



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

July 26, 2016

BRIAN AND NICKOLE EITER
2112 E DODD RD
HAYDEN ID 83835

SUBJECT: Ownership Change on Notice of Claim Number 95-14635

Dear Mr. or Ms. Eiter:

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.

Please note – when comparing the ownership change information with what is shown on the warranty deed; it was noted that Wallace Eiter was also listed as an owner; consequently, the updated Notice of Claim reflects this information. Also, information obtained from taxlot data shows that ownership of the property is under "The Brian & Nickole Eiter Trust". Should our contact information be updated to reflect this? If so, I am enclosing a change of ownership form for you to complete.

Please feel free to contact me if I can be of further assistance. I can be reached at (208) 762-2800/2802 or by email at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Change of Ownership Form & Copy of Notice of Claim Number 95-14635

July 20, 2016

RECEIVED

JUL 25 2016

IDWR/NORTHERN

Department of water rights;

After talking with Linda on July 18, we need to send in correct paperwork to transfer water rights on 95-14635. However, the 2 wells on the notice of claim are no longer in use. Both ran dry and have been replaced by permit ID D0067806, please see attached paperwork. If you have any questions, please feel free to contact.

Thank you,
Nickole Eiter
208-946-3357



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 25 2016

IDWR/NORTHERN

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 #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-14635	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: Joselyn & Lenor Dupont
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Nickole & Brian Fitee
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 2112 E Doad Rd Hayden ID 83835
Mailing address City State ZIP
- 208 946 3357 Nickole@cdaststructures.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: 7/7/10

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):
- ☐ \$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: [Signature] Title, if applicable: _____ Date: 7/20/16
Signature of new owner/claimant
- Signature: Nickole Fitee Title, if applicable: _____ Date: 7/20/16
Signature of new owner/claimant

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 7-27-2016

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

DANIEL J. ENGLISH 3P I 2273316000
KOOTENAI CO. RECORDER Page 1 of 3
BBB Date 07/15/2010 Time 15:01:28
REC-REQ OF FIRST AMERICAN TITLE COH
RECORDING FEE: 16.00
2273316000 DO

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **338798-C (js)**

Date: **July 07, 2010**

For Value Received, **Joseph M. DuPont and Lenor M. DuPont, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Brian Eiter and Nickole Eiter, husband and wife and Wallace Eiter, a married man as his sole and separate property**, hereinafter called the Grantee, whose current address is **2112 E. Dodd Road, Hayden, ID 83835**, the following described premises, situated in **Kootenai 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: 07/07/2010

Warranty Deed
- continued

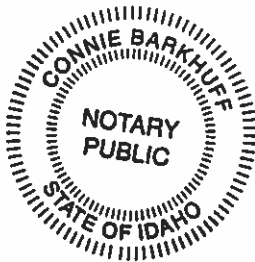
File No.: 338798-C (js)

Joseph M DuPont
Joseph M. DuPont

Lenor M DuPont
Lenor M. DuPont

STATE OF Idaho)
COUNTY OF NEZ PERCE) SS.
Kootenai)

On this 12th day of July, 2010, before me, a Notary Public in and for said State, personally appeared **Joseph M. DuPont and Lenor M. DuPont**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.



Connie Barkhuff
Notary Public for the State of Idaho
Residing at: Pomeroy, WA
My Commission Expires: 8/27/2010

Date: 07/07/2010

Warranty Deed
- continued

File No.: 338798-C (Js)

EXHIBIT A

A tract of land located in Section 6, Township 51 North, Range 3 West, Boise meridian, Kootenai County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of Lot 3, Section 6, Township 51 North, Range 3 West, Boise Meridian; thence

East along the North line of said Lot 3, 466 feet; thence

South 466 feet; thence

West 466 feet to the West line of said Lot 3; thence

North along the West line of Lot 3 to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying within Dodd road adjacent thereto.

NeuCell

RECEIVED

NOV 12 2009

Form No. 42-1409-2 (Internet 12/08)

NDWR / NORTH

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

Date Received: 11/12/09

Receipt No: N022810

Received By:

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s) Joseph M. DuPont and Lenor M. DuPont Phone (208) 743-9149

Mailing Address 1050 Ripon Ave. Lewiston ID Zip 83501
Street or Box City State

2. Date of Priority: (Only one per claim) 12/31/1938 per county record
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____
which is tributary to (b) _____

4. Location of Point of Diversion is: Township 51N, Range 3W, Section 6
NE 1/4 of NW 1/4, or Govt. Lot _____ BM. County of Kootenai;
Parcel (PIN) no. 51N03W062600

Additional points of diversion if any: 2 points of diversion (both within 150 ft of each other)
If available, GPS coordinates: _____

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, Etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 2 wells with pipes running to an above ground pump. One well is 10 ft deep and the other is 20 ft deep.

The 10 ft well was constructed in 1938, and the 20 ft well was constructed in 2000

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)
For House purposes from 1/1 to 12/31 amount 0.04 cfs(✓) or AFY()
For Stock purposes from 1/1 to 12-31 amount 0.02

7. Total Quantity claimed 0.06 cfs (✓) or AFY ()

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) Domestic: one home, irrigate 1/2 acre of lawn and fruit trees.

Stockwater: Varies by year anywhere from 0-5 horses.

9. Location of Place of Use is: Township 51N, Range 3W, Section 6,
NE 1/4 of NW 1/4, Govt. Lot _____ BM. Parcel (PIN) no. 51N03W062600
if different than shown in Item 4

for (Check One) Domestic (☒) Stock () Domestic and Stock ()

Additional places of use, if any _____

10. In which county (ies) are lands listed above as place of use located? Kootenai

11. Do you own the property listed above as place of use? Yes (☒) No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (☒)

13. Remarks:

14. Basis of Claim (Check One) Beneficial Use (☒) Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

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 notices 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.

Number of attachments: 0

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

Signature of Claimant (s) Joe DuPont

Date: 11/9/09

Date: 11/9/09

For Organizations: I do solemnly swear or affirm under penalty of 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 _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last Name DuPont Identification No. _____

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

7/14/2016

WATER RIGHT NO. 95-14635

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES M DUPONT
Current Owner	LENOR M DUPONT
	1050 RIPPON AVE
	LEWISTON, ID 83501
	(208) 743-9149

Priority Date: 12/31/1938

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1 / 1	12/31	0.02 CFS	
DOMESTIC	1 / 1	12/31	0.04 CFS	
Total Diversion			0.06 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENW Lt 3	Sec. 06	Township 51N	Range 03W	KOOTENAI County
GROUND WATER	NENW Lt 3	Sec. 06	Township 51N	Range 03W	KOOTENAI County

STOCKWATER Use:

Number of stock: 10

Hydropower Kilowatts: 0

DOMESTIC Use:
Number of homes: 1
Hydropower Kilowatts: 0

Place(s) of use:

Place of Use Legal Description: STOCKWATER KOOTENAI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
51N	03W	6	3	NENW		4	NWNW							
52N		31	4	SWSW			SESW							

Place of Use Legal Description: DOMESTIC KOOTENAI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
51N	03W	6	3	NENW		4	NWNW							
52N		31	4	SWSW			SESW							

Dates:
Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close