is owned by John D. Konen, Sharon A. Konen, and Bruce L. Konen, or any one of those three persons, and such parcel or part is used for agricultural or ranching purposes; and

Reserving therefrom an easement along, across, and from the roadway located on the parcel described in Exhibit B for the purpose of ingress to and egress from the parcel described in Exhibit C, at the locations and for the same width as the three gates that are presently located in the fence along the northern boundary of the parcel described in Exhibit C, so long as the parcel described in Exhibit C, or any part of it, is owned by Carol M. Church and such parcel or part is used for agricultural or ranching purposes; and

Reserving therefrom those two points of diversion of the Water Right issued by the Idaho Department of Water Resources, one of which is the spring located on the parcel described in Exhibit C, and the other of which is the water source located on the parcel described in Exhibit D, and whose place of use will be the parcel described in Exhibit D.

Together with all tenements, hereditaments and appurtenances thereunto belonging.

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 Grantor has hereunto set Grantor's hand DECEMBER 31, 2012.

For the Orville Konen and Gelene M. Konen Survivor's Trust "A",  
and the Orville Konen and Gelene M. Konen Family Trust "B"

  
GELENE M. KONEN  
Trustee

  
CAROL M. CHURCH  
Trustee

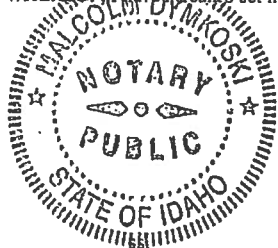
STATE OF IDAHO

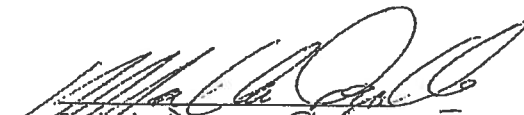
ss.

County of Kootenai

On 12-31, 2012, before me, MALCOLM DYMKOSKI, a Notary Public for the State of Idaho, personally appeared Gelene M. Konen, known or identified to me to be the person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M. Konen Survivor's Trust "A", and a Trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and acknowledged to me that she executed the same as such Trustee of each of those Trusts.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.



  
Residing in: DALTON GARDENS, IDAHO  
Commission expires: 10-6-2016

STATE OF IDAHO

County of Kootenai

On 12-31, 2012, before me, MALCOLM DYMKOSKI, a Notary Public for the State of Idaho, personally appeared Carol M. Church, known or identified to me to be the person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M. Konen Survivor's Trust "A", and a trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and acknowledged to me that she executed the same as such Trustee of each of those Trusts MA.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.



  
Residing in: DALTON GARDENS, IDAHO  
Commission expires: 10-6-2016

0807924

Sharon A. Konen  
SHARON A. KONEN  
Trustee

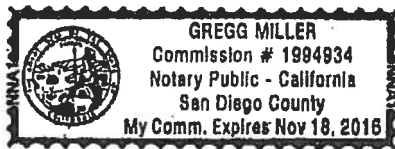
STATE OF CALIFORNIA

County of SAN DIEGO ss.

On DEC 31, 2012, before me, GREGG MILLER, a

Notary Public for the State of California, personally appeared Sharon A. Konen, known or identified to me to be the person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M. Konen Survivor's Trust "A", and a Trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and acknowledged to me that she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.



[Signature]  
Residing in:  
Commission expires:

## Exhibit A

The South Half of the Northwest Quarter, the North Half of the Southwest Quarter, the Northwest Quarter of the Southeast Quarter, SUBJECT to the North 40 feet reserved for road purposes; the Southwest Quarter of the Northeast Quarter and all that part of the Northwest Quarter of the Northeast Quarter, lying South of Lewiston-Waha Highway as now laid out and existing. EXCEPTING THEREFROM that part more particularly described as follows: Beginning at the Northeast corner of said Southwest Quarter of the Northeast Quarter of said Section 25; thence South 578 feet; thence N.79°40'W., 645 feet; thence N.12°41'E., 478 feet; thence S.89°21'E., 530 feet to the place of beginning, all in Section 25 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho.

That part of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Beginning at the Northeast corner of said Section 26; thence S.0°03'27"E. along the East line of said Section 26 a distance of 4017.89 feet; thence S.89°35'57"W., 1315.14 feet; thence S.0°09'24"E., 1335.01 feet to a point on the South line of said Section 26; thence S.89°50'39"W. along said South line a distance of 1108.81 feet; thence N.17°23'41"W., 466.38 feet; thence N.38°47'51"W., 202.54 feet; thence N.2°41'15"E., 1764.30 feet; thence N.6°14'W., 290.65 feet; thence N.1°50'E., 297.81 feet; thence East 16.06 feet; thence North 103.06 feet; thence N.6°15'W., 177.10 feet; thence N.24°17'W., 44.11 feet; thence N.5°26'W., 26.42 feet; thence N.85°16'W., 1177.18 feet; thence S.84°16'W., 110.80 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way line a distance of 120.51 feet; thence S.85°16'E., 1346.07 feet; thence N.66°04'E., 156.93 feet; thence N.0°57'W., 224.20 feet; thence N.89°03'E., 214.50 feet; thence N.0°09'W., 1643.72 feet to a point on the North line of said Section 26; thence N.89°03'06"E. along said North line a distance of 2237.73 feet to the place of beginning.

SUBJECT TO A 30' water line easement over and across that part of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, lying 15' on each side of the following described centerlines: Commencing at the Northwest corner of said Section 26; thence S.27°47'59"E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way 680.68 feet; thence N.84°16'E., 110.80 feet; thence S.85°16'E., 1160.01 feet to the true place of beginning; thence N.0°51'E., 93.65 feet; thence N.18°45'E., 6.77 feet to the terminus of the above described centerline.

ALSO SUBJECT TO an easement for ingress and egress over and across that part of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Commencing at the Northwest corner of said Section 26; thence S.27°47'59"E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way 680.68 feet to the true place of beginning; thence continue N.0°09'58"E. along said right-of-way line 120.51 feet; thence; thence S.85°16'E., 1286.31 feet; thence S.0°39'E., 100.45 feet; thence N.85°16'W., 1177.18 feet; thence S.84°16'W., 110.80 feet to the true place of beginning.

SUBJECT to easements of record.

0807924

Ex B on  
0807925

Exhibit B

A parcel located in Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Commencing at the Northwest corner of said Section 26; thence S.27°47'59"E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way 680.68 feet to the true place of beginning; thence continue N. 0°09'58"E. along said right-of-way line 120.51 feet; thence S.85°16'E., 1286.31 feet; thence S.0°39'E., 100.45 feet; thence N.85°16'W., 1177.18 feet; thence S. 84°16'W., 110.80 feet to the true place of beginning.

NW Corner of Sect 26

2273913.791

1687888.899

85-2127-2

0807924

Exhibit C

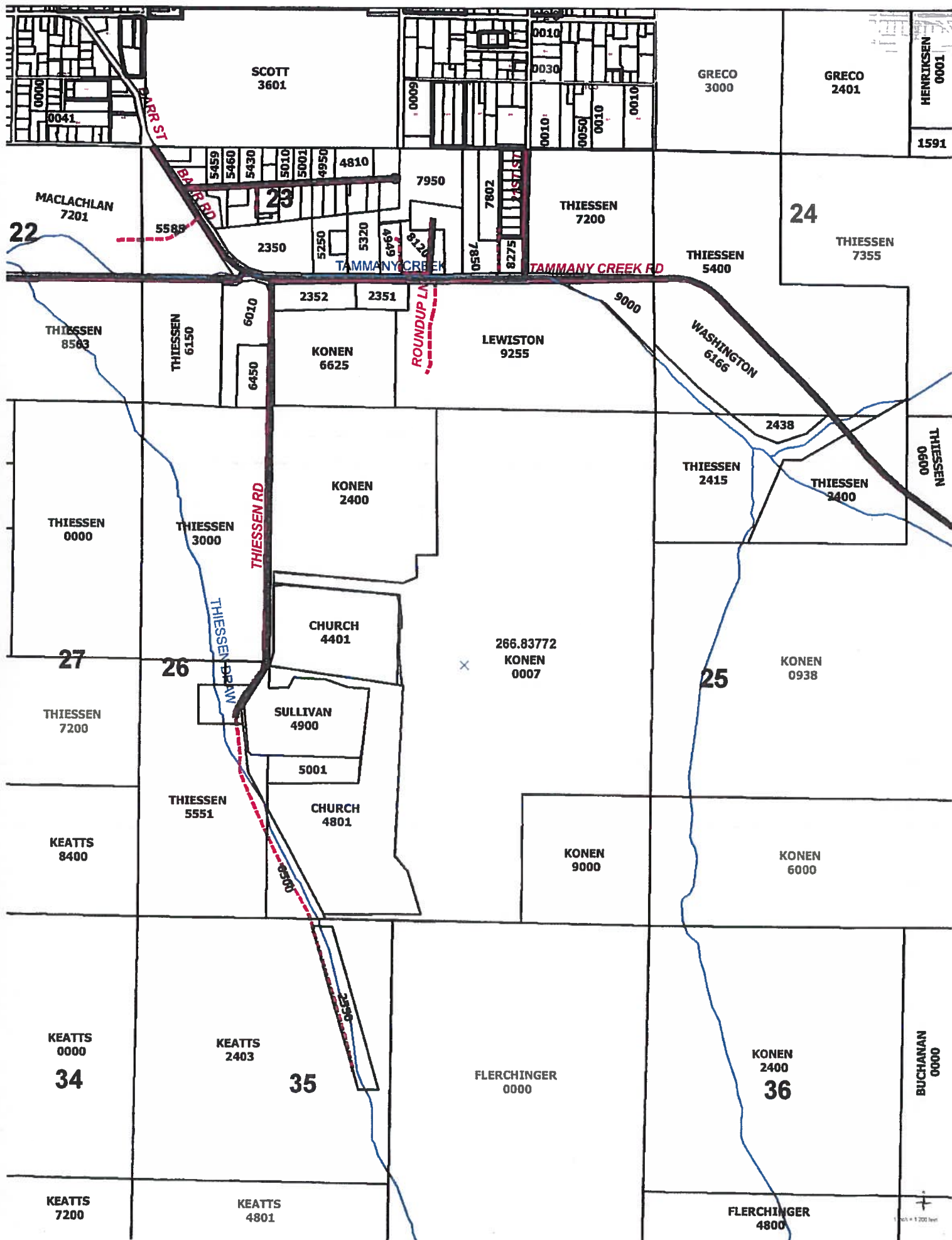
The real property conveyed to Carol M. Church, as Grantee, as described in Instrument Numbers 646181, 663145, 699366, 795091, 795092, 795093, and 799969, Records of Nez Perce County, Idaho.

0807924

Exhibit A on  
p 0807925

Exhibit D

That part of the SE1/4SW1/4 of Section 23 and the N1/2 of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Beginning at the Southeast corner of said SE1/4SW1/4 of Section 23; thence N.89°03'06"E. along the North line of said Section 26 a distance of 406.92 feet; thence S.0°09'E., 1643.72 feet; thence S.89°03'W., 214.50 feet; thence S.0°57'E., 224.20 feet; thence S.66°04'W., 156.93 feet; thence N.85°16'W., 1373.09 feet to a point on the centerline of Thiessen Road; thence N.0°09'W along said centerline 2836.88 feet; thence N.88°38'E., 1312.79 feet; thence S.0°21'E., 1053.13 feet to the place of beginning.



Instrument # 807925

NEZ PERCE COUNTY

1-4-2013 12:10:22 No. of Pages: 8

Recorded for : MALCOLM DYMKOSKI

PATTY WEEKS

Fee: 25.00

Ex-Office Recorder Deputy

Index to: WNTYOCG

*R. Lewis*

### QUITCLAIM DEED

Grantors, Gelene M. Konen, Carol M. Church, and Sharon A. Konen, co-Trustees of the Orvelle Konen and Gelene M. Konen Survivor's Trust "A", and co-Trustees of the Orvelle Konen and Gelene M. Konen Family Trust "B", for a good and valuable consideration the receipt whereof is hereby acknowledged, do remise, release, and forever quitclaim unto John D. Konen, a married man, as his sole and separate property, Sharon A. Konen, a single women, and Bruce L. Konen, a married man, as his sole and separate property, all three as tenants in common, whose current address is 18386 Daffodil Lane, Lewiston, ID 83501, as Grantee, and to Grantee's heirs and assigns, forever, all of the Grantor's right, title and interest, including after-acquired title, in all the following described real estate, situated in the County of Nez Perce, State of Idaho, to-wit:

See Exhibit A, attached,

Together with two easements along, under, and across the parcel described in Exhibit B, attached, for the purposes of conveying water to the parcel described in Exhibit A from the parcel described in Exhibit C, attached. One such easement shall be located where the pipe conveying such water exists at the time of execution of this Deed, and the other such easement shall be located north of the area of the pond located on Exhibit C. Both such easements shall include sufficient area on each side of said pipes in order to reasonably access and maintain those pipes; and

Together with an easement along, across, and from the roadway located on the parcel described in Exhibit B for the purpose of ingress to and egress from the parcel described in Exhibit A, directly north of the locations and for the same width as the three gates that are presently located in the fence along the northern boundary of the parcel described in Exhibit C, so long as the parcel described in Exhibit A, or any part of it, is owned by John D. Konen, Sharon A. Konen, and Bruce L. Konen, or any one of those three persons, and such parcel or part is used for agricultural or ranching purposes; and

Together with an easement along, across, and from the roadway located on the parcel described in Exhibit B for the purpose of ingress to and egress from the parcel described in Exhibit C, at the locations and for the same width as the three gates that are presently located in the fence along the northern boundary of the parcel described in Exhibit C, so long as the parcel described in Exhibit C, or any part of it, is owned by Carol M. Church and such parcel or part is used for agricultural or ranching purposes; and

Together with the right to appropriate water from any water source located on the parcel described in Exhibit A, and to make beneficial use of that water on that parcel; and

Together with all tenements, hereditaments and appurtenances thereunto belonging.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine, and the neuter.

0807925

In witness whereof, the said Grantor has hereunto set Grantor's hand DECEMBER 31, 2012.

For the Orville Konen and Gelene M. Konen Survivor's Trust "A",  
and the Orville Konen and Gelene M. Konen Family Trust "B"

Gelene M. Konen  
GELENE M. KONEN  
Trustee

Carol M. Church  
CAROL M. CHURCH  
Trustee

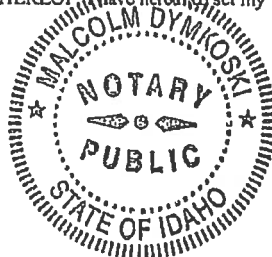
STATE OF IDAHO

ss.

County of Kootenai

On 12/31, 2012, before me, MALCOLM DYMOSKI, a Notary Public for the State of Idaho, personally appeared Gelene M. Konen, known or identified to me to be the person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M. Konen Survivor's Trust "A", and a Trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and acknowledged to me that she executed the same as such Trustee of each of those Trusts.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.



[Signature]  
Residing in: DAKOTA CANYONS, IDAHO  
Commission expires: 10-6-2016

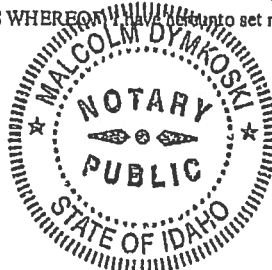
STATE OF IDAHO

ss.

County of Kootenai

On 12/31, 2012, before me, MALCOLM DYMOSKI, a Notary Public for the State of Idaho, personally appeared Carol M. Church, known or identified to me to be the person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M. Konen Survivor's Trust "A", and a trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and acknowledged to me that she executed the same as such Trustee of each of those Trusts.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.



[Signature]  
Residing in: DAKOTA CANYONS, IDAHO  
Commission expires: 10-6-2016

Sharon A. Konen  
SHARON A. KONEN  
Trustee

STATE OF CALIFORNIA

County of SAN DIEGO ss.On DEC 31, 2012, before me, GREGG MILLER, a

Notary Public for the State of California, personally appeared Sharon A. Konen, known or identified to me to be the person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M. Konen Survivor's Trust "A", and a Trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and acknowledged to me that she executed the same as such Trustee of each of those Trusts.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.



[Signature]  
Residing in: SAN DIEGO  
Commission expires: NOV 18 2016

0807925

Exhibit A

That part of the SE1/4SW1/4 of Section 23 and the N1/2 of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Beginning at the Southeast corner of said SE1/4SW1/4 of Section 23; thence N.89°03'06"E. along the North line of said Section 26 a distance of 406.92 feet; thence S.0°09'E., 1643.72 feet; thence S.89°03'W., 214.50 feet; thence S.0°57'E., 224.20 feet; thence S.66°04'W., 156.93 feet; thence N.85°16'W., 1373.09 feet to a point on the centerline of Thiessen Road; thence N.0°09'W along said centerline 2836.88 feet; thence N.88°38'E., 1312.79 feet; thence S.0°21'E., 1053.13 feet to the place of beginning.

SE corner of SE SW  
2274716.803  
1687861.134

85-2127-4

## Exhibit B

A parcel located in Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Commencing at the Northwest corner of said Section 26; thence S.  $27^{\circ}47'59''$ E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.  $0^{\circ}09'58''$ E. along said right-of-way 680.68 feet to the true place of beginning; thence continue N.  $0^{\circ}09'58''$ E. along said right-of-way line 120.51 feet; thence S.  $85^{\circ}16'$ E., 1286.31 feet; thence S.  $0^{\circ}39'$ E., 100.45 feet; thence N.  $85^{\circ}16'$ W., 1177.18 feet; thence S.  $84^{\circ}16'$ W., 110.80 feet to the true place of beginning.

0807925

Exhibit C

The real property conveyed to Carol M. Church, as Grantee, as described in Instrument Numbers 646181, 663145, 699366, 795091, 795092, 795093, and 799969, Records of Nez Perce County, Idaho.



United States Department of Agriculture  
Farm Service Agency

Farm: 2778  
Tract: 4398

**Nez Perce County, ID**  
1:12,889

September 09, 2013



35N 5W  
sect 26

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-020 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

## VALUATION SUMMARY SHEET

TIME: 22:04

1  
22/2013

PARCEL NUMBER: RP 35N05W260007 I

PROPERTY ADDRESS: 30387

THIESSEN RD

83501

EFFECTIVE DATE: 03/01/2014

EXPIRATION DATE: 00/00/0000

TAX CODE AREA: -5108

NAME: KONEN ROBERT V

LEGAL: 815.0-700.00

#10479

26 35 5W

ADDRESS: 32073 WAHA RD

LEWISTON

ID 83501

OLD PARCEL #: RP35N05W260006A

| CAT | SHT | RY   | QUANTITY | UN | MARKET VALUE | HO VALUE | HO EXEMPT | CB VALUE | OTHER EXEMP |
|-----|-----|------|----------|----|--------------|----------|-----------|----------|-------------|
| 3   |     | 2014 | 232.000  | AC | 86,624       |          |           |          |             |
| 5   |     | 2014 | 32.917   | AC | 3,743        |          |           |          |             |
| 10  |     | 2014 | 1.000    | AC | 32,500       |          |           |          |             |
| 19  |     | 2014 | .883     | AC |              |          |           |          |             |
| 31  |     | 2014 |          |    | 116,104      |          |           |          |             |
| 32  |     | 2014 |          |    | 30,959       |          |           |          |             |

TOTALS:

266.800

269,930

Split For 2014

|                  |              |          |                     |
|------------------|--------------|----------|---------------------|
| DEED REFERENCES: | CAMA AREA #: | SUB-SYS: | HOMEOWNERS: NONE    |
| DATE: 12/31/2012 |              | LD       | ZONING: AG          |
| QCD 807924       |              |          | PHOTO NUMBER:       |
| WD 788983        |              | RC       | MAP NUMBER: 153-A   |
| AFD 788977       |              |          | INSP YEAR: 2013     |
| DC 788975        |              |          | PARCEL TYPE: 23     |
| WD 750467        |              |          | LOCATION CODE: 4210 |
| TAX SPECIALS:    |              |          | SW UNITS:           |
| 992              |              |          | SW TYPES:           |

## COMMENTS:

|               |                |
|---------------|----------------|
| SPLIT FROM #> | RP35N05W260006 |
| SPLIT FROM #> | RP35N05W260005 |
| SPLIT FROM #> | RP35N05W260004 |
| SPLIT FROM #> | RP35N05W260003 |

## VALUATION SUMMARY SHEET

1

1/22/2013

TIME: 22

PARCEL NUMBER: RP 35N05W262400 I PROPERTY ADDRESS:

EFFECTIVE DATE: 03/01/2014

EXPIRATION DATE: 00/00/0000

TAX CODE AREA: -5108

NAME: KONEN JOHN D &  
KONEN SHARON A &  
KONEN BRUCE LLEGAL: 815.0-700.00  
#10490

26 35 SW

ADDRESS: 18386 DAFFODIL LN

LEWISTON

ID 83501

OLD PARCEL #: RP35N05W260006A

| CAT | SHT | RY   | QUANTITY | UN | MARKET VALUE | HO VALUE | HO EXEMPT | CB VALUE | OTHER EXEMP |
|-----|-----|------|----------|----|--------------|----------|-----------|----------|-------------|
| 3   |     | 2014 | 69.100   | AC | 25,567       |          |           |          |             |

TOTALS:

69.100

25,567

Split For 2014

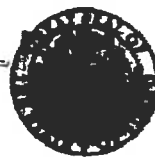
|                  |              |          |                     |
|------------------|--------------|----------|---------------------|
| DEED REFERENCES: | CAMA AREA #: | SUB-SYS: | HOMEOWNERS: NONE    |
| DATE: 12/31/2012 |              | LD       | ZONING: AG          |
| QCD 807925       |              |          | PHOTO NUMBER:       |
| WD 788983        |              |          | MAP NUMBER: 153-A   |
| AFD 788977       |              |          | INSP YEAR: 2013     |
| DC 788975        |              |          | PARCEL TYPE: 65     |
| WD 750467        |              |          | LOCATION CODE: 4210 |
| TAX SPECIALS:    |              |          | SW UNITS:           |
|                  |              |          | SW TYPES:           |

## COMMENTS:

|               |                |
|---------------|----------------|
| SPLIT FROM #> | RP35N05W260000 |
| SPLIT FROM #> | RP35N05W260000 |
| SPLIT FROM #> | RP35N05W260000 |
| SPLIT FROM #> | RP35N05W260000 |

(Please type or print legibly)

**FILE**



Pursuant to Section 53-504, Idaho Code, the undersigned gives notice of adoption of an Assumed Business Name.

Assigned 9 PM 2: 36

use(s) in the transac

## Konen Farms

**Name**

### Complete Address

Robert V. Konen

50 Waha Road Lewiston, ID 83501

Molly A. Koppen

50 Waha Road Lewiston, ID 83501

☐ Retail Trade      ☐ Manufacturing      ☐ Transportation and Public Utilities  
☐ Wholesale Trade      ☒ Agriculture      ☐ Finance, Insurance, and Real Estate  
☐ Services      ☐ Construction      ☐ Mining

50 Waha Road

Lewiston ID 83501

FirstBank Northwest

PO Box 996

Lewiston, ID 83501

**Signature:**

**Printed Name:** Robert V. Konen

Capacity:                      Owner

(see instruction # 8 on back of form)

**Secretary of State  
700 West Jefferson  
Basement West  
PO Box 83720  
Boise ID 83720-0080  
208 334-2301**

**Secretary of State use only**

IDaho SECRETARY OF STATE

02/09/1998 09:00  
CK: 346493 CT: 7801 BH: 88508

1 @ 28.00 = 28.00 ASSUM NAME

011990

Revised 2/97

1. **complaints** about

## AGREEMENT

This Agreement made by, between, and among the Orvelle Konen and Gelene M. Konen Survivor's Trust "A", the Orvelle Konen and Gelene M. Konen Family Trust "B", Gelene Konen individually, John D. Konen, Sharon A. Konen, Carol M. Church, Robert V. Konen, and Bruce L. Konen.

Whereas, Orvelle Konen and Gelene Konen, were the owners of real property located in Nez Perce County, Idaho, including, but not limited to, the real property described in Exhibit A, attached, and the real property described in Exhibit B., attached; and

Whereas Orvelle Konen and Gelene Konen transferred title to the real property described in Exhibit A and Exhibit B to the Orvelle Konen and Gelene M. Konen Trust, dated December 3, 2003; and

Whereas Orvelle Konen passed away on April 26, 2010; and

Whereas, pursuant to the provisions of the Orvelle Konen and Gelene M. Konen Trust, an undivided one-half interest in the real property owned by that Trust was conveyed to the Orvelle Konen and Gelene M. Konen Survivor's Trust "A", and an undivided one-half interest in the real property was conveyed to the Orvelle Konen and Gelene M. Konen Family Trust "B"; and

Whereas, Gelene Konen wishes to immediately convey to Bruce L. Konen, Sharon A. Konen, and John D. Konen, the real property described in Exhibit A, along with certain easements and water rights, and wishes to immediately convey to Robert V. Konen the real property described in Exhibit B, excepting and/or reserving therefrom certain water rights and easements; and

Whereas the immediate transfer of the parcels of real property set forth in the previous paragraph differs from the disposition of the real property of Orvelle Konen and Gelene Konen, including the real property described in Exhibit A and Exhibit B, set forth in the Orvelle Konen and Gelene M. Konen Trust; and

Whereas, Robert Konen wishes to immediately acquire the real property described in Exhibit B; and

Whereas, John D. Konen, Sharon A. Konen and Bruce L. Konen wish to immediately acquire the real property described in Exhibit A; and

Whereas, the real property described in Exhibit A is subject to a *Farm Lease*, entered into on April 24, 2001, by Orvelle Konen and Gelene Konen,, therein designated as "Lessors", and Robert V. Konen, therein designated as "Lessee"; and

Whereas, Gelene Konen gave Robert V. Konen notice on October 18, 2012, that the automatic renewal provision of that *Farm Lease* expired immediately; and

Whereas, Robert V. Konen gave Gelene Konen notice that certain agreements with the federal

COPY  
ORIGINAL

government for farming the real property described in the *Farm Lease*, including the real property described in Exhibit A, do not end until December 31, 2015, and that Robert V. Konen wishes to and is obligated by those agreements to continue farming the real property until those agreements end on December 31, 2015, and that Gelene M. Konen, John D. Konen, Sharon A. Konen, and Bruce L. Konen wish to allow Robert V. Konen to do so. Furthermore, Robert V. Konen wishes to extend the *Farm Lease*, as it applies to the upper place (also known as the Waha Road farm), and Gelene M. Konen wishes to allow Robert V. Konen to do so, said lease being dated April 24, 2001, on the same payment and performance terms such that it will not expire until the 31<sup>st</sup> day of August of 2022, and such that there will be no automatic renewal provision for the lease, though the parties may agree to extend the lease beyond that date at that time; and

Whereas, Carol M. Church owns a parcel of real property, the northern boundary of which is located approximately 100 to 120 feet from the south boundary of the real property described in Exhibit A. Located on that parcel owned by Carol M. Church is a ground water source (a "spring") that is used to provide water to a pond located also on that parcel. That water from that spring has also been, from time to time, conveyed to the real property described in Exhibit A. That spring has been variously described as a point of diversion for Idaho Water Right No. 85-11223 and for Water Right No. 85-2127, both Water Rights which are owned by Gelene Konen. At the time of execution of this Agreement, the parties are not sure of the accurate identity of the Water Right of which that spring is a point of diversion, but believe that it is Water Right No. 85-2127, based upon the map of the Water Right obtained from the Idaho Department of Water Resources. That map shows three points of diversion for that Water Right. The parties believe that the southernmost point of diversion is the spring referred to in this paragraph, and further believe that the spring is located on the parcel owned by Carol M. Church. The parties believe that the northernmost point of diversion on that map is located on the real property described in Exhibit A. The parties also believe that the remaining point of diversion on that map is a well located adjacent to, and just off of, the parcel owned by Carol M. Church. The parties wish to split the Water Right, such that the spring and the northernmost points of diversion shall belong to one split, and the well, which is the remaining point of diversion, shall belong to the other split, and such that the ownership of the split of the Water Right containing the spring and the northernmost point of diversion shall be transferred to Carol M. Church, John D. Konen, Sharon A. Konen, and Bruce L. Konen, with the places of use of the water from those points of diversion to be the parcel owned by Carol M. Church and the real property described in Exhibit A, and such that ownership of the split containing the well shall be transferred to Robert V. Konen, with the place of use of the water from that well to be the real property described in Exhibit B. Based on the assumption that those three sources of water are points of diversion for Water Right No. 85-2127, then the parties wish to transfer ownership of Water Right 85-11223 to Robert V. Konen; and

Whereas, there exists a strip of real property described in Exhibit C, attached, which will be conveyed to Robert V. Konen as part of the real property described in Exhibit B. Carol M. Church wishes to use that strip of land as an easement for ingress to and egress from the real property owned by her adjacent to, and to the south of, that strip of land, at the three gates that exist on the fence line on her parcel along that strip of land, for as long as she owns that parcel and that parcel is used for agricultural or ranching purposes, and Gelene M. Konen wishes for her to do so. Furthermore, John D. Konen, Sharon A. Konen, and Bruce L. Konen wish to use

that strip of land as an easement for ingress to and egress from the real property described in Exhibit A, directly opposite the locations of, and same widths as, the three gates that exist on the fence line on Carol M. Church's parcel set forth above, for as long as any one or more of those three persons own the real property described in Exhibit A and that property is being used for agricultural or ranching purposes, and Gelene M. Konen wishes for them to do so. Furthermore, John D. Konen, Sharon A. Konen, Bruce L. Konen, and Carol M. Church wish to use that strip of land as an easement for conveying water from the spring, referred to above, located on the parcel owned by Carol M. Church to the real property described in Exhibit A, and Gelene M. Konen wishes for them to do so.

Therefore, in consideration of the mutual terms, conditions, and covenants contained herein, the parties agree as follows:

1. The Orville Konen and Gelene M. Konen Survivor's Trust "A", and the Orville Konen and Gelene M. Konen Family Trust "B" shall immediately convey to John D. Konen, Sharon A. Konen, and Bruce L. Konen the real property described in Exhibit A, free of any and all claims of Robert V. Konen, except for those rights and duties of the respective parties set forth in the *Farm Lease*. A true and correct copy of the *Quitclaim Deed* by which the conveyance is to be made, is attached to this Agreement as Exhibit D.
2. The Orville Konen and Gelene M. Konen Survivor's Trust "A", and the Orville Konen and Gelene M. Konen Family Trust "B" shall convey to Robert V. Konen the real property described in Exhibit B, free of any and all claims by John D. Konen, Sharon A. Konen, and Bruce L. Konen, except as set forth herein. A true and correct copy of the *Quitclaim Deed* by which the conveyance is to be made, is attached to this Agreement as Exhibit E.
3. The date of the transfer of the real property described in Exhibit A to John D. Konen, Sharon A. Konen, and Bruce L. Konen, and the date of the transfer of the real property described in Exhibit B to Robert V. Konen, shall occur on the date that the *Quitclaim Deed* for each of those transfers is executed, notwithstanding the date upon which each such *Quitclaim Deed* is recorded at the Office of the Nez Perce County Recorder, and notwithstanding the date upon which each such *Quitclaim Deed* is delivered to the grantee(s) of each such transfer.
4. Pursuant to the terms and conditions of paragraphs 2 and 3 of Article VIII of the Orville Konen and Gelene M. Konen Trust, the intended transfers of the real property described in Exhibits A and B in the manner set forth in those paragraphs 2 and 3 upon the death of the surviving settlor of that Trust shall lapse upon the gift by *Quitclaim Deed* of the real property described in Exhibit A to John D. Konen, Sharon A. Konen, and Bruce L. Konen, and the gift by *Quitclaim Deed* of the real property described in Exhibit B to Robert V. Konen, as said lapses are specifically provided for in those paragraphs 2 and 3.
5. The property known as the "Upper Place", also known as the "Waha Farm" shall continue to be owned by the Orville Konen and Gelene M. Konen Trust, the Orville Konen and Gelene M. Konen Survivor's Trust "A", and/or the Orville Konen and Gelene M. Konen Family Trust "B", as the case may be, and shall remain subject to the terms

and conditions of those Trusts.

6. The *Farm Lease*, as it applies to the real property described in Exhibit A, shall expire on December 31, 2015, free of any and all claims by Robert V. Konen, including any right to cultivate, possess, and/or harvest any crop growing on that parcel. Furthermore, Robert V. Konen shall not sow, nor cause to be sown, any crop on that parcel that is to be harvested after December 31, 2015. The *Farm Lease* of the upper place (also known as the Waha Road farm), said lease being dated April 24, 2001, shall be extended on the same payment and performance terms as presently exist and shall not expire until the 31<sup>st</sup> day of August of 2022. There will be no automatic renewal provision for the lease, though the parties may agree to extend the lease beyond that date at that time.
7. The parties shall timely take all steps reasonably deemed necessary to split the Water Right that they believe is Water Right No. 85-2127, that belief being based upon the map of Water Right No. 85-2127 obtained from the Idaho Department of Water Resources. That map shows three points of diversion for that Water Right, as set forth above, in this Agreement. The parties shall split the Water Right, such that the spring and the northernmost point of diversion shall belong to one split, and the well, which is the remaining point of diversion, shall belong to the other split, and shall transfer ownership of the split of the Water Right containing the spring and the northernmost point of diversion to Carol M. Church, John D. Konen, Sharon A. Konen, and Bruce L. Konen, with the places of use of the water from those points of diversion to be the parcel owned by Carol M. Church and the real property described in Exhibit A, and shall transfer ownership of the split containing the well to Robert V. Konen, with the place of use of the water from that well to be the real property described in Exhibit B. Based on the assumption that those three sources of water are points of diversion for Water Right No. 85-2127, then the parties shall transfer ownership of Water Right 85-11223 to Robert V. Konen. If the parties are mistaken in the correct identity of the Water Rights to which those water sources are points of diversion, then the parties agree that the correct Water Rights for which those water sources are points of diversion shall be split and/or transferred, as the case may be, and the parties shall take all reasonable actions in order to correctly identify, split, and/or transfer the correct Water Rights. The parties further agree that if the spring is not located on the parcel owned by Carol M. Church, and/or if the well is not located off of the parcel owned by Carol M. Church, then the parties will take all steps reasonably necessary in order to adjust lot lines in order to include the spring on the parcel owned by Carol M. Church, and/or to exclude the well from her parcel, both including sufficient area around each such water source to allow the intended owner reasonable access to each such water source. The parties further agree that the water source located on the real property described in Exhibit A, which was a point of diversion for Water Right No. 85-7542, which has been relinquished to the State of Idaho, shall belong to John D. Konen, Sharon A. Konen, and Bruce L. Konen, who shall have the right, at their sole discretion, to attempt to reinstate that Water Right or otherwise appropriate that water for use on the real property described in Exhibit A, free of any claim of the other parties to this Agreement.
8. There are no agreements, warranties, or representations, express or implied, except those expressly set forth in this agreement. All agreements, representations, and warranties

contained in this agreement shall apply as of the closing date and shall survive the closing of this agreement.

9. In the event any provision of this Contract or any part thereof shall be determined by the Court of competent jurisdiction to be invalid, void, or otherwise unenforceable, the remaining provisions hereunder, or parts thereof, shall remain in full force and effect, and shall in no way be affected, impaired, or invalidated thereby, it being agreed that such remaining provisions shall be construed in a manner most closely approximating the intention of the parties with respect to the invalid, void, or unenforceable provision or part thereof.
10. All covenants and conditions, including the Declaration of Restrictions and Protective Covenants contained or referred to in this Contract are intended to survive the delivery by Seller and acceptance of the deed by Purchaser.
11. In the event of any suit or proceeding by either party herein against the other party, in any way arising out of this Contract, or attempting to enforce any right herein granted, the losing party in such suit or proceeding shall pay to the prevailing party all reasonable attorney fees and costs incurred by the prevailing party in bringing, maintaining, and/or defending against said proceeding or suit.
12. The laws of Idaho shall govern all question as to the validity and construction of this Contract.

In witness whereof, the partes have signed this Agreement on the dates set forth below.

Gelene M. Konen  
GELENE M. KONEN

STATE OF IDAHO

ss.

County of Kootenai

On 12/31, 20 12, before me, MALCOLM DYMKOski, a  
Notary Public for the State of Idaho, personally appeared Gelene M. Konen, known or identified  
to me to be the person whose name is subscribed to the foregoing instrument and acknowledged  
to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in  
this certificate first above written.



[Signature]  
Notary Public  
Commission expires: 10-6-2016

For the Gelene M. Konen and Gelene M. Konen Survivor's Trust "A" and the  
Orville M. Konen and Gelene M. Konen Family Trust "B"

Gelene M. Konen  
GELENE M. KONEN, Trustee

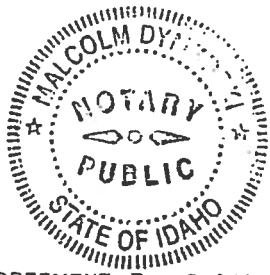
STATE OF IDAHO

ss.

County of Kootenai

On 12/31, 20 12, before me, MALCOLM DYMKOski, a  
Notary Public for the State of Idaho, personally appeared Gelene M. Konen, known or identified  
to me to be the persons whose name is subscribed to the foregoing instrument as Trustee, and  
acknowledged to me that she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in  
this certificate first above written.



[Signature]  
Notary Public  
Commission expires: 10-6-2016

Carol M. Church  
CAROL M. CHURCH

STATE OF IDAHO

SS.

County of Kootenai

On 12/31, 20 12, before me, MALCOLM DYMOSKI, a Notary Public for the State of Idaho, personally appeared Carol M. Church, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.



Malcolm Dymoski  
Notary Public  
Commission expires: 10-6-2016

For the Orville Konen and Deane M. Konen Survivor's Trust "A" and the Orville Konen and Deane M. Konen Family Trust "B"

Carol M. Church  
CAROL M. CHURCH, Trustee

STATE OF IDAHO

SS.

County of Kootenai

On 12/31, 20 12, before me, MALCOLM DYMOSKI, a Notary Public for the State of Idaho, personally appeared Carol M. Church, known or identified to me to be the persons whose name is subscribed to the foregoing instrument as Trustee, and acknowledged to me that she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.



Malcolm Dymoski  
Notary Public  
Commission expires: 10-6-2016

SHARON A. KONEN

CAROL M. CHURCH

STATE OF IDAHO

ss.

County of Kootenai

On \_\_\_\_\_, 20\_\_\_\_\_, before me, \_\_\_\_\_, a  
Notary Public for the State of Idaho, personally appeared Carol M. Church, known or identified  
to me to be the person whose name is subscribed to the foregoing instrument and acknowledged  
to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in  
this certificate first above written.

Notary Public

Commission expires:

For the Orville Konen and Gelene M. Konen Survivor's Trust "A" and the  
Orville Konen and Gelene M. Konen Family Trust "B"

CAROL M. CHURCH, Trustee

STATE OF IDAHO

ss.

County of Kootenai

On \_\_\_\_\_, 20\_\_\_\_\_, before me, \_\_\_\_\_, a  
Notary Public for the State of Idaho, personally appeared Carol M. Church, known or identified  
to me to be the persons whose name is subscribed to the foregoing instrument as Trustee, and  
acknowledged to me that she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in  
this certificate first above written.

Notary Public

Commission expires:

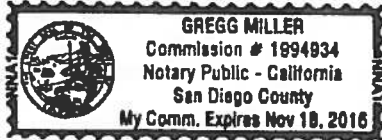
*Sharon A. Konen*  
SHARON A. KONEN

STATE OF CALIFORNIA

County of SAN DIEGO <sup>SS.</sup>

On DEC 31, 2012, before me, GREGG MILLER,  
a Notary Public for the State of ~~Idaho~~ <sup>CALIFORNIA</sup>, personally appeared Sharon A. Konen, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.



[Signature]  
Notary Public  
Commission expires: NOV. 18 2016

For the Orville Konen and Gelene M. Konen Survivor's Trust "A" and the  
Orville Konen and Gelene M. Konen Family Trust "B"

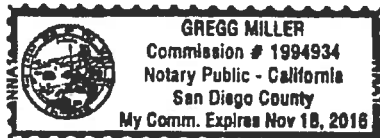
[Signature]  
SHARON A. KONEN, Trustee

STATE OF CALIFORNIA

County of SAN DIEGO <sup>SS.</sup>

On DEC 31, 2012, before me, GREGG MILLER,  
a Notary Public for the State of ~~Idaho~~ <sup>CALIFORNIA</sup>, personally appeared Sharon A. Konen, known or identified to me to be the persons whose name is subscribed to the foregoing instrument as Trustee, and acknowledged to me that she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.



[Signature]  
Notary Public  
Commission expires: NOV 18, 2016

  
JOHN D. KONEN

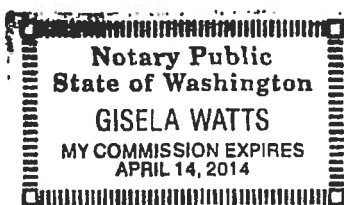
STATE OF WASHINGTON

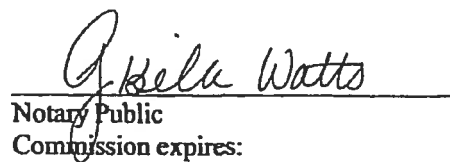
ss.

County of Spokane

On 12-31-, 20 12, before me, Gisela Watts, a  
Notary Public for the State of ~~Idaho~~ <sup>Washington</sup>, personally appeared John D. Konen, known or identified to  
me to be the person whose name is subscribed to the foregoing instrument and acknowledged to  
me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in  
this certificate first above written.



  
Notary Public  
Commission expires:

Bruce L. Konen by Sally A. Konen, P.O.A.  
BRUCE L. KONEN  
By: SALLY KONEN  
Attorney in Fact for Bruce L. Konen

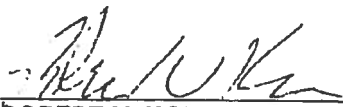
STATE OF IDAHO

County of ~~Kootenai~~ <sup>SS.</sup> Nez Perce

On 12/31, 2012, before me, Rita Ridinger, a  
Notary Public for the State of Idaho, personally appeared Sally Konen, known or identified to  
me to be the person whose name is subscribed to the foregoing instrument as the attorney in fact  
for Bruce L. Konen, and acknowledged to me that she executed the same as such attorney in fact  
for Bruce L. Konen

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in  
this certificate first above written.

Rita Ridinger  
Notary Public  
Commission expires: 9-9-2014

  
ROBERT V. KONEN

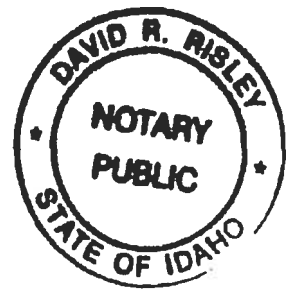
STATE OF IDAHO

SS.

County of Nez Perce

On DECEMBER 31, 2012, before me, David R. Risley, a  
Notary Public for the State of Idaho, personally appeared Robert V. Konen, known of identified  
to me to be the person whose name is subscribed to the foregoing instrument and acknowledged  
to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in  
this certificate first above written.



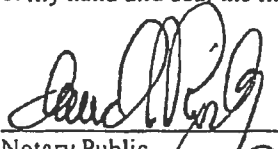
  
Notary Public  
Commission expires 2/20/2016

Exhibit A

That part of the SE1/4SW1/4 of Section 23 and the N1/2 of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows:  
Beginning at the Southeast corner of said SE1/4SW1/4 of Section 23; thence N.89°03'06"E. along the North line of said Section 26 a distance of 406.92 feet; thence S.0°09'E., 1643.72 feet; thence S.89°03'W., 214.50 feet; thence S.0°57'E., 224.20 feet; thence S.66°04'W., 156.93 feet; thence N.85°16'W., 1373.09 feet to a point on the centerline of Thiessen Road; thence N.0°09'W along said centerline 2836.88 feet; thence N.88°38'E., 1312.79 feet; thence S.0°21'E., 1053.13 feet to the place of beginning.

Exhibit B

The South Half of the Northwest Quarter, the North Half of the Southwest Quarter, the Northwest Quarter of the Southeast Quarter, SUBJECT to the North 40 feet reserved for road purposes; the Southwest Quarter of the Northeast Quarter and all that part of the Northwest Quarter of the Northeast Quarter, lying South of Lewiston-Waha Highway as now laid out and existing. EXCEPTING THEREFROM that part more particularly described as follows: Beginning at the Northeast corner of said Southwest Quarter of the Northeast Quarter of said Section 25; thence South 578 feet; thence N.79°40'W., 645 feet; thence N.12°41'E., 478 feet; thence S.89°21'E., 530 feet to the place of beginning, all in Section 25 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho.

That part of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Beginning at the Northeast corner of said Section 26; thence S.0°03'27"E. along the East line of said Section 26 a distance of 4017.89 feet; thence S.89°35'57"W., 1315.14 feet; thence S.0°09'24"E., 1335.01 feet to a point on the South line of said Section 26; thence S.89°50'39"W. along said South line a distance of 1108.81 feet; thence N.17°23'41"W., 466.38 feet; thence N.38°47'51"W., 202.54 feet; thence N.2°41'15"E., 1764.30 feet; thence N.6°14'W., 290.65 feet; thence N.1°50'E., 297.81 feet; thence East 16.06 feet; thence North 103.06 feet; thence N.6°15'W., 177.10 feet; thence N.24°17'W., 44.11 feet; thence N.5°26'W., 26.42 feet; thence N.85°16'W., 1177.18 feet; thence S.84°16'W., 110.80 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way line a distance of 120.51 feet; thence S.85°16'E., 1346.07 feet; thence N.66°04'E., 156.93 feet; thence N.0°57'W., 224.20 feet; thence N.89°03'E., 214.50 feet; thence N.0°09'W., 1643.72 feet to a point on the North line of said Section 26; thence N.89°03'06"E. along said North line a distance of 2237.73 feet to the place of beginning.

SUBJECT TO A 30' water line easement over and across that part of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, lying 15' on each side of the following described centerlines: Commencing at the Northwest corner of said Section 26; thence S.27°47'59"E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way 680.68 feet; thence N.84°16'E., 110.80 feet; thence S.85°16'E., 1160.01 feet to the true place of beginning; thence N.0°51'E., 93.65 feet; thence N.18°45'E., 6.77 feet to the terminus of the above described centerline.

ALSO SUBJECT TO an easement for ingress and egress over and across that part of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Commencing at the Northwest corner of said Section 26; thence S.27°47'59"E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way 680.68 feet to the true place of beginning; thence continue N.0°09'58"E. along said right-of-way line 120.51 feet; thence; thence S.85°16'E., 1286.31 feet; thence S.0°39'E., 100.45 feet; thence N.85°16'W., 1177.18 feet; thence S.84°16'W., 110.80 feet to the true place of beginning.

SUBJECT to easements of record.

### Exhibit C

A parcel located in Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Commencing at the Northwest corner of said Section 26; thence S.27°47'59"E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way 680.68 feet to the true place of beginning; thence continue N. 0°09'58"E. along said right-of-way line 120.51 feet ; thence S.85°16'E., 1286.31 feet; thence S.0°39'E., 100.45 feet; thence N.85°16'W., 1177.18 feet; thence S. 84°16'W., 110.80 feet to the true place of beginning.

Exhibit D

QUITCLAIM DEED

Grantors, Gelene M. Konen, Carol M. Church, and Sharon A. Konen, co-Trustees of the Orvelle Konen and Gelene M. Konen Survivor's Trust "A", and co-Trustees of the Orvelle Konen and Gelene M. Konen Family Trust "B", for a good and valuable consideration the receipt whereof is hereby acknowledged, do remise, release, and forever quitclaim unto John D. Konen, a married man, as his sole and separate property, Sharon A. Konen, a single women, and Bruce L. Konen, a married man, as his sole and separate property, all three as tenants in common, whose current address is 18386 Daffodil Lane, Lewiston, ID 83501, as Grantee, and to Grantee's heirs and assigns, forever, all of the Grantor's right, title and interest, including after-acquired title, in all the following described real estate, situated in the County of Nez Perce, State of Idaho, to-wit:

See Exhibit A, attached,

Together with two easements along, under, and across the parcel described in Exhibit B, attached, for the purposes of conveying water to the parcel described in Exhibit A from the parcel described in Exhibit C, attached. One such easement shall be located where the pipe conveying such water exists at the time of execution of this Deed, and the other such easement shall be located north of the area of the pond located on Exhibit C. Both such easements shall include sufficient area on each side of said pipes in order to reasonably access and maintain those pipes; and

Together with an easement along, across, and from the roadway located on the parcel described in Exhibit B for the purpose of ingress to and egress from the parcel described in Exhibit A, directly north of the locations and for the same width as the three gates that are presently located in the fence along the northern boundary of the parcel described in Exhibit C, so long as the parcel described in Exhibit A, or any part of it, is owned by John D. Konen, Sharon A. Konen, and Bruce L. Konen, or any one of those three persons, and such parcel or part is used for agricultural or ranching purposes; and

Together with an easement along, across, and from the roadway located on the parcel described in Exhibit B for the purpose of ingress to and egress from the parcel described in Exhibit C, at the locations and for the same width as the three gates that are presently located in the fence along the northern boundary of the parcel described in Exhibit C, so long as the parcel described in Exhibit C, or any part of it, is owned by Carol M. Church and such parcel or part is used for agricultural or ranching purposes; and

Together with the right to appropriate water from any water source located on the parcel described in Exhibit A, and to make beneficial use of that water on that parcel; and

Together with all tenements, hereditaments and appurtenances thereunto belonging.

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 Grantor has hereunto set Grantor's hand \_\_\_\_\_, 20\_\_.

For the Orville Konen and Gelene M. Konen Survivor's Trust "A",  
and the Orville Konen and Gelene M. Konen Family Trust "B"

\_\_\_\_\_  
GELENE M. KONEN  
Trustee

\_\_\_\_\_  
CAROL M. CHURCH  
Trustee

\_\_\_\_\_  
SHARON A. KONEN  
Trustee

STATE OF IDAHO

ss.

County of Kootenai

On \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_, a Notary Public for the State of Idaho, personally appeared Gelene M. Konen, known or identified to me to be the person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M. Konen Survivor's Trust "A", and a Trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and acknowledged to me that she executed the same as such Trustee of each of those Trusts.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.

\_\_\_\_\_  
Residing in:  
Commission expires:

STATE OF IDAHO

ss.

County of Kootenai

On \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_, a Notary Public for the State of Idaho, personally appeared Carol M. Church, known or identified to me to be the person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M. Konen Survivor's Trust "A", and a trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and acknowledged to me that she executed the same as such Trustee of each of those Trusts.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.

\_\_\_\_\_  
Residing in:  
Commission expires:

STATE OF CALIFORNIA

ss.

County of \_\_\_\_\_

On \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_, a Notary Public for the State of California, personally appeared Sharon A. Konen, known or identified to me to be the person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M. Konen Survivor's Trust "A", and a Trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and acknowledged to me that she executed the same as such Trustee of each of those Trusts.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first above written.

\_\_\_\_\_  
Residing in:  
Commission expires:

Exhibit A

That part of the SE1/4SW1/4 of Section 23 and the N1/2 of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Beginning at the Southeast corner of said SE1/4SW1/4 of Section 23; thence N.89°03'06"E. along the North line of said Section 26 a distance of 406.92 feet; thence S.0°09'E., 1643.72 feet; thence S.89°03'W., 214.50 feet; thence S.0°57'E., 224.20 feet; thence S.66°04'W., 156.93 feet; thence N.85°16'W., 1373.09 feet to a point on the centerline of Thiessen Road; thence N.0°09'W along said centerline 2836.88 feet; thence N.88°38'E., 1312.79 feet; thence S.0°21'E., 1053.13 feet to the place of beginning.

Exhibit B

A parcel located in Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Commencing at the Northwest corner of said Section 26; thence S.27°47'59"E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way 680.68 feet to the true place of beginning; thence continue N. 0°09'58"E. along said right-of-way line 120.51 feet ; thence S.85°16'E., 1286.31 feet; thence S.0°39'E., 100.45 feet; thence N.85°16'W., 1177.18 feet; thence S. 84°16'W., 110.80 feet to the true place of beginning.

Exhibit C

The real property conveyed to Carol M. Church, as Grantee, as described in Instrument Numbers 646181, 663145, 699366, 795091, 795092, 795093, and 799969, Records of Nez Perce County, Idaho.

Exhibit E

QUITCLAIM DEED

Grantors, Gelene M. Konen, Carol M. Church, and Sharon A. Konen, co-Trustees of the Orville Konen and Gelene M. Konen Survivor's Trust "A", and co-Trustees of the Orville Konen and Gelene M. Konen Family Trust "B", for a good and valuable consideration the receipt whereof is hereby acknowledged, do remise, release, and forever quitclaim unto Robert V. Konen, a married man, as his sole and separate property, whose current address is 32073 Waha Road, Lewiston, ID 83501, as Grantee, and to Grantee's heirs and assigns, forever, all of the Grantor's right, title and interest, including after-acquired title, in all the following described real estate, situated in the County of Nez Perce, State of Idaho, to-wit:

See Exhibit A, attached.

Reserving therefrom two easements along, under, and across the parcel described in Exhibit B, attached, for the purposes of conveying water from the parcel described in Exhibit C, attached, to the parcel described in Exhibit D, attached. One such easement shall be located where the pipe conveying such water exists at the time of execution of this Deed, and the other such easement shall be located north of the area of the pond located on Exhibit C. Both such easements shall include sufficient area on each side of said pipes in order to reasonably access and maintain those pipes, and

Reserving therefrom an easement along, across, and from the roadway located on the parcel described in Exhibit B for the purpose of ingress to and egress from the parcel described in Exhibit D, directly north of the locations and for the same width as the three gates that are presently located in the fence along the northern boundary of the parcel described in Exhibit C, so long as the parcel described in Exhibit D, or any part of it, is owned by John D. Konen, Sharon A. Konen, and Bruce L. Konen, or any one of those three persons, and such parcel or part is used for agricultural or ranching purposes; and

Reserving therefrom an easement along, across, and from the roadway located on the parcel described in Exhibit B for the purpose of ingress to and egress from the parcel described in Exhibit C, at the locations and for the same width as the three gates that are presently located in the fence along the northern boundary of the parcel described in Exhibit C, so long as the parcel described in Exhibit C, or any part of it, is owned by Carol M. Church and such parcel or part is used for agricultural or ranching purposes; and

Reserving therefrom those two points of diversion of the Water Right issued by the Idaho Department of Water Resources, one of which is the spring located on the parcel described in Exhibit C, and the other of which is the water source located on the parcel described in Exhibit D, and whose place of use will be the parcel described in Exhibit D.

Together with all tenements, hereditaments and appurtenances thereunto belonging.

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 Grantor has hereunto set Grantor's hand \_\_\_\_\_, 20\_\_.

For the Orville Konen and Gelene M. Konen Survivor's Trust "A",  
and the Orville Konen and Gelene M. Konen Family Trust "B"

\_\_\_\_\_  
GELENE M. KONEN  
Trustee

\_\_\_\_\_  
CAROL M. CHURCH  
Trustee

\_\_\_\_\_  
SHARON A. KONEN  
Trustee

STATE OF IDAHO

ss.

County of Kootenai

On \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_, a  
Notary Public for the State of Idaho, personally appeared Gelene M. Konen, known or identified to me to be the  
person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M.  
Konen Survivor's Trust "A", and a Trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and  
acknowledged to me that she executed the same as such Trustee of each of those Trusts.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first  
above written.

\_\_\_\_\_  
Residing in:  
Commission expires:

STATE OF IDAHO

ss.

County of Kootenai

On \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_, a  
Notary Public for the State of Idaho, personally appeared Carol M. Church, known or identified to me to be the  
person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M.  
Konen Survivor's Trust "A", and a trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and  
acknowledged to me that she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the name and year in this certificate first  
above written.

\_\_\_\_\_  
Residing in:  
Commission expires:

STATE OF CALIFORNIA

ss.

County of \_\_\_\_\_

On \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_, a  
Notary Public for the State of California, personally appeared Sharon A. Konen, known or identified to me to be the  
person whose name is subscribed to the foregoing instrument as a Trustee of the Orville Konen and Gelene M.  
Konen Survivor's Trust "A", and a Trustee of the Orville Konen and Gelene M. Konen Family Trust "B", and  
acknowledged to me that she executed the same as such Trustee.

IN WITNESS WHEREOF: I have hereunto set my hand and seal the name and year in this certificate first  
above written.

Residing in: \_\_\_\_\_

Commission expires: \_\_\_\_\_

Exhibit A

The South Half of the Northwest Quarter, the North Half of the Southwest Quarter, the Northwest Quarter of the Southeast Quarter, SUBJECT to the North 40 feet reserved for road purposes; the Southwest Quarter of the Northeast Quarter and all that part of the Northwest Quarter of the Northeast Quarter, lying South of Lewiston-Waha Highway as now laid out and existing. EXCEPTING THEREFROM that part more particularly described as follows: Beginning at the Northeast corner of said Southwest Quarter of the Northeast Quarter of said Section 25; thence South 578 feet; thence N.79°40'W., 645 feet; thence N.12°41'E., 478 feet; thence S.89°21'E., 530 feet to the place of beginning, all in Section 25 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho.

That part of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Beginning at the Northeast corner of said Section 26; thence S.0°03'27"E. along the East line of said Section 26 a distance of 4017.89 feet; thence S.89°35'57"W., 1315.14 feet; thence S.0°09'24"E., 1335.01 feet to a point on the South line of said Section 26; thence S.89°50'39"W. along said South line a distance of 1108.81 feet; thence N.17°23'41"W., 466.38 feet; thence N.38°47'51"W., 202.54 feet; thence N.2°41'15"E., 1764.30 feet; thence N.6°14'W., 290.65 feet; thence N.1°50'E., 297.81 feet; thence East 16.06 feet; thence North 103.06 feet; thence N.6°15'W., 177.10 feet; thence N.24°17'W., 44.11 feet; thence N.5°26'W., 26.42 feet; thence N.85°16'W., 1177.18 feet; thence S.84°16'W., 110.80 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way line a distance of 120.51 feet; thence S.85°16'E., 1346.07 feet; thence N.66°04'E., 156.93 feet; thence N.0°57'W., 224.20 feet; thence N.89°03'E., 214.50 feet; thence N.0°09'W., 1643.72 feet to a point on the North line of said Section 26; thence N.89°03'06"E. along said North line a distance of 2237.73 feet to the place of beginning.

SUBJECT TO A 30' water line easement over and across that part of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, lying 15' on each side of the following described centerlines: Commencing at the Northwest corner of said Section 26; thence S.27°47'59"E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way 680.68 feet to the true place of beginning; thence S.85°16'E., 1160.01 feet to the true place of beginning; thence N.0°51'E., 93.65 feet; thence N.18°45'E., 6.77 feet to the terminus of the above described centerline.

ALSO SUBJECT TO an easement for ingress and egress over and across that part of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Commencing at the Northwest corner of said Section 26; thence S.27°47'59"E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way 680.68 feet to the true place of beginning; thence continue N.0°09'58"E. along said right-of-way line 120.51 feet; thence; thence S.85°16'E., 1286.31 feet; thence S.0°39'E., 100.45 feet; thence N.85°16'W., 1177.18 feet; thence S.84°16'W., 110.80 feet to the true place of beginning.

SUBJECT to easements of record.

## Exhibit B

A parcel located in Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Commencing at the Northwest corner of said Section 26; thence S.27°47'59"E., 2910.65 feet to a point on the East right-of-way line of Thiessen Road; thence N.0°09'58"E. along said right-of-way 680.68 feet to the true place of beginning; thence continue N. 0°09'58"E. along said right-of-way line 120.51 feet ; thence S.85°16'E., 1286.31 feet; thence S.0°39'E., 100.45 feet; thence N.85°16'W., 1177.18 feet; thence S. 84°16'W., 110.80 feet to the true place of beginning.

Exhibit C

The real property conveyed to Carol M. Church, as Grantee, as described in Instrument Numbers 646181, 663145, 699366, 795091, 795092, 795093, and 799969, Records of Nez Perce County, Idaho.

Exhibit D

That part of the SE1/4SW1/4 of Section 23 and the N1/2 of Section 26 of Township 35 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Beginning at the Southeast corner of said SE1/4SW1/4 of Section 23; thence N.89°03'06"E. along the North line of said Section 26 a distance of 406.92 feet; thence S.0°09'E., 1643.72 feet; thence S.89°03'W., 214.50 feet; thence S.0°57'E., 224.20 feet; thence S.66°04'W., 156.93 feet; thence N.85°16'W., 1373.09 feet to a point on the centerline of Thiessen Road; thence N.0°09'W along said centerline 2836.88 feet; thence N.88°38'E., 1312.79 feet; thence S.0°21'E., 1053.13 feet to the place of beginning.

EXHIBIT SURVEY  
PART OF THE  
N.W. 1/4  
SECTION 26, T 35 N, R 5 W  
BOISE MERIDIAN  
COUNTY OF NEZ PERCE  
STATE OF IDAHO

### SURVEYOR'S CERTIFICATE

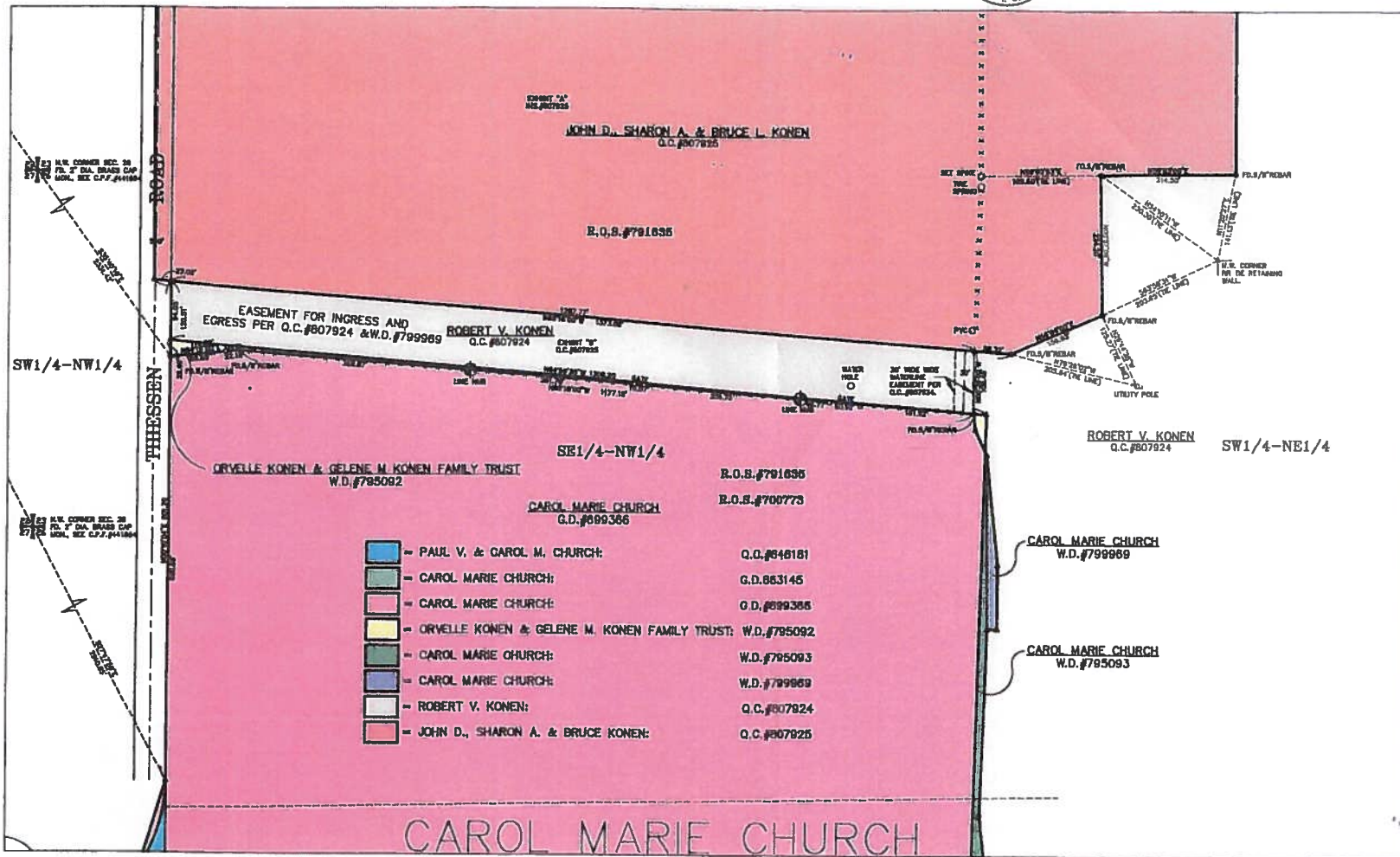
THIS MAP CORRECTLY REPRESENTS A SURVEY DONE BY ME OR UNDER MY  
DIRECTION IN ACCORDANCE WITH THE SURVEY RECORDING ACT AT THE  
REQUEST OF DICK WYATT IN DECEMBER OF 2013.



Sanny T. Golding 12/23/2013  
TERRY T. GOLDING DATE  
IDAHO PROFESSIONAL LAND SURVEYOR # 7379

### LEGEND

- ▲ = CALCULATED POSITION ONLY, NO CORNER SET THIS SURVEY.  
● = FOUND MONUMENT AS SHOWN.  
--- = EXISTING BARBED WIRE FENCE.



# LEGEND

- ▲ = CALCULATED POSITION ONLY, NO CORNER SET THIS SURVEY.
- = FOUND MONUMENT AS SHOWN.
- = EXISTING BARBED WIRE FENCE.

## EXHIBIT SURVEY

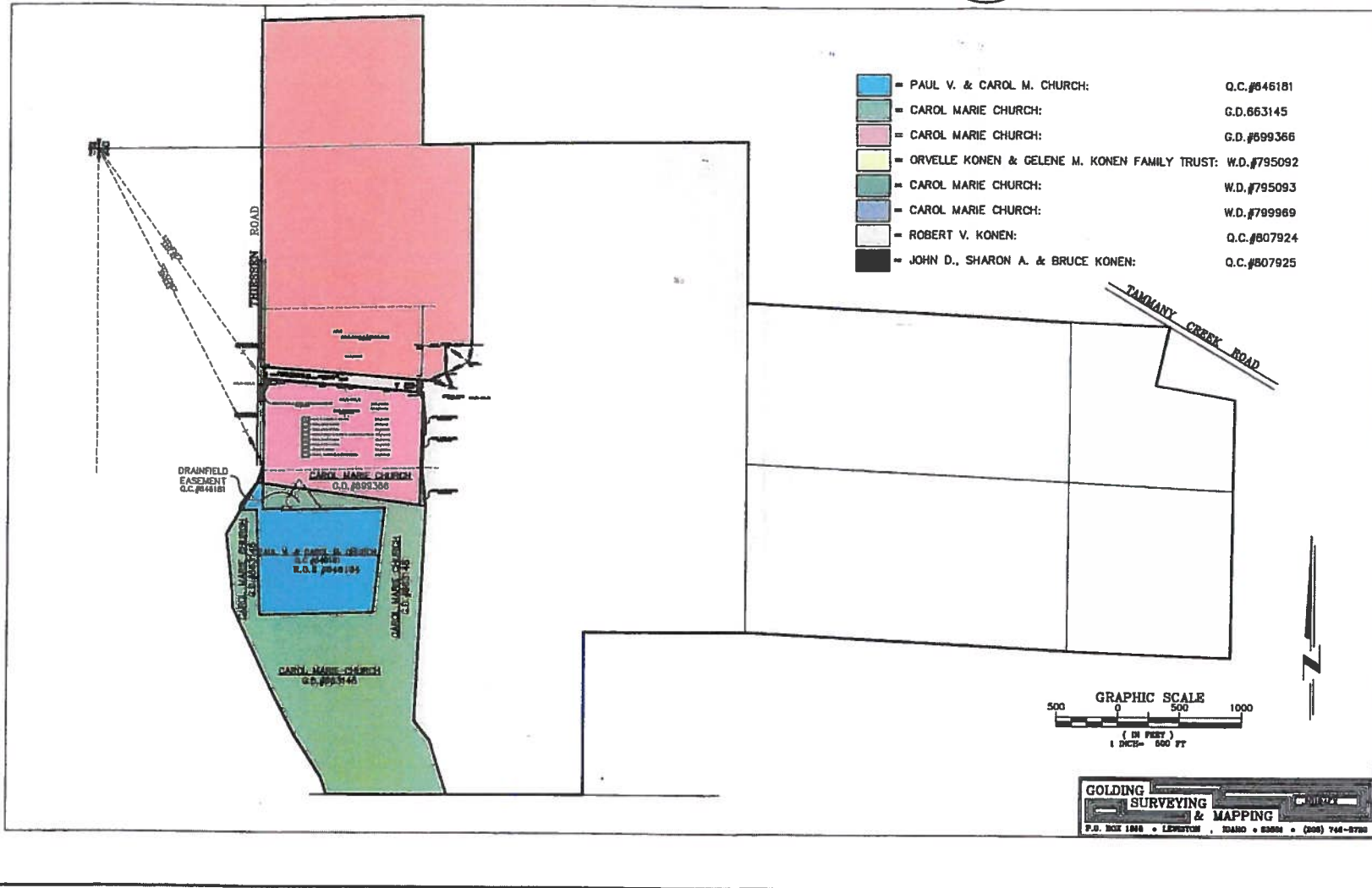
PART OF THE  
N.W. 1/4  
SECTION 28, T 35 N, R 5 W  
BOISE MERIDIAN  
COUNTY OF NEZ PERCE  
STATE OF IDAHO

### SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY DONE BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH THE SURVEY RECORDING ACT AT THE REQUEST OF "DICK ROYALT" IN "DECEMBER" OF 2013.



Terry T. Golding 12/23/2013  
TERRY T. GOLDING DATE  
IDAHO PROFESSIONAL LAND SURVEYOR # 7379





State of Idaho

**DEPARTMENT OF WATER RESOURCES**

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

March 21, 2014

ROBERT KONEN  
32073 WAHA RD  
LEWISTON ID 83501

RE: Notice of Change of Water Right Ownership: 85-2127 and 85-11223

Dear Mr. Konen:

On February 12, 2014, the Department of Water Resources received a Notice of Change of Ownership for Water Rights 85-2127 and 85-11223 from you. On February 15, 2014, we received an email from you asking us to place that on hold. You were informed at that time the department would hold your ownership change for until March 21, 2014. Since, you have not contacted this agency in the time allotted, your Notice of Ownership Change and supporting documents are being returned to you.

I have requested a refund for \$125 for receipt # C098314 be returned to you under separate cover from the State Controller's Office.

Please feel free to contact the department if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Clay Webster'.

Clay Webster  
Technical Records Specialist I

## Skaggs, Pam

---

**From:** Skaggs, Pam  
**Sent:** Thursday, February 06, 2014 9:16 AM  
**To:** 'makonen@lewiston.com'  
**Cc:** Webster, Clay  
**Subject:** Notice of Change in Water Right Ownership - Rights 85-2127 & 85-11223

Robert,

After we met yesterday, I looked over the information you provided and suggest the following:

- Submit the signed Notice of Change in Water Right Ownership application
- Submit the application fee of \$125.00 (\$100 for split right 85-2127 & \$25 for unsplit right 85-11223)
- Include a copy of the signed, recorded Quitclaim Deed conveying specific property to you as described in the agreement

Mail the items to my attention for processing at the address noted below. All of the documents you left with me will be considered in the review of the ownership change review. If anything further is needed we will contact you.

Pam

---

**Pamela S. Skaggs**  
Water Rights Supervisor  
Idaho Department of Water Resources  
322 E Front St  
PO Box 83720  
Boise ID 83720-0098  
Phone (208) 287-4951  
Fax (208) 287-6700

## Webster, Clay

---

**From:** Skaggs, Pam  
**Sent:** Tuesday, February 18, 2014 7:51 AM  
**To:** Bob & Molly Konen  
**Cc:** Webster, Clay  
**Subject:** RE: Konen Proposed Ownership Change

Bob,

We will hold your application for 30 days. If we have not heard from you by March 21<sup>st</sup>, the application & documentation will be returned. Please advise us of your intent prior to March 21<sup>st</sup>.

Pam

---

**Pamela S. Skaggs**  
Water Rights Supervisor  
Idaho Department of Water Resources  
322 E Front St  
PO Box 83720  
Boise ID 83720-0098  
Phone (208) 287-4951  
Fax (208) 287-6700

---

**From:** Bob & Molly Konen [<mailto:makonen@lewiston.com>]  
**Sent:** Saturday, February 15, 2014 10:56 PM  
**To:** Skaggs, Pam  
**Subject:** RE: Konen Proposed Ownership Change

Pam something came to light today. Can I put everything on hold. Bob

---

**From:** Skaggs, Pam [<mailto:Pam.Skaggs@idwr.idaho.gov>]  
**Sent:** Wednesday, February 12, 2014 2:29 PM  
**To:** [makonen@lewiston.com](mailto:makonen@lewiston.com)  
**Subject:** FW: Konen Proposed Ownership Change

Robert,

Thank you for providing copies of the signed & recorded Quitclaim Deeds to add to the ownership documentation you left with me. We must receive your signed Notice of Change of Water Right ownership (original by mail) along with the associated fee before any action can be taken. Please mail at your earliest convenience. We will hold your documentation temporarily in expectation of the completed form and fee.

Pam

---

**Pamela S. Skaggs**  
Water Rights Supervisor  
Idaho Department of Water Resources  
322 E Front St  
PO Box 83720  
Boise ID 83720-0098  
Phone (208) 287-4951  
Fax (208) 287-6700

---

**From:** Bob & Molly Konen [<mailto:makonen@lewiston.com>]  
**Sent:** Saturday, February 08, 2014 4:27 PM

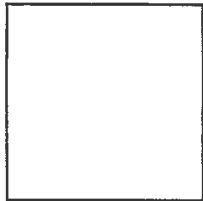
**To:** Skaggs, Pam  
**Subject:** FW:

**From:** David Risley [mailto:[David@risleylawoffice.com](mailto:David@risleylawoffice.com)]  
**Sent:** Monday, December 02, 2013 11:46 AM  
**To:** 'Dick Wyatt'; 'Bob & Molly Konen'  
**Subject:**

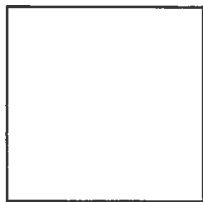
David R. Risley  
Attorney at Law  
Risley Law Office, PLLC  
P.O. Box 1247  
1443 Idaho Street  
Lewiston, Idaho 83501  
(208) 743-5338  
(208) 743-5307 (Fax)

\*\*\*\*\*

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**Notice of Change in Water Right Ownership**

RECEIVED  
FEB 12 2014  
DEPARTMENT 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.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 85-2127               | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 85-11223              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Korner Farms  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert Korner  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or
- 32073 Waha Rd      Heuvelton      Id      83501  
Mailing address      City      State      ZIP
- 208 743 4757      makern@heuvelton.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: \_\_\_\_\_
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]      Title, if applicable \_\_\_\_\_      Date 2/8/14  
Signature of new owner/claimant

Signature: \_\_\_\_\_      Title, if applicable \_\_\_\_\_      Date \_\_\_\_\_  
Signature of new owner/claimant

For IDWR Office Use Only:

Received by CS      Date 2/12/14      Receipt No. C090314      Receipt Amt. \$125<sup>00</sup>  
 Approved by \_\_\_\_\_      Processed by \_\_\_\_\_      Date \_\_\_\_\_



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

August 30, 2017

ROBERT KONEN  
32073 WAHA RD  
LEWISTON ID 83501

Re: Change in Water Right Ownership: 85-2127 (Split into 85-2127 and 85-15788)

Dear Water Right Holder:

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

**Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required.** Please contact this office for further information on the Application for Transfer form or you can find the forms at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). If you do not plan on changing any items on your water right, then no further action is required at this time.

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 Idaho Code §§ 42-222 and 42-223.

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.

Please feel free to contact me at 208-287-4920 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Debbi Judd  
Technical Records Specialist

Enclosure

c: Konen Farms



State of Idaho

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August 30, 2017

KONEN FARMS  
32073 WAHA RD  
LEWISTON ID 83501

Re: Change in Water Right Ownership: 85-2127 (Split into 85-2127 and 85-15788)

Dear Water Right Holder:

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

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 Idaho Code §§ 42-222 and 42-223.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4920.

Sincerely,

Debbi Judd  
Technical Records Specialist

Enclosure