



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 Mathew Weaver

October 2, 2024

BRENT & KIMBERLY SWANK
PO BOX 120
LACLEDE ID 83814

RE: Change of Ownership of Clark Fork-Pend Oreille Basin Adjudication (CFPRBA) 97-9578

Dear Claimants,

We received your Notice of Change in Water Right Ownership form but cannot update our records accordingly. A phone call was made to Mr. Swank on July 18th, 2024, and it was decided that Mr. Swank was going to submit a Quit Claim Deed with the Bonner County Recorder's office to switch only the water rights from Sanborn Creek Farm LLC to your individual names. I followed up that phone call with a letter that was sent on August 19th, 2024, giving you another month to get the Quit Claim Deed recorded.

As of today, I have not received the required documentation, so I am returning your Change of Ownership unprocessed. When you do get the Quit Claim Deed recorded with the Bonner County Recorder's office, you can resubmit your Change of Ownership.

Feel free to contact me if you have any questions or concerns. I can be reached by phone during business hours at 208-762-2800 or by email at dawn.lenon@idwr.idaho.gov.

Best Regards,

Dawn R. Lenon
Technical Records Specialist 1
Northern Region

Enclosure(s): Original Notice of Change in Water Right Ownership 97-9578

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 08 2024

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

IDWR / NORTH

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?
979578	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:

Philip Melior and Lola Melior

Name of current water right holder/claimant

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

Brent Swank & Kimberly Swank

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

P.O. Box 120

Mailing address

Lacode

City

ID

State

83814

Zip

208-304-4513

Telephone

beswank@gmail.com

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: June 2 2017

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐

- ☐ 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):
☐ \$25 per undivided water right.
☐ \$100 per split water right.
☐ 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:

Brent Swank

Signature of new owner/claimant

Title, if applicable

7-2-2024

Date

Brent Swank

Print name

Signature:

Signature of new owner/claimant

Title, if applicable

Date

Print name

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
419 North Second Ave.
Sandpoint, ID 83864

E-RECORDED simplifile®
ID: 906219
County: Bonner
Date: 6/6/17 Time: 2:43
Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **636344-S (d)**

Date: **June 02, 2017**

For Value Received, **Lisa Simonsen, Successor Trustees of Philip Melior and Lola Melior Living Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Brent Swank and Kimberly Swank, husband and wife as community property with right of survivorship**, hereinafter called the Grantee, whose current address is **P.O. Box 120, Laclede, ID 83841**, the following described premises, situated in **Bonner 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.

Date: 06/02/2017

Warranty Deed
- continued

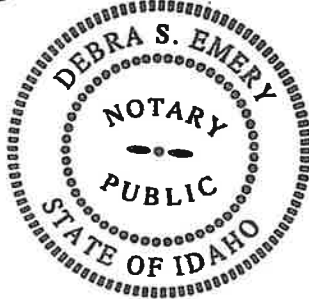
File No.: 636344-S (d)

Lisa A. Simonsen, Successor Trustee of
Philip Melior and Lola Melior Living Trust

X L.A. Simonsen, Successor Trustee
Lisa A. Simonsen, Successor Trustee

STATE OF Idaho)
COUNTY OF Kootenai)

On this 5th day of June, 2017, before me, a Notary Public in and for said State, personally appeared **Lisa Simonsen**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Successor Trustee of the **Philip Melior and Lola Melior Living Trust** Trust, and acknowledged to me that sh executed the same as such Successor Trustee.



Debra S. Emery
Notary Public of Idaho

Residing at: Coeur d'Alene, ID

Commission Expires: 11-18-2021

EXHIBIT A

A tract of land located in a portion of the Southeast quarter of the Northeast quarter of Section 7, Township 56 North, Range 4 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of said Southeast quarter of the Northeast quarter;

Thence South 89°21'21" East along the South line of said Southeast quarter of the Northeast quarter, a distance of 736.17 feet;

Thence leaving said South line, North 01°07'20" East, a distance of 336.50 feet to a point of non-tangent curvature on the centerline of Sanborn Creek Road, a County Road;

Thence Northerly along said centerline the following five (5) courses:

(1) 144.94 feet along a curve to the right with a radius of 663.20 feet (the chord of which bears North 12°27'31" West, 144.65 feet);

(2) North 06°11'47" West, a distance of 220.70 feet;

(3) 244.95 feet along a curve to the left with a radius of 1082.03 feet (the chord of which bears North 12°40'54" West, 244.43 feet);

(4) North 19°10'01" West, a distance of 151.55 feet;

(5) 249.18 feet along a curve to the right with a radius of 446.53 feet (the chord of which bears North 03°10'53" West, 245.96 feet);

Thence leaving said centerline, North 89°06'38" West, along the North line of said Southeast quarter of the Northeast quarter, a distance of 547.57 feet to the Northwest corner of said Southeast quarter of the Northeast quarter;

Thence South 00°59'59" West along the West line of the Southeast quarter of the Northeast quarter, a distance of 1324.72 feet to the point of beginning.

EXCEPTING THEREFROM the County Road right of way.

395272

T 56 N R 4 W S 7

RECORD OF SURVEY

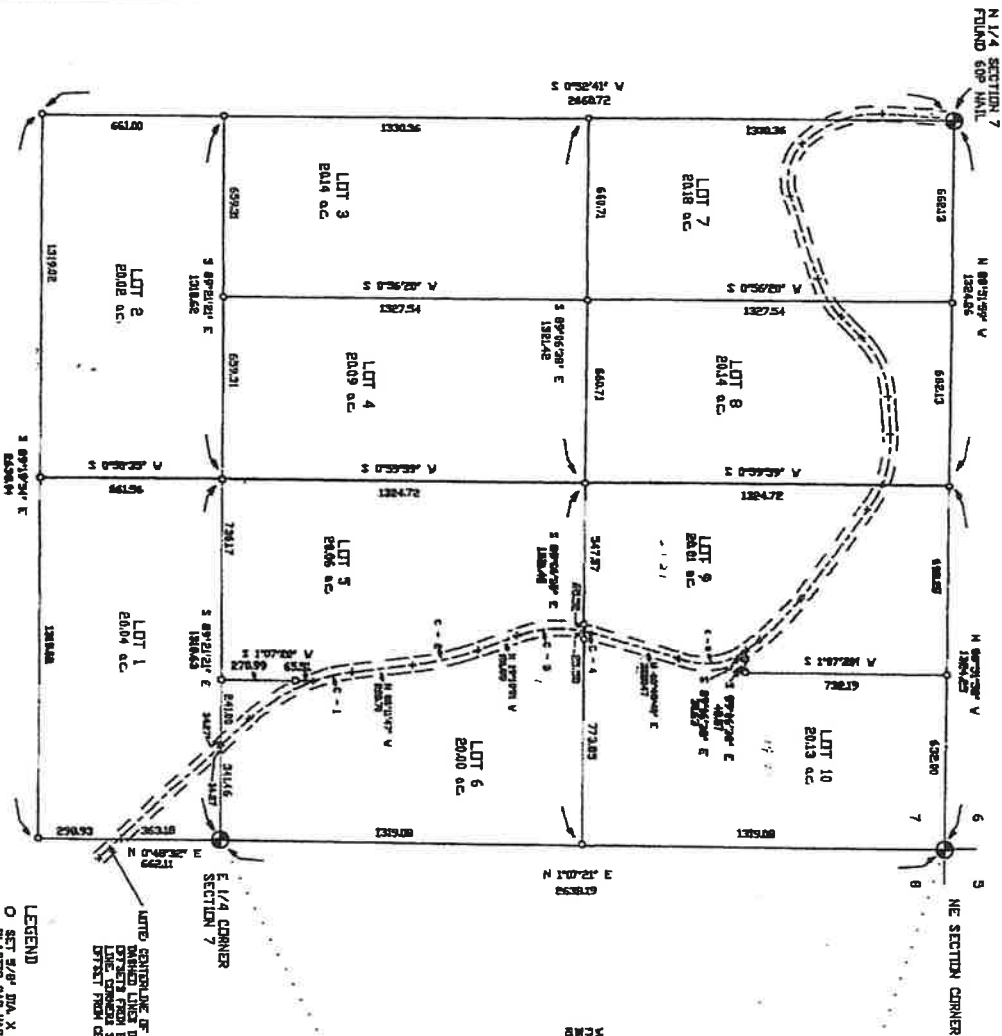
FOR

PACK RIVER MANAGEMENT COMPANY

LOCATED IN SECTION 7, TOWNSHIP 56 NORTH, RANGE 4 WEST, BLISE MERIDIAN, BONNER COUNTY, IDAHO



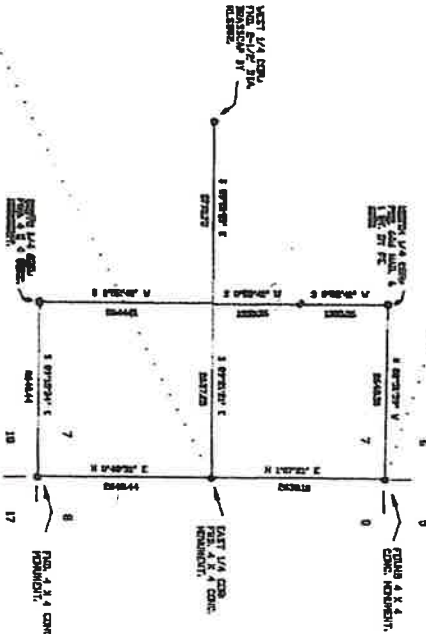
Scale 1" = 40'
NAD 83



LEGEND
O SET 3/8" DIA. X 30" LONG BEAM WITH YELLOW PLASTIC CAP MARKED PLS 6167
+ MONUMENTATION AS NOTED
+ MEASUREMENT POINT

CENTERLINE CURVE DATA

CURVE	RADIUS	DELTA	ARC LEN.	CHORD	BNG.	CHORD LEN.
C-1	663.80'	12°31'18"	144.94'	N 12°27'31" V	144.65'	
C-2	1082.03'	12°38'14"	344.95'	N 12°40'34" V	244.43'	
C-3	446.53'	31°59'24"	249.18'	N 03°10'53" V	245.96'	
C-4	446.53'	04°00'29"	31.22'	N 14°42'04" E	31.22'	
C-5	248.32'	59°13'47"	236.91'	N 06°48'18" V	243.63'	



SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY SUPERVISION IN ACC. 1, SEPT. 1992.



RECORDERS CERTIFICATE
FILED THIS 17 DAY OF SEP 1992
AT THE COUNTY CLERK'S OFFICE
BONNER COUNTY, IDAHO
MARK SCOTT
COUNTY RECORDER



MILLER
SURVEYING & MAPPING
100 S. 4TH AVE.
BOZEMAN, MT 59717-1522
(406) 524-1522

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF
TWIN FALLS

Ident. Number: 97-9578

Date Received: 10/1/2022

Receipt No: N041377

Received By:

**NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED
UNDER STATE LAW**

1. Name of Claimant(s)

SANBORN CREEK FARM LLC Phone:(208) 304-4513
PO BOX 120
LACLEDE ID 83841-0120

2. Date of Priority: 8/1/2017

3. Source: GROUND WATER Tributary to:

4. Point of Diversion:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>	<u>Type</u>
56N	04W	7	SE NE		BONNER	

5. Description of diverting works:

6: Water is used for the following purposes:

<u>Purpose</u>	<u>From To</u>	<u>C.F.S.</u>	<u>(or) A.F.A</u>
DOMESTIC	1/1 12/31	0.04	

7. Total Quantity Appropriated is: 0.04 C.F.S. and/or A.F.A

8. Non-irrigation uses:

Number of Homes: 1	<u>Water Use</u>	<u>Type Of Stock</u>	<u>Number Of Stock</u>
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9. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4</u>	<u>Lot</u>	<u>Use</u>	<u>Acres</u>
56N	04W	7	SE NE		DOMESTIC	
			SW NE		DOMESTIC	
			NE SE		DOMESTIC	
					Section Acres	
					Total Acres	

10. Place of use in counties: BONNER

11. Do you own the property listed above as place of use? Yes

12. Other Water Rights Used:

13. Remarks:

97-9578

7/15/2024

Priority date description: Purchased Property with existing well

Description of use:	<u>Water Use</u>	<u>Description</u>
	DOMESTIC	Domestic

14. Basis of Claim: Beneficial Use

15. Signature(s)

For Individuals: I/We do solemnly swear or affirm under penalty or perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty or perjury that I am

_____ of _____
Title Organization

That I have signed the foregoing document in the space below as

_____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date: _____

Title and Organization _____
Please print name