

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.

Receipt #
NO 18356
\$25.00
RECEIVED
MAY 14 2007
IDWR/North

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, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
Lic 98-7351					

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 usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **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) DEANIS GARLAND
13801 N. RIVER BLUFF LN
4. New Owner/Claimant(s) SPOKANE WA 99208
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address CURTIS BARUTIS / BETH EDELSTEIN
City, State and ZIP Code 812 ASHLAND AVE, SANTA MONICA, CA
New Telephone Number (310) 592-4210 90905
5. Date you acquired the property 5-3-07

5. Date you acquired the property _____

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) _____

OWNER
(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 _____ Date 5/14/07
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. \$25
 Receipt No. NØ18356
 WR _____ Date _____



232116

Sandpoint Title Insurance, Inc.

After recording mail to: Grantee

WARRANTY DEED

Escrow No.: 50464-KP - 10278-

FOR VALUE RECEIVED

Dennis W. Garland, An Unmarried Individual

the grantor, do(es) hereby grant, bargain, sell and convey unto

Curtis W. Baruth and Beth Edelstein, Husband and Wife

whose current address is 812 Ashland Avenue Santa Monica, CA 90405

the grantees, the following described premises, in Bonner County, Idaho, TO WIT:

See Exhibit "A"

~~Lot 2, according to plat thereof, recorded in Book of Plats, Page, records of Bonner County, Idaho.~~

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated:

4-27-07

Dennis W. Garland
Dennis W. Garland

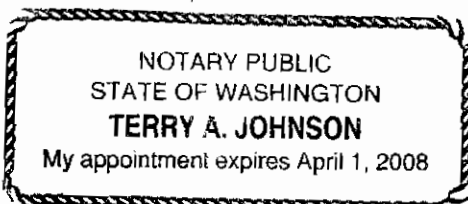
STATE OF IDAHO WASHINGTON }
COUNTY OF KING } SS.

On this 27th day of April, 2007 before me, a Notary Public in and for said state, personally appeared Dennis W. Garland known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

Terry A. Johnson
Notary Public for the State of Idaho
WASHINGTON

Residing at: Seattle
Commission Expires: 4-1-08



STATE OF IDAHO } SS.
County of Boundary }
Filed by: Community Title
on 5-4-07 at 4:00 PM
Glenda Poston
County Recorder C. Poston
By Deputy
Fee \$ 6.00 chg
Mail to C.T.

Escrow No. **10278-TO**

EXHIBIT "A"
Legal Description

The land referred to in this document is situated in the State of **Idaho**, County of **Boundary**, and is described as follows:

Government Lot 2 of Section 30 Township 65 North, Range 1 East, Boise Meridian, Boundary County, Idaho.

Together with an easement for access, recorded December 09, 2003 as Instrument Number 213477, records of Boundary County, Idaho.



**Agent for
Transnation
COMMITMENT FOR TITLE INSURANCE
REPORT # 1
Title Officer: Carolyn Carlson
Schedule A**

RECEIVED
MAY 14 2007
IDWR/North

1. Effective Date: **April 6, 2007 at 8:00 a.m.** Commitment No. **10278-TO**

2. Policy or policies to be issued:

(a) ALTA Owner's Policy **10/17/92**
Proposed Insured:

Amount **\$320,000.00**
Premium: **\$1,250.00**
Premium Reflects Re-issue Credit ☐
Credit Amount: \$ (if applicable)

Curtis W. Baruth, an Unmarried Individual, Beth Edelstein, an Unmarried Individual

(b) ALTA Loan Policy **10/17/92**
Proposed Insured:

Amount \$
Premium: \$
Premium Reflects Re-issue Credit ☐
Credit Amount: \$ (if applicable)
End: \$ / S.I.: \$

(c) STD Loan Policy **10/17/92**
Proposed Insured:

Amount **\$220,000.00**
Premium: **\$75.00**

Dennis W. Garland

3. Title to the **fee simple** estate or interest in the land described or referred to in this Commitment is at the effective date hereof vested in:

Dennis W. Garland, a Single Person as his sole and separate property

4. The land referred to in this Commitment is described as follows:

Government Lot 2 of Section 30 Township 65 North, Range 1 East, Boise Meridian, Boundary County, Idaho.

Together with an easement for access, recorded December 09, 2003 as Instrument Number 213477, records of Boundary County, Idaho.

SETTLEMENT BOX
5'X4'X3'

U.S. FS.

1/4 MILE

UNDER PIPE
IR. P.C.

38.54 ACRES

②
ROUND

GATE

SPRING
TO POND

1 1/2"

SPRING
PUMP

1 1/4"

220

IR. DITCH

GATE

WATER
LINE

OVER HEAD

HOUSE

UT.
POWER

3 3/4"

220

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 98-07351



Priority: August 15, 1980

Maximum Diversion Rate: 0.32 CFS
Maximum Diversion Volume:¹ 48.0 AF

This is to certify, that PHILIP M. TURNER
P.O. BOX 196
LOOMIS, WA 98827

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 15, 1980; and
has submitted Proof of Beneficial Use on May 4, 1983. An examination indicates
that the works have a diversion capacity of .350 cfs of water from:

HALL CREEK

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.32 CFS	48.0 AF
IRRIGATION STORAGE	01/01 to 12/31		4.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		4.0 AF
STOCKWATER STORAGE	01/01 to 12/31		0.4 AF
	Totals	0.32 CFS	48.0 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 1(NWNW), Sec. 30, Township 65N, Range 01E
LOT 2(SWNW), Sec. 30, Township 65N, Range 01E
BOUNDARY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
65N	01E	30	LOT 2(SWNW)	16		16

Total number of acres irrigated: 16

PLACE OF USE: IRRIGATION STORAGE, same as IRRIGATION use

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: STOCKWATER STORAGE, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07351

CONDITIONS/REMARKS:

3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9th day of MARCH, 1990.

Acting for R. Keith Higginson, Director