

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

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JAN 25 2016
DEPARTMENT OF
WATER RESOURCES
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JAN 19 2016
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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?
96-4463	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Allan Arnold Solstad
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Ted A. Gibson, Deceased and Marjorie M. Gibson, Deceased
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 3508 Rapid Lightning Road Sandpoint ID 83864
Mailing address City State ZIP
- _____
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: January 15, 1990
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 ☐ \$25 per undivided water right.
 ☐ \$100 per split water right.
 ☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] PR of Estate of Marjorie Gibson 1-2-16
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date 1-19-16 Receipt No. NO 31693 Receipt Amt. 25.00
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by _____ Processed by [Signature] Date 2-12-16

MICHAEL C. STEWART
Attorney at Law
506 North Second Avenue
Sandpoint, Idaho 83864
Phone: (208) 263-8529

371070

WARRANTY DEED

FILED BY First American Title
BOOK _____ OF _____
PAGE _____ FEE 6.00

'90 JAN 15 PM 4 21

CLIFFORD D. CHAPIN
RECORDER OF BONNER
COUNTY BY JL DEP.

18296✓
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FOR VALUE RECEIVED, ALLAN A. SOLSTAD and CAROL SUE SOLSTAD, husband and wife, the Grantors, do hereby GRANT, BARGAIN, SELL, and CONVEY unto TED A. GIBSON and MARJORIE M. GIBSON, husband and wife, the Grantees, of 7833 Ravenna Avenue NE, Seattle, WA 95115, the following described real property situate in the County of Bonner, State of Idaho, to wit:

A tract of land located in the East half of Section 18, Township 58 North, Range 1 East, Boise Meridian, Bonner County, Idaho, described as follows:

Commencing at the East quarter section corner of Section 18, Township 58 North, Range 1 East, Boise Meridian, Bonner County, Idaho; thence North 64 degrees 14' West a distance of 314 feet to a 1/2 inch iron pipe and the true point of beginning; thence South 1 degree 22' East a distance of 228 feet to an intersection with the thread of Rapid Lightning Creek, said point witnessed by a 1/2 inch iron pipe on the North bank of said creek; thence South 89 degrees 56' West along the thread of said creek to a point, said point being witnessed by a 1/2 inch iron pipe on the North bank of the aforesaid creek; said point also being described as South 62 degrees 41' West a distance of 149 feet, thence South 0 degrees 50' East a distance of 176 feet from the true point of beginning; thence North 0 degrees 50' West a distance of 176 feet to a 1/2 inch iron pipe; thence North 62 degrees 41' East a distance of 149 feet to the true point of beginning, all more or less.

SUBJECT TO any questions that may arise due to the shifting and changing in the course of Rapid Lightning Creek.

SUBJECT TO an easement for electric transmission line, granted by W.V. Howe to Northern Lights, Inc., by instrument recorded August 23, 1952, as Instrument No. 43126, records of Bonner County, Idaho.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

WARRANTY DEED 1

AFTER RECORDING:
MAIL TO GRANTEEES

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AND the above named Grantors do hereby covenant that the above described premises are free from all encumbrances and that they will warrant and defend the above premises against all lawful claims and demands whatsoever, EXCEPT such rights, easements, covenants, and restrictions as stated above, and health or zoning regulations.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands.

DATED this 11 day of January, 1990.

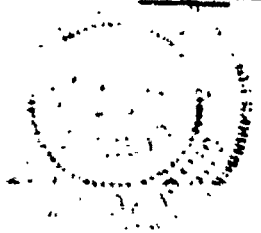
Allan A. Solstad
ALLAN A. SOLSTAD

Carol Sue Solstad
CAROL SUE SOLSTAD

STATE OF IDAHO)
County of Bonneville) ss.

This day personally appeared before me, the undersigned Notary Public, ALLAN A. SOLSTAD and CAROL SUE SOLSTAD, husband and wife, known to me to be the persons whose signatures are subscribed to the within Warranty Deed, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11 day of January, 1990.



Catherine L. Dullea
Notary Public
Residing at: Sandpoint
Comm. Expires: 11/9/92

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2015 OCT 23 PM 2 56

CLERK DISTRICT COURT

DEPUTY

Instrument # 884214

BONNER COUNTY, SANDPOINT, IDAHO

1-7-2015 01:16:27 PM No. of Pages: 1

Recorded for : STI

MICHAEL W. ROSEDALE

Ex-Officio Recorder Deputy Fee: 10.00

Index to: MISC

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M. Gregory Embrey, ISB No. 6045
WITHERSPOON KELLEY
Attorneys and Counselors
The Spokesman-Review Building
608 Northwest Boulevard, Suite 300
Coeur d'Alene, Idaho 83814
Telephone: (208) 667-4000
Facsimile: (208) 667-8470
Email: mge@witherspoonkelley.com

Attorneys for the Applicant Thomas S. Gibson

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

IN THE MATTER OF THE ESTATE OF

MARJORIE MAE GIBSON,

Deceased.

Case No. CV 2015-1511
LETTERS TESTAMENTARY

1. Thomas S. Gibson is hereby appointed and qualified as Personal Representative of the Estate of Marjorie Mae Gibson, deceased, with all authority pertaining thereto.
2. Administration of the Estate is unsupervised.
3. These Letters Testamentary are issued to evidence the appointment, qualification, and authority of the Personal Representative.

WITNESS, my signature and the seal of the Court, this 23rd day of October, 2015.

MAGISTRATE JUDGE



ORIGINAL

LETTERS TESTAMENTARY — PAGE 1
(C0132140; 1)

WITHERSPOON • KELLEY
Attorneys & Counselors

STATE OF IDAHO

County of Bonner

I, Michael W. Rosedale, Clerk of the District Court of the First Judicial District of the State of Idaho, in and for the County of Bonner, do hereby certify that the foregoing instrument is a true and correct copy of the original thereof now on file in this office, except as corrected by law. Witness my hand and seal of said Court on this

Jan. 7

Darlene Hummel



Form No. 243
9/81
RECEIVED
JUN 29 1983
Reso

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



JUN 29 1964
Department of Water Resources
Northern District Office
the provisions of

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that ALLAN ARNOLD SOLSTAD

(Name of Claimant)

8545 Rapid Lightning Rd.

83864

Telephone No. 263-7062

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1968

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

CINAMED Creek

tributary to Rapid Lightning Cr.

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs. at)	(Domestic Irrigation, Stock, Etc.)	(Both dates inclusive) {Mo., Day}	{Mo., Day}
--	-----------	------------------------------------	--------------------------------------	------------

Quantity 0.04 Use Domestic Period of Use From 1-1 To 12-31

Quantity 0.02 Use IRRIGATION Period of Use From 4-1 To 12-1

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

- (4) 006 TOTAL QUANTITY USED.

(cls, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 NE 1/4, Sec. 18 Twp. 58N Rge. 1E B.M., County of BANNER

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 16X16X12" BOX SITTING OVER A SPRING IN CREEK BED. 1 1/4" HOSE FROM

change. 16X16X12" BOX BITTING OVER A SPRING IN CREEK BED. 1/4" HOSE FROM BOX TO 3'X10' HOLDING TANK BESIDE HOUSE. WATER TRAVELS ABOUT 160 FT.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 1

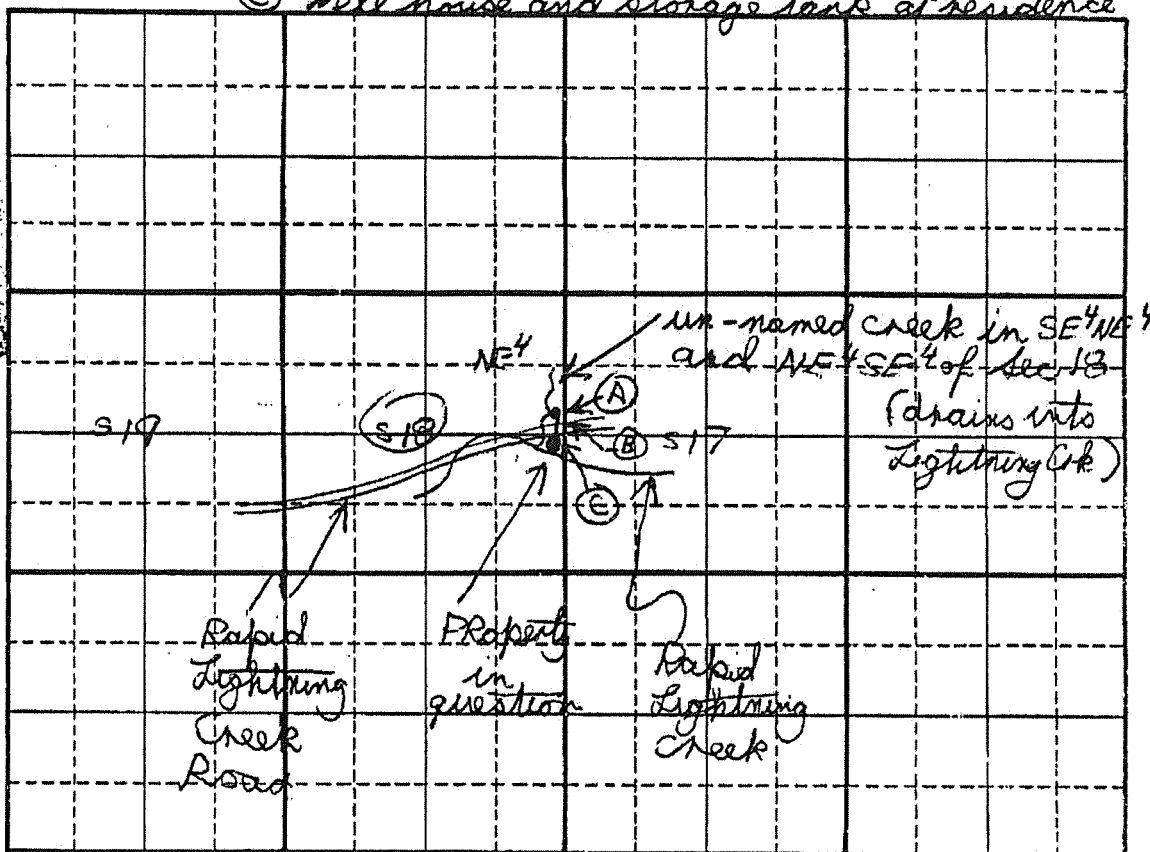
- B) If water is used for other than Irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 50

- (7) If you are claiming water as a member of an organization, list name of organization:

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- (B) Remarks (A) = Intake box approx 50' N of County Road
(B) Pipeline (1 1/4") to residence
(C) Well house and storage tank at residence



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Blaine) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 20th day of June, 1983.

Allen A. Solstad
(Claimant)

William C. [Signature]
Notary Public
Residing at: [Signature]

My commission expires 7-26-84

FOR DEPARTMENT USE ONLY

Received by HL Date 6-29-83 Exception filed by: _____ Date _____
Prelim. check by HL Date 7/1/83
\$30.00 fee received by HL Date 7/1/83 (28610)
Published in Standard-Bee
Dates 7/28 - 8/4/83

Forwarded to claimant 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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 12, 2016

TED A GIBSON
MARJORIE M GIBSON
C/O THOMAS S GIBSON
3508 RAPID LIGHTNING RD
SANDPOINT ID 83864

Re: Change of Ownership for Water Right/Permit No(s): 96-4463

Dear Water Right Holder(s):

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

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see § 42-222 and §42-223, Idaho.

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. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Witherspoon Kelley



WITHERSPOON-KELLEY

Attorneys & Counselors

SPOKANE | COEUR D'ALENE

M. GREGORY EMBREY

Licensed to Practice in Idaho and Washington

mge@witherspoonkelley.com

January 14, 2016

IDWR Northern Region
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763

RE: Notice of Change in Water Right Ownership
Property Location: 3508 Rapid Lightning Road, Sandpoint, Idaho
Claim No.: 96-4463

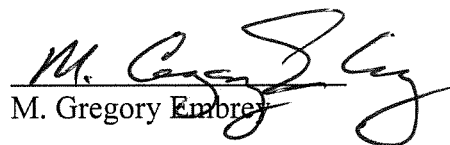
Dear Sirs:

Please find enclosed with this letter a Notice of Change Water Right Ownership and a check in the amount of \$25.00 to cover the filing fees involved. I have also enclosed a copy of a Warranty Deed recorded on January 15, 1990, transferring the property from Allan A. Solstad and Carol Sure Solstad to Ted A. Gibson and Marjorie M. Gibson. Since both Mr. and Mrs. Gibson are deceased, I have enclosed a recorded copy of the Letters Testamentary appointing their son, Thomas S. Gibson, as personal representative of the Estate. For your ease of reference, I have also enclosed a copy of the original Claim to a Water Right application.

If you have any questions, please do not hesitate to contact me.

Sincerely,

WITHERSPOON KELLEY


M. Gregory Embrey

MGE/jk
Enclosures

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