



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 4, 2005

BRYAN ROSS
KAYE ROSS
5774 JEWEL LAKE RD
JAGLE ID 83860

RE: Change of Ownership for Water Right 96-2168

Dear Mr. & Mrs. Ross:

Our letter of December 6, 2004 (copy enclosed) requesting the required support data for the above referenced ownership change remains unanswered. Therefore, I am returning the ownership change request. A copy of your ownership change information will be kept in our files for reference.

If, at a later date, you wish to reinstate this request you may send the enclosed ownership change request form along with the required support data we will be happy to complete the request for you.

If you have any questions regarding this matter, please contact Kari Lynn Townsend at 208-287-4952.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kandice L. McDermott', is written over a horizontal line.

Kandice L. McDermott
Records Analyst

/klm
enclosure

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, 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
96-2168					

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)

AG Irish

4. New Owner/Claimant(s)

Bryan Ross

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

New Mailing Address

5774 Jewel Lake Road

City, State and ZIP Code

Boyle ID 83860

New Telephone Number

(208) 263-0077

5. Date you acquired the property

Dec 1999

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)

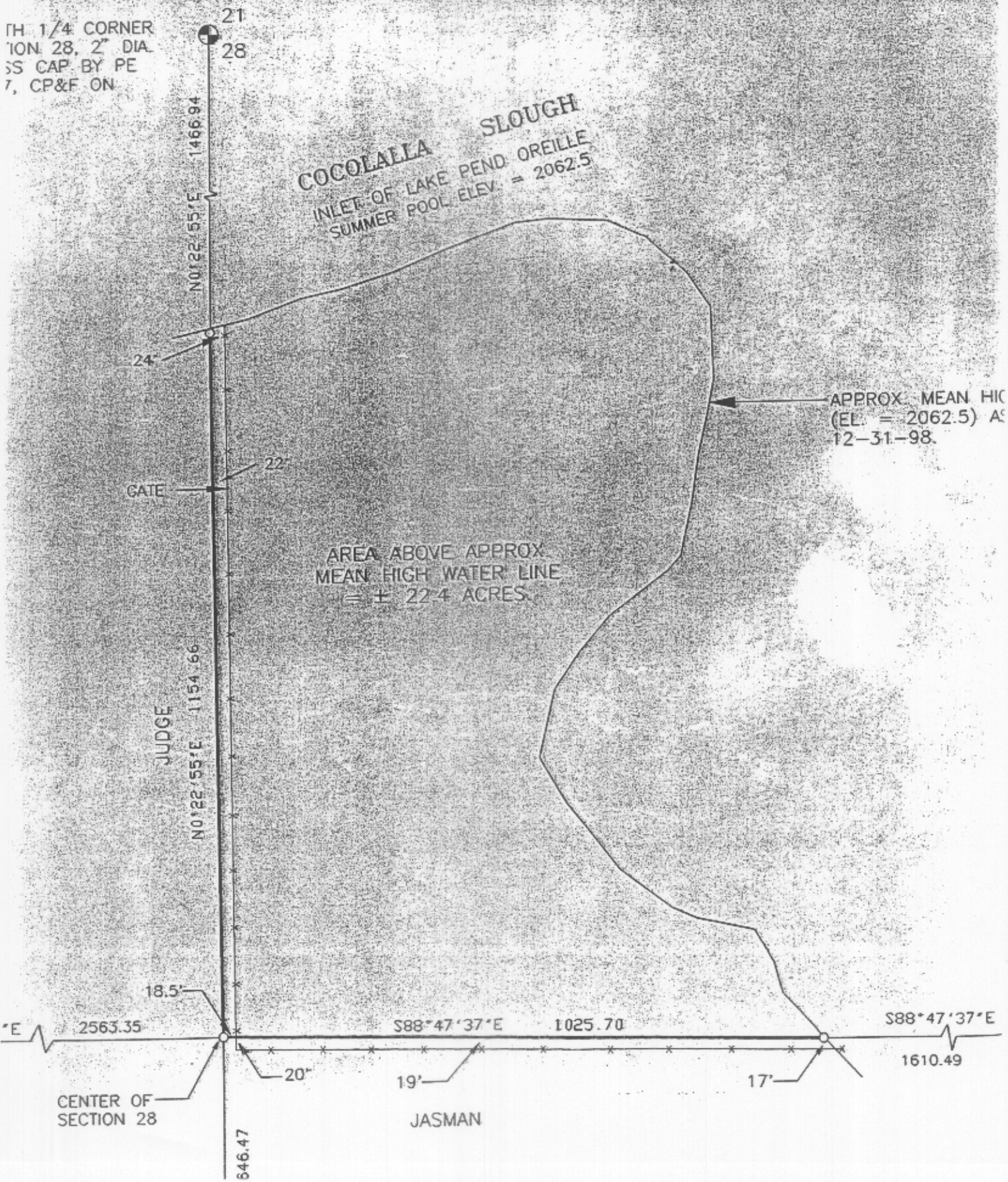
Ryan R. Brown

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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WFR _____ Date _____

TH 1/4 CORNER
ION 28, 2" DIA.
SS CAP BY PE
7, CP&F ON



return to grantee.

INSTRUMENT NO.



21347

WARRANTY DEED

538341

For Value Received FLOYD W. IRISH, TRUSTEE and LECNA G. IRISH, TRUSTEE of the IRISH LIVING TRUST DATED NOVEMBER 20, 1997

The grantor(s), do(es) hereby grant, bargain, sell and convey unto BRYAN ROSS and KAYE ROSS, husband and wife

the grantee(s), whose current address is 5774 JEWEL LAKE ROAD, SAGLE, ID 83860

the following described premises, in BONNER

County Idaho, to-wit:

See Exhibit A Attached hereto and made a part hereof.

Assessor's Parcel No:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances except specific matters of record as shown above,

and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 13th, 1999

X Floyd W. Irish, Trustee
FLOYD W. IRISH, TRUSTEE

X Leona G. Irish, Trustee
LEONA G. IRISH, TRUSTEE

STATE OF Idaho)
COUNTY OF Bonner) SS.

RECORDING DATA:

On this 15 day of Jan., 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Floyd W. Irish

SANDPOINT
F
1999 J1
BONNER

Assessor's Parcel No:

and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 13th, 1999

X Floyd W. Irish Trustee
FLOYD W. IRISH, TRUSTEE

X Leona G. Irish, Trustee
LEONA G. IRISH, TRUSTEE

STATE OF Idaho)
COUNTY OF Bonner) SS.

On this 15 day of Jan, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Floyd W. Irish
Leon G. Irish

known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Trust for the benefit of Irish Living Trust

acknowledged to me that he (she) executed the same as Trustee.

Notary Public in and for said County and State

Residing at: Chile
Commission Exp: 10-2-99

RECORDING DATA:

SANDPOINT TILE INSURANCE

FILED BY

1999 JUN 15: P 2: 26

**MAIHE SCOTT
BONNER COUNTY RECORDER**

6. DEPUTY



EXHIBIT "A"

IN THE STATE OF IDAHO, COUNTY OF BONNER

PARCEL 1:

A tract of land located in a portion of the West half of the Northeast quarter of Section 28, Township 56 North, Range 3 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of said Northeast quarter of Section 28;

thence East, along the South line of said Northeast quarter, a distance of 1025.75 feet to the mean high water line of Cocolalla Slough;

thence North, a distance of 250 feet, more or less, to an intersection with the thread of said Cocolalla Slough;

thence Northerly, Westerly and Southerly along said thread to an intersection with the West line of said Northeast quarter;

thence South along said West line, a distance of 1154.66 feet to the point of beginning.

PARCEL 2:

A non-exclusive easement for ingress and egress and utilities as set forth in the Instrument No. 537926, recorded January 8, 1999, records of Bonner County, Idaho, and re-recorded January 13, 1999 as Instrument No. 538182, records of Bonner County, Idaho.

SUBJECT TO:

GENERAL TAXES FOR THE YEAR 1999.

ANY QUESTION THAT MAY ARISE DUE TO THE SHIFTING AND CHANGING IN THE COURSE OF COCOLALLA SLOUGH (COCOLALLA CREEK).

RIGHT OF THE STATE OF IDAHO IN AND TO THAT PORTION, IF ANY, OF THE PROPERTY HEREIN DESCRIBED WHICH LIES BELOW THE LINE OF ORDINARY HIGH WATER OF COCOLALLA SLOUGH (COCOLALLA CREEK).

ANY CLAIMS ARISING OUT OF THE DIFFERENCE BETWEEN THE MEAN HIGH WATER LINE AND THE MEANDER LINE OF COCOLALLA SLOUGH (COCOLALLA CREEK).

WARRANTY DEED
21347EXA/PAGE 2

APPROVED & ACCEPTED

X *[Signature]*
X *[Signature]*

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: JANUARY 8, 1940
BOOK/PAGE: 62 OF DEEDS/PAGE 72
IN FAVOR OF: NORTHERN IDAHO RURAL ELECTRICAL
REHABILITATION ASSOCIATION, INC., A CORPORATION
FOR: RIGHT OF WAY EASEMENT
AFFECTS: NO EXACT LOCATION

A PERPETUAL RIGHT OF WAY AND EASEMENT TO OVERFLOW, FLOOD AND SUBMERGE A PORTION OF THE HEREIN DESCRIBED PROPERTY, AND INCIDENTAL PURPOSES, UPON THE TERMS AND PROVISIONS THEREIN SET FORTH AS CONVEYED TO THE UNITED STATES OF AMERICA, BY WARRANTY EASEMENT RECORDED DECEMBER 9, 1959, IN BOOK 26 OF MISCELLANEOUS, PAGE 359, RECORDS OF BONNER COUNTY, IDAHO.

PARTIAL RELEASE OF EASEMENT RESTRICTION RECORDED DECEMBER 30, 1991, AS INSTRUMENT NO. 405421, RECORDS OF BONNER COUNTY, IDAHO.

WARRANTY DEED
21347EXA/PAGE 3

APPROVED & ACCEPTED

X *[Signature]*
X *[Signature]*