

NOV 13 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 19 2014

DEPARTMENT OF
WATER RESOURCES

IDWR / NORTH 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?
98-7862	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: A. GALLAGHER
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): PHI DEVELOPMENT LLC Ebenezer Howe - Manager
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2099 Katka Rd Bonnars Ferry ID 83805
Mailing address City State ZIP
- (307) 251-4271 ehowe4@yahoo.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: 4 SEP 14
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: Elyse K. Howe MANAGER PHI DEVELOPMENT LLC 12 NOV 14
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 cb Date 11/13/14 Receipt No. N030950 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 1-6-15

261687

When Recorded Return to:

JOHN A. FINNEY
FINNEY, FINNEY & FINNEY, P.A.
Attorneys at Law
Old Power House Building
120 East Lake Street, Suite 317
Sandpoint, Idaho 83864
(208) 263-7712

21908

ORIGINAL

This Space for Recorder's Use

RECEIVED
NOV 13 2014
DWR/NORTH

STATE OF IDAHO }
County of Boundary } SS.

Filed by Community title
on 11/14 at 3:15
Glenda Poston
County Recorder George
By Deputy
Fee \$ 19.00 pd
Mail to CT

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Grantor, AMY C. GALLAGHER, an unmarried woman, for value and consideration received, does hereby GRANT, BARGAIN, SELL, and CONVEY unto the Grantee, PHI DEVELOPMENT, LLC, a New Mexico limited liability company, of 2099 Katka Road, Bonners Ferry, Idaho 83805, the following described real property situated in the County of Boundary, State of Idaho, to-wit:

A tract of land in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section Twenty-seven (27), Township Sixty-two (62) North, Range Two (2) East of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at the Southwest corner of the NE 1/4 of the SW 1/4 of Said Section 27 which is marked on the ground by a 3 1/4" aluminum cap stamped PLS 3628; thence, along the west line of the NE 1/4 of the SW 1/4, N00°00'56"W, 606.81 feet; thence, parallel to the south line of the NE 1/4 of the SW 1/4, S89°52'22"E, 699.38 feet; thence S00°47'01"E, 493.53 feet; thence S84°47'31"W, 60.77 feet, thence S68°22'35"W, 54.74 feet; thence S60°13'46"W, 175.36 feet, to the south line of the NE 1/4 of the SW 1/4; thence, along the south line of the NE 1/4 of the SW 1/4, N89°52'22"W, 442.35 feet, to the POINT OF BEGINNING.

SUBJECT TO the County Road right of way as defined by U.S. Forest Service right of way plat, Katka Face Road No. 314.

SUBJECT TO covenants, conditions, reservations and/or exceptions under the terms and provisions set forth therein as disclosed by Warranty Deed, recorded June 1, 2007 as Instrument No. 232646 as follows: Lot to be one single family residence, no mobile homes, no commercial use or small business outside the residence, no unlicensed or inoperable vehicles to be parked outside for more than 30 days.

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

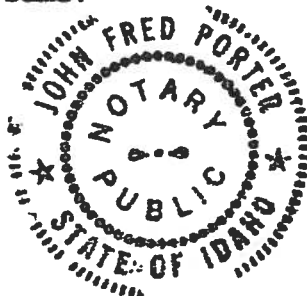
AND the above named Grantor hereby covenants that the above described premises is free from all encumbrances, and that she and her heirs, executors, and assigns, will warrant and defend the above premises against all lawful claims and demands whatsoever, EXCEPT as set forth above.

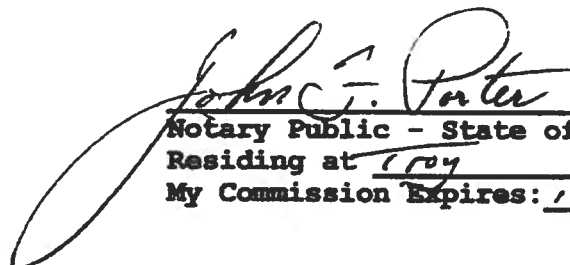
IN WITNESS WHEREOF, the Grantor has hereunto set her hand on this 28th day of August, 2014.


AMY C. GALLAGHER

STATE OF IDAHO)
) ss.
County of Latah)

On this 28th day of August, 2014, before me, the undersigned Notary Public, personally appeared AMY C. GALLAGHER, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.




Notary Public - State of Idaho
Residing at Idaho
My Commission Expires: 12-22-2016

changes to tax filing status (partnership or corporation) that would be triggered by admitting one or more new members.

11. Distributions

The Member(s) shall determine when and how cash (if any) or other assets of the Company will be distributed.

12. Death or Dissolution of a Member

Unless otherwise specified by the Company in a writing duly executed by all Members, upon the death of a Member, the interest owned by such Member shall pass to the deceased Member's estate trust. In the case of dissolution of any future Member that is not a natural person (including but not limited to an LLC, corporation, or trust) the interest owned by such Member shall pass "in trust" to party or parties legally responsible for managing dissolution and distribution of the Member entity's assets in trust for the benefit of stakeholders according to the Member entity's plan of dissolution and asset distribution.

AGREED as of the 13th day of June, 2014

PHI DEVELOPMENT LLC

Member Name

Signature

County & State of Execution

Ebenezer K. Howe, IV



Boundary County, Idaho

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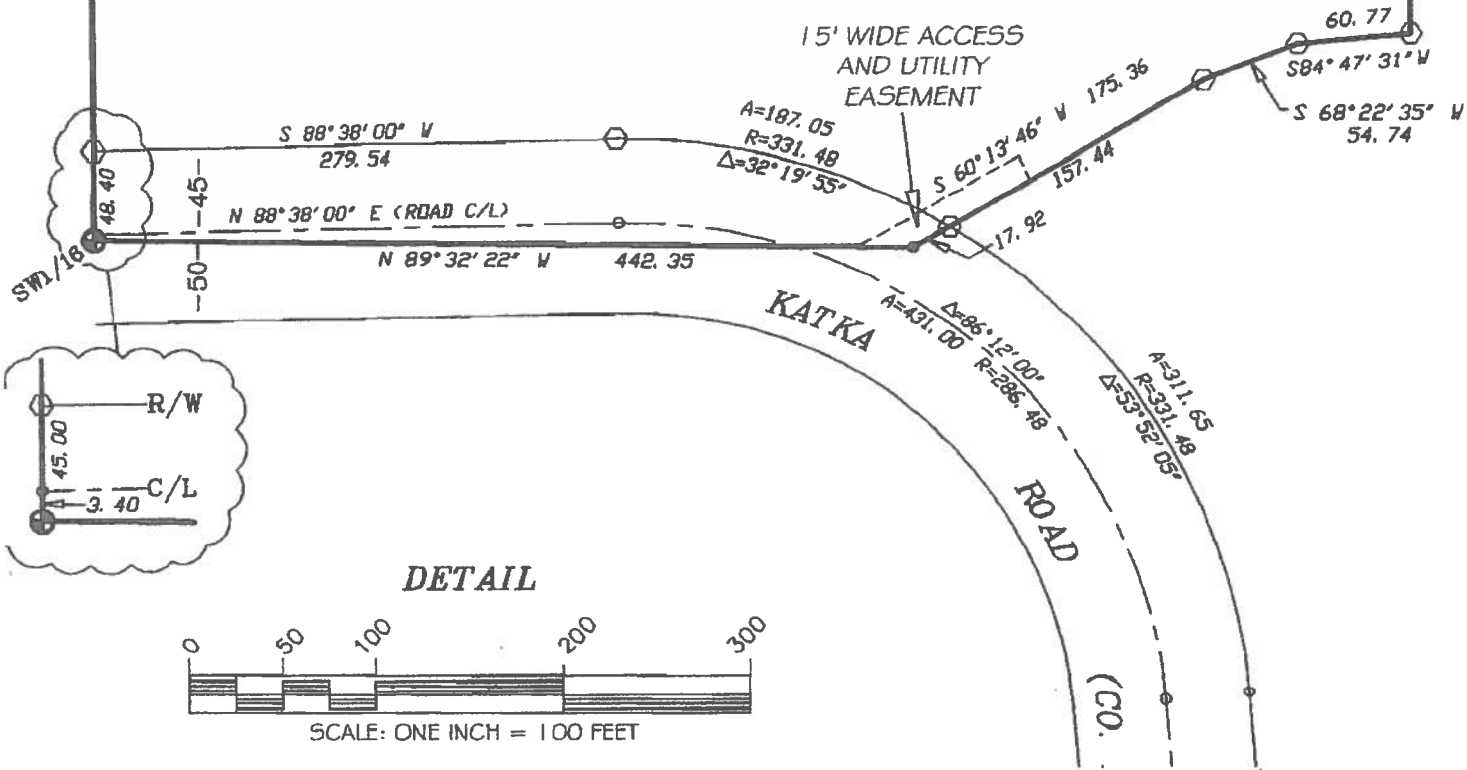
RECEIVED
JUN 15 2007
IDWR/North

S 89°52'22" E 698.67

S 00°47'01" E 546.72

N 00°00'56" E 660.00
611.60

10.23 ACRES
9.73 ACRES (NET)



State of Idaho
Department of Water Resources

Water Right
98-7862

DOMESTIC

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The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

02E



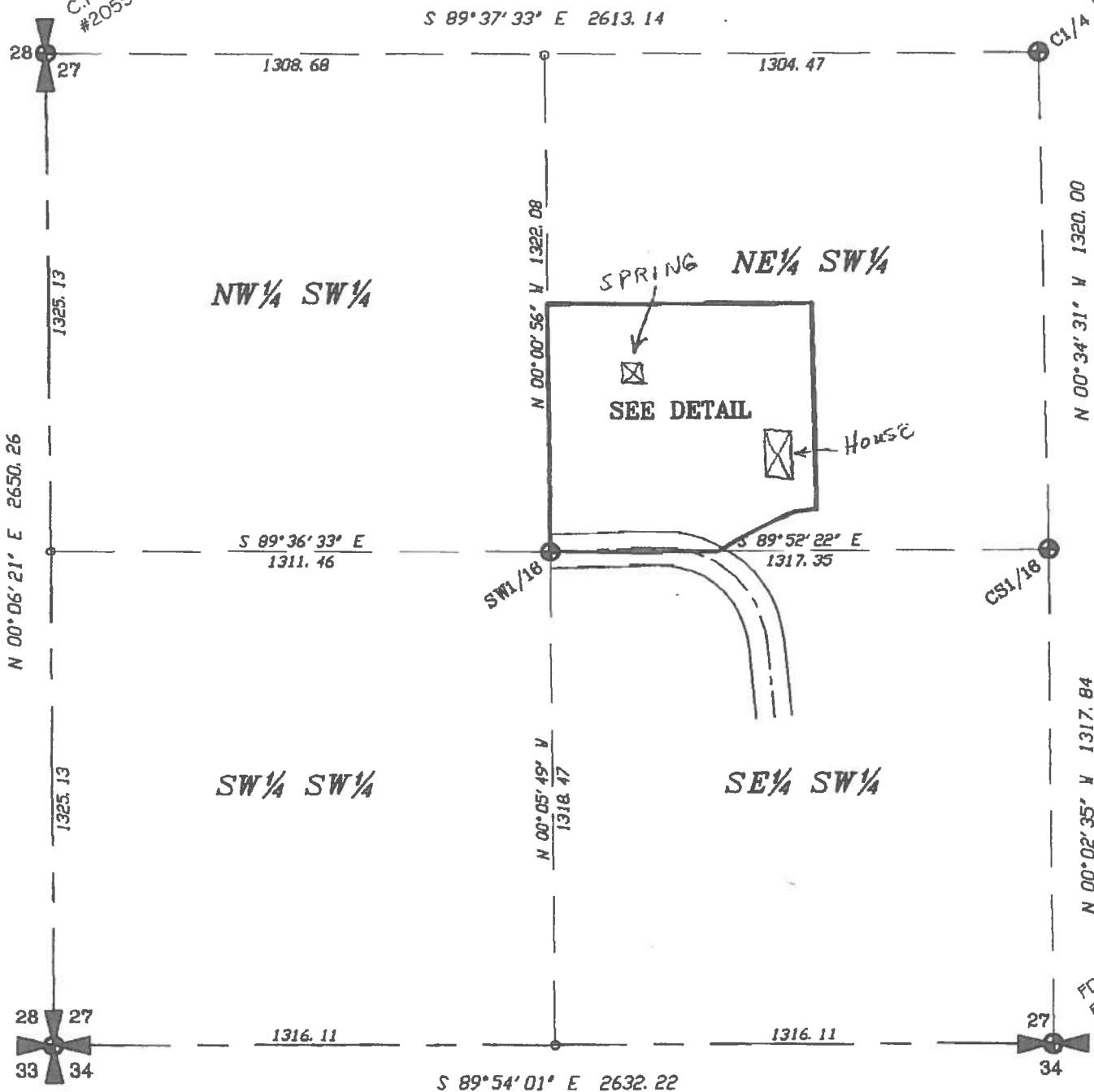
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.02 0.04 0.08 Miles



FD. U.S.D.A.
RESETTLEMENT
CAP (1937)
C.P. & F. INST.
#205982

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JUN 15 2007 IDWR/NORTH
IDWR/North



FD. U.S.D.A.
RESETTLEMENT
CAP (1937)
C.P. & F. INST.
#205983



SCALE: ONE INCH = 400 FEET





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

January 6, 2015

PHI DEVELOPMENT LLC
2099 KATKA RD
BONNERS FERRY ID 83805

Re: Change of Ownership for Water Right Permit No(s): 98-7862

Dear Water Right Holder(s):

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

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

Please 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.

Thank you for your patience. 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)

Hersley, Jean

From: E Howe [ehowe4@yahoo.com]
Sent: Wednesday, November 26, 2014 4:35 PM
To: Hersley, Jean
Subject: Re: ownership change for Water Right 98-7862
Attachments: Deed - Signature Page.pdf; PHI Development Operating Agreement - Signature Page.pdf

Good Afternoon,

Attached are the signature page for the Deed as requested and the last page of the Operation Agreement for PHI Development LLC. This is a sole member LLC so I am the only member listed.

Please let me know if any additional information is needed to complete this matter.

Thanks you.

E. Howe

From: "Hersley, Jean" <Jean.Hersley@idwr.idaho.gov>
To: "ehowe4@yahoo.com" <ehowe4@yahoo.com>
Sent: Wednesday, November 26, 2014 9:32 AM
Subject: ownership change for Water Right 98-7862

The Department of Water Resources received your request for an ownership change for water right 98-7862. More information is needed before we can complete this request.

We need a document that authorizes you to sign on behalf of the PHI Development LLC. We also need page two of the warranty deed with signatures and the notary stamp.

You may send the required information by responding to this email or you may fax it to (208) 287-6700, attn: Jean. You can also mail it to me at:

IDWR
322 E Front St
PO Box 83720
Boise ID 83720-0098

If you have any questions, please contact me at the number below. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*