



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 27, 2016

ERIC DIX
11812 S QUAIL CREEK LN
SPOKANE WA 99224

SUBJECT: Ownership Change on Notice of Claim Number 95-16008 & Question on Priority Date

Dear Mr. Dix:

We have received your change of ownership request on the above numbered claim. Enclosed is a copy of the claim showing such change; for your records. Also, this information can be accessed on our website at www.idwr.idaho.gov.

In regard to the priority date – the original claim, as filed by Ms. Smith, did not include the priority date in item two on the claim form. However, based on the affidavit of usage submitted by Ms. Smith, we entered this date as December 31, 1970.

I have enclosed two copies of the claim. Would you please review the claim and if you are in agreement as to the first usage date; initial and date item two, date of priority, and return that copy to us. If you feel that the date is incorrect, simply write in the corrected date, initial and date it, and return to my attention. I would appreciate it if you would return this information by February 15, 2016.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Linda A. Werner".

Linda A. Werner
Water Resource Agent, Sr.
(208) 762-2802
Email: linda.werner@idwr.idaho.gov

Enclosures

COPY

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO
THE USE OF WATER FROM THE COEUR D'ALENE-
SPOKANE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number: 95-16008

Date Received: 5/25/2010

Receipt No: N024488

Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED
UNDER STATE LAW

1. Name of Claimant(s)

ERIC DIX
11812 S QUAIL CREEK LN
SPOKANE WA 99224

2. Date of Priority: 12/31/1970

3. Source: COEUR D ALENE LAKE Tributary to: SPOKANE RIVER

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>
48N	04W	19	NE SE	1	KOOTENAI	

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	0

7. Total Quantity Appropriated is: 0.04 C.F.S. and/or 0 A.F.A

8. Non-irrigation uses:

<u>Number of Homes:</u>	<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>
48N	04W	19	NE SE	1	DOMESTIC	

Section Acres

Total Acres

10. Place of use in counties: KOOTENAI

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

12. Other Water Rights Used:

13. Remarks:

Priority date description: Priority date taken from attached affidavit.

Description of use: Water Use

Description

DOMESTIC

14. Basis of Claim: Beneficial Use

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

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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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-16008	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: L Virginia Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Eric Dix
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 11812 S. Quail Creek Ln Spokane WA 99224
Mailing address City State ZIP
509-710-7027 ericd@cobraresults.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: 11-2-2014
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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: [Signature] 1-22-16
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by N/A Date N/A Receipt No. N/A Receipt Amt. N/A
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 LW Processed by LW Date 1-27-2016

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PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 559981 PCTJ

WARRANTY DEED

JIM BRANNON 2 P 2476450000
KOOTENAI COUNTY RECORDER
JAL 11/14/2014 12:22 PM
REC OF PIONEER TITLE KOOTENAI
COUNTY
RECORDING FEE: \$13.00 DD
Electronically Recorded

For Value Received

Laura Virginia Smith, an unmarried woman

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Eric R. Dix and Natalie M. Dix, husband and wife

hereinafter referred to as Grantee, whose current address is 11812 S. Quail Creek Ln, Spokane, WA 99224
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 29, 2014

Laura Virginia Smith
Laura Virginia Smith

State of Idaho, County of Blaine

On this 30 day of October in the year of 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Laura Virginia Smith known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Blanca Moreno Sienra
Residing at: 11812 S. Quail Creek Ln
Commission Expires: July 29, 2017



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EXHIBIT A

A tract of land in Government Lot 1, Section 19, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as BEGINNING at a point on the shore of Lake Coeur d'Alene from which the meander corner between said Section 19 and Section 20 bears North 59°58' East and 460.88 feet distant and also being a point 400 feet West of the East line of said Section 19, measured at right angles to said line; thence

North 61°18' East along the shore of Lake Coeur d'Alene, 28.43 feet to the TRUE POINT OF BEGINNING for this description; thence

North 0°15' West parallel with the East line of said Section 19, 202.85 feet to a point on the Southwesterly line of an existing private road; thence

North 51°45' East along said Southwesterly road line, 95.18 feet; thence

South 0°15' East parallel with the East line of said Section 19, 220.81 feet to a point on the shore of Lake Coeur d'Alene; thence

South 61°18' West along said shore, 85.3 feet to the TRUE POINT OF BEGINNING.

AND

A tract of land in Government Lot 1, Section 19, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, being a portion of Tax No. 3930 (Book 153, Page 526) and described as follows:

COMMENCING at the meander corner between Section 19 and Section 20 from which the East Quarter corner of said Section 19 bears North 0°05'31" West, 418.73 feet; thence

South 52°40'21" West, 370.09 feet to the Southeast corner of Tax No. 7099 (Book 3, Page 305), being a 1/4 inch from rod and the TRUE POINT OF BEGINNING; thence

North 0°33'39" West, 267.78 feet along the East line of Tax No. 7099, to the Northeast corner of said Tax No. being a 1/4 inch from rod; thence

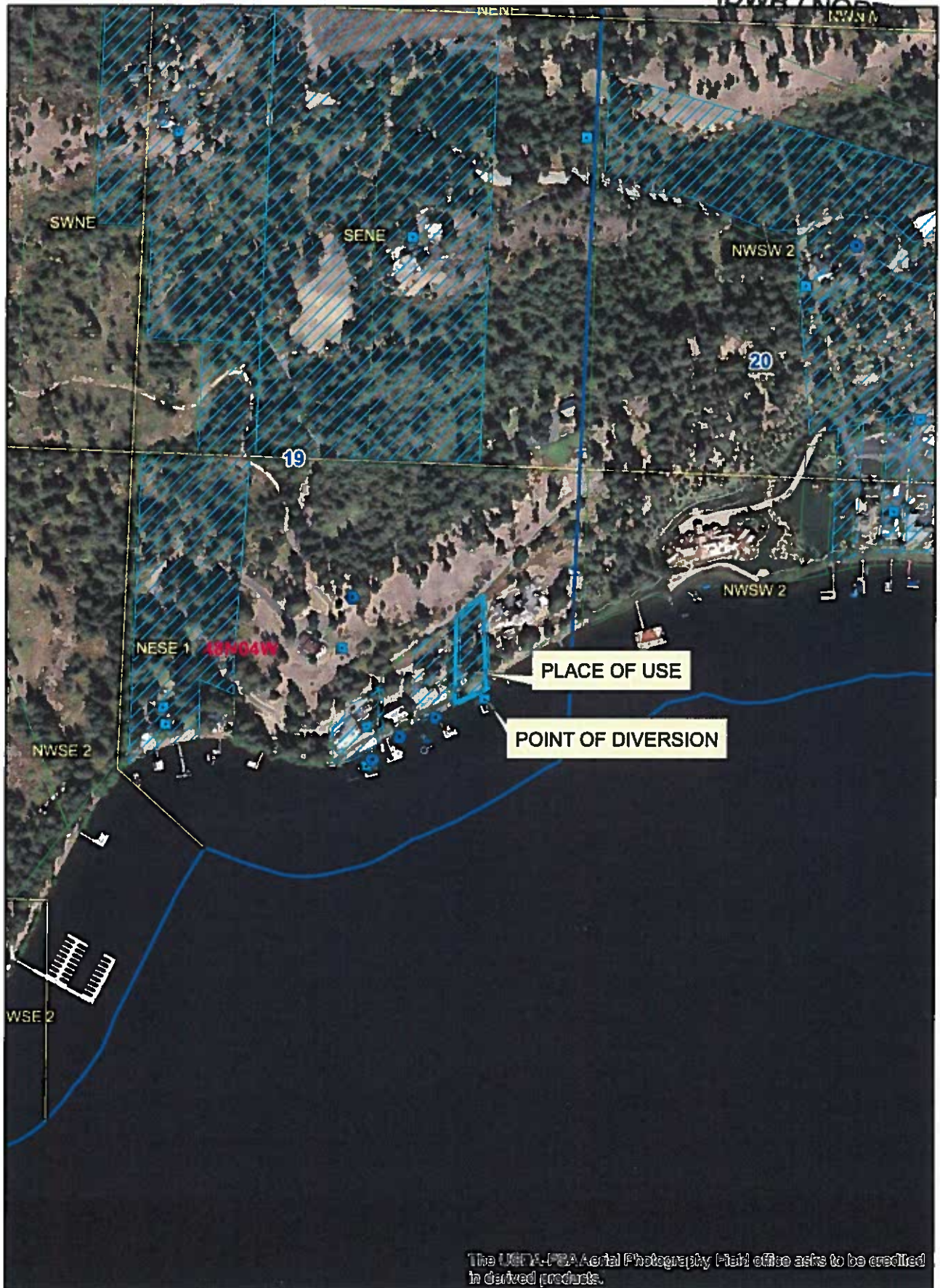
South 3°59'29" East, 255.35 feet to a point on the shore of Lake Coeur d'Alene; thence

Along the shore to the TRUE POINT OF BEGINNING which bears South 49°15'43" West, 20.00 feet from the aforesaid point.

CLAIM NO. 95-16008, PARCEL NO. 48N04W197255

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The USFWS Aerial Photography Field office asks to be credited in derived products.

Werner, Linda

From: Werner, Linda
Sent: Friday, January 22, 2016 9:38 AM
To: 'Eric Dix'
Subject: RE: Smith-Dix Water Right Transfer

Hi Eric,

I have received the ownership change and map. I do need one more piece of information and I apologize if that didn't get transmitted to you; however, we also need a copy of the warranty deed showing transfer of ownership to yourself. Upon receipt I'll get the ownership changed and then send you copies and information regarding the priority date so we can get that settled.

Thank you.

*Linda Werner
Water Resource Agent, Sr.
Idaho Department of Water Resources
Northern Region
(208) 762-2802*

From: Eric Dix [<mailto:ericd@cobraresults.com>]
Sent: Friday, January 22, 2016 9:17 AM
To: Werner, Linda
Subject: Smith-Dix Water Right Transfer

Linda-

Good morning. I understand you have spoken with Tam'e Harding at WA Trust regarding the transfer of water rights for a cabin at Coeur d' Alene Lake. Please find the attached application for water right transfer as well as the map that verifies the location of diversion. I also understand that there will be another step to modify the existing claim due to the claim date that will need to be completed after the transfer is complete. Please let me know if you need anything else from me at this point to get the process started.

Thanks,

Eric Dix 
President, Spokane Operations Building Envelope Contractors

C 509-710-7027 O 509-455-4043 F 509-455-4594

CobraResults.com | ericd@cobraresults.com

Werner, Linda

From: Werner, Linda
Sent: Thursday, January 21, 2016 11:05 AM
To: 'tharding@watrust.com'
Subject: Ownership Change Water Right Claim 95-16008
Attachments: 95-16008.pdf; Ownership.change.f0rm.pdf; evidence.pdf; map.pdf

Hi Tammy,

Attached are several forms: Copy of Claim 95-16008, the Change of Ownership form, evidence supplied by the prior owner supporting the priority date and a map of the diversion and place of use supplied by the original claimant.

Please have the new owner complete items 2, 3, 5 and 8 on the change of ownership form. No fee is required because it's a pending Adjudication claim.

The map is enclosed so they can verify we have the correct location of the diversion and place of use. Please have them return the map with the ownership change form.

The claim is enclosed for their information as to how the water usage is claimed. Note that Item 2 has not been completed. This is the first usage (priority) date, which must be completed after we've completed the ownership change.

The evidence sheet was submitted by Ms. Smith as proof of the first usage date. You'll notice that Ms. Smith indicated the water was used in 1969 or 1970. We will also need a month and a day. They may want to complete this form in this office and we can amend the claim at that time to include the priority date. The claim will be disallowed without it.

Feel free to call me at (208) 762-2802 if you have any questions.

Linda Werner
Water Resource Agent, Sr.
Idaho Department of Water Resources
Northern Region
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