

02/09/2018

RECEIVED
APR 20 2018
IDWR/NORTH

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 30, 2018

Water right number: 95-9827

KATHLEEN WELTON
3744 W LONE MOUNTAIN TRL
RATHDRUM ID 83858
Telephone Number: 2086871307

M LAVERN WELTON
3744 W LONE MOUNTAIN TRL
RATHDRUM ID 83858
Telephone Number: 2086871307

CARRIE MC SHEEHY
4754 W SEASONS RD
RATHDRUM ID 83858

DONALD MC SHEEHY
4754 W SEASONS RD
RATHDRUM ID 83858

RHONDA AUER
3610 W LONE MOUNTAIN TRL
RATHDRUM ID 83858

DANIEL AUER
3610 W LONE MOUNTAIN TRL
RATHDRUM ID 83858

JUSTIN L WIRTH
3757 W LONE MOUNTAIN TRL
RATHDRUM ID 83858

J ANTHONY SCARCELLO
3755 W LONE MOUNTAIN TRL
RATHDRUM ID 83858

APRIL M ANUNDSON
5000 W SEASONS RD
RATHDRUM ID 83858

WILLIAM J ANUNDSON
5000 W SEASONS RD
RATHDRUM ID 83858

MELLISSA HILL
3488 W LONE MOUNTAIN TRL
RATHDRUM ID 83858

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

See attached Document dated 4-20-18

Lavern Welton 208-687-1307

Water right number 95-9827
Notice of Error Reply

Item # 2

RECEIVED

APR 20 2018

IDWR / NORTH

1. Update Justin L Wirth To
Brian J. Auer

2. Update Melissa Hill To
Eric L Bakke

* paper work included for these 2

3. Add 1 new property to existing water right

Steven D Auer
3918 W Lone Mountain Trail
Rathdrum, Id. 83858

4. Verify and correct if needed
property locations to map

April 20, 2018

Lavern Welton

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-20-18

SIGNATURE: M Lavern Welton

Please print your name: M Lavern Welton

IDWR Regional Office, 7600 N MINERAL DR STE 100, COEUR D ALENE, ID 83815-7763, (208) 762-2800

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APR 20 2018
IDWR / NORTH

4-18-88

To Whom It May Concern:

The well and pump, location of point of diversion
at SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of section 28 Township 53N Range 4W B.M.
Kootenai County, is agreed by the Association to not exceed
nine dwellings used by it.

M Lavern Welton

STATE OF IDHO, Kootenai County ss:

On this 19th day of April, 1988, before me, the
undersigned, a Notary Public in and for said county and state, personally
appeared M. Lavern Welton
known or proved to me to be the person(s) who executed the foregoing
instrument, and acknowledged to me that he executed the same.

In witness whereof, I have herunto set my hand and affixed my official
seal the day and year in this certificate first above written.

Carol Cassel
Notary Public residing at: Post Falls, ID
Expires 9/14/93

RESULTS PROVIDED ONLY. THE COUNTY IS NOT RESPONSIBLE FOR
 CALCULATIONS CONTAINED HEREIN.

6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

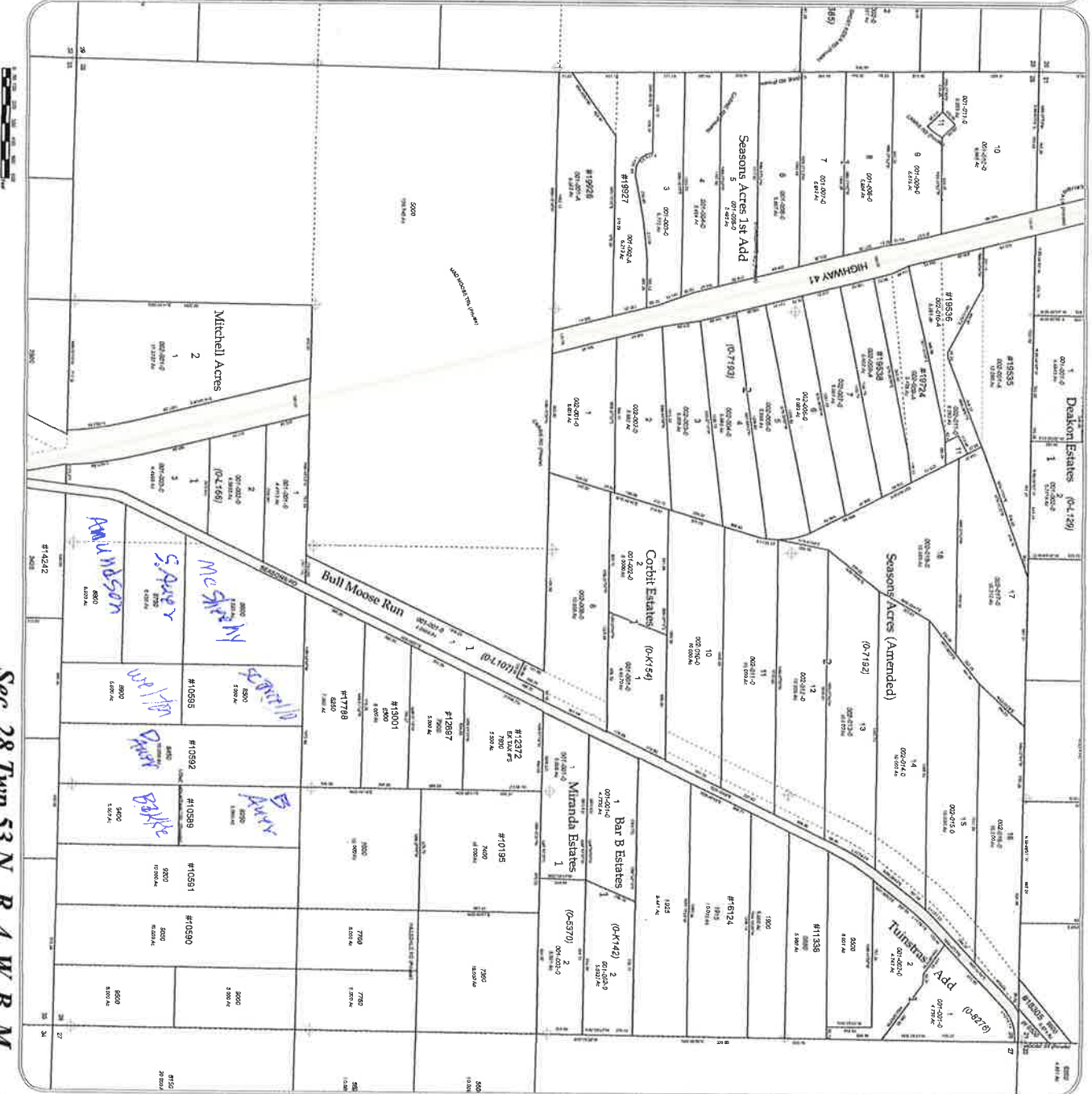
6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36



THE COUNTY IS NOT RESPONSIBLE FOR
HEREIN.

RES (18)

xParcels Private Roads City Limits
 galAreas Plat Boundaries GCDB_Corners
 ——— Railroad GCDB_Lines



Sec. 28 Twp 53 N. R. 4 W. B. M.

RECEIVED
APR 20 2018
IDWR / NORTH

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:341540

FOR VALUE RECEIVED

M. Lavern Welton and Kathleen M. Welton, husband and wife, as community property with rights of survivorship

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

Steven D. Auer, an unmarried man and Daniel P. Auer, a married man as his sole and separate property

whose current address is

3610 W. Lone Mountain Trail
Rathdrum, ID 83858

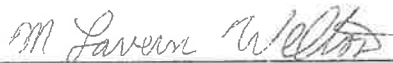
the grantee(s), the following described premises, in Kootenai County, Idaho, TO WIT:

That portion of the North half of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter and the North half of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 28, Township 53 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, lying East of the County Road

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: February 7, 2017


M. Lavern Welton


Kathleen M. Welton

State of ID } ss
County of Kootenai }

On this 10 day of February, 2017, before me, Kimi Dennison, a Notary Public in and for said state, personally appeared Steven D. Auer and Daniel P. Auer, 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 same.

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


Kimi Dennison
Notary Public for the State of ID
Residing at: Rathdrum, ID
Commission Expires: 9/2/21

RECEIVED
APR 20 2018
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership IDWR / NORTH

RECEIVED
APR 20 2018

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
95-9827	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Melissa Hill

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Eric L Bakke

New owner(s) as listed on the conveyance document

Name connector

☐ and☐ or☐ and/or

8557 Eagle Ridge Drive

Westchester

Ohio

45069

Mailing address

City

State

ZIP

858-860-4778

biggsbakke@hotmail.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: Sept 30 2010

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature: Eric Bakke

Signature of new owner/claimant

Title, if applicable

Date

3/28/2018

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

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

Approved by _____ Processed by _____ Date _____



Pioneer Title Co.

GOING BEYOND

100 Wallace Avenue/ Coeur d Alene, Idaho

Order No. 137539

DANIEL J. ENGLISH 1P I 228418
KOOTENAI CO. RECORDER Page 1
BBB Date 09/30/2010 Time 15:5
REC-REQ OF PIONEER TITLE
RECORDING FEE: 1
2284182000 DD

WARRANTY DEED

For Value Received

Melissa L. Free, a married woman, who acquired title as Melissa L. Hill, an unmarried person

And Matthew Free, spouse of ~~Cynthia~~ GRANTOR

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

Eric Bakke and Cynthia Biggs, husband and wife

hereinafter referred to as Grantee, whose current address is

3488 W. Lone Mountain Trail Rathdrum, ID 83858

the following described premises, to-wit:

The South Half of the West Half of the West Half of the Southeast Quarter of the Southeast Quarter of Section 28, Township 53 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that 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: September 29, 2010

Melissa L. Free
Melissa L. Free

Matthew Free
Matthew Free

STATE OF IDAHO

SS.

COUNTY OF KOOTENAI

On this 29th day of September, in the year of 2010, before me, the undersigned, a Notary Public, personally appeared Melissa L. Free and Matthew Free known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same

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

Eric Bakke and Cynthia Biggs, husband and wife

hereinafter referred to as Grantee, whose current address is

3488 W. Lone Mountain Trail Rathdrum ID 83858

the following described premises, to-wit:

The South Half of the West Half of the West Half of the Southeast Quarter of the Southeast Quarter of Section 28, Township 53 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that 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: September 29, 2010

Melissa L. Free
Melissa L. Free

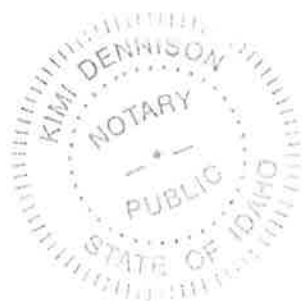
Matthew Free
Matthew Free

STATE OF IDAHO

ss.

COUNTY OF KOOTENAI

On this 29th day of September, in the year of 2010, before me, the undersigned, a Notary Public, personally appeared Melissa L. Free and Matthew Free known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Kimi Dennison
Kimi Dennison
Notary Public of Idaho
Residing at Rathdrum
Commission expires: September 2, 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

APR 20 2018

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
95-9827	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: JUSTIN WIRTH

Name of current water right holder/claimant

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

New owner(s) as listed on the conveyance document

Name connector

☐ and☐ or☐ and/orMailing address 3575 W. LONE MOUNTAIN TRLCity RATHDRUMState IDZIP 83858Telephone 208-659-2901Email BRIANAUER@GMAIL.COM

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: 7-30-2010

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date 3-26-2018

- Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date 3/26/18

For IDWR Office Use Only:

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

Approved by _____ Processed by _____ Date _____

DANIEL J. ENGLISH 1P I 2275863000
KOOTENAI CO. RECORDER Page 1 of 1
BBB Date 08/03/2010 Time 15:19:11
REC-REQ OF ALLIANCE TITLE COMPANY
RECORDING FEE: 10.00
2275863000 DD

WARRANTY DEED

Order No.: 2021010627AW

FOR VALUE RECEIVED

Justin Wirth, an unmarried person

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

Brian J. Auer, A married man as his separate estate

whose current address is

3575 W. Lone Mountain Trail, Rathdrum, ID. 83858

BSA

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

The North half of the West half of the West half of the Southeast Quarter of the Southeast Quarter of Section 28, Township 53 North, Range 4 West, Boise Meridian, Kootenai County, Idaho

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: July 30, 2010


Justin Wirth

State of Idaho }
County of Kootenai } ss

On this 30th day of July, 2010 before me, a Notary Public in and for said state, personally appeared Justin Wirth known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument and acknowledged to me that they executed same.

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




Notary Public for the State of Idaho
Residing at: *My Commission Expires: 8/22/15*
Commission Expires: *Residing at: Post Falls, Idaho*

QUITCLAIM DEED

ORDER NO.: 2021010627AW

FOR VALUE RECEIVED,

Candice Auer, Spouse of grantee

Do(es) hereby convey, release, remise and forever quit claim unto

Brian J. Auer, a married man as his separate estate

whose current address is: 3575 W. Lone Mountain Trail, Rathdrum, ID. 83858

the following described premises:

The North half of the West half of the West half of the Southeast Quarter of the Southeast Quarter of Section 28, Township 53 North, Range 4 West, Boise Meridian, Kootenai County, Idaho

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

July 30, 2010

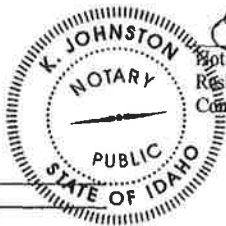
Candice Auer
Candice Auer

State of Idaho

County of Kootenai

On this 2nd day of August, 2010 before me, a Notary Public in and for said state, personally appeared Candice Auer known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument and acknowledged to me that they executed same.

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



[Signature]
Notary Public for the State of Idaho

Residing at:

Commission Expires: **My Commission Expires 8/22/15**

Residing at: Post Falls, Idaho

After recording please return to:

Alliance Title
CBA