

RECEIVED

NOV 14 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
96-09509	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Asa Bowman
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Tony and or Rachel Livingston
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or
- PO 1291 Athol ID 83801
Mailing address City State Zip
208 659 2891 trliving@roadrunner.com
Telephone Email
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: 12/15/2022
6. Do you own the land identified as the water right place of use? Yes ☐ No ☒
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. 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):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Tony Livingston 11/08/22
Signature of new owner/claimant Title, if applicable Date
Tony Livingston
Print name

Signature: Rachel Livingston 11/08/22
Signature of new owner/claimant Title, if applicable Date
Rachel Livingston
Print name

For IDWR Office Use Only:

Received by: [Signature] Date: 11-14-2022 Receipt No. N041853 Receipt Amt. 25.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

NS

11/16/22

COPY



WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:591051

FOR VALUE RECEIVED

Asa S. Bowman and Taffie L. Bowman, husband and wife

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

Tony L. Livingston and Rachel D. Livingston, husband and wife

whose current address is

**1103 Huckleberry Mtn Rd.
Cocolalla, ID 83813**

the grantee(s), the following described premises, in Bonner County, Idaho, TO WIT:

See attached Exhibit 'A'

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 Grantee(s), that (s)he is/are the owner(s) 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: December 15, 2021

Asa S. Bowman

Taffie L. Bowman



Transaction Identification Data for reference only:

Issuing Agent: Alliance Title & Escrow, LLC

Issuing Office: 2157 N Main St., Coeur d'Alene, ID 83814

Loan ID Number: 21131934

Customer Reference Number:

Issuing Office File Number: 591051

Property Address: 1103 Huckleberry Mtn Rd., Cocolalla, ID 83813

Revision Number: _____

SCHEDULE A

1. Commitment date: **November 3, 2021 at 7:30 A.M**

2. Policy or Policies to be issued:

(a) 2006 ALTA® Owner's Policy

☒

Standard

☐

Extended

Amount:

Premium:

Proposed Insured:

Tony Livingston and Rachel Livingston

(b) 2006 ALTA® Loan Policy

☐

Standard

☒

Extended

Amount:

Premium:

Endorsements: **8.1-06, 9-06 and 22-06**

Proposed Insured: **Idaho Central Credit Union, its successors and/or assigns**

3. The estate or interest in the Land described or referred to in this Commitment is **FEE SIMPLE**

4. Title to the **FEE SIMPLE** estate or interest in the Land is at the Commitment Date vested in:
Asa S. Bowman and Taffie L. Bowman, husband and wife

5. The Land is described as follows:

See Attached Exhibit 'A'

Old Republic National Title Insurance Company

Authorized Signatory

File No. 591051

Exhibit 'A'

The East Half of the Southeast Quarter of the Northeast Quarter of Section 35, Township 55 North, Range 3 West, Boise Meridian, Bonner County, Idaho

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 96-09509

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N 03W 35				1.0													1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2018**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
4. Stockwater use is for 4 head of mixed stock.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. This right does not grant any right-of-way or easement across the land of another.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
8. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 22 day of January, 2013.

Gary Spackman, for
GARY SPACKMAN, Director

RECEIVED

NOV 28 2012

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

COPY
COPY1. Name of applicant(s) Asa Bowman Phone 208-659-2203Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: PO Box 492, Athol, ID City _____State _____ Zip 83801 Email: alpinefirepro@gmail.com2. Source of water supply unnamed stream which is a tributary of Cocolalla Ck3. Location of point(s) of diversion: groundwater / sinks

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
55N	03W	35	/		SE	NE	Bonner	groundwater	Hand Dug
55N	03W	35	/		SE	NE	Bonner	unnamed stream	
55N	03W	35	/		NE	NE	Bonner	unnamed stream	
55N	03W	35	/		SE	NE	Bonner	groundwater	Hand Dug

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.02 for Stock purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.03 for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) 0.09 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Hand Dug Well

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ Noc. Proposed well diameter is 48" inches; proposed depth of well is 12' / 9' feet.d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? _____; drilling firm _____;

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households onee. Other; describe fully. 2 to 4 mixed head stock

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	03W	35				D													
"	"	"				5													
"	"	"				1													1

Total number of acres to be irrigated: 1

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____

10. a. Who owns the property at the point of diversion? Paul & Trudy Barnhart
- b. Who owns the land to be irrigated or place of use? Asa Bowman
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Easement provided by Paul & Trudy Barnhart
points of Diversion from streams will be gravity fed to use

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

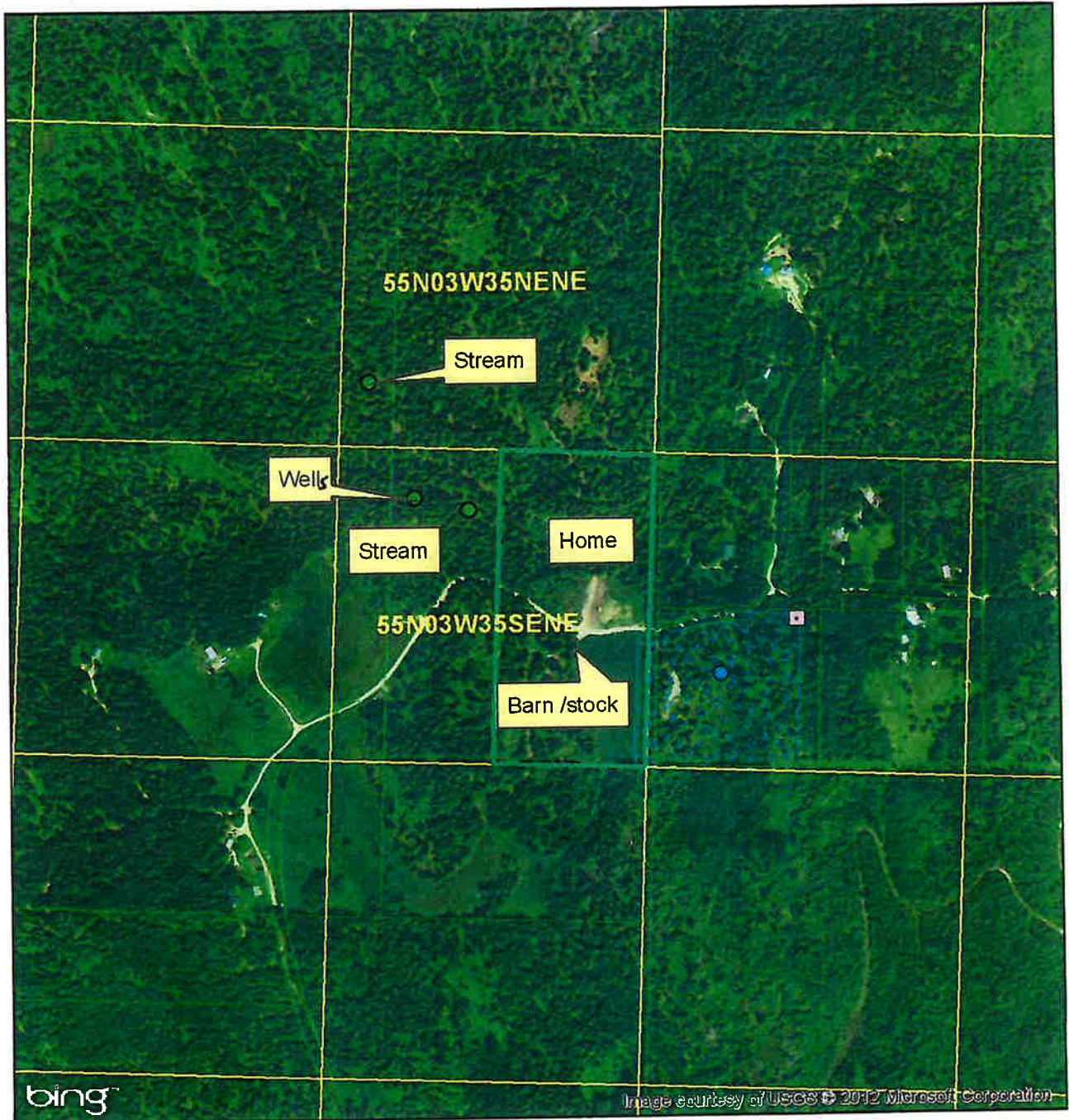
Asa Bowman
 Signature of Applicant
Asa Bowman
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

For Department Use:

Received by db Date 11/28/12 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by db Receipt No. N029582 Date 11/28/12



Legend

1 inch = 655 feet

-  Water Right POD
-  Application POD
-  Application POU
-  Taxlots



Instrument # 835960

BONNER COUNTY, SANDPOINT, IDAHO
11-28-2012 01:09:36 No. of Pages: 1
Recorded for : ASA BOWMAN
MARIE SCOTT Fee: 10.00
Ex-Officio Recorder Deputy *CB*
Index to: MISC

Easement For Well and Appurtenances

PAUL I. BARNHART and TRUDY J. BARNHART as Co-Trustees, of the PAUL I. BARNHART AND TRUDY J. BARNHART LIVING TRUST dated May 17, 2012 ("The Barnhart Trust"), are the owners of the following described real property:

Parcel A

The East Half of the Southwest Quarter of the Northeast Quarter and the West Half of the Southeast Quarter of the Northeast Quarter of Section 35, Township 55 North, Range 3 West, Boise Meridian, Bonner County, Idaho.

And ASA BOWMAN, a married man as his sole and separate property ("Bowman"), is the owner of the following described real property:

Parcel B

The East Half of the Southeast Quarter of the Northeast Quarter of Section 35, Township 55 North, Range 3 West, Boise Meridian, Bonner County, Idaho.

Whereas Bowman has drilled a well located near the East Line of Parcel A, The Barnhart Trust hereby grants unto Bowman an easement for said well, including but not limited to all rights associated with the operation, maintenance and use of said well and appurtenances, which shall be for the exclusive use of Parcel B. The Barnhart Trust shall have no obligations as to the purity, flow, maintenance, costs or any other items related to said well, other than to allow Bowman the rights herein granted.

Executed this 1 day of November, 2012

Paul I. Barnhart

Paul I. Barnhart, Co-Trustee

Trudy J. Barnhart

Trudy J. Barnhart, Co-Trustee

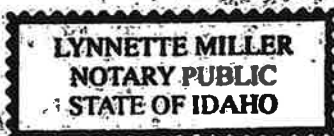
State of Idaho

}
}ss.

County of Bonner

On this 1st day of November, 2012, before me, a Notary Public in and for said state, personally appeared Paul I. Barnhart and Trudy J. Barnhart known or identified to me to be the persons whose names are subscribed to the foregoing instrument as Co-Trustees of the Paul I. Barnhart and Trudy J. Barnhart Living Trust dated May 17, 2012, and acknowledged to me that they executed the same as Co-Trustees.

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



Lynnette Miller
Notary Public for the State of Idaho

Residing at: Athol

Commission Expires: May 2, 2017



IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 16, 2022

TONY L LIVINGSTON
RACHEL D LIVINGSTON
PO BOX 1291
ATHOL ID 83801-1291

Re: Change in Ownership for Water Right No(s): 96-9509

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 762-2813.

Sincerely,

Natalie Steading
Tech Records Specialist 1

Enclosure(s)