

RECEIVED

DEC 01 2022

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-12151	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: Roger Gaillardetz
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rhonda S Powell & Douglas A Otero
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 7599 W Eagle Ridge Rd CDA ID 83814
Mailing address City State Zip
- 208-215-0628 Rhondapowell84@yahoo.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: _____
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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: Rhonda S Powell 11/23/22
Signature of new owner/claimant Title, if applicable Date
- Rhonda S Powell
Print name
- Signature: Douglas A Otero 11/23/22
Signature of new owner/claimant Title, if applicable Date
- Douglas A Otero
Print name

For IDWR Office Use Only:

Received by [Signature] Date 12-1-22 Receipt No. N041943 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 9/18/23

**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 49576
NUMBER:
Ident. Number: 95-12151
Date Received:
Receipt No.:**

RECEIVED

DEC 01 2022

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

IDWR / NORTH

1. Name of Claimant(s):

Name	Address	City	State	Country	Postal Code
ROGER GAILLARDETZ	8811 MESA DR	AUSTIN	TX	USA	78759

2. Date of Priority:

Date	Explanation
5/26/1991	

3. Source:

Source	Tributary	Type
GROUND WATER	TRIBUTARY NOT NEEDED	

4. Point Of Diversion:

Township	Range	Section	Gov Lot	QQ	Q	County
50N	04W	31		SE	NE	KOOTENAI

5. Water is used for the following purpose(s):

Water Use	Number Of Homes	Stock	Description
DOMESTIC	1	-	

6. Season(s) of Use:

Water Use	From Month/Day	To Month/Day
DOMESTIC	1 / 1	12 / 31

7. Quantity:

Water Use	CFS	AF	KW
DOMESTIC	0.010	0.00	0.0

Totals:

CFS	AF	KW
0.010	0.00	

8. Place of Use:

Water Use	Township	Range	Section	QQ	Q	County	Gov Lot	Acreage
DOMESTIC	50N	04W	31	NE	NE	KOOTENAI	-	-
DOMESTIC	50N	04W	31	SE	NE	KOOTENAI	-	-
DOMESTIC	50N	04W	31	SW	NE	KOOTENAI	-	-

9. Basis of Claim:Basis

Beneficial Use

10. 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.

Number of attachments: _____

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): Submitted Online Date: 3/12/2010
 _____ Date: _____

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 _____

Please print name

Print Claim Stub

Thank you for submitting your claim to IDWR.
If paying in person, please print this page and bring it with you.
If paying by mail, make sure to enclose a copy of this page with your payment.

If you experience printing problems or do not have a printer, copy this information and include it with your payment.
Please type or write clearly. Please include the claim number shown below on any supporting documents you submit to IDWR.

Thank you for paying online.
Please print this page for your records

[Print This Page](#)

Claim Number:	95-12151
Claim Fee:	\$25.00
Claimant(s):	ROGER GAILLARDETZ
	8811 MESA DR
	AUSTIN , TX
	78759
Claimed Purpose(s) of Use:	DOMESTIC

[Go to View History page](#)

[Logout](#)

Office address and phone number:
Idaho Department of Water Resources
7600 Mineral Dr. Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800



WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:624493

FOR VALUE RECEIVED

**Kimberly A. Gaillardetz, as her sole and separate property also shown of record as
Kimberly R. Gaillardetz**

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

Rhonda S. Powell and Douglas A. Otero, Wife and Husband

whose current address is

**7599 W. Eagle Ridge Rd.
Coeur d'Alene, ID 83814**

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

See attached Exhibit "A"

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: November 4, 2022

Kimberly A. Gaillardetz

TX²⁰
State of ~~ID~~ ss
County of ~~Kootenai~~ TRAVIS²⁰

On this 12 day of November, 2022, before me,
Keith Walthall, a Notary Public in and
for said state, personally appeared Kimberly A. ~~Gaillardetz~~, known or identified to me to be the
person(s) whose name(s) is/are subscribed to the within Instrument.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and
year in this certificate first above written. *Gaillardetz

Jennifer Schermecker
Notary Public for the State of ~~ID~~ TX²⁰
Residing at: ~~Newman Lake, WA~~ Austin, TX²⁰
Commission Expires: ~~7/19/2027~~ 1/21/2025²⁰

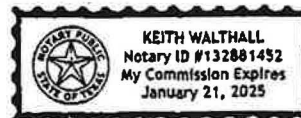


Exhibit 'A'

A portion of the South one-half of the Northeast quarter of Section 31, Township 50 North, Range 4 West, Boise Meridian., Kootenai County, Idaho, described as follows:

COMMENCING at the East quarter corner of said Section 31 from which the Southeast corner of Section 31 bears South $0^{\circ}1'45''$ West, 2673.55 feet; thence

South $89^{\circ}12'16''$ West, 1171.12 feet along the South line of the Northeast quarter of Section 31 to an iron rod, one-half inch diameter, with a plastic cap marked PLS 3451 at the Southwest corner of a 5.0 acre tract and the POINT OF BEGINNING; thence

Northerly along the Westerly boundary of a 60-foot wide strip of land as shown on a Record of Survey in Book 5 of Surveys, Page 73 (records of Kootenai County) as follows:

North $11^{\circ}48'45''$ East, 115.24 feet to an iron rod, one-half inch diameter, with a plastic cap marked PLS 3451; thence

North $29^{\circ}23'15''$ East, 115.77 feet to an iron rod, one-half inch diameter, with a plastic cap marked PLS 3451; thence

North $40^{\circ}57'45''$ East, 95.16 feet to an iron rod, one-half inch diameter, with a plastic cap marked PLS 3451; thence

North $18^{\circ}36'05''$ East, 232.49 feet to an iron rod, one-half inch diameter, with a plastic cap marked PLS 3451; thence

North $59^{\circ}09'15''$ East, 152.77 feet to an iron rod, one-half inch diameter, with a plastic cap marked PLS 3451; thence

North $37^{\circ}04'15''$ East, 108.72 feet to an iron rod, one-half inch diameter, with a plastic cap marked PLS 3451; thence

North $23^{\circ}02'41''$ East, 194.72 feet to an iron rod, one-half inch diameter, with a plastic cap marked PLS 3451 on the Westerly line of a 5-acre parcel; thence

North $16^{\circ}38'10''$ West, 445.75 feet along said Westerly boundary to an iron rod, one-half inch diameter with a plastic cap marked PLS 3451 on the North line of the Southeast quarter of the Northeast quarter of said Section 31 and the Northeast corner of the herein described tract; thence

South $89^{\circ}48'02''$ West, 312.21 feet along said North line to an iron rod, 24 inches long, one-half inch diameter, with a plastic cap marked LS 832 at the Northwest corner of the herein described tract; thence

South $4^{\circ}37'26''$ East, 456.21 feet along the Easterly boundary of a 10.00 acre tract to an iron rod, 24 inches long, one-half inch diameter, with a plastic cap marked LS 832; thence

Continuing South $4^{\circ}37'26''$ East, 36.00 feet to the centerline of an existing private access road; thence

Along the centerline of said road as follows:

15.04 feet along the arc of an 11.00 foot radius curve right, said curve having a chord bearing South $14^{\circ}11'19''$ East, 13.89 feet; thence

South $24^{\circ}58'29''$ West, 64.10 feet; thence

22.25 feet along the arc of a 230.00 foot radius curve left, said curve having a chord bearing South $22^{\circ}12'12''$ West, 22.24 feet; thence

South $19^{\circ}25'53''$ West, 67.98 feet; thence

223.17 feet along the arc of an 820 foot radius curve right, said curve having a chord bearing South $27^{\circ}13'42''$ West, 222.48 feet; thence

South $35^{\circ}01'31''$ West, 79.56 feet; thence

98.99 feet along the arc of a 300.00 foot radius curve right, said curve having a chord bearing South 44°28'40" West, 98.54 feet; thence

South 53°55'49" West, 61.25 feet; thence

98.36 feet along the arc of a 200.00 foot radius curve left, said curve having a chord bearing South 39°50'28" West, 97.37 feet; thence

South 25°45'07" West, 39.58 feet; thence

70.13 feet along the arc of a 270.00 foot radius curve right, said curve having a chord bearing South 33°11'3" West, 69.94 feet; thence

South 40°38'05" West, 50.30 feet; thence

67.64 feet along the arc of a 170.00 foot radius curve left, said curve having a chord bearing South 29°14'08" West, 67.20 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 3451, on the South line of the South-half of the Northeast quarter of Section 31; thence

leaving said centerline North 89°13'10" East, 47.06 feet to an iron rod, one-half inch diameter, with a plastic cap marked CE/LS 1316; thence

Continuing North 89°10'35" East, 227.74 feet to an iron rod, 5/8 inch diameter, 30 inches long, with a plastic cap marked PLS 3451, being the center East 1/16 corner; thence

Continuing North 89°12'16" East, 139.64 feet along the South line of the South- half of the Northeast quarter of Section 31 to the POINT OF BEGINNING.

EXCEPT: The South 30 feet of the West half of the West half of the Southeast quarter of the Northeast quarter of Section 31, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.



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

September 18, 2023

RHONDA S POWELL
DOUGLAS A OTERO
7599 W EAGLE RIDGE RD
COEUR D ALENE ID 83814-7300

Re: Change in Ownership for Water Right No(s): 95-12151

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)