

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

FEB 15 2023

## NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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. 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 95-15416              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Maureen R Montgomery

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Emmanuel J Hearne and Leila R Hepp

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or27330 N Lewellen Creek RdAthol83801

Mailing address

857 928 8778

City

State

Zip

theheppcat@pm.me

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: 03/10/2022
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: [Signature]

Signature of new owner/claimant

Emmanuel J Hearne

Print name

Title, if applicable

Date

02/11/2023

Signature: [Signature]

Signature of new owner/claimant

Leila Hepp

Print name

Title, if applicable

Date

02/11/2023

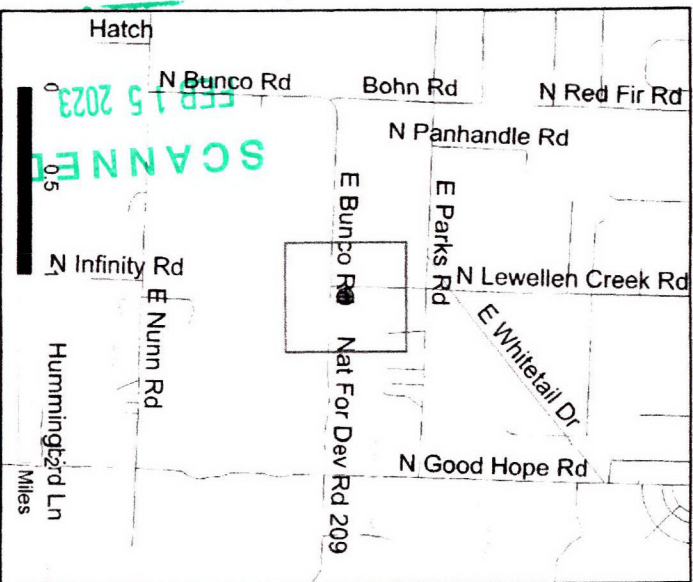
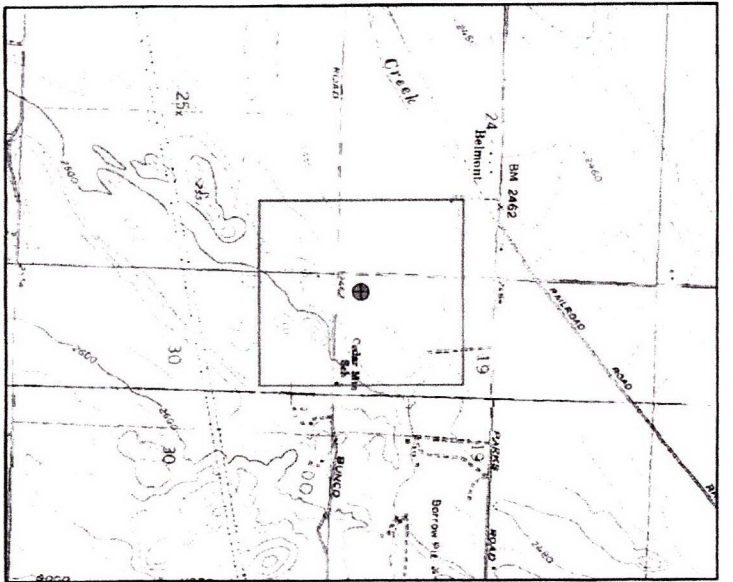
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FEB 15 2023

Received by NS Date 2-15-23 Receipt No. N042506 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 2-15-23



JIM BRANNON 2 P 2891262000  
KOOTENAI COUNTY RECORDER  
CDB 3/14/2022 3:29 PM  
REQ OF ALLIANCE TITLE - COEUR D'ALENE  
OFFICE  
RECORDING FEE: \$15.00 DD  
Electronically Recorded



ELECTRONICALLY RECORDED - DO NOT  
REMOVE THE COUNTY STAMPED FIRST  
PAGE AS IT IS NOW INCORPORATED AS  
PART OF THE ORIGINAL DOCUMENT.

## WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:597906

### FOR VALUE RECEIVED

**Maureen Ferguson-Montgomery, Trustee of the Michael and Maureen Montgomery Trust, dated February 25, 2003, as restated December 18, 2009 and amended December 19, 2013**

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

**Emmanuel J Hearne and Leila R Hepp, a married couple**

whose current address is

27330 N Lewellen Creek Rd  
Athol, ID 83801

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: March 1, 2022

The Michael and Maureen Montgomery Trust, dated February 25, 2003, as restated December 18, 2009 and amended December 19, 2013

*Maureen Ferguson-Montgomery*  
By: Maureen Ferguson-Montgomery, Trustee

State of Idaho } ss.  
County of Kootenai }

On this 1st day of March, 2022, before me, a Notary Public in and for said state, personally appeared Maureen Ferguson-Montgomery known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Michael and Maureen Montgomery Trust,

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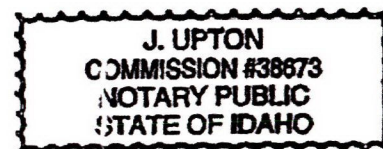
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

*[Signature]*  
Notary Public for the State of Idaho

Residing at:

Commission Expires:

Commission Expires: 09/14/2026  
Residing at: Post Falls, ID





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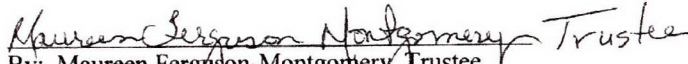
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By: Maureen Ferguson-Montgomery, Trustee

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County of Kootenai }

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County of Kootenai }

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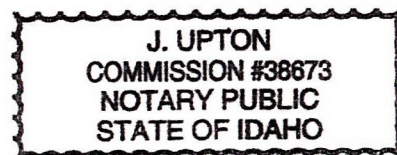
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

*[Signature]*  
Notary Public for the State of Idaho

Residing at: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

**Commission Expires: 09/14/2026**  
**Residing at: Post Falls, ID**



File No. 597906

**Exhibit 'A'**

A parcel of land in Government Lot 4, Section 19, Township 53 North, Range 2 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as follows:

Beginning at a point that is South 89°57'27" East, 20.00 feet from the Southwest corner of Section 19; thence

Continuing South 89°57'27" East along Bunco Road, 530.00 feet; thence

North, 731.47 feet; thence

North 89°57'27" West, 530.00 feet to a point on the East right of way of Lewellen Road; thence

South along the East right of way of Lewellen Road, 731.47 feet to the point of beginning.

LESS AND EXCEPT any portion lying within the road right of way. ALSO EXCEPT that portion conveyed to Lakes Highway District in Correction Deed recorded February 23, 2000 as Instrument No. 1624771.

A handwritten signature in black ink, appearing to be 'MS' followed by a stylized flourish.

SCANNED  
FEB 15 2023



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](mailto:northerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

February 15, 2023

EMMANUEL J HEARNE  
LEILA R HEPP  
27330 N LEWELLEN CREEK RD  
ATHOL ID 83801-6016

Re: Change in Ownership for Water Right No(s): 95-15416

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  
Tech Records Specialist 1

Enclosure(s)

SCANNED  
FEB 15 2023