

RECEIVED

DEC 26 2008

DEPARTMENT OF
WATER RESOURCES

RECEIVED

DEC 18 2008

IDWR/North

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
98-7097 to 98-7915					

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
 - B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Ernest A Copp
c/o Dan Copp Crushing
1300 N Hancock St #B
Anaheim CA 92807
4. New Owner/Claimant(s) Gene Andrews Patricia B Andrews
 Name Connector (Check one) ☒ and, ☐ or, ☐ and/or
- New Mailing Address 3040 District Two Rd
- City, State and ZIP Code Bonnerr's Ferry ID 83805
- New Telephone Number (208) 267-3020 Email: —

SUPPORT DATA

5. Date you acquired the property

19 Nov 1997

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Gene AndrewsPatricia B. Andrews

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by cmDate 12-18-08Received by cmDate 12-18-08

Processed by _____ AJ

Date _____

Receipt Amt. \$25.00Receipt No. NO19747WR 98-7097 Date 12-18-08gmm3-20-12



Bonnors Ferry Nursey

98-7097



Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Filed for record of the request of Boundary

Abstract

On the 10 day of Dec 19 97 at 11:00 A.M., and recorded in Book 10

Inst. on page 229 Kris Larson

County Recorder

Deputy Fee \$ 6.00

187587

WARRANTY DEED

In consideration of ONE DOLLAR (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged by grantor, ERNEST A. COPP, individually, and as Trustee of the ERNEST A. COPP and PAULINE S. COPP LIVING TRUST, DATED NOVEMBER 16, 1992, and PAULINE S. COPP, individually, and as Trustee of the ERNEST A. COPP and PAULINE S. COPP LIVING TRUST, DATED NOVEMBER 16, 1992, grantor does hereby grant, bargain, sell and convey unto GENE ANDREWS and PATRICIA B. ANDREWS, husband and wife, grantee, whose address is HCR 85 Box 336 Bonners Ferry, ID 83805, the following described property:

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

SUBJECT TO such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the grantee, its heirs and assigns forever. And the grantor does hereby covenant to and with the said grantee that it is the owner in fee simple of said premises and that they are free from all encumbrances, and that it will warrant and defend the same from all lawful claims whatsoever.

The single number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Dated this 19 day of November, 1997.

Ernest A. Copp
ERNEST A. COPP, individually

Pauline S. Copp
PAULINE S. COPP, individually

THE ERNEST A. COPP and PAULINE S. COPP LIVING TRUST, DATED NOVEMBER 16, 1992

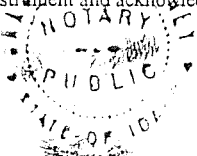
THE ERNEST A. COPP and PAULINE S. COPP LIVING TRUST, DATED NOVEMBER 16, 1992

Ernest A. Copp Trustee
ERNEST A. COPP, TRUSTEE

Pauline S. Copp
PAULINE S. COPP, TRUSTEE

State of Idaho)
) ss.
County of Boundary)

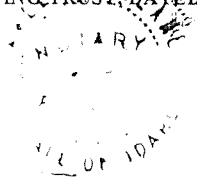
On this 19 day of November, 1997, before me, the undersigned Notary Public, personally appeared ERNEST A. COPP and PAULINE S. COPP, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Shaileene Delaney
NOTARY PUBLIC FOR IDAHO
Residing in Bonners Ferry
Commission Expires: 10/7/2003

State of Idaho)
) ss.
County of Boundary)

On this 19 day of November, 1997, before me, the undersigned Notary Public, personally appeared ERNEST A. COPP and PAULINE S. COPP, known or identified to me to be the trustees of THE ERNEST A. COPP and PAULINE S. COPP LIVING TRUST, DATED NOVEMBER 16, 1992, and whose names are subscribed to the within instrument and acknowledged to me that they executed the same as trustees for THE ERNEST A. COPP and PAULINE S. COPP LIVING TRUST, DATED NOVEMBER 16, 1992.



Shaileene Delaney
NOTARY PUBLIC FOR IDAHO
Residing in Bonners Ferry
Commission Expires: 10/7/2003

187587

EXHIBIT A

Order Number: 9700266

LEGAL DESCRIPTION

TRACT I:

The Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) and the West Half of the Northwest Quarter of the Southeast Quarter (W1/2 NW1/4 SE1/4) of Section Nineteen (19), Township Sixty-two (62) North, Range Two (2) East, B.M., Boundary County, Idaho.

TRACT II:

Beginning at the Northeast corner of the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section Nineteen (19), Township Sixty-two (62) North, Range Two (2) East, B.M., Boundary County, Idaho, thence West along the section line 660 feet to a point, thence South 150 feet to the Point of Beginning, thence East 80 feet, thence South 160 feet, thence West 80 feet, thence North 160 feet to the Point of Beginning.

TRACT III:

A tract of land in the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section Nineteen (19), Township Sixty-two (62) North, Range Two (2) East, B.M., Boundary County, Idaho, more particularly described as follows:

Commencing at the East quarter corner of Section Nineteen (19), thence South 89 degrees 19' 24" West, 1635.60 feet along the east-west centerline of said Section to the True Point of Beginning; thence South 0 degrees 19' 03" West, 282.54 feet; thence South 8 degrees 55' 44" West, 32.06 feet; thence North 89 degrees 59' 38" West, 266.78 feet; thence North 0 degrees 00' 14" East, 160.95 feet; thence North 89 degrees 19' 24" East, 120.00 feet; thence North 0 degrees 00' 22" East, 150.00 feet; thence North 89 degrees 19' 24" East, 153.32 feet to the True Point of Beginning.

TRACT IV:

A tract of land in the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section Nineteen (19), Township Sixty-two (62) North, Range Two (2) East, B.M., Boundary County, Idaho, more particularly described as follows:

Commencing at the East Quarter corner of Section Nineteen (19); thence South 89 degrees 19' 24" West 1988.92 feet along the east-west centerline of said Section; thence South 0 degrees 00' 22" West 880 feet to the True Point of Beginning; thence North 89 degrees 19' 24" East 14.08 feet; thence South 0 degrees 00' 22" West 440 feet; thence South 89 degrees 19' 24" West 14.08 feet; thence North 0 degrees 00' 22" East, 440 feet to the Point of Beginning.

copy

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

assignment
of water permit
from M. Donald
2nd p. 1 -
It is the
original

License of Water Right No. 98-7097 Priority October 19, 1973 Amount 1.02 cfs

THIS IS TO CERTIFY, that KENNETH N. & KAREN N. MAC DONALD
of Bonnerr's Ferry, Idaho, has complied with the terms and conditions of Permit
No. 98-7097 issued pursuant to Application for Permit dated October 19, 1973,
and has submitted proof to the Department of Water Resources on August 12, 1977
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.02 cfs of water from Kootenai River
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>June 15</u> to <u>September 15</u>	at <u>1.02</u> cfs and	<u>180</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
180 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 62N,
Rge. 2E, B.M. in the County of _____ Boundary _____

Description and location of place of use:

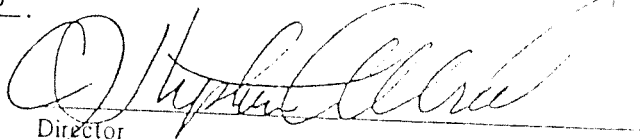
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
62N	2E	19														20	40		60

Total number of acres irrigated 60

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22 day of
December, 19 80.


Director

Top page of original.

Return 587m

Identification No. 98-7097

Application No.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Boyd O Wallace
post office address RR 1 Box 193 Bonners Ferry IDAH
2. Source of water supply Kootenai River which is a tributary of _____
3. a. Location of point of diversion is S20' $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19 Township 62N
Range 2E B.M. Boundary County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Kootenai River at a point in S20' $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 19 Township 62N Range 2E B.M. Boundary
4. Water will be used for the following purposes:
Amount 1.2 for irrigation purpose from June 15 to Sept. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump, pipeline, sprinkler
heads

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 8000.00.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head: _____
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED

DEC 26 2008

Department of Water Resources

I, Kenneth & Karen MacDonald, hereby assign to Earnest & Virginia Copp, tenants in commo.
of 2014 Wellington Ave., Santa Anna, California 92701
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 98-7097
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
_____ and point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 13th day of October, 19 80.

Kenneth D. MacDonald
Permit Holder

Karen D. MacDonald
Spouse of Permit Holder

State of Idaho)
County of Boundary) ss.

On this 13th day of October, 19 80, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he ~~is~~ (they) executed the same.

seal

Jody M. Cusley
Notary Public residing at
Bonnerr Ferry, Idaho

My commission expires:
Life

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 98-7097

IN THE NAME OF KENNETH N. &/OR KAREN N. MACDONALD

ORDER REMOVING THE
MEASURING DEVICE REQUIREMENT

WHEREAS, on October 19, 1973, Boyd O. Wallace filed with the Department of Water Resources an application for permit to appropriate 1.20 cubic feet per second of water from the Kootenai River, to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 62N, Rge. 2E, B.M., Boundary County, to be used for irrigation purposes; and,

WHEREAS, on November 28, 1973, the Department approved said application and issued Permit No. 98-7097 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1978; and a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on January 31, 1978, the permit holder assigned this permit to Kenneth N. and/or Karen N. MacDonald and they requested that the measuring device requirement be removed from this permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water to be appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 98-7097.

Dated this 13 day of February, 1978.


BOBBY D. FLEENOR
Chief, Operations Bureau



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

February 13, 1978

Re: Permit No. 98-7097

Kenneth N. &/or Karen N. MacDonald
Route 3, Box 160
Bonners Ferry, Idaho 83805

Dear Mr. & Mrs. MacDonald:

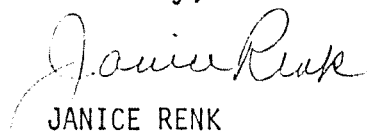
We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

Enclosed is an Order which removes the measuring device requirement from this permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the exam so you can show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Coeur d'Alene.

Sincerely,


JANICE RENK
Water Rights

Encl.