

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED**AUG 14 2026****IDWR / NORTH****APPLICATION FOR TRANSFER OF WATER RIGHT****GENERAL INFORMATION AND INSTRUCTIONS**

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) JAMES AND KAY VIEBROCK LIVING TRUST

Mailing Address 13742 N IDAHO RD RATHDRUM ID 83858

Email* KAYVIEBROCK@GMAIL.COM Phone 208-819-5994

Name of Representative (if any) JAMES AND KAY VIEBROCK - TRUSTEE(S)

Mailing Address 13742 N IDAHO RD RATHDRUM ID 83858

Email* KAYVIEBROCK@GMAIL.COM Phone 208-819-5994

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☐ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☒ **N/A.** This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Irrigated Acres to be Changed: _____

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|---|--|
| ☐ Change point(s) of diversion | ☒ Change place of use |
| ☐ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☒ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

THIS TRANSFER SEEKS TO COMPLETE A CHANGE OF OWNERSHIP OF RIGHT 95-13421; WE HAVE PURCHASED THIS RIGHT KERIE L. MARTIN (ORIGINAL OWNERS HENRY & OLIVE VIEBROCK HAVE PASSED AWAY, AND KERIE IS THE CURRENT PROPERTY OWNER). TRANSFER SEEKS TO CHANGE PLACE OF USE TO OUR PROPERTY FOR DOMESTIC & STOCKWATER USE; WELL IS CURRENTLY SHARED, EXISTING USE AND POD DOES NOT CHANGE. ONCE TRANSFER IS COMPLETE WE WILL BE SOLE USERS OF THE WELL (EASEMENT ON FILE TO WELL).

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part		Right Number	Amount (cfs/af)	Nature of Use	Period of Use		Source
☒	☐	95-13421	0.06 CFS	DOMESTIC/STOCKWATER	1/1	to 12/31	GROUND WATER
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 0.06 cfs and/or _____ af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☒ **N/A. This application does not propose to add or change any points of diversion.**

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ **N/A. This application does not propose to change the place of use.**

Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	05W	2							D/S										

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

ONLY EXISTING RIGHT 95-13421 - PRIOR RIGHT OWNERS HAVE SEVERED THEIR CONNECTION AND OURS IS THE ONLY ACTIVE CONNECTION TO WELL.

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

NONE.

3. Is the proposed point of diversion within a state water district? ☐ Yes. Water District # _____. ☒ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☒ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

NONE

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

NONE

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☒ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes No

☐

☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov).

Label the Form as Attachment 4C-7.

☐

☒

currently used in a mitigation plan limiting the use of water under the right?

☐

☒

subject to an agreement not to divert (CREP)?

☐

☒

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

**EXISTING WELL 95-88-N-02 WITH PUMP AND HISTORIC PIPELINE IN PLACE
TO OUR HOME.**

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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.

James C Viebrock
Signature of Applicant or Representative*

James C Viebrock, TEE
Print Name and Title, if applicable

7-27-26
Date

Kay Viebrock
Signature of Applicant or Representative*

Kay Viebrock, TEE
Print Name and Title, if applicable

7/27/26
Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ 225⁰⁰ Receipt #: N046239 Date: 8/14/26 Received by: MB
Add'l Paid: \$ _____ Receipt #: _____ Date: _____ Received by: _____

RECORDING FEE: \$15.00

DD



QUITCLAIM DEED

I, Karie L Martin, Grantor, does hereby convey, release, remise and forever quit claim unto James and Kay Viebrock Living Trust, James C Viebrock and Kay L Viebrock, Grantees, whose current address is:

13742 North Idaho Road, Rathdrum, ID 83858.

The following described premise:

Claim to a Water Right ident. Number 95-13421

Point of Diversion: The South 820' of the Southwest Quarter of the Northwest Quarter, Section 2, Township 51 North Range 5 W.B.M.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date

8/13/26

By:

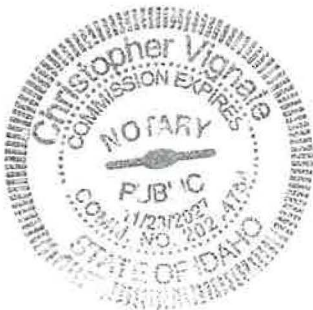
Karie L Martin
Karie L Martin

State of Idaho)

County of Kootenai)

On this 13 day of Aug, in the year of 2026,

Before me Chris Vignale, personally appeared Karie L Martin, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same.



Chris Vignale
Notary Public

My Commission Expires on 11-23-27

Attachment 1C

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
1866 North Lakewood Drive
Coeur d'Alene, ID 83814

JIM BRANNON 3 P 2547577000
KOOTENAI COUNTY RECORDER
CMK 6/1/2016 3:50 PM
REQ OF FIRST AMERICAN TITLE -
KOOTENAI
RECORDING FEE: \$16.00 DD
Electronically Recorded

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **588095-C (dse)**

Date: **May 28, 2016**

For Value Received, **Gary O. Viebrock, as Successor Trustee of the Henry Viebrock Living Trust under agreement, dated July 24, 2014**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Karie L. Martin, single woman**, hereinafter called the Grantee, whose current address is **13874 N. Idaho Road, Rathdrum, ID 83858**, the following described premises, situated in **Kootenai County, Idaho**, to-wit:

A PARCEL OF LAND BEING ON THE EAST SIDE OF THE EAST RIGHT OF WAY LINE OF IDAHO ROAD AND BEING A PORTION OF LOT 2, BLOCK 1, VIEBROCK ACRES ACCORDING TO THE PLAT RECORDED IN BOOK I AT PAGE 247, RECORDS OF KOOTENAI COUNTY, IDAHO, LYING SITUATED IN GOVERNMENT LOT 4 AND THE SW ¼ NW ¼, SECTION 2, TOWNSHIP 51 NORTH, RANGE 5 WEST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A REBAR 5/8 INCH DIAMETER MARKING THE NORTHWEST CORNER OF SAID LOT 2, BLOCK 1, VIEBROCK ACRES, KOOTENAI COUNTY, IDAHO;

THENCE NORTH 89°55'25" EAST (SHOWN OF RECORD TO BE NORTH 89°55'57" EAST— 643.60 FEET) ALONG THE NORTH LINE OF SAID LOT 2, BLOCK 1 A DISTANCE OF 643.43 FEET TO A REBAR 5/8 INCH DIAMETER;

THENCE SOUTH 0°12'39" EAST ALONG THE EAST LINE OF SAID LOT 2, BLOCK 1 A DISTANCE OF 344.07 FEET TO THE NORTH CORNER OF A PARCEL OF LAND AS DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED AS INSTRUMENT NO. 2410591000 RECORDS OF KOOTENAI COUNTY, IDAHO, BEING A REBAR ½ INCH DIAMETER;

THENCE SOUTHERLY ALONG THE WESTERLY BOUNDARY OF THE SAID PARCEL AS FOLLOWS:

SOUTH 7°27'24" WEST, 227.09 FEET TO A REBAR ½ INCH DIAMETER;

SOUTH 5°51'30" EAST, 108.67 FEET TO A REBAR ½ INCH DIAMETER;

SOUTH 24°45'46" WEST, 51.73 FEET TO A REBAR ½ INCH DIAMETER;

THENCE SOUTH 89°36'06" WEST, 341.75 FEET TO A REBAR ½ INCH DIAMETER;

THENCE NORTH 0°27'14" WEST, 173.89 FEET TO A REBAR ½ INCH DIAMETER;

THENCE SOUTH 88°45'43" WEST, 257.18 FEET TO A POINT IN THE WEST LINE OF SAID LOT 2, BLOCK 1, BEING A REBAR ½ INCH DIAMETER;

THENCE NORTH 0°27'13" WEST, ALONG SAID WEST LINE 557.53 FEET TO THE TRUE PLACE OF BEGINNING.

Attachment 1C

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: 05/28/2016

Warranty Deed
- continued

File No.: 588095-C (dse)

X Gary O. Viebrock, as Successor Trustee

Gary O. Viebrock, as Successor Trustee of the Henry Viebrock
Living Trust under agreement, dated July 24, 2014

STATE OF Idaho)
SS.
COUNTY OF Kootenai)

On this **Thirty-first day of May, 2016**, before me, a Notary Public in and for said State, personally appeared **Gary O. Viebrock**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Successor Trustee of the **Henry Viebrock Living Trust under agreement, dated July 24, 2014** Trust, and acknowledged to me that he executed the same as such Successor Trustee.



Debra S. Emery

Notary Public of Idaho
Residing at: Coeur d' Alene, Idaho
Commission Expires: 11/18/2021

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/27/2026

Water Right 95-13421

Owner Type **Name and Address**
Current Owner HENRY VIEBROCK
2340 W SELTICE WAY UNIT 331
COEUR D ALENE, ID 83814-8990
(208) 687-1536

Current Owner OLIVE VIEBROCK
2340 W SELTICE WAY UNIT 331
COEUR D ALENE, ID 83814-8990
(208) 687-1536

Priority Date: 7/17/1987

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	0.020 CFS	
DOMESTIC	01/01	12/31	0.040 CFS	
	Total Diversion		0.060 CFS	

Source and Point(s) of Diversion:

GROUND WATER SWNW Sec. 2, Twp 51N, Rge 05W, KOOTENAI County

Place Of Use:

STOCKWATER within KOOTENAI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	05W	2						X L4											

DOMESTIC within KOOTENAI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	05W	2						X L4											

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as

IDAHO DEPARTMENT OF WATER RESOURCES

7/27/2026

Proof Report

- may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
 3. N19 The quantity of water under Right Nos. 95-13419 and 95-13421 shall not exceed 13,000 gallons per day.
 4. X01 Domestic use is for 1 home.
 5. X02 Stockwater use is for up to 10 head of mixed stock.
 6. PIN Parcel No. 08420001002A
 7. J01 Property is also known as Lot 2, Block 1, Viebrock Acres.

Comments:

1 csaxton 2/7/2018 POD PIN
POINT OF DIVERSION PARCEL NUMBER 51N05W-02-3900.

2 csaxton 2/7/2018 Conditions
Updated Conditions. Added N19 to show overlap with 95-13421.

Dates and Other Information:

Decreed Date: 11/8/2019
Civil Case Number: 49576
Judicial District: FIFTH
Owner Name Connector: OR
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	9/10/2010	cgoodwin	9/10/2010	cgoodwin	Closed

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Attachment to Water Right

95-13421
(DOMESTIC)

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

05W



- | | |
|-----------------------|------------------|
| Point of Diversion | Townships |
| Place Of Use Boundary | Sections |
| State Outline | Quarter Quarters |



0 0.06 0.12 0.18 0.24
Miles



Imagery: 2023 Aerial Photography
Prepared By Bates, Luke

Attachment 2.B

ATTACHMENT 3C - TRANSFER RIGHT 95-13421



Legend

- Twp/Rge
- Sec.
- QQ

0 0.01 0.03 0.05 Miles





AMENDMENT TO Shared Well Agreement and Grant of Easements

This Instrument is made and effective on the date of the last signature acknowledged below by and between KARIE L. MARTIN, a single woman with a mailing address of 13874 N. Idaho Road, Rathdrum, ID 83858; JAMES C. VIEBROCK and KAY L. VIEBROCK, as Trustees of the James and Kay Viebrock Living Trust, whose mailing address is 13742 N. Idaho Road, Rathdrum ID 83858; JODY GRACE BRADBURY, as Trustee of the Jody Grace Bradbury Living Trust dated April 4, 2024, whose mailing address is 13650 N. Idaho Road, Rathdrum, ID 83858; and GARY O. VIEBROCK and DONNA M. VIEBROCK, as Trustees of the Gary and Donna Viebrock Living Trust, whose mailing address is 13350 N. Idaho Road, Rathdrum, ID 83858 (hereafter collectively referred to as “the Parties”) to amend that certain **Shared Well Agreement and Grant of Easements** recorded on December 18, 2014 under Kootenai County Instrument No. 2480956000 (hereafter referred to as the “Shared Well Agreement”) as follows:

Recitals:

WHEREAS, the Parties are the successors-in-interest of the original parties to the Shared Well Agreement who wish to amend the Shared Well Agreement for their mutual benefit; and

WHEREAS, KARIE L. MARTIN is the record owner of certain real property and improvements being a portion of Lot 2, Block 1 of VIEBROCK ACRES, according to the plat recorded in Book I of Plats at Page 247, records of Kootenai County, Idaho, and now legally described as:

Lot 1 and Lot 2, Block 1, MARTIN ESTATES, according to the plat recorded in Book M of Plats at Page 129, records of Kootenai County, Idaho.

(hereafter referred to as “Martin Estates”); and

WHEREAS, the existing residence on Lot 1 of Martin Estates is currently served by a ground water well under Idaho Water Right No. 95-13421 and pursuant the Shared Well Agreement; and

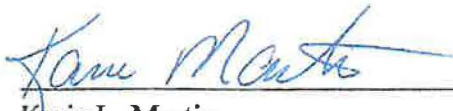
WHEREAS, KARIE L. MARTIN has developed a replacement ground water well on Lot 2 of Martin Estates to serve the existing residence on Lot 1 and any future residence on Lot 2 of Martin Estates: and

WHEREAS, KARIE L. MARTIN desires to release and convey all of her right, title, claim and interest in and to the ground water well, easements and water rights referenced in the Shared Well Agreement, and to be released from any existing or future duties, obligations, costs and/or liabilities under the Shared Well Agreement.

THEREFORE, for good and valuable consideration received, KARIE L. MARTIN does hereby grant, convey, assign, transfer, release and quitclaim unto JAMES C. VIEBROCK and KAY L. VIEBROCK, as Trustees of the James and Kay Viebrock Living Trust, whose mailing address is 13742 N. Idaho Road, Rathdrum ID 83858, and to their successors and assigns forever, all of her right, title and interest in the ground water well, easements and water rights referenced in the Shared Well Agreement recorded under Kootenai County Instrument No. 2480956000.

AND, for good and valuable consideration received, JAMES C. VIEBROCK and KAY L. VIEBROCK, as Trustees of the James and Kay Viebrock Living Trust; JODY GRACE BRADBURY, as Trustee of the Jody Grace Bradbury Living Trust dated April 4, 2024; and GARY O. VIEBROCK and DONNA M. VIEBROCK, as Trustees of the Gary and Donna Viebrock Living Trust; hereby unanimously approve and consent to the transfer, assignment and conveyance of the rights, title and interests of KARIE L. MARTIN under the Shared Well Agreement to JAMES C. VIEBROCK and KAY L. VIEBROCK, as Trustees of the James and Kay Viebrock Living Trust, and hereby voluntarily release and absolve KARIE L. MARTIN, and her heirs, successors and assigns, from any current and future duties, obligations, costs and/or liabilities under the Shared Well Agreement.

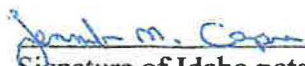
IN WITNESS of our mutual approval and consent, the Parties have executed this Instrument on the dates acknowledged below:


Karie L. Martin

STATE OF IDAHO
County of Kootenai

This record was acknowledged before me on July 2nd, 2026 by Karie L. Martin.



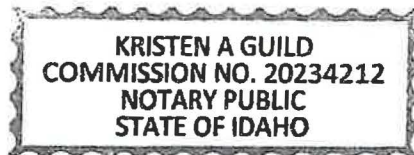

Signature of Idaho notary public
My commission expires: 8/6/27

James C. Viebrock, Trustee
JAMES C. VIEBROCK, Trustee

Kay L. Viebrock, Trustee
KAY L. VIEBROCK, Trustee

STATE OF IDAHO
County of Kootenai

This record was acknowledged before me on June 25th, 2026 by James C. Viebrock and Kay L. Viebrock as Trustees of the James and Kay Viebrock Living Trust.



[Signature]
Signature of Idaho notary public
My commission expires: 10/10/2029

Jody Grace Bradbury, Trustee
JODY GRACE BRADBURY, Trustee

STATE OF IDAHO
County of Kootenai

This record was acknowledged before me on June 23, 2026 by Jody Grace Bradbury as Trustee of the Jody Grace Bradbury Living Trust dated April 4, 2024



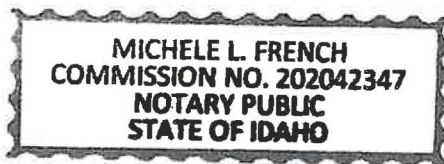
[Signature]
Signature of Idaho notary public
My commission expires: 06/27/2030

Gary O Viebrock Trustee
GARY O. VIEBROCK, Trustee

Donna M. Viebrock Trustee
DONNA M. VIEBROCK, Trustee

STATE OF IDAHO
County of Kootenai

This record was acknowledged before me on June 23, 2026 by Gary O. Viebrock and Donna M. Viebrock as Trustees of the Gary and Donna Viebrock Living Trust.



Michele L. French
Signature of Idaho notary public
My commission expires: 06/27/2030

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

95-13421



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

August 27, 2026

JAMES AND KAY VIEBROCK LIVING TRUST
13742 N IDAHO RD
RATHDRUM, ID 83858

RE: Transfer No. 90641
Water Right No. 95-13421

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 9/3/2026 and 9/10/2026. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Micki Bowman
Administrative Assistant 1

Bowman, Micki

From: Bowman, Micki
Sent: Thursday, August 27, 2026 12:19 PM
To: Anna Moody; Rachel Basnaw; Steven Bill
Subject: Water Right Transfer 90641

Dear Interested Party:

The Department of Water Resources (Department) is notifying you of an Application for Permit that may be of interest to you. A full description concerning property location may be found at: <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>.

James & Kay Viebrock Living Trust has filed Application for Transfer 90641.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25 protest fee for each application protested must be received by September 21, 2026. Notice of Protest forms are available on our website, www.idwr.idaho.gov.

Please contact the Department's Northern office at (208) 762-2800 if you have any questions regarding the application.

Micki Bowman | Administrative Assistant 1

Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2807



Bowman, Micki

From: Bowman, Micki
Sent: Thursday, August 27, 2026 11:20 AM
To: legals@cdapress.com
Subject: Legal Notice for Coeur d'Alene Press
Attachments: Legal Notice 90641, 95-18790, -18795, -18797, -18798, -18803.docx

Please publish the attached legal notice in the **Coeur d'Alene Press** on the dates indicated **September 3 & 10, 2026** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof once you have the article ready for print for our review.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **September 21, 2026**. Your cooperation is appreciated.

Micki Bowman | Administrative Assistant 1
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2807



IDAHO DEPARTMENT OF
WATER RESOURCES

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 90641**

JAMES AND KAY VIEBROCK LIVING TRUST, 13742 N IDAHO RD, RATHDRUM, ID 83858 has filed Application No. 90641 for changes to the following water rights within KOOTENAI County: Right No. 95-13421; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes to change the Place of Use for Right 95-13421 from parcel RP08420001002A in the NW1/4NW1/4 Government Lot 4 of Section 2, Twp 51N, Rge 05W to parcel RP51N05W023650 in the SW1/4NW1/4 of Section 2, Twp 51N, Rge 05W.

For additional information concerning the property location, contact Northern Region office at (208)762-2800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 9/21/2026. The protestant must also send a copy of the protest to the applicant.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-18790

FLAMINGO HEIGHTS TRUST
10750 N POINT HAYDEN DR
HAYDEN, ID 83835-7006
Point of Diversion SWNW
S17 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: IRRIGATION
03/15 to 11/15 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 07-24-2026
Place Of Use: IRRIGATION
T51N R03W S17 L4(SWNW)
Total Acres: 2

95-18795

MUNICH FAMILY TRUST
6345 E ALINA DR
COEUR D ALENE, ID 83814-2128
Point of Diversion NWNE
S33 T50N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 07-31-2026
Place Of Use: DOMESTIC
T50N R03W S33 NWNE,NWNE

95-18797

GINA L RESCH IRREVOCABLE TRUST
PO BOX 1245
RANCHO SANTA FE, CA 92067
Point of Diversion SENW
S33 T50N R03W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 08-10-2026
Place Of Use: DOMESTIC
T50N R03W S33 L2(SENW)

95-18798

WARREN WADDELL
32179 N LEONARD LOOP
ATHOL, ID 83801-9086

DESIREE WADDELL
32179 N LEONARD LOOP
ATHOL, ID 83801-9086
Point of Diversion SESE
S6 T53N R02W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.13 CFS
Date Filed: 08-12-2026
Place Of Use: DOMESTIC,IRRIGATION
T53N R02W S6 SESE
Total Acres: 3

95-18803

GPJ HAUSER LLC
PO BOX 529
VERADALE, WA 99037
Point of Diversion L1(NWNW)
S30 T51N R05W
KOOTENAI County
Source GROUND WATER
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.2 CFS
Use: COMMERCIAL
01/01 to 12/31 0.08 CFS
Use: IRRIGATION
03/15 to 11/15 0.11 CFS
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 0.1 AF
Use: FIRE PROTECTION FROM STORAGE
01/01 to 12/31 0.1 AF
Total Diversion: 0.2 CFS
Date Filed: 08-20-2026
Place Of Use: COMMERCIAL,FIRE PROTECTION FROM STORAGE,FIRE PROTECTION STORAGE,IRRIGATION
T51N R05W S30 L1(NWNW)
Total Acres: 5.5

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see <https://research.idwr.idaho.gov/apps/waterrights/wrapplcationresults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 9/21/2026. The protestant must also send a copy of the protest to the applicant.
MATHEW WEAVER, Director Published on 9/3/2026 and 9/10/2026

MEMORANDUM

Date: August 14, 2026

To: Transfer 90641

From: Luke Bates *JSB 8/14/2026*

Re: Legal Notice Remarks

This transfer proposes to change the Place of Use for Right 95-13421 from parcel RP08420001002A in the NW1/4NW1/4 Government Lot 4 of Section 2, Twp 51N, Rge 05W to parcel RP51N05W023650 in the SW1/4NW1/4 of Section 2, Twp 51N, Rge 05W.

MEMORANDUM

Date: August 14, 2026

To: Transfer 90641

From: Luke Bates *JSB 8/14/2026*

Re: Application Accepted

Application complete for filing. Receipt N046239 in the amount of \$225.00.

\$25.00 for Change of Ownership required

- reference Transfer Application Step: Part 1, B. Current Owner & C. Updating Ownership Records.

\$200.00 for Transfer based on total diversion rate of 0.06 cfs.