

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 09 2012

Notice of Change in Water Right Ownership

DEPARTMENT OF
WATER RESOURCES

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?
110 96-08723	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

JAMES FENTON FAMILY
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

CARY LEE CHILDRESS
Name of each new owner as listed on the conveyance document

DENISE TRAVIS CHILDRESS

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

217 CEDAR STREET, #235
Mailing address

SANDPOINT

City (208) 265-9963

Telephone (208) 304-0545

(208) 304-0542

IDAHO

State

83864-1410

ZIP

Email TRAVIS@SANDPOINTREALESTATEINC.COM
OR PHOTO@CARYCHILDRESS.COM

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:

08-02-2011

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:

Denise Travis Childress
Signature of new owner/claimant

new Owner of Property
Title, if applicable

2-21-12
Date

- Signature:

Cary Lee Childress
Signature of new owner/claimant

new Owner of Property
Title, if applicable

2-21-12
Date

For IDWR Office Use Only:

Received by SRH

Date 3-9-2012

Receipt No. C094828

Receipt Amt. \$25-

Approved by

Processed by JML

Date 3-12-12

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
Cary Lee Childress and Denise Travis
Childress
217 Cedar St. #235
Sandpoint, ID 83864

Instrument # 813437

BONNER COUNTY, SANDPOINT, IDAHO

8-2-2011 04:20:52 No. of Pages: 2

Recorded for : FATCO

MARIE SCOTT

Fee: 13.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **386129-S (fe)**

Date: **August 01, 2011**

For Value Received, **Heirs and Devisee's of the estate of Joyce R. Fenton, deceased, wherein Julie R. Meyer and Susan L. Kubiak were appointed co-personal representatives.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Cary Lee Childress and Denise Travis Childress, husband and wife as community property**, hereinafter called the Grantee, whose current address is **217 Cedar St #235, Sandpoint, ID 83864**, the following described premises, situated in **Bonner County, Idaho**, to-wit:

Lot 1A of "Re-plat of Block 9 and Vacated Lakeshore Avenue, Plat of Welty and a Portion of Government Lot 1, Section 32, Township 57 North, Range 2 West, Boise Meridian, Bonner County, Idaho," according to the plat thereof, recorded in Book 10 of Plats, Page 41, records of Bonner County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 08/01/2011

Warranty Deed
- continued

File No.: 386129-S (fe)

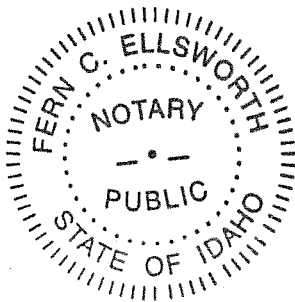
Heirs and Devisee's of the estate of Joyce R. Fenton, deceased, wherein Julie R. Meyer and Susan L. Kubiak were appointed co-personal representatives.

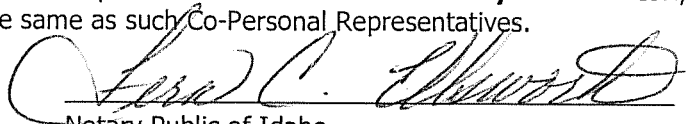

Julie R. Meyer, Personal Representative


Susan L. Kubiak, Personal Representative

STATE OF Idaho)
SS.
COUNTY OF Bonner)

On this **August 2, 2011**, before me, a Notary Public in and for said State, personally appeared **Julie R. Meyer and Susan L. Kubiak**, known or identified to me to be the person(s) whose name(s) **are** subscribed to the within instrument as Co-Personal Representatives of the Estate of **Joyce R. Fenton**, and acknowledged to me that they executed the same as such Co-Personal Representatives.




Notary Public of Idaho
Residing at: Sandpoint, Idaho
Commission Expires: 09-08-2015

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08723

Proposed Priority: October 26, 1992 Maximum Diversion Rate: 0.08 CFS

This is to certify, that JAMES FENTON
PO BOX 1068

SANDPOINT ID 83864

has applied for a permit to appropriate water from:

PEND OREILLE RIVER

tributary of COLUMBIA RIVER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 32, Township 57N, Range 02W
BONNER County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

57N 02W 32

NENW 2.6

2.6

Total number of acres irrigated:

2.6

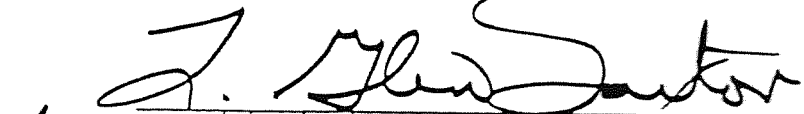
CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 3, 1994.
2. Subject to all prior water rights.
3. The issuance of this right in no way grants any right-of-way or easement across the land of another.
4. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

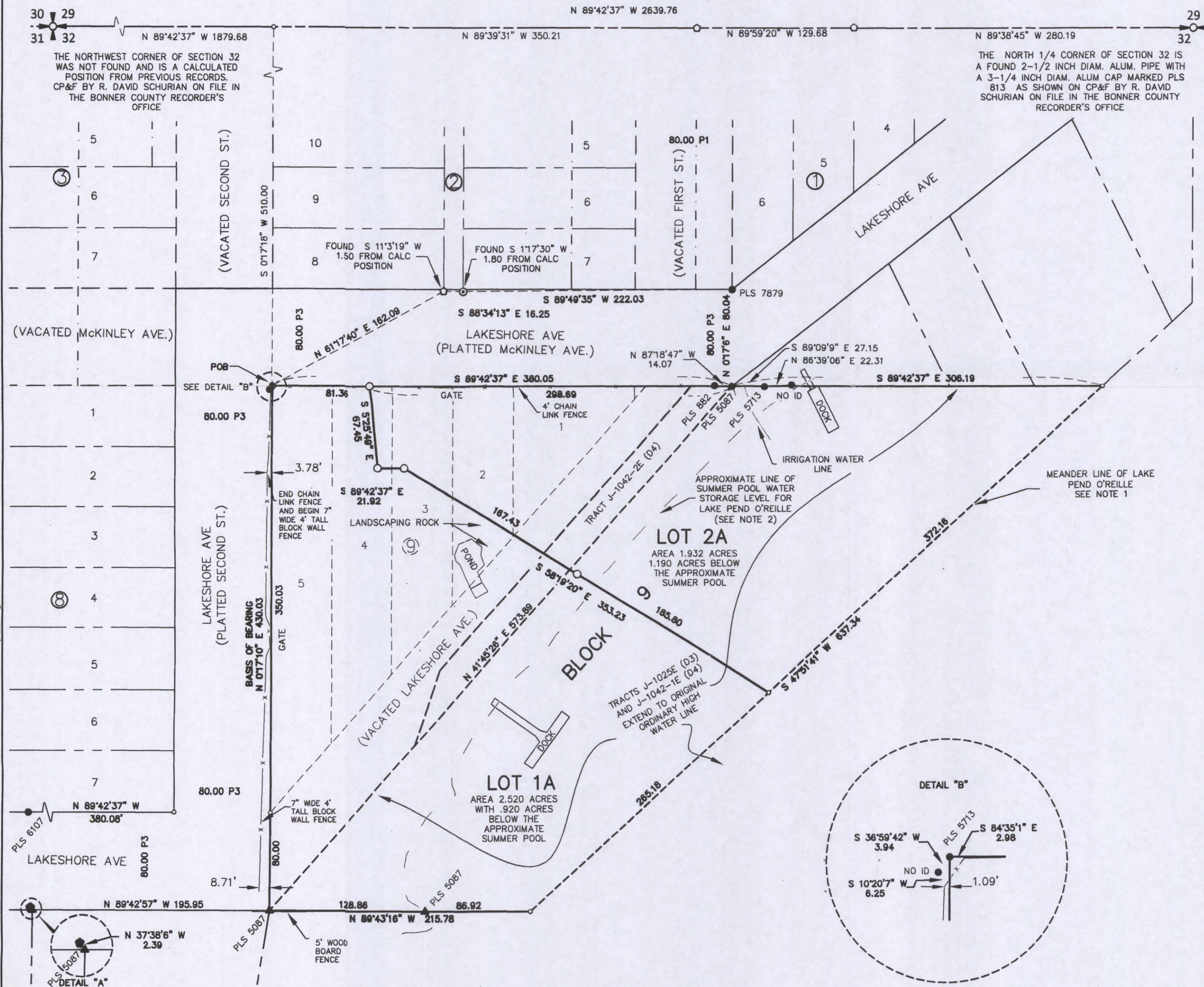
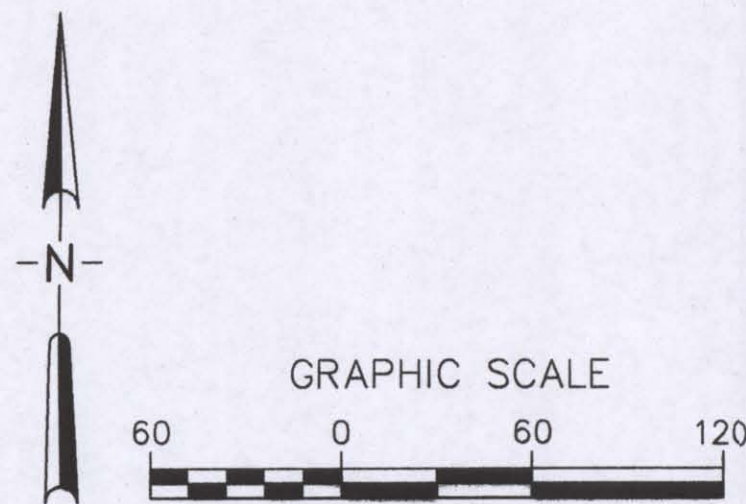
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

22nd day of

December, 1992


for R. Keith Higginson, Director

RE-PLAT OF BLOCK 9 AND VACATED LAKESHORE AVENUE, PLAT OF WELTY AND A PORTION OF GOVERNMENT LOT 1, SECTION 32, TOWNSHIP 57 NORTH, RANGE 2 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO



REFERENCES

- P1 GLO PLAT AND FIELD NOTES, TOWNSHIP 57 NORTH, RANGE 2 WEST
- P2 PLAT OF WELTY ADD. NO. 3, BOOK 1 OF PLATS AT PAGE 176
- P3 PLAT OF WELTY, BOOK 1 OF PLATS AT PAGE 112
- P4 DOVER BAY PLANNED UNIT DEVELOPMENT BLOCK 9 - "SANDY BEACH" RE-PLAT BOOK 7 OF PLATS AT PAGE 216
- P5 RE-PLAT OF LOTS 5 AND 6, BLOCK 1, PLAT OF WELTY, BOOK 7 OF PLATS AT PAGE 243
- R1 RECORD OF SURVEY BY PLS 5087, INSTRUMENT NUMBER 365248
- R2 RECORD OF SURVEY BY PLS 5087, INSTRUMENT NUMBER 380214
- R3 RECORD OF SURVEY BY PLS 5713, INSTRUMENT NUMBER 547516
- R4 RECORD OF SURVEY BY PLS 5713, INSTRUMENT NUMBER 694622
- R5 RECORD OF SURVEY BY PLS 6107, INSTRUMENT NUMBER 753121
- D1 WARRANTY DEED INSTRUMENT NUMBER 692418
- D2 DEED FILED IN BOOK 73 AT PAGE 289
- D3 RIGHT OF WAY AND FLOOD EASEMENT AND DECLARATION OF TAKING INSTRUMENT NUMBER 42974
- D4 RIGHT OF WAY AND FLOOD EASEMENT INSTRUMENT NUMBER 62485

SURVEYOR'S NOTES

- THE LAKE PEND O'REILLE MEANDER LINE AS SHOWN IS RECORD CALCULATED FROM R4 AND IS FOR AN AREA CALCULATION ONLY AND IS NOT INTENDED TO BE A BOUNDARY LINE OF OWNERSHIP. THIS METHOD OF CALCULATING THE MEANDER LINE COMPARES WITHIN REASON OF GLO RECORD INFORMATION FROM THE CALCULATED MEANDER CORNER ON THE NORTH LINE OF SECTION 32
- THE LINE OF SUMMER POOL STORAGE LEVEL IS AN APPROXIMATE LINE ONLY AND WAS SCALED FROM RECORD OF SURVEY INSTRUMENT NUMBER 365248. IT WAS NOT SURVEYED AS A PART OF THIS SURVEY.
- ANY NEW APPROACHES OR MODIFICATIONS TO EXISTING APPROACHES ON TO THE CITY PUBLIC RIGHT OF WAY WITHIN THIS PLAT MAY REQUIRE PERMITTING WITH THE CITY. LANDOWNERS SHOULD CHECK WITH THE CITY PRIOR TO CONSTRUCTION OF ANY NEW APPROACHES.

LEGEND

- SET 5/8" x 30" REBAR WITH A PLASTIC CAP, MARKED PLS 11119
- FOUND 5/8 INCH DIAM. IRON ROD WITH A PLASTIC CAP MARKED AS SHOWN
- ▲ FOUND A 1/2 INCH DIAM IRON ROD WITH A PLASTIC CAP MARKED AS SHOWN
- FOUND A 7/8 INCH DIAMETER IRON ROD WITH NO ID
- ◆ FOUND A 7/8 INCH DIAMETER IRON ROD WITH NUTS WELDED ON TOP
- FOUND A 1-1/4 INCH OUTSIDE DIAM. IRON PIPE
- CALCULATED POINT (NOTHING FOUND OR SET)
- ⑨ ORIGINAL WELTY PLAT BLOCK NUMBER
- POB POINT OF BEGINNING

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE IDAHO STATE PLANE COORDINATE SYSTEM, WEST ZONE, NAD 83, BASED ON USING A COMBINATION OF GPS AND CONVENTIONAL SURVEYING METHODS TO MEASURE THE LINE FROM THE FOUND MONUMENT AT THE SOUTHWEST CORNER OF BLOCK 9, PLAT OF WELTY AND THE FOUND MONUMENT AT THE NORTHWEST CORNER OF BLOCK 9, PLAT OF WELTY BEING N 0°17'10"E AS SHOWN. TO CONVERT THE STATE PLANE BEARINGS AS SHOWN TO GEODETIC BEARINGS A CONVERGENCE ANGLE OF (-) 0°38'12" AS CALCULATED AT THE NORTHWEST CORNER OF BLOCK 9, PLAT OF WELTY IS USED.

SURVEYOR'S CERTIFICATE

I, DUSTY B. OBERMAYER, PROFESSIONAL LAND SURVEYOR NO. 11119 IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS RE-PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS BASED ON AN ACTUAL SURVEY LOCATED IN SECTION 32, TOWNSHIP 57 NORTH, RANGE 2 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO. THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN CORRECTLY HEREON; THAT THE MONUMENTS HAVE BEEN PROPERLY PLACED ON ALL LOT AND BLOCK CORNERS AND THE SURVEY IS IN COMPLIANCE WITH ALL PROVISIONS OF APPLICABLE STATE LAW AND LOCAL ORDINANCES.

Dusty B. Obermayer 8-19-2010
DUSTY B. OBERMAYER PLS 11119 DATE



RUEN-YEAGER & ASSOCIATES, INC. CONSULTING ENGINEERS - LAND SURVEYORS PLANNERS				
3201 N. HUETTER RD., STE. #102 COEUR D'ALENE, IDAHO 83814 (208)292-0820				
219 PINE ST. SANDPOINT, IDAHO 83864 (208)265-4629				
DRAWN BY DBO	PROJEC. NO. S093024	DRAWING NO. SV-REPLAT.dwg	PLOT DATE 8-19-10	SHEET 1 OF 2

798666
RE-PLAT OF BLOCK 9 AND VACATED LAKESHORE AVENUE, PLAT OF WELTY
AND A PORTION OF GOVERNMENT LOT 1, SECTION 32, TOWNSHIP 57 NORTH,
RANGE 2 WEST, BOISE MERIDIAN, DOVER, BONNER COUNTY, IDAHO

OWNERS' CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT SUSAN L. KUBIAK AND JULIE R. MEYER ARE THE CO-PERSONAL REPRESENTATIVES OF THE ESTATE OF JOYCE FENTON (CASE NO. CV-2008-2140, THE OWNER OF THE FOLLOWING DESCRIBED PROPERTY, TO WIT AND HAVE CAUSED THE SAME TO BE RE-PLATTED INTO LOTS AS SHOWN:

LOTS, 1, 2, 3, 4 AND 5, IN BLOCK 9, PLAT OF WELTY, ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK 1 OF PLATS, PAGE 112, RECORDS OF BONNER COUNTY, IDAHO;

AND THAT PORTION OF VACATED LAKESHORE AVENUE LYING SOUTHEASTERLY OF AN EXTENSION OF THE SIDELINES OF BLOCK 9, PLAT OF WELTY, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 1 OF PLATS, PAGE 112, RECORDS OF BONNER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 9 IN SAID PLAT OF WELTY; THENCE SOUTH 80.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE EAST TO THE MEANDER LINE OF LAKE PEND OREILLE; THENCE NORTHEASTERLY FOLLOWING SAID MEANDER LINE TO AN INTERSECTION WITH AN EXTENSION OF A LINE RUNNING EAST-WEST ALONG THE NORTH SIDE OF SAID BLOCK 9, PLAT OF WELTY; THENCE WEST ALONG SAID LINE TO AN INTERSECTION WITH THE SOUTHEASTERLY LINE OF LAKESHORE AVENUE (NOW VACATED); THENCE SOUTHWESTERLY ALONG SAID LINE TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH: ANY INTEREST IN THAT LAND LYING BETWEEN THE GOVERNMENT MEANDER LINE OF LAKE PEND OREILLE AND THE ORDINARY HIGH WATER LINE AT THE TIME OF PATENT.

ALL OF WHICH IS ALSO DESCRIBED AS:

A PARCEL OF LAND WITHIN BLOCK 9 AND VACATED LAKESHORE AVENUE OF THE PLAT OF WELTY, RECORDED AS INSTRUMENT NUMBER 10662 FILED IN PLAT BOOK 1 AT PAGE 112 AND A PORTION OF GOVERNMENT LOT 1, ALL WITHIN SECTION 32, TOWNSHIP 57 NORTH, RANGE 2 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 9 MONUMENTED WITH A 5/8 INCH DIAMETER IRON ROD AND PLASTIC CAP MARKED PLS 5713;

THENCE ALONG THE NORTHERLY LINE OF SAID BLOCK 9 AND AN EXTENSION THEREOF SOUTH 89°42'37" EAST, 686.24 FEET TO THE MEANDER LINE OF LAKE PEND O'REILLE;

THENCE SOUTH 47°51'41" WEST, 637.34 FEET ALONG SAID MEANDER LINE TO AN EXTENSION OF THE SOUTHERLY LINE OF THE EXISTING LAKESHORE AVENUE;

THENCE NORTH 89°43'16" WEST, 215.78 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF LAKESHORE AVENUE AND THE EASTERLY LINE OF SECOND STREET AS SHOWN ON

SAID PLAT OF WELTY; SAID POINT BEING MONUMENTED WITH A 1/2 INCH DIAMETER IRON ROD AND A PLASTIC CAP MARKED PLS 5087;

THENCE NORTH 0°17'10" EAST, 80.00 FEET ALONG THE EASTERLY LINE OF SAID SECOND STREET TO THE SOUTHWEST CORNER OF SAID BLOCK 9;

THENCE NORTH 0°17'10" EAST, 350.03 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH: ANY INTEREST IN THAT LAND LYING BETWEEN THE GOVERNMENT MEANDER LINE OF LAKE PEND OREILLE AND THE ORDINARY HIGH WATER LINE AT THE TIME OF PATENT.

CONTAINING 4.452 ACRES MORE OR LESS

SUBJECT TO:

ANY EXISTING EASEMENTS, COVENANTS, CONDITIONS, RIGHTS, RESERVATIONS, RESTRICTIONS OR ENCUMBRANCES OF RECORD OR IN VIEW.

SANITARY SEWER SERVICE WILL BE PROVIDED BY THE CITY OF DOVER.

DOMESTIC WATER WILL BE PROVIDED BY THE CITY OF DOVER.

Susan Fenton 8/31/10
SUSAN FENTON KUBIAK DATE

Julie R. Meyer 8/31/10
JULIE R. MEYER DATE

ACKNOWLEDGMENT

STATE OF Idaho
COUNTY OF Bonner
ON THIS 31 DAY OF August, 2010, BEFORE ME A NOTARY PUBLIC IN
AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JULIE R. MEYER, KNOWN OR IDENTIFIED
TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THE WITHIN INSTRUMENT, AND
ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

Dawn M. Rice
Comm exp 12-10-10

ACKNOWLEDGMENT

STATE OF Idaho
COUNTY OF Bonner
ON THIS 31 DAY OF August, 2010, BEFORE ME A NOTARY PUBLIC IN
AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SUSAN FENTON KUBIAK, KNOWN OR
IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THE WITHIN INSTRUMENT,
AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

Dawn M. Rice
Comm exp 12-10-10

CITY ENGINEER/DIRECTOR OF PUBLIC WORKS

THIS PLAT HAS BEEN EXAMINED AND APPROVED THIS 1st DAY OF September, 2010.

Robert M. He
CITY ENGINEER

PLANNING AND ZONING ADMINISTRATOR

THIS PLAT HAS BEEN EXAMINED FOR CONFORMANCE TO THE ZONING AND SUBDIVISION CODES AND
APPROVED THIS 8th DAY OF September, 2010.

Roger W. Deane
PLANNING ADMINISTRATOR

APPROVAL OF THE CITY OF DOVER

I, Paul Randy Carless MAYOR IN AND FOR THE CITY OF DOVER, BONNER COUNTY, IDAHO,
DO HEREBY CERTIFY THAT THIS REPLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY COUNCIL.

Paul Randy Carless 9/1/10
MAYOR DATE

Ken Helt 9/1/10
CITY CLERK DATE

HEALTH DISTRICT APPROVAL

A SANITARY RESTRICTION ACCORDING TO IDAHO CODE 50-1326 TO 50-1329 IS IMPOSED ON THIS
PLAT. NO BUILDING, DWELLING, OR SHELTER SHALL BE ERRECTED UNTIL SANITARY RESTRICTION
REQUIREMENTS ARE SATISFIED AND LIFTED.

THIS PLAT APPROVED THIS 19th DAY OF August, 2010.

P. Dowd
PANHANDLE HEALTH DISTRICT 1

PANHANDLE HEALTH DISTRICT 1 SANITARY RESTRICTION SATISFIED AND LIFTED

THIS 19th DAY OF August, 2010.

P. Dowd
PANHANDLE HEALTH DISTRICT 1

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THIS 31st DAY OF August, 2010, THAT THE REQUIRED

TAXES ON THE HEREIN DESCRIBED LAND HAVE BEEN PAID THROUGH 2009 Taxes
Cheryl D. Piche by
Christina Kostant Chief Deputy
BONNER COUNTY TREASURER

COUNTY SURVEYOR

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN PLAT AND CHECKED THE PLAT COMPUTATIONS
THEREON AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE STATE CODE PERTAINING TO
PLATS AND SURVEYS HAVE BEEN MET.

DATED THIS 20th DAY OF August, 2010.

William Stockman
BONNER COUNTY SURVEYOR

COUNTY RECORDER'S CERTIFICATE

I HEREBY CERTIFY THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER
OF BONNER COUNTY, IDAHO, AT THE REQUEST OF RUEN-YEAGER AND ASSOCIATES,

Instrument # 798666
BONNER COUNTY, SANDPOINT, IDAHO
THIS 31st DA August, 2010, 12:12:10 No. of Pages: 2
Recorded for: QUAYLE
PLAT BOOK MAIRIE SCOTT Fee: 11.00
Ex-Officio Recorder Deputy
Index to PLATS

BONNER COUNTY RECORDER



Dusty B. Obermayer 8-19-2010
DUSTY B. OBERMAYER PLS 11119 DATE



RUEN-YEAGER & ASSOCIATES, INC.
CONSULTING ENGINEERS - LAND SURVEYORS
PLANNERS

3201 N. HUETTER RD., STE. #102
COEUR D'ALENE, IDAHO 83814 (208)292-0820
219 PINE ST.
SANDPOINT, IDAHO 83864 (208)265-4629

DRAWN BY	PROJECT NO.	DRAWING NO.	PLOT DATE	SHEET
	SO13024	SV-REPLAT.dwg	08-10-10	2 OF 2