

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED *DEV*
OCT 27 2015
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?
<i>LIC 96-2174</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<i>496-9626</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: GLEN R. JUDGE
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MARK G. POWERS & Kim M. POWERS
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 6095 DuFort Rd SAGLE ID 83800
Mailing address City State ZIP
- 509 869 4360 mark @ ps-pension.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: 11/4/2003
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**
96-2174
IN FILE #
8. Signature: [Signature] Title, if applicable _____ Date 10/12/15
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable _____ Date 10/12/15
Signature of new owner/claimant

For IDWR Office Use Only:

Received by [Signature] Date 10-27-15 Receipt No. 0101137 Receipt Amt. \$100⁰⁰

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 _____ Date _____

Spokane County Title
11703 E. Sprague Avenue #B2
Spokane Valley, WA 99206

638181

Furnished by First American Title Co.

WARRANTY DEED

36107

For Value Received Robert J. Isaacson, an unmarried person and Susan M. Crowley, an unmarried person, who also acquired title as Robert J. Isaacson and Susan M. Isaacson, husband and wife and Larmond J. Windhorst and Sharon R. Windhorst, husband and wife the grantors, do hereby grant, bargain, sell and convey unto Mark G. Powers and Kim M. Powers, husband and wife

the grantees, whose current address is 25315 N. Orchard Bluff Rd, Spokane, WA 99003

the following described premises, in Bonner

County Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED FOR LEGAL DESCRIPTION

SUBJECT TO: Future taxes; Any claims arising from the fact that access to this property crosses the Spokane International Railroad right of way and is subject to the regulations thereof; Any claims arising out of the difference between the mean high water line and the meander line of the Pend Oreille River of the Cocolalla Creek; Any question that may arise due to the shifting and changing in the course of Pend Oreille River or the Cocolalla Creek; Right of the State of Idaho in and to that portion, if any, of the property which lies below the line of ordinary high water of Pend Oreille River or the Cocolalla Creek; Easement and Conditions contained in document recorded April 20, 1939 under Instrument No. 98072; A perpetual Right of Way and Easement contained in document recorded August 9, 1952 under Instrument No. 42976; Easement and Conditions contained in document recorded November 6, 1959 under Instrument No. 73093; Easement and Condition contained in document recorded October 20, 1982 under Instrument No. 261721 and re-recorded November 17, 1982 in Instrument No. 262474; Terms, Conditions or Obligations associated with beneficial easement contained in document recorded August 7, 1996 in Instrument No. 489533.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that the y the owner s in fee simple of said premises; that they are free from all incumbrances

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: November 4, 2003

Robert J. Isaacson 11-503

Robert J. Isaacson

Susan M. Crowley

Susan M. Crowley

Larmond J. Windhorst

Sharon R. Windhorst

Sharon R. Windhorst

STATE OF ~~IDAHO~~ ^{Washington} COUNTY OF ~~Suonomish~~ ²⁰⁰³
On this 5th day of November, 2003,
before me, a notary public in and for the said State, personally appeared

Robert J. Isaacson

known or proved to me upon the basis of satisfactory identification to be the person whose name subscribed to the within instrument, and acknowledged to me that executed the same.

Aaron Z. Stailey

Notary Public

Residing at Mill Creek,
Comm. Expires March 3, 2007

Idaho
Washington

Notary Public
State of Washington
AARON ZACHARY STAILEY
My Appointment Expires Mar 3, 2007

WARRANTY DEED

For Value Received Robert J. Isaacson, an unmarried person and Susan M. Crowley, an unmarried person, who also acquired title as Robert J. Isaacson and Susan M. Isaacson, husband and wife and Larmond J. Windhorst and Sharon R. Windhorst, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto Mark G. Powers and Kim M. Powers, husband and wife

the grantees, whose current address is 25315 N. Orchard Bluff Rd, Spokane, WA 99003

the following described premises, in Bonner

County Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED FOR LEGAL DESCRIPTION

SUBJECT TO: Future taxes; Any claims arising from the fact that access to this property crosses the Spokane International Railroad right of way and is subject to the regulations thereof; Any claims arising out of the difference between the mean high water line and the meander line of the Pend Oreille River of the Cocolalla Creek; Any question that may arise due to the shifting and changing in the course of Pend Oreille River or the Cocolalla Creek; Right of the State of Idaho in and to that portion, if any, of the property which lies below the line of ordinary high water of Pend Oreille River or the Cocolalla Creek; Easement and Conditions contained in document recorded April 20, 1939 under Instrument No. 98072; A perpetual Right of Way and Easement contained in document recorded August 9, 1952 under Instrument No. 42976; Easement and Conditions contained in document recorded November 6, 1959 under Instrument No. 73093; Easement and Conditions contained in document recorded October 20, 1982 under Instrument No. 261721 and re-recorded November 17, 1982 in Instrument No. 262474; Terms, Conditions or Obligations associated with beneficial easement contained in document recorded August 7, 1996 in Instrument No. 489533.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee^s, heirs and assigns forever. And the said Grantor^s do hereby covenant to and with the said Grantee^s, that the y the owner^s in fee simple of said premises; that they are free from all incumbrances

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: November 4, 2003

Robert J. Isaacson

Susan M. Crowley

Larmond J. Windhorst

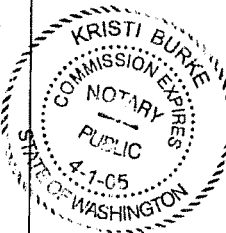
Sharon R. Windhorst

WASHINGTON
STATE OF IDAHO, COUNTY OF SPOKANE
On this 5th day of NOVEMBER, 2003,
before me, a notary public in and for the said State, personally appeared - SUSAN M. CROWLEY,
LARMOND J. WINDHORST AND
SHARON R. WINDHORST -

known or proved to me upon the basis of satisfactory identification to be the person whose name^s ARE subscribed to the within instrument, and acknowledged to me that^{they} executed the same.

KRISTI BURKE
Residing at SPOKANE, WA
Comm. Expires 11/1/05

Notary Public
, Idaho



INSTRUMENT NO.

Exhibit A

PARCEL 1:

A portion of the Northeast quarter of Section 29, Township 56 North, Range 3 West, Boise Meridian, Bonner County, Idaho, described as follows:

Commencing at the Southeast corner of said Section 29;

thence North 00 degrees 04'00" West 3960.00 feet along the Easterly line of said Section 29 to the North Sixteenth corner common to said Sections 29 and 28;

thence leaving said Easterly line South 88 degrees 32'43" East 1282.96 feet along the Northerly line of the Southwest quarter of the Northwest quarter of said Section 28 to the Westerly right of way of the Spokane International Railroad;

thence leaving said Northerly line along said Westerly right of way South 25 degrees 35'12" West 1418.86 feet to a found steel pin;

thence leaving said Westerly right of way along the Southerly line of that certain tract of land described in Instrument No. 489534, records of Bonner County, Idaho, North 54 degrees 51'21" West 1169.92 feet to the real point of beginning.

thence continuing along said Southerly line North 54 degrees 51'21" West 501.40 feet to a point on the shoreline of the Pend Oreille River;

thence leaving said Southerly line along said shoreline to a point which is South 83 degrees 09'04" East 569.44 feet from said last call;

thence leaving said shoreline South 35 degrees 08'39" West 149.92 feet to the proposed right of way of a cul-de-sac;

thence along said proposed right of way 188.50 feet Northwesterly, Southwesterly and Southeasterly along the arc of a non-tangent circular curve concave to the Southeast, said curve having a radius of 60.00 feet, a central angle of 180 degrees 00'00" and a long chord that bears South 35 degrees 08'39" West 120.00 feet to the Real Point of Beginning.

PARCEL 2:

A portion of the Northwest quarter of Section 28, Township 56 North, Range 3 West, Boise Meridian, Bonner County, Idaho, described as follows:

Commencing at the Southeast corner of said Section 29;

thence North 00° 04'00" West 3960.00 feet along the Easterly line of said Section 29 to the North Sixteenth corner common to said Section 29 and 28;

thence leaving said Easterly line South 88° 32'43" East 1282.96 feet along the Northerly line of the Southwest quarter of the Northwest quarter of said Section 28 to the Westerly right of way of the Spokane International Railroad;

thence leaving said Northerly line along said Westerly right of way South 25° 35'12" West 1418.86 feet to a found steel pin;

thence leaving said Westerly right of way along the Southerly line of that certain tract of land described in Instrument No. 9534 (records of Bonner County, Idaho) North 54° 51'21" West 839.75 feet to a point;

thence leaving said Southerly line North 35° 08'39" East 60.00 feet to the Northerly line of a proposed right of way;

thence Southeasterly along said proposed right of way 161.69 feet along the arc of a non-tangent circular curve concave to the Northwest, said curve having a radius of 17000 feet, a central angle of 54° 29'47" and a long chord that bears South 82° 06'15" East, 155.67 feet;

thence North 70° 38'52" East 250.37 feet to the real point of beginning.

thence leaving said Northerly right of way North 06° 53'48" West 306.08 feet to a point on the shoreline of Cocolalla Creek;

thence along said shoreline North 79° 06'13" East 73.47 feet;

thence North 66° 59'18" East 36.06 feet;

thence leaving said shoreline South 29° 12'50" East 294.73 feet to said proposed right of way;

thence along said proposed right of way South 70° 38'52" West 225.15 feet to the real point of beginning.

PARCEL 3:

A parcel of land located in the Northeast quarter of Section 29 and the Northwest quarter of Section 28, Township 56 North, Range 3 West, Boise Meridian, Bonner County, Idaho, more specifically described as follows:

Beginning at the Southeast corner of Section 29, said township and range;

thence North 00° 04'00" West 3960.00 feet along the said section line to the North one sixteenth corner common to said Sections 28 and 29;

thence South 88° 32'43" East, 1282.96 feet along the North line of the Southwest quarter of the Northwest quarter of said Section 28 to the Westerly right of way line of the Spokane International Railroad, that being the true point of beginning;

thence South 25° 32'51" West 1418.44 feet along the westerly line of said railroad right of way;

thence North 54° 51'21" West 1678.94 feet to a point on the bank of the confluence of Cocolalla Creek and the Pend Oreille River;

thence Northeasterly 1840 feet, more or less, along the shoreline to a point that lies North 88° 32'43" West, 287.35 feet from the true point of beginning;

thence South 88° 32'43" East, 287.35 feet to the true point of beginning.

EXCEPTING THEREFROM:

A portion of the Northeast quarter of Section 29, Township 56 North, Range 3 West, Boise Meridian, Bonner County, Idaho, described as follows:

Commencing at the Southeast corner of said Section 29;

thence North 00 degrees 04'00" West 3960.00 feet along the Easterly line of said Section 29 to the North Sixteenth corner common to said Sections 29 and 28;

thence leaving said Easterly line South 88 degrees 32'43" East 1282.96 feet along the Northerly line of the Southwest quarter of the Northwest quarter of said Section 28 to the Westerly right of way of the Spokane International Railroad;

thence leaving said Northerly line along said Westerly right of way South 25 degrees 35'12" West 1418.86 feet to a found steel pin;

thence leaving said Westerly right of way along the Southerly line of that certain tract of land described in Instrument No. 489534, records of Bonner County, Idaho, North 54 degrees 51'21" West 1169.92 feet to the real point of beginning.

thence continuing along said Southerly line North 54 degrees 51'21" West 501.40 feet to a point on the shoreline of the Pend Oreille River;

thence leaving said Southerly line along said shoreline to a point which is South 83 degrees 09'04" East 569.44 feet from said last call;

thence leaving said shoreline South 35 degrees 08'39" West 149.92 feet to the proposed right of way of a cul-de-sac;

thence along said proposed right of way 188.50 feet Northwesterly, Southwesterly and Southeasterly along the arc of a non-tangent circular curve concave to the Southeast, said curve having a radius of 60.00 feet, a central angle of 180 degrees 00'00" and a long chord that bears South 35 degrees 08'39" West 120.00 feet to the Real Point of Beginning.

ALSO EXCEPTING THEREFROM:

A portion of the Northwest quarter of Section 28, Township 56 North, Range 3 West, Boise Meridian, Bonner County, Idaho, described as follows:

Commencing at the Southeast corner of said Section 29;

thence North 00° 04'00" West 3960.00 feet along the Easterly line of said Section 29 to the North Sixteenth corner common to said Section 29 and 28;

thence leaving said Easterly line South 88° 32'43" East 1282.96 feet along the Northerly line of the Southwest quarter of the Northwest quarter of said Section 28 to the Westerly right of way of the Spokane International Railroad;

thence leaving said Northerly line along said Westerly right of way South 25° 35'12" West 1418.86 feet to a found steel pin;

thence leaving said Westerly right of way along the Southerly line of that certain tract of land described in Instrument No. 489534 (records of Bonner County, Idaho) North 54° 51'21" West 839.75 feet to a point;

thence leaving said Southerly line North 35° 08'39" East 60.00 feet to the Northerly line of a proposed right of way;

thence Southeasterly along said proposed right of way 161.69 feet along the arc of a non-tangent circular curve concave to the Northwest, said curve having a radius of 17000 feet, a central angle of 54° 29'47" and a long chord that bears South 82° 06'15" East, 155.67 feet;

thence North 70° 38'52" East 250.37 feet to the real point of beginning.

thence leaving said Northerly right of way North 06° 53'48" West 306.08 feet to a point on the shoreline of Cocolalla Creek;

thence along said shoreline North 79° 06'13" East 73.47 feet;

thence North 66° 59'18" East 36.06 feet;

638181

thence leaving said shoreline South 29° 12'50" East 294.73 feet to said proposed right of way;

thence along said proposed right of way South 70° 38'52" West 225.15 feet to the real point of beginning.

SANDBOARD TITLE INSURANCE

FILED BY

2003 NOV -8 1 A 4: 25

MARIE SCOTT
BONNER COUNTY RECORDER

PS
DEPUTY

ENE

N

NWNW 1

PIN: RP56N03W283650A

PIN: RP56N03W283650A

SENE 3
29

96

28

56N03W

SW1W

SENE 4

NESE

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

[illegible]



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 4, 2016

MARK G POWERS
KIM M POWERS
6095 DUFORT RD
SAGLE ID 83860

RE: Notice of Change in Water Right Ownership

Dear Water Right Holders:

The Department of Water Resources is in receipt of your change in water right ownership for water right no. 96-2174. The ownership of this water right has been updated and the water right has been divided. Water right 96-2174 has been divided with your portion being numbered as **96-9626**. I have enclosed water right reports for each of these water rights.

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 Sections 42-222 and 42-223, Idaho Code.

Each water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Emalee Rushing
Administrative Assistant

Enclosures

cc: GLEN R JUDGE
RT 1
SAGLE ID 83860