

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

RECEIVED
NOV 4 2005
Blaine, Idaho

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, 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
98-4302					
98-7796					

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)

Delores Baker Ruth, Duane C. Ruth
HCR 61 Box 2012

4. New Owner/Claimant(s)

Douglas A. Flory, Claire E. Flory

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

HCR 61 Box 208

City, State and ZIP Code

Bonniers Ferry, Id. 83805

New Telephone Number

208 267-2498

5. Date you acquired the property

September 7, 2005

SUPPORT DATA

IN FILE # 98-4302

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Douglas A. Flory - owner
Claire E. Flory

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.

For Office Use Only

Received by <u>[Signature]</u>	Date <u>11/14/05</u>	Fee <u>\$50.00 (\$25.00 each WR.)</u>
Received by <u>[Signature]</u>	Date <u>11/14/05</u>	Receipt No. <u>NO17267</u>
Processed by _____	AJ Date _____	WR _____ Date _____

Being re-recorded to correct Legal Description

AFTER RECORDING MAIL TO:

Douglas A. Flory and Claire E. Flory
HCR 62 Box 420
Moyie Springs, ID 83845

STATE OF IDAHO }
County of Boundary } ss
Filed By: 1st American Title
on 9-7-05 at 1:55
Glenda Poston
County Recorder C. Petersen
By Deputy

Fee \$ 9.00 chg
Mail to Fertis

222681

222554

WARRANTY DEED

File No.: 126028-BF (sf)

Date: August 30, 2005

For Value Received, **Delores A. Baker Ruth formerly known as Delores A. Baker, a married woman dealing with her sole and separate property, joined by her spouse, Duane C. Ruth,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Douglas A. Flory and Claire E. Flory, husband and wife,** hereinafter called the Grantee, whose current address is **HCR 62 Box 420, Moyie Springs, ID 83845,** the following described premises, situated in **Boundary County, Idaho,** to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

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.

Delores A. Baker Ruth

Delores A. Baker Ruth

Duane C. Ruth

Duane C. Ruth

STATE OF IDAHO }
County of Boundary } ss
Filed By: 1st American Title
on 9-13-05 at 4:30
Glenda Poston
County Recorder C. Petersen
By Deputy

Fee \$ 15.00 chg
Mail to Fertis

STATE OF Idaho

)
ss.

222681

COUNTY OF Boundary

)

222554

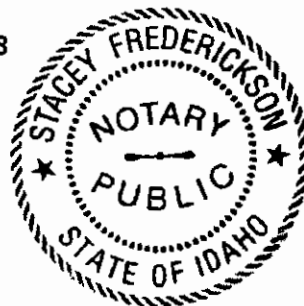
On this ^{17th of September} ~~Thirty-first day of August~~, 2005, before me, a Notary Public in and for said State, personally appeared **Delores A. Baker Ruth and Duane C. Ruth**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Stacey Frederickson

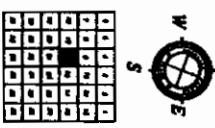
Notary Public for the State of Idaho

Residing at: Boundry County, ID

My Commission Expires: 08/08/08



Assessor's Parcel Map
BOUNDARY COUNTY
IDAHO



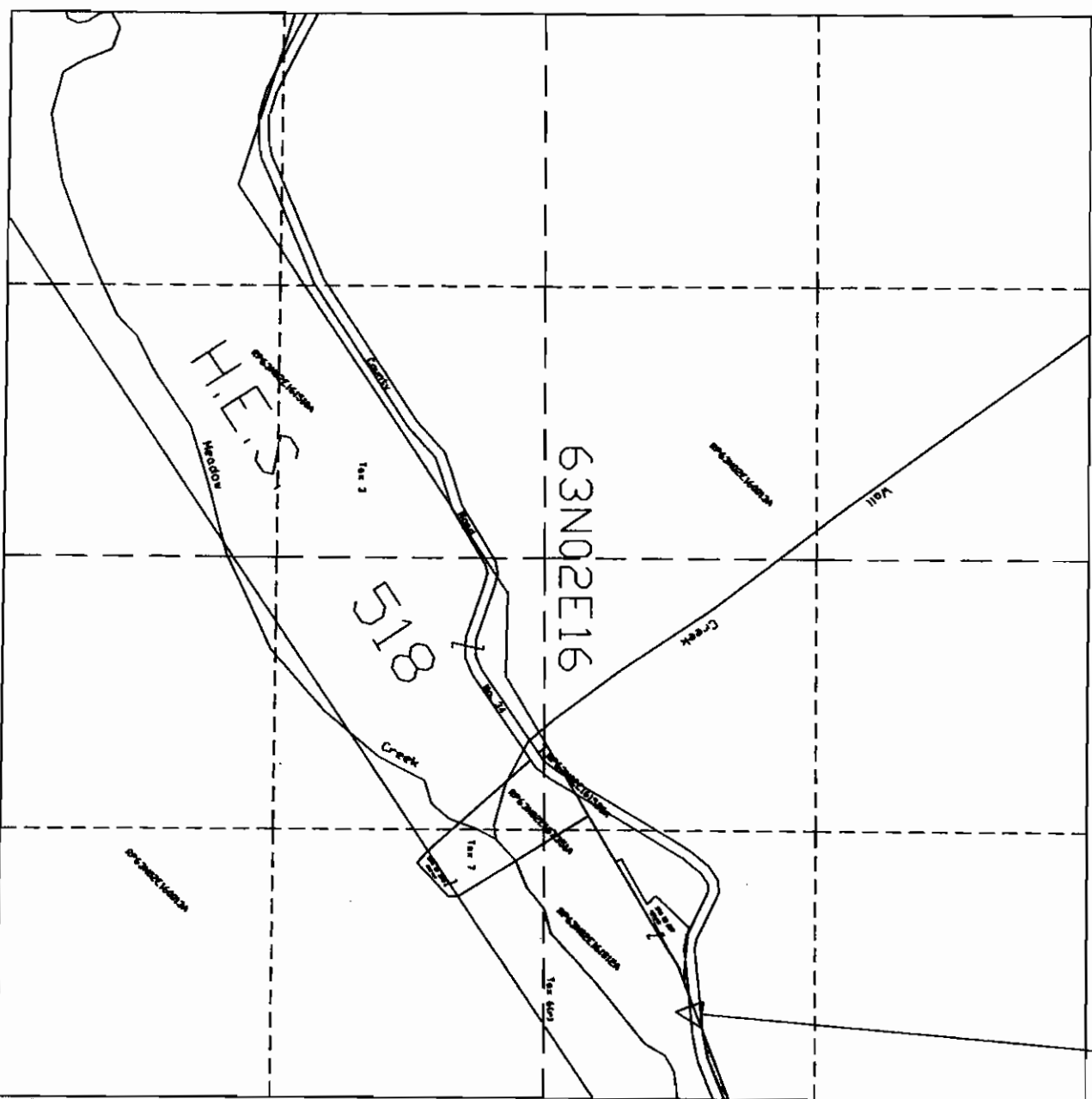
REVISIONS

REVISION	DATE	BY
1	01-15-00	00-00-00
2	01-15-00	00-00-00
3	01-15-00	00-00-00
4	01-15-00	00-00-00
5	01-15-00	00-00-00
6	01-15-00	00-00-00
7	01-15-00	00-00-00
8	01-15-00	00-00-00
9	01-15-00	00-00-00
10	01-15-00	00-00-00

NOTES:
1. This map was prepared from the latest available aerial photography and field data.
2. The map shows the boundaries of the parcels as they appear on the ground.
3. The map does not show the boundaries of the parcels as they appear on the ground.
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7. The map does not show the boundaries of the parcels as they appear on the ground.
8. The map does not show the boundaries of the parcels as they appear on the ground.
9. The map does not show the boundaries of the parcels as they appear on the ground.
10. The map does not show the boundaries of the parcels as they appear on the ground.

Assessor's Parcel Map
BOUNDARY COUNTY
IDAHO

Sec. 16, Twp. 63 N., R. 2 E., B.M. Subject



Sec. 16, Twp. 63 N., R. 2 E., B.M.

Place(s) of use:

Place of Use Legal Description: DOMESTIC BOUNDARY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
63N	02E	16		NESE										

Place of Use Legal Description: RECREATION STORAGE BOUNDARY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
63N	02E	16		NESE										

Conditions of Approval:

1. X01 Domestic use is for 1 home.
2. Recreation storage use is for 2 fish ponds.
3. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Water shall not be diverted under this right when flows in the Moyie River are below established minimum stream flows.

Dates:

~~Licensed~~ Date: 04/03/2003

Decreed Date:

Permit Proof Due Date: 11/1/2001

Permit Proof Made Date: 11/13/2000

Permit Approved Date: 10/31/2000

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 04/12/2000

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/03/2005

WATER RIGHT NO. 98-7796

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DUANE C RUTH HCR 61 BOX 208 BONNERS FERRY, ID 83805 (208)267-3925

Priority Date: 04/12/2000

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	MEADOW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.02 CFS	1.2 AFA
RECREATION STORAGE	01/01	12/31		0.2 AFA
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SPRING|NWNESE|Sec. 16|Township 63N|Range 02E|BOUNDARY County

DOMESTIC Use:

Number of homes: 1

[Close](#)**IDAHO DEPARTMENT OF WATER RESOURCES**
Water Right Report

11/03/2005

WATER RIGHT NO. 98-4302

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DELORES BAKER RUTH HCR 61 BOX 208 BONNERS FERRY, ID 83805 (208)267-3925

Priority Date: 06/15/1905

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.01 CFS	
Total Diversion			0.01 CFS	

Location of Point(s) of Diversion:

SPRING|NWSENE|Sec. 16|Township 63N|Range 02E|BOUNDARY County

Place(s) of use:

Place of Use Legal Description: DOMESTIC BOUNDARY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
63N	02E	16		SENE										

Conditions of Approval:

1. Domestic use is for 1 home.

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)

222681

Date: September 13, 2005

File No.: 126028-BF (sf)

EXHIBIT 'A'

LEGAL DESCRIPTION:

A tract of land Section 16, Township 63 North, Range 2 East, Boise Meridian, Boundary County, Idaho, part of Ernest T. Schieck Homestead; more particularly described as follows:

Commencing at the East Quarter corner between Section 15 and Section 16, Township 63 North, Range 2 East and North 0°16' East, 240.24 feet, corner #8 Schieck Homestead, which is POINT OF BEGINNING; thence South 56°11' West, 1,407.74 feet to intersection of property known as Tax 3; thence North 41°51' West, 599.2 feet to the Southeast right of way line of County road; thence North 32° East, 65.0 feet along said right of way; thence North 50°30' West, 190.0 feet along road right of way; thence North 58°53' East, 908.96 feet, corner #6 Schieck Homestead; thence North 69°09' East, 698.94 feet to Section line between Section 15 and Section 16, Township 63 North, Range 2 East, corner #7 Schieck Homestead; thence South 0°16' West, 656.70 feet along the Section line to POINT OF BEGINNING.

LESS A tract of land in Section 16, Township 63 North, Range 2 East, B.M., Boundary County, Idaho, and a part of Homestead Entry Survey Number 518 (H.E.S. 518), (also known as Ernest T. Schieck Homestead), and more particularly described as follows:

Commencing at the East Quarter Corner of said Section 16; thence North 00°16' East, 240.90 feet to Corner Number 8 of H.E.S. 518; thence South 56°11' West, 1142.74 feet to the TRUE POINT OF BEGINNING; thence continuing South 56°11' West, 265.00 feet to the intersection with the easterly line of that parcel described in Book 9 of Miscellaneous, Page 382, (also known as Tax 3), of Boundary County Records; thence North 41 degrees 51' West along said line 599.2 feet to the Southerly right of way of County Road #34 (known as Meadow Creek Road); thence Northeasterly along said right of way to the intersection with the North line of H.E.S. 518; thence Easterly along said North line to a point that is 395 feet from the intersection of the East line of said Tax 3 and the North line of H.E.S. 518; thence Southwest in a straight line to the TRUE POINT OF BEGINNING.

AND ALSO a parcel of land designated as "Small Tracts Act No. ID-237," situated in the Southeast Quarter of the Northeast Quarter of Section 16, Township 63 North, Range 2 East, Boise Meridian, Boundary County, Idaho, described as follows:

222681

BEGINNING at Corner 1, which is a 2" iron pipe, with a 2½" brass cap, marked "USDA-FS 6 HES 518 1917," and the TRUE POINT OF BEGINNING; thence N69°06'00"E, 79.17 feet along the line between Corners 6 and 7 of HES 518 to Corner 2, which is a 5/8" rebar, with a yellow plastic cap, marked "PLS 882 1999"; thence Westerly, 122.0 feet, along a curve concave to the north, having a radius of 725 feet, to Corner 3, which is a 3/4"x 24" rebar, with a standard Forest Service aluminum cap, marked "USDA-FS S16 COR3 STA ID 237 PLS 4343 2000"; thence N84°37'15"W, 150.4 feet to Corner 4, which is a 3/4"x 24" rebar, with a standard Forest Service aluminum cap, marked "USDA-FS S16 COR4 STA ID 237 PLS 4343 2000"; thence S43°16'00"W, 222.0 feet, to Corner 5, which is a 3/4"x 24" rebar, with a standard Forest Service aluminum cap, marked "USDA-FS S16 COR5 STA ID 237 4343 2000"; thence S44°55'15"E, 58.1 feet to Corner 6, which is a 3/4"x 24" rebar, with a standard Forest Service aluminum cap, marked "USDA-FS S16 COR6 STA ID 237 PLS 4343 2000"; thence S59°44'30"W, 252.2 feet, to Corner 7, which is a 3/4"x 24" rebar, with a standard Forest Service aluminum cap, marked "USDA-FS S16 COR7 STA ID 237 PLS 4343 2000"; thence S18°15'00"E, 31.6 feet, to Corner 8, which is a 3/4"x 24" rebar, with a standard Forest Service aluminum cap, marked "USDA-FS S16 COR8 STA ID 237 PLS 4343 2000"; thence N58°53'55"E, 603.3 feet along the line between Corners 5 and 6 of HES 518 to Corner 1, heretofore described, and the TRUE POINT OF BEGINNING.