

RECEIVED

FEB 18 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH 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?
95-9729	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: Ward Merkeley
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Daum Construction
New owner(s) as listed on the conveyance document

PO Box 3381
Mailing address
2086994840
Telephone

Hayden
City
daumconstruction@msn.com
Email

Name connector ☐ and ☐ or ☐ and/or
ID 83835
State ZIP

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: 2/10/2020

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] Manager 2-13-20
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 Ja Date 2/18/2020 Receipt No. N035922 Receipt Amt. 2500

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

Name on W-9 _____ Approved by _____ Processed by NS Date 11-2-2020



File No. 408911TGW

WARRANTY DEED

For Value Received

Donna Higgins Merkeley, a married woman, as her sole and separate property

The Grantor, does hereby grant, bargain, sell and convey unto

Daum Construction, LLC, an Idaho Limited Liability Company, an Idaho Limited Liability Company

Address: P. O. Box 3381, Hayden, ID, 83835

The Grantee, the following described premises, in Kootenai County, Idaho, to wit:

See Exhibit A attached hereto and made a part hereof for legal description:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject to those made, suffered or done by the Grantee(s); current taxes, levies, assessments, easements, reservations and rights of way of view and covenants, conditions, restrictions, easements, reservations, dedications, rights of way and agreements of record and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 4, 2020


Donna Higgins Merkeley

STATE OF Idaho

COUNTY OF Kootenai

On this 4 of February, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Donna Higgins Merkeley, 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 they executed the same.


Notary Public for Idaho
Residing at Hayden

My Commission Expires: 11-28-24

(SEAL)

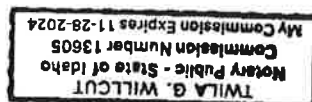
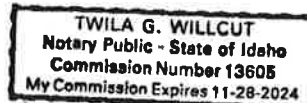


EXHIBIT A

A parcel of land being a portion of the northwest quarter of Section 28, Township 53 North, Range 2 West, Boise Meridian, Kootenai County, Idaho, being more particularly described as follows:

BEGINNING at the northwest corner of said Section 28 being a found 2 inch aluminum cap per CP&F Instrument No. 2699323000; from which the West quarter corner of said Section 28 bears South 00°38'57" West a distance of 2631.90 feet to a found 3.25 inch brass cap; thence

Along the North line of said northwest quarter of Section 28, South 89°34'31" East a distance of 2588.12 to a found 3.25 inch brass cap per CP&F Instrument Number 2169722000; thence

Along the East line of the northwest quarter of Section 28, South 00°09'33" West a distance of 1790.53 feet to the approximate intersection with the existing stream; thence

Along a meandering line through the approximate stream bed the following 12 (twelve) courses:

1. South 83°02'57" West a distance of 113.79 feet; thence
2. North 88°37'32" West a distance of 250.89 feet; thence
3. South 84°16'55" West a distance of 215.89 feet; thence
4. North 69°58'08" West a distance of 271.06 feet; thence
5. North 80°02'45" West a distance of 282.16 feet; thence
6. South 89°45'50" West a distance of 317.56 feet; thence
7. North 53°51'04" West a distance of 310.71 feet; thence
8. North 84°24'57" West a distance of 365.87 feet; thence
9. North 81°47'54" West a distance of 223.43 feet; thence
10. North 50°28'42" West a distance of 165.78 feet; thence
11. North 50°43'24" West a distance of 208.87 feet; thence
12. North 26°50'14" West a distance of 91.74 feet to the intersection with the West line of the northwest quarter of Section 28; thence

Along said West line of the northwest quarter, North 00°38'57" East a distance of 1128.40 feet to the TRUE POINT OF BEGINNING.

INITIAL *DHM*



WATER RIGHT REPORT

2/12/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 95-9729

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WARD MERKELEY 16301 E BUNCO RD ATHOL, ID 83801-5048 2086832473

Priority Date: 06/01/1914

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TRAPPER CREEK	LEWELLEN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.08 CFS	2.4 AFA
Total Diversion			0.08 CFS	2.4 AFA

Location of Point(s) of Diversion:

TRAPPER CREEK	SWNE	Sec. 28	Township 53N	Range 02W	KOOTENAI County
TRAPPER CREEK	SENE	Sec. 28	Township 53N	Range 02W	KOOTENAI County

DOMESTIC Use:

Number of homes: 2

Place(s) of use:

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>
53N	02W	28		NWNW			SENE							

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. 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 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.
3. X04 Domestic use is for 2 homes.
4. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
5. PIN Parcel No. 53N02W284000.

Dates:

Licensed Date:

Decreed Date: 11/08/2019

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: TBD

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 02, 2020

DAUM CONSTRUCTION
PO BOX 3381
HAYDEN ID 83835-3381

Re: Change in Ownership for Water Right No(s): 95-9729

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 762-2813.

Sincerely,

Natalie Steading

Natalie Steading
Tech Records Specialist 1

Enclosure(s)