

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 21 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPARTMENT OF
WATER RESOURCES

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of a 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?
95-2141	Yes ☒	Yes ☐		Yes ☐	Yes ☐
95-2141 + 95-18323	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: City of Post Falls
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Ross Point Water District
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- PO Box 70 Post Falls ID 83877-0070
Mailing address City State Zip
208-773-1120 danselden@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: 4/6/2021
6. Do you own the land identified as the water right place of use? Yes ☐ No ☒
☐ 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):
☐ \$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.

SUPPORT DATA

IN FILE # 95-2141

8. Signature: Dan Selden Board member 6-16-2022
 Signature of new owner/claimant Title, if applicable Date
Dan Selden
 Print name

Signature: _____
 Signature of new owner/claimant Title, if applicable Date
 Print name

Received by KM Date 6-9-22 For IDWR Office Use Only: C112999 Receipt No. C112942 Receipt Amt. 75
25.00

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 gmk Date 6-21-22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

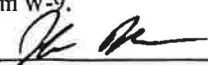
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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WATER RESOURCES

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Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-2141 ✓	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: City of Post Falls
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): City of Post Falls
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 408 N. Spokane St. Post Falls ID 83854-7538
Mailing address City State Zip
- 208-773-3511 jbeacham@postfallsidaho.org
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: 4/6/2021
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☒ 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:  Public Works Director 5/31/22
 Signature of new owner/claimant Title, if applicable Date
John Beacham
 Print name

Signature: _____
 Signature of new owner/claimant Title, if applicable Date

 Print name

For IDWR Office Use Only:

Received by KM Date 6.3.22 Receipt No. 2112942 Receipt Amt. \$25.00

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 City of Post Falls Approved by _____ Processed by _____ Date _____

JIM BRANNON 2 P 2825900000
KOOTENAI COUNTY RECORDER
CDB Date 04/13/2021 10:17 AM
REQ OF POST FALLS CITY
RECORDING FEE: \$0.00 DD


RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Ross Point Water District, Inc
P.O. Box 70
Post Falls, Idaho 83877

(Space Above for Recorder's Use)

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF POST FALLS, a municipal corporation (hereinafter "GRANTOR"), whose address is 408 North Spokane Street, Post Falls, Idaho 83854, does hereby bargain, sell, remise, release, convey, and forever quitclaim to the ROSS POINT WATER DISTRICT, INC., an Idaho corporation ("GRANTEE"), whose address is P.O. Box 70, Post Falls, Idaho 83877, a certain portion of water right no. 95-2141, partially decreed by the Coeur d'Alene-Spokane River Basin Adjudication on November 7, 2019 with a diversion rate of 3.34 cfs/1,099 acre-feet (the "Water Right"), which certain portion is described as follows:

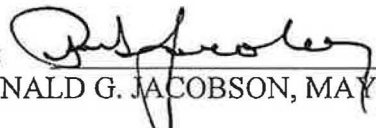
GRANTOR conveys to GRANTEE 1.28 cfs/419.8 acre-feet of the Water Right. GRANTEE specifically acknowledges that GRANTOR retains 2.06 cfs/679.2 acre-feet of the Water Right.

SAID WATER RIGHT IS BEING CONVEYED SEPARATELY FROM THE REAL PROPERTY DESCRIBED BELOW:

Township 51N, Range 05W, Section 26, NENE, NWNE, SWNE,
SENE, NENW, NWNW, SWNW, SENW, Section 27, SENE,
Kootenai County.

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be executed this
6th day of April, 2021.

CITY OF POST FALLS

By: 
RONALD G. JACOBSON, MAYOR

ATTEST:


Shannon Howard, City Clerk

STATE OF IDAHO)
) s.s.
COUNTY OF KOOTENAI)

On this 10 day of April, 2021, before me, a Notary of the State of Idaho in and for said county and state, personally appeared Ronald G. Jacobson, known or identified to me to be the Mayor of the City of Post Falls, the person who executed this instrument of behalf of said municipal corporation, and Shannon Howard, known to me to be the City Clerk of said municipal corporation, and who acknowledged to me that such corporation executed the same.

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



Notary Public of the State of Idaho
Residing at: Post Falls
Commission Expires: 10.12.24

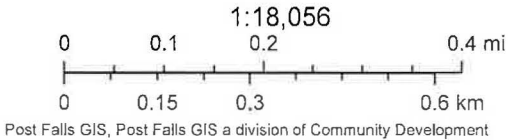


WR 95-2141 WSB Application Exhibit



2/2/2022, 9:45:13 AM

-  City Post Falls Boundary
-  New TaxParcels
-  Common Areas
-  TaxParcels





IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 21, 2022

ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS ID 83877-0070

Re: Change in Water Right Ownership: 95-2141 (Split into 95-2141 and **95-18323**)

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: City of Post Falls
McHugh Bromley Law

Hersley, Jean

From: Chris Bromley <cbromley@mchughbromley.com>
Sent: Monday, June 20, 2022 9:58 AM
To: Hersley, Jean
Cc: jbeacham@postfallsidaho.org
Subject: RE: ownership change for Ross Point Water
Attachments: 20220617143523309.pdf

Morning Jean,

Here's a signature from Ross Point.

Thanks,

Chris

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Wednesday, June 15, 2022 7:25 AM
To: Chris Bromley <cbromley@mchughbromley.com>
Cc: jbeacham@postfallsidaho.org
Subject: RE: ownership change for Ross Point Water

No. The signature is all that I need. Please send it to my attention at the State Office. Thank you.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

From: Chris Bromley <cbromley@mchughbromley.com>
Sent: Tuesday, June 14, 2022 4:18 PM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Cc: jbeacham@postfallsidaho.org
Subject: RE: ownership change for Ross Point Water

Hi Jean,

We'll get Ross Point's signature. The deed explains the split. Since you have the deed, the map, and the fees, is there anything else you need aside from the signature?

Thanks,

Chris

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Tuesday, June 14, 2022 1:21 PM
To: Chris Bromley <cbromley@mchughbromley.com>
Cc: jbeacham@postfallsidaho.org
Subject: RE: ownership change for Ross Point Water

Chris,
I tried calling your office, but no one answered.

It is the new owner that files the Notice of Change in Water Right Ownership. The deeds will reflect how much land or in this case how much of the water right the new owner is conveyed. I noticed that the public works director for the City of Post Falls signed the Notice. It should be a representative of Ross Point Water District, Inc that signs. Please submit a new form in the name of Ross Point Water District.

When the Department splits a water right, we give the new owner a new water right number and the original water right number stays with the current owner of that right.

Let me know if you have any questions. By the way, I did receive the additional filing fee. Thank you.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

From: Chris Bromley <cbromley@mchughbromley.com>
Sent: Friday, June 3, 2022 3:35 PM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Cc: jbeacham@postfallsidaho.org
Subject: RE: ownership change for Ross Point Water

Hi Jean,

I tried your direct line just now and your voicemail said you're out until June 13. I'll send a check for \$75 to IDWR to make up the balance for the split ownership. That was my mistake in thinking the fee was \$25 when it's really \$100.

I did, however, intentionally file the change of ownership listing the City because I wasn't sure how to reflect that the City retains ownership of a portion of the right, while Ross Point acquires a portion of the right. The reason I called was to talk through how the form should be filed, so I didn't file a document that takes anything more away from the City than was deeded to Ross Point.

Before I file anything else, I'd like to talk this through with you. If you'd please get in touch with me when you're back in the office, I'd appreciate it.

Thanks,

Chris

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Friday, June 3, 2022 12:40 PM
To: Christopher Bromley (cbromley@mchughbromley.com) <cbromley@mchughbromley.com>
Cc: jbeacham@postfallsidaho.org
Subject: ownership change for Ross Point Water

The Department of Water Resources received a Notice of Change in Water Right Ownership you filed on behalf of Ross Point Water/City of Post Falls along with a Water Supply Bank Application to Lease water right 95-2141 to the Bank. A check for \$275 to cover the applications was received. The filing fee for an application to lease a water right to the Bank

is \$250. The filing fee for an ownership change resulting in a split is \$100. The Department will need an additional filing fee of \$75 to process this request.

I am also assuming the new owner on the Notice of Change in Water Right Ownership form should be Ross Point Water District instead of City of Post Falls, according to the quitclaim deed that was provided.

Please provide the requested fee and information within 30 days or the applications will be returned unprocessed. Let me know if you have any questions. Thank you.

Jean Hersley
Technical Records Specialist II
Idaho Dept. Water Resources
208-287-4942

RECEIVED

JUN 09 2022

DEPARTMENT OF
WATER RESOURCES

McHUGH BROMLEY

ATTORNEYS AT LAW, PLLC

Candice M. McHugh
cmchugh@mchughbromley.com

380 S. 4th Street, Ste. 103
Boise, Idaho 83702
(208) 287-0991

Chris M. Bromley
cbromley@mchughbromley.com

June 7, 2022

Jean Hersley
Idaho Dept. of Water Res.
P.O. Box 83720
Boise, ID 83720-0098

Re: City of Post Falls Additional Fees

Dear Jean:

Please find enclosed a check in the amount of \$75.00 for additional filing fees associated with the change of ownership filed by the City of Post Falls as to water right no. 95-2141. If you have any questions, please do not hesitate to contact me.

Sincerely,



CHRIS M. BROMLEY

Encls.