



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 Gary Spackman

November 05, 2021

MC GREEN PROPERTIES
PO BOX 310
GRANGEVILLE ID 83530-0310

RE: Water Right Change in Ownership No(s): 96-8172

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on August 23, 2021 for the above referenced water right. Per our phone conversation on November 5, 2021 this water right is in an area open to the adjudication and will require a Notice of Claim to be filed. The filing fee for the claim is \$25. Because the fee was paid on the Notice, the Department will hold the funds for you to use towards the adjudication claim (please use receipt number N037299).

The Department is returning your Notice and the attachments. Enclosed is also a copy of the claim form for you to use. If you have any question concerning the enclosed information or process, please contact Linda Werner at (208) 762-2800.

Sincerely,

Natalie Steading
Tech Records Specialist 1

Enclosure(s)

**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 CLARK FORK-PEND OREILLE RIVER
BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 69576

Claim ID: _____

Date Received: _____

Receipt No: _____

Claim Fee: _____ By: _____

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

Please type or print clearly

1. Name of claimant(s) _____ Phone (____) _____

Mailing address _____ Zip _____
Street or Box City State

Email address (optional) _____

2. Date of priority: (Only one per claim) _____ (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) _____
which is tributary to (b) _____

4. Location of point of diversion is: Township _____, Range _____, Section _____,
_____ 1/4 of _____ 1/4, or Govt. Lot _____ BM, County of _____;

Parcel no. _____

Additional points of diversion, if any: _____

If available, GPS coordinates: _____

5. Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

For _____ purposes from _____ Month/Day to _____ Month/Day amount _____ cfs () or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed _____ cfs () or AFY ()

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)

9. Location of place of use is: Township _____, Range _____, Section _____,
_____ 1/4 of _____ 1/4, Govt. Lot _____ BM, Parcel no. _____
If different than shown in Item 4
for (check one) **Domestic** () **Stock** () **Domestic and Stock** ()

Additional places of use, if any _____

10. In which county(ies) are lands listed above as place of use located? _____

11. Do you own the property listed above as place of use? Yes () No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

13. Remarks (include an explanation of the priority date selected):

14. Basis of claim (check one) **Beneficial Use** () **Posted Notice** () **License** () **Permit** () **Decree** ()
Court _____ Decree Date _____ Plaintiff v. Defendant _____
If applicable provide IDWR Water Right Number _____

15. Signature(s)

- (a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Clark Fork-Pend Oreille River Basin Water System 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) _____ Date: _____
_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____,
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. Notice of Appearance:

Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

HOW YOU WILL RECEIVE NOTICES IN THE CLARK FORK-PEND OREILLE RIVER BASIN WATER SYSTEM ADJUDICATION

All documents filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication, other than notices of claim, are filed with the court. Notices of claim to water rights filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication are filed with the Idaho Department of Water Resources (IDWR). Copies of all documents filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication will not be mailed to all parties (claimants) in the adjudication. Any document filed with the court will be mailed only to those parties who may be directly affected by it.

A monthly docket sheet is prepared by the court, which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Clark Fork-Pend Oreille River Basin Water System Adjudication. Copies of a monthly docket sheet may be obtained from any of the offices of IDWR; a small fee may be charged to cover the cost of mailing and/or copying. If you wish to receive an annual subscription of the docket sheet printed each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee by the court to cover the cost of copying and mailing. The docket sheet is also available on the court's web site at:

<http://www.srba.idaho.gov/KRBA20.HTM>

Copies of any document listed on the docket sheet may be obtained from any of the IDWR offices or the court and a small fee may be charged to cover the cost of mailing and/or copying the document.

Copies of all notices of claim filed with IDWR will be available for inspection at all IDWR offices. You may also obtain copies of the notices of claim filed by other claimants, but you may be charged for the cost of copying and mailing. A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.

After the notices of claim have been reviewed, the director will prepare and file a Director's report with the court that will contain the Director's recommendations as to each water right claimed under state law and a copy of each federal reserved water right claimed. A Director's report will be prepared for all claims filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication. When this report is filed with the court, you will be mailed a notice informing you that the report has been filed. The notice will be sent to the most recent address shown by IDWR's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way another claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection.

It is very important that you inform IDWR in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

If you are acquiring property with water rights within the boundaries of the Clark Fork-Pend Oreille River Basin Water System Adjudication in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of IDWR whether a notice of claim has been filed. If you fail to file a required notice of claim for a water right, that water right may be determined to no longer exist.

If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with IDWR. You may contact IDWR regional offices or the IDWR web site <http://www.idwr.idaho.gov/> for change of ownership forms. The notice of change in ownership form must be accompanied by evidence of the ownership of the property. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

AUG 23 2021

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?
96-08172	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: Brett and Linda Ryberg

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): McGreen Properties, A Partnership

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

P.O. Box 310

Grangeville

ID

83530

Mailing address

City

State

Zip

530-228-6003

amie.steel@gmail.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: 7/6/2021

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.

8. Signature: [Signature] Title, if applicable: General Partner Date: 8-20-2021

Signature of new owner/claimant

Title, if applicable

Date

Print name

- Signature: [Signature] Title, if applicable: General Partner Date: 8/20/21

Signature of new owner/claimant

Title, if applicable

Date

Print name

For IDWR Office Use Only:

Received by: Jen Date: 8-23-21 Receipt No.: N037299 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: _____ Date: _____

File Number: 21418728
Policy Number: 2470-O-21418728

ALTA Owner's Policy (6/17/06)



TitleOne

a title & escrow co.

TitleOne
Authorized Agent for:
Title Resources Guaranty Company

SCHEDULE A

Name and Address of Title Insurance Company: Title Resources Guaranty Company
8111 LBJ Freeway, Ste. 1200
Dallas, TX 75251

File Number: 21418728

Policy Number: 2470-O-21418728

Date of Policy: July 7, 2021 at 3:02PM

Amount of Insurance: \$420,000.00

Premium: \$1,623.00

Property Address Reference: 218 Terrace Dr, Cocolalla, ID 83813

1. **Name of Insured:**
McGreen Properties
2. **The estate or interest in the land that is insured by this policy is:**
Fee Simple
3. **Title is vested in:**
McGreen Properties, a Partnership
4. **The Land referred to in this policy is described as follows:**
See Attached Schedule C

TitleOne
By:

Roberta Nutt, Authorized Signatory

BONNER COUNTY



DATE DRAWN	REVISION MADE	DRAWN BY	DATE	REVISION BY
	REVISION 1		11/14	JAC
	REVISION 2		11/14	JAC
	REVISION 3		11/14	JAC
	REVISION 4		11/14	JAC
	REVISION 5		11/14	JAC
	REVISION 6		11/14	JAC
	REVISION 7		11/14	JAC
	REVISION 8		11/14	JAC
	REVISION 9		11/14	JAC
	REVISION 10		11/14	JAC
	REVISION 11		11/14	JAC
	REVISION 12		11/14	JAC
	REVISION 13		11/14	JAC
	REVISION 14		11/14	JAC
	REVISION 15		11/14	JAC
	REVISION 16		11/14	JAC
	REVISION 17		11/14	JAC
	REVISION 18		11/14	JAC
	REVISION 19		11/14	JAC
	REVISION 20		11/14	JAC
	REVISION 21		11/14	JAC
	REVISION 22		11/14	JAC
	REVISION 23		11/14	JAC
	REVISION 24		11/14	JAC
	REVISION 25		11/14	JAC
	REVISION 26		11/14	JAC
	REVISION 27		11/14	JAC
	REVISION 28		11/14	JAC
	REVISION 29		11/14	JAC
	REVISION 30		11/14	JAC
	REVISION 31		11/14	JAC
	REVISION 32		11/14	JAC
	REVISION 33		11/14	JAC
	REVISION 34		11/14	JAC
	REVISION 35		11/14	JAC
	REVISION 36		11/14	JAC
	REVISION 37		11/14	JAC
	REVISION 38		11/14	JAC
	REVISION 39		11/14	JAC
	REVISION 40		11/14	JAC
	REVISION 41		11/14	JAC
	REVISION 42		11/14	JAC
	REVISION 43		11/14	JAC
	REVISION 44		11/14	JAC
	REVISION 45		11/14	JAC
	REVISION 46		11/14	JAC
	REVISION 47		11/14	JAC
	REVISION 48		11/14	JAC
	REVISION 49		11/14	JAC
	REVISION 50		11/14	JAC
	REVISION 51		11/14	JAC
	REVISION 52		11/14	JAC
	REVISION 53		11/14	JAC
	REVISION 54		11/14	JAC
	REVISION 55		11/14	JAC
	REVISION 56		11/14	JAC
	REVISION 57		11/14	JAC
	REVISION 58		11/14	JAC
	REVISION 59		11/14	JAC
	REVISION 60		11/14	JAC
	REVISION 61		11/14	JAC
	REVISION 62		11/14	JAC
	REVISION 63		11/14	JAC
	REVISION 64		11/14	JAC
	REVISION 65		11/14	JAC
	REVISION 66		11/14	JAC
	REVISION 67		11/14	JAC
	REVISION 68		11/14	JAC
	REVISION 69		11/14	JAC
	REVISION 70		11/14	JAC
	REVISION 71		11/14	JAC
	REVISION 72		11/14	JAC
	REVISION 73		11/14	JAC
	REVISION 74		11/14	JAC
	REVISION 75		11/14	JAC
	REVISION 76		11/14	JAC
	REVISION 77		11/14	JAC
	REVISION 78		11/14	JAC
	REVISION 79		11/14	JAC
	REVISION 80		11/14	JAC
	REVISION 81		11/14	JAC
	REVISION 82		11/14	JAC
	REVISION 83		11/14	JAC
	REVISION 84		11/14	JAC
	REVISION 85		11/14	JAC
	REVISION 86		11/14	JAC
	REVISION 87		11/14	JAC
	REVISION 88		11/14	JAC
	REVISION 89		11/14	JAC
	REVISION 90		11/14	JAC
	REVISION 91		11/14	JAC
	REVISION 92		11/14	JAC
	REVISION 93		11/14	JAC
	REVISION 94		11/14	JAC
	REVISION 95		11/14	JAC
	REVISION 96		11/14	JAC
	REVISION 97		11/14	JAC
	REVISION 98		11/14	JAC
	REVISION 99		11/14	JAC
	REVISION 100		11/14	JAC

This sketch is furnished
solely for the purpose of
locating said premises
assumes no liability
therein.

2187824E
Qv1E

COCOLATTA LAKE

This sketch is furnished without charge solely for the purpose of assisting in locating said premises and the company assumes no liability for inaccuracies therein.





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

August 23, 2021

RECEIVED

AUG 30 2021

IDWR / NORTH

MC GREEN PROPERTIES
PO BOX 310
GRANGEVILLE ID 83530-0310

RE: Water Right Change in Ownership No(s): 96-8172

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Evidence of Water Right Ownership: copy of the Warranty Deed, Quitclaim Deed (showing the previous owner as Ryberg), or other legal document indicating your ownership of the property and/or water rights in question → *ENCLOSED* *AM 8/27/21*

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 762-2813.

Sincerely,

Natalie Steading
Natalie Steading
Tech Records Specialist 1

Enclosure(s)

RECEIVED
AUG 30 2021
IDWR / NORTH



Instrument # 986876
Bonner County, Sandpoint, Idaho
07/07/2021 03:02:36 PM No. of Pages: 3
Recorded for: TITLEONE - SANDPOINT
Michael W. Rosedale Fee: \$15.00
Ex-Officio Recorder Deputy bbroehl
Index to: WARRANTY DEED

Order Number: 21418728

Warranty Deed

For value received,

Brett D. Ryberg and Linda J. Ryberg, as Trustees of the Brett and Linda Ryberg Living Trust

the grantor, does hereby grant, bargain, sell, and convey unto

McGreen Properties, a Partnership

whose current address is P.O. Box 310 Grangeville, ID 83530

the grantee, the following described premises, in Bonner County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: July 2, 2021

The Brett and Linda Ryberg Living Trust

Brett D. Ryberg, Trustee
Brett D. Ryberg, Trustee

Linda J. Ryberg, Trustee
Linda J. Ryberg, Trustee

State of Idaho, County of Bonner, ss.

On this 6 day of July in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Brett D. Ryberg and Linda J. Ryberg, as Trustees of the Brett and Linda Ryberg Living Trust, 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 the same.

Tracy Downing
Notary Public
Residing In: Sandpoint, Idaho
My Commission Expires: 8/22/25
(seal)

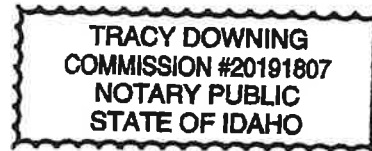


EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

A tract of land located in Section 7, Township 55 North, Range 2 West, Boise Meridian, Bonner County, Idaho, more fully described as follows:

Commencing at the North Quarter corner of said Section 7, thence South 89°57'24" East along the North line of said section a distance of 933.00 feet; thence South 8°21'52" West a distance of 1193.55 feet; thence South 30°34'40" East a distance of 74.00 feet; thence South 60°36'20" West a distance of 161.00 to the Point of Beginning; Thence South 60°36'20" West a distance of 50.00 feet; thence South 25°55'40" East a distance of 117.00 feet, more or less, to Cocolalla Lake; thence Northeasterly along the shoreline of said Cocolalla Lake a distance of 50.00 feet more or less to a point that is South 25°55'40" East of the point of beginning; Thence North 25°55'40" West a distance of 115.00 feet more or less to the Point of Beginning.

SHOWN OF RECORD AS: That portion of Government Lots 6 and 7 of Section 7, Township 55 north, Range 2 West, Boise Meridian, Bonner County, Idaho, described as follows:

Beginning at a point 933 feet East and 1200 feet South of the Northwest corner of said Government Lot 7, thence South 37°41' East 74 feet; thence South 53°30' West, 161 feet to the True Point of Beginning; Thence continuing South 53°30' West, 50 feet; thence South 33°02' East to the shore of Cocolalla Lake; Thence Northerly along the shore of said Lake 50 feet, more or less, to a point South 33°02' East from the True Point of Beginning; Thence North 33°02' West to the True Point of Beginning.

and

That portion of Government Lots 6 and 7 in Section 7, Township 55 North, Range 2 West, Boise Meridian, Bonner County, Idaho, described as follows:

Beginning at a point 933 feet East and 1200 feet South of the Northwest corner of said Government Lot 7; Thence South 37°41' East 74 feet; Thence South 53°30' West 111 feet to the True Point of Beginning; Thence continuing South 53°30' West 50 feet; thence South 33°02' East to the shore of Cocolalla Lake; thence Northeasterly along the shore of said Lake 50 feet, more or less, to a point South 33°02' East from the True Point of Beginning; Thence North 33°02' West to the True Point of Beginning.