



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

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

July 12, 2012

GERTRUDE DAY
398 AMBER LN
BONNERS FERRY, ID 83805

RE: Ownership Change Water Right No. 98-7193

Dear Interested Parties:

The Department of Water Resources received a request for a Notice of Change in Water Right Ownership on July 2, 2012. After reviewing the request, it was determined that the above mentioned water right is not appurtenant to the property describe in the accompanying warranty deed. Your property is located in Township 64N, Range 02E, Section 3, NWNE. Water right 98-7193 is for property located in Township 64N, Range 02E, Section 3, SWNE. Please see the enclosed map and water right report.

We are returning the Notice and its attachments. If you have additional deeds that include the property in the SWNE quarter, please return the deed with the paperwork for processing.

If you have any questions regarding this matter, please call me at (208) 287-4942.

Sincerely,

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

Jean Hersley
Technical Records Specialist I

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 98-7193

WATER RIGHT NUMBER: 98-7193

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SHARLENE GRANTHAM HCR 85 BOX 70 BONNERS FERRY, ID 83805
Original Owner	RICHARD GRANTHAM HCR 85 BOX 70 BONNERS FERRY, ID 83805
Current Owner	JOHN T DAY 377 AMBER LN BONNERS FERRY, ID 83805-5578 (208)267-5759
Current Owner	SHARON L DAY PO BOX 216 EASTPORT, ID 83826

Priority Date: 04/01/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	MOYIE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.040 CFS	1.20 AF

Location of Point(s) of Diversion

SPRING	L2 (NW1/4NE1/4)	Sec. 3,	Twp 64N,	Rge 02E, B.M.
BOUNDARY County				

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
64N	02E	3			X														

Conditions of Approval:

- Domestic use is for 1 home.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 98-7193

Comments:

Dates and Other Information:

Licensed Date: 9/19/1989

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector: AND/OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

State of Idaho
Department of Water Resources
Water Right License
98-7193
Water Service Area Boundary for John T Day



0 0.05 0.1 0.2 Miles

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



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUL 02 2012

Department of Water Resources

Notice of Change in Water Right Ownership

IDWR / NORTH

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
98-07193	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: John T. Day, Sharon L. Day
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Gertrude Day
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

398 Amber Lane

Mailing address

Bonnars Ferry

City

Idaho

State

83805

ZIP

208-267-5320

Telephone

trudy0250@yahoo.com

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: Acquired property: 07/08/04

6. 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.

7. Signature: Gertrude L. Day Title, if applicable: _____ Date: 06/28/12
Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by: [Signature] Date: 7/2/12 Receipt No. N029325 Receipt Amt: \$25.00

Approved by: _____ Processed by: _____ Date: _____

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JUL 02 2012
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AFTER RECORDING, RETURN TO:

James S. Macdonald, ISB#7257
ELSAESSER JARZABEK ANDERSON
MARKS ELLIOTT & McHUGH, CHTD.
102 South Euclid Street, Suite 307
P.O. Box 1049
Sandpoint, ID 83864
Tel: (208) 263-8517
Fax: (208) 263-0759

STATE OF IDAHO }
County of Boundary } SS.
Filed by: Trudy Day
on 10-21-08 at 2:35
Glenda Poston
County Recorder C. J. [Signature]
By Deputy
Fee \$ 9.00pd
Mail to Trudy Day
398 Amber Lane
BF

239775

QUITCLAIM DEED

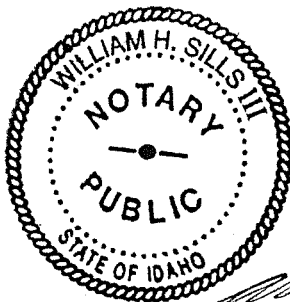
FOR VALUE RECEIVED, Andy Armes, a divorced man, ("Grantor"), does hereby CONVEY, RELEASE, REMISE and FOREVER QUITCLAIM unto **Gertrude Day** ("Grantee"), a divorced woman as her sole and separate property, whose address is 398 Amber Lane, Bonner Ferry, Idaho 83805, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property situated in the County of Boundary, State of Idaho, to wit:

SEE EXHIBIT "A," which is attached hereto, and by this reference incorporated herein s if set forth in full.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto Grantee.

IN WITNESS WHEREOF, the Grantor has hereunto set his hands.

DATED this 19th October, 2008.



Andy S. Armes
Andy Armes, Grantor

239775

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EXHIBIT "A"

A tract of land situated in the Northeast Quarter of Section 3, Township 64 North, Range 2 East of the Boise Meridian, being a portion of Tracts 3 and 4 as described in Instrument No. 211502; more particularly described as follows:

Commencing at a 5/8" rebar and plastic cap on the north line of the Northeast Quarter of Section 3 which is S89°39'18"W, 1901.33 feet from the northeast corner of Section 3; thence, leaving said north line and along the westerly line of Tract 3 as described in Instrument No. 211502, S00°07'51"W, 565.02 feet to a 5/8" rebar and plastic cap stamped PLS 7877 and the TRUE POINT OF BEGINNING; Thence, continuing along said westerly line the following 2 courses: S00°07'51"W 462.87 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence S35°29'21"E, 549.30 feet to the ordinary high water mark of the Moyie River as it was found to exist March 12, 2003; thence leaving said westerly line and along said ordinary high water mark the following 5 courses; N67°41'24"E, 84.35 feet; thence N60°05'55"E, 123.39 feet; thence N63°58'22"E, 105.88 feet; thence N49°40'18"E, 64.60 feet; thence N61°39'25"E, 62.06 feet; thence leaving said ordinary high water mark N21°20'02"W, 753.05 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, parallel to the north line of the Northeast Quarter of Section 3, S89°39'18"W, 427.88 feet to the TRUE POINT OF BEGINNING.

BF9175

QUITCLAIM DEED

216665

For Value Received John T. Day and Sharon L. Day, husband and wife

do hereby convey, release, remise and forever quit claim unto

Andy L. Armes and Trudy Day-Armes

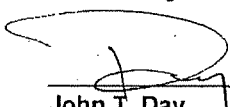
whose address is: PO Box 157, Eastport, ID 83826

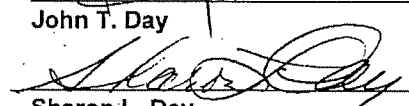
Hereinafter called the Grantee, the following described premises situated in Boundary County, Idaho, to-wit:

See Attached Legal Description:

together with its appurtenances.

Dated: August 18, 2004


John T. Day

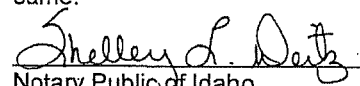

Sharon L. Day

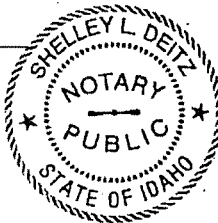
STATE OF Idaho)

)ss.

COUNTY OF Boundary)

On this 20 day of August, in the year of 2004 before me, the undersigned notary public, personally appeared John T. Day and Sharon L. Day, known or identified to me, to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public of Idaho
Residing at: Boundary County
Commission Expires: 12-19-08



STATE OF IDAHO)
County of Boundary) ss.
Filed By: St. Andrew's title
on 8-20-04 at 3:25
Glenda Poston
County Recorder Quayle
By Deputy

Fee \$ 6.00 cash
Mail to Tutor

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216665

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ATTACHED LEGAL DESCRIPTION

Order No.: BF9175

A tract of land situated in the Northeast Quarter of Section 3, Township 64 North, Range 2 East of the Boise Meridian, being a portion of Tracts 3 and 4 as described in Instrument No. 211502; more particularly described as follows:

Commencing at a 5/8" rebar and plastic cap on the north line of the Northeast Quarter of Section 3 which is S89°39'18"W, 1901.33 feet from the northeast corner of Section 3; thence, leaving said north line and along the westerly line of Tract 3 as described in Instrument No. 211502, S00°07'51"W, 565.02 feet to a 5/8" rebar and plastic cap stamped PLS 7877 and the True Point of Beginning; thence, continuing along said westerly line the following 2 courses: S00°07'51"W, 462.87 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence S35°29'21"E, 549.30 feet to the ordinary high water mark of the Moyie River as it was found to exist March 12, 2003; thence, leaving said westerly line and along said ordinary high water mark the following 5 courses; N67°41'24"E, 84.35 feet; thence N60°05'55"E, 123.39 feet; thence N63°58'22"E, 105.88 feet; thence N49°40'18"E, 64.60 feet; thence N61°39'25"E, 62.06 feet; thence, leaving said ordinary high water mark N21°20'02"W, 753.05 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, parallel to the north line of the Northeast Quarter of Section 3, S89°39'18"W, 427.88 feet to the True Point of Beginning.

TOGETHER WITH AND SUBJECT TO an easement for ingress and egress in the Northeast Quarter of Section 3, Township 64 North, Range 2 East of the Boise Meridian, Boundary County, Idaho, being 20 feet in width and lying 10 feet on each side of the following described centerline:

Commencing at a point which is the intersection of the north line of Section 3 and the easterly right of way of that Pacific Gas Transmission line described in Instrument No. 79707; said point being S89°39'18"W, 608.96 feet from the Northeast corner of Section 3; thence, leaving said north line and along said right of way S20°20'52"W, 142.04 feet to the intersection with the centerline of a road as it was found to exist March 12, 2003 and the True Point of Beginning; thence, leaving said right of way and along said centerline on a non-tangential curve to the right having a central angle of 46°37'03" (radial bearing = N13°54'22"W), a radius of 209.06 feet, for an arc length of 170.10 feet (chord = N80°35'51"W, 165.44 feet); thence N57°17'19"W, 74.98 feet; thence, on a curve to the left having a central angle of 56°38'18", a radius of 193.18 feet, for an arc length of 190.96 feet (chord = N85°36'29"W, 183.28 feet); thence, on a curve to the right having a central angle of 28°00'32", a radius of 334.30 feet, for an arc length of 163.42 feet (chord = S80°04'38"W, 161.80 feet); thence, on a curve to the left having a central angle of 62°12'00", a radius of 82.20 feet, for an arc length of 89.24 feet (chord = S62°58'54"W, 84.92 feet); thence S31°52'54"W, 68.55 feet; thence, on a curve to the left having a central angle of 13°26'29", a radius of 150.48 feet, for an arc length of 35.30 feet (chord = S25°09'40"W, 35.22 feet); thence S18°26'25"W, 78.86 feet; thence S25°04'30"W, 113.38 feet; thence S18°38'46"W, 130.10 feet; thence, on a non-tangential curve to the right having a central angle of 25°04'50" (radial bearing = N82°46'32"W), a radius of 297.30 feet, for an arc length of 130.14 feet (chord = S19°45'53"W, 129.10 feet); thence S48°22'37"W, 125.38 feet; thence, on a curve to the right having a central angle of 23°44'15", a radius of 311.02 feet, for an arc length of 128.85 feet (chord = S60°14'45"W, 127.93 feet); thence, on a curve to the left having a central angle of 85°01'17", a radius of 82.01 feet, for an arc length of 121.70 feet (chord = S29°36'13"W, 110.83 feet); thence S12°54'25"E, 92.86 feet; thence, on a curve to the right having a central angle of 93°44'13", a radius of 121.56 feet, for an arc length of 198.87 feet (chord = S33°57'41"W, 177.42 feet) to the southwesterly line of the above described tract and the terminus of this easement, with the sidelines being extended or shortened to intersect adjacent boundaries.

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216126

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QUITCLAIM DEED

This quitclaim deed made on June 30, 2004, between John T. Day & Sharon L. Day, JTRS, of Post Office Box 216, Eastport, Boundary County, Idaho, and Andy L. Armes & Trudy Day-Armes, of Post Office Box 157, Eastport, Boundary County, Idaho.

That for and in the consideration of the sum of **One Hundred Fifty Thousand Dollars**, (\$150,000), the receipt of which is hereby acknowledged, John T. Day & Sharon L. Day, JTRS do hereby release, remise and forever quitclaim unto **Andy L. Armes & Trudy Day-Armes** all of their interest, if any, in that certain real property commonly known as **10.00 Acres located off Meadowcreek Road, (See attached Legal Description)**, located in the area commonly known as Good Grief, County of Boundary, State of Idaho, described as follows: **Attached as page 2**

Together with all the tenements, hereditaments, and appurtenances thereunto belonging, and the reversions, remainders, rents, issues, and profits thereof. To have and to hold, all and singular the premises, with the appurtenances, unto **Andy L. Armes & Trudy Day-Armes** and their heirs and assigns forever. In witness whereof, **John T. Day & Sharon L. Day JTRS** have hereunto this day and year as set forth above.

STATE OF IDAHO } ss
County of Boundary }
Filed By: Andy Armes
on 7-13-04 at 11:53
Glenda Poston
County Recorder C. S. O'Neil
By Deputy

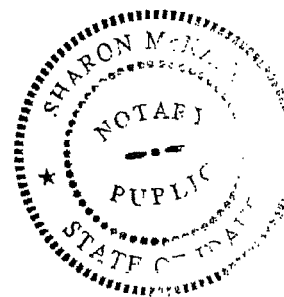
Fee \$ 6.00 pd
Mail to Andy Armes
PO Box 157
Eastport, ID 83826

[Signature]
John T. Day

[Signature]
Sharon L. Day

*Subscribed and sworn before me
this 8th day of July, 2004*

*Sharon McKaie
Notary Public
State of Idaho
Comm exp: 6-12-06*



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NEW TRACT 3

IDWR / NORTH

A tract of land situated in the Northeast Quarter (NE1/4) of Section Three (3), Township Sixty-four (64) North, Range Two (2) East of the Boise Meridian, being a portion of Tracts 3 and 4 as described in Instrument No. 211502; more particularly described as follows:

Commencing at a 5/8" rebar and plastic cap on the north line of the NE1/4 of Section 3 which is S 89°39'18" W, 1901.33 feet from the northeast corner of Section 3; thence, leaving said north line and along the westerly line of Tract 3 as described in Instrument No. 211502, S 00°07'51" W, 565.02 feet to a 5/8" rebar and plastic cap stamped PLS 7877 and the TRUE POINT OF BEGINNING; thence, continuing along said westerly line the following Two (2) courses: S 00°07'51" W, 462.87 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence S 35°29'21" E, 549.30 feet to the ordinary high water mark of the Moyie River as it was found to exist March 12, 2003; thence, leaving said westerly line and along said ordinary high water mark the following Five (5) courses: N 67°41'24" E, 84.35 feet; thence N 60°05'55" E, 123.39 feet; thence N 63°58'22" E, 105.88 feet; thence N 49°40'18" E, 64.60 feet; thence N 61°39'25" E, 62.06 feet; thence, leaving said ordinary high water mark N 21°20'02" W, 753.05 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, parallel to the north line of the NE1/4 of Section 3, S 89°39'18" W, 427.88 feet to the TRUE POINT OF BEGINNING, encompassing an area of 10.00 acres.

TOGETHER WITH and SUBJECT TO an easement for ingress and egress in the Northeast Quarter (NE1/4) of Section Three (3), Township Sixty-four (64) North, Range Two (2) East of the Boise Meridian, Boundary County, Idaho, being Twenty (20) feet in width and lying Ten (10) feet on each side of the following described centerline:

Commencing at a point which is the intersection of the north line of Section 3 and the easterly right of way of that Pacific Gas Transmission line described in Instrument No. 79707; said point being S 89°39'18" W, 608.96 feet from the Northeast corner of Section 3; thence, leaving said north line and along said right of way S 20°20'52" W, 142.04 feet to the intersection with the centerline of a road as it was found to exist March 12, 2003 and the TRUE POINT OF BEGINNING, thence, leaving said right of way and along said centerline on a non-tangential curve to the right having a central angle of 46°37'03" (radial bearing = N 13°54'22" W), a radius of 209.06 feet, for an arc length of 170.10 feet (chord = N 80°35'51" W, 165.44 feet); thence N 57°17'19" W, 74.98 feet; thence, on a curve to the left having a central angle of 56°38'18", a radius of 193.18 feet, for an arc length of 190.96 feet (chord = N 85°36'29" W, 183.28 feet); thence, on a curve to the right having a central angle of 28°00'32", a radius of 334.30 feet, for an arc length of 163.42 feet (chord = S 80°04'38" W, 161.80 feet); thence, on a curve to the left having a central angle of 62°12'00", a radius of 82.20 feet, for an arc length of 89.24 feet (chord = S 62°58'54" W, 84.92 feet); thence S 31°52'54" W, 68.55 feet; thence, on a curve to the left having a central angle of 13°26'29", a radius of 150.48 feet, for an arc length of 35.30 feet (chord = S 25°09'40" W, 35.22 feet); thence S 18°26'25" W, 78.86 feet; thence S 25°04'30" W, 113.38 feet; thence S 18°38'46" W, 130.10 feet; thence, on a non-tangential curve to the right having a central angle of 25°04'50" (radial bearing = N 82°46'32" W), a radius of 297.30 feet, for an arc length of 130.14 feet (chord = S 19°45'53" W, 129.10 feet); thence S 48°22'37" W, 125.38 feet; thence, on a curve to the right having a central angle of 23°44'15", a radius of 311.02 feet, for an arc length of 128.85 feet (chord = S 60°14'45" W, 127.93 feet); thence, on a curve to the left having a central angle of 85°01'17", a radius of 82.01 feet, for an arc length of 121.70 feet (chord = S 29°36'13" W, 110.83 feet); thence S 12°54'25" E, 92.86 feet; thence, on a curve to the right having a central angle of 93°44'13", a radius of 121.56 feet, for an arc length of 198.87 feet (chord = S 33°57'41" W, 177.42 feet) to the southwesterly line of the above described tract and the terminus of this easement, with the sidelines extended or shortened to intersect adjacent boundaries.