

RECEIVED

Form 42-248/42-1409 (0) Rev. 1/15

MAY 12 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-15391	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: TP Post Falls LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): RiverBend Property Management LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 17406 W Laura Ln Post Falls ID 83854
Mailing address City State ZIP
208-818-8459 ryangiarusso@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: August 31, 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):
 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: Ryan H. Yoniss Manager 5/11/21
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by Ja Date 5-12-21 Receipt No. N036967 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 10-19-21



WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:505080

FOR VALUE RECEIVED

TP POST FALLS, LLC, a Utah limited liability company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto
Riverbend LLC, an Idaho Limited Liability Company

whose current address is

17406
17397 W. Laura Ln.
Post Falls, ID 83854

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

See 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: August 28, 2020

TP POST FALLS, LLC, a Utah limited liability company
By: Gregory R. Haerr, Manager

State of Idaho } ss
County of Kootenai }

On this 28 day of Aug, 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared Gregory R. Haerr known or identified to me to be the Managing Member in the Limited Liability Company known as TP POST FALLS, LLC, a Utah limited liability company who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

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

Kimi Dennis
Notary Public for the State of Idaho
Residing at:
Commission Expires: 9/2/21
Residing at: Rathdrum, ID

KIMI DENNISON
COMMISSION #40859
NOTARY PUBLIC
STATE OF IDAHO

Re-record to correct Grantee Name
Re-record to correct address

File No. 505080

Exhibit 'A'

Parcel 1:

DESCRIPTION of a tract of land being located in portions of Government Lots 7, 8 and 9 and a portion of the Northeast Quarter of the Southwest Quarter of Section 7, Township 50 North, Range 5 West, Boise Meridian, County of Kootenai, State of Idaho, more particularly described as follows:

COMMENCING AT the Southwest corner of said Section 7, said corner being a 1-inch iron pipe per corner perpetuation record recorded under instrument number 1696770, which bears North 88°37'31" West a distance of 2631.77 feet from the South Quarter corner of said Section 7, said corner being a 2" aluminum cap marked "RLS 3814" per corner perpetuation record recorded under instrument number 1112206;

Thence North 00°46'00" East a distance of 1318.01 feet along the West line of said Government Lot 10, to the Southwest corner of said Government Lot 9;

Thence South 88°38'03" East a distance of 28.09 feet to the TRUE POINT OF BEGINNING;

Thence North 04°02'10" East a distance of 134.70 feet;

Thence North 27°44'37" East a distance of 67.57 feet;

Thence North 60°08'11" East a distance of 68.26 feet;

Thence North 68°34'43" East a distance of 454.56 feet;

Thence North 70°17'51" East a distance of 178.26 feet;

Thence North 70°18'26" East a distance of 65.60 feet;

Thence North 75°57'27" East a distance of 302.29 feet;

Thence North 02°24'57" East a distance of 203.21 feet;

Thence North 87°35'03" West a distance of 108.00 feet;

Thence North 02°24'57" East a distance of 1441.87 feet to a point on the ordinary high water line of the Spokane River;

Thence Easterly along said high water line the approximate courses and distances:

South 85°30'53" East a distance of 187.30 feet;

South 85°27'58" East a distance of 94.61 feet;

South 80°36'18" East a distance of 268.49 feet;

South 61°55'13" East a distance of 57.26 feet;

Thence leaving said high water line, South 03°59'54" East a distance of 850.35 feet;

Thence South 50°59'06" East a distance of 1233.16 feet;

Thence South 01°06'48" West a distance of 542.75 feet;

Thence North 88°38'03" West a distance of 2611.65 feet to the TRUE POINT OF BEGINNING

Parcel 2:

DESCRIPTION of a tract of land being located in portions of Government Lots 8 and 9 of Section 7, Township 50 North, Range 5 West, Boise Meridian, County of Kootenai, State of Idaho, more particularly described as follows:

COMMENCING AT the Southwest corner of said Section 7, said corner being a 1-inch iron pipe per corner perpetuation record recorded under instrument number 1696770, which bears North 88°37'31" West a distance of 2631.77 feet from the South Quarter corner of said Section 7, said corner being a 2" aluminum cap marked "RLS 3814" per corner perpetuation record recorded under instrument number 1112206;

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Thence North 70°17'51" East a distance of 178.26 feet to the TRUE POINT OF BEGINNING;

Thence North 02°24'57" East a distance of 907.61 feet;

Thence North 02°24'20" East a distance of 809.38 feet to a point on the ordinary high water line of the Spokane River;

Thence Easterly along said high water line the approximate courses and distances:

North 79°33'59" East a distance of 81.25 feet;

North 85°19'40" East a distance of 164.86 feet;

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Thence South 87°35'03" East a distance of 108.00 feet;

Thence South 02°24'57" West a distance of 203.21 feet;

Thence South 75°57'27" West a distance of 302.29 feet;

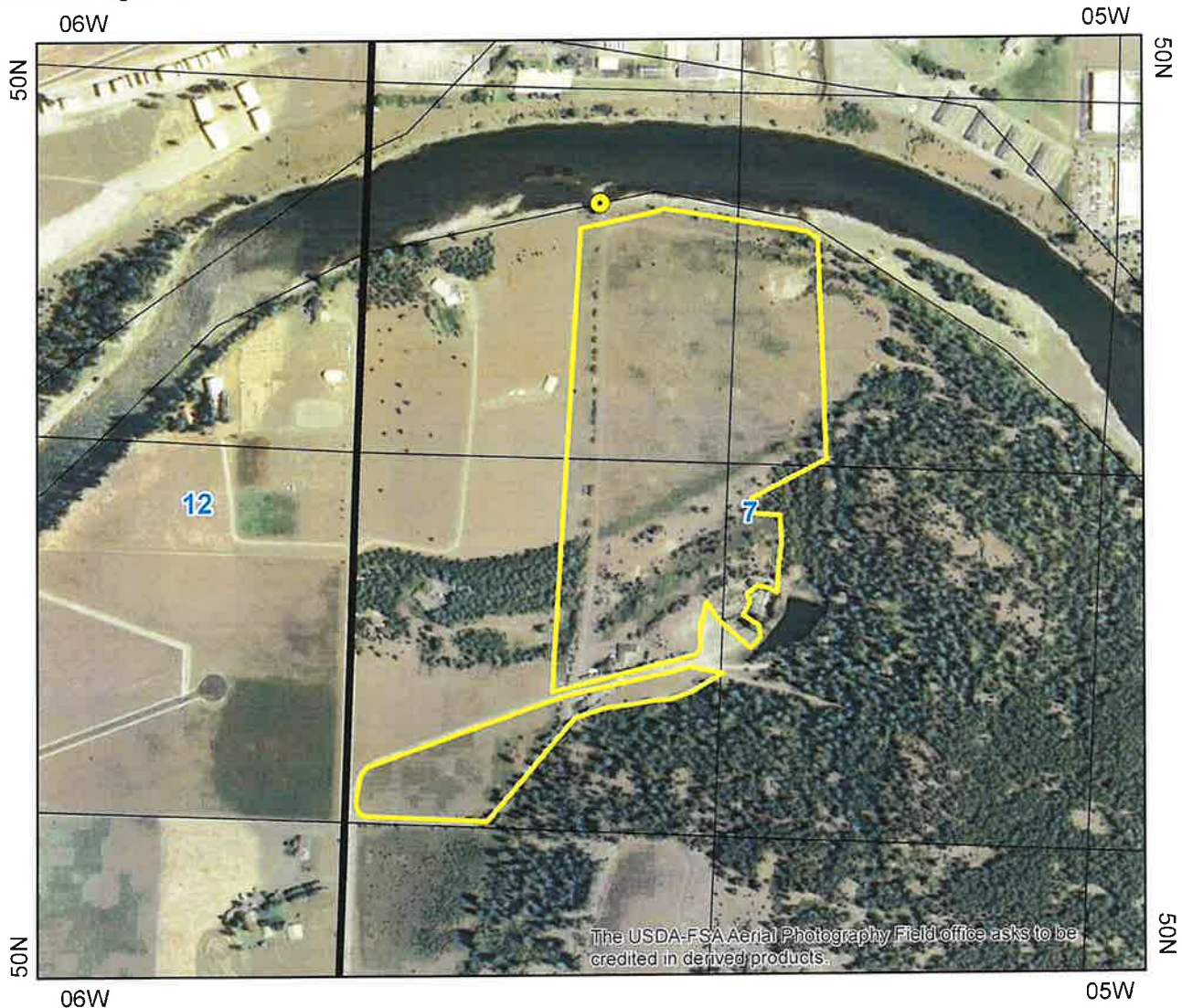
Thence South 70°18'26" West a distance of 65.60 feet to the TRUE POINT OF BEGINNING.

State of Idaho
Department of Water Resources

Adjudication Recommendation 95-15391

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles



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 NUMBER: 49576

Ident. Number 95-15391

Date Received: 11/17/19

Receipt No: N022881

Received By: Kid

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) TP Post Falls LLC Phone (801) 438-3500

Mailing Address 5469 Walker Estates Circle Holladay Utah ZIP 84117
Street or Box City State

2. Date of Priority (Only one (1) per claim) September 10, 1951
Month Day Year (YYYY)

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

4. a. Location of Point of Diversion is: Township 50N, Range 05W, Section 07,
S.W., 1/4 of N.W., 1/4 Govt. Lot _____, BM., County of Kootenai County, Idaho

Parcel (PIN) no. 50N05W074950

Additional points of diversion if any: N/A

If available, GPS Coordinates N/A

b. If instream flow, beginning point of claimed instream flow is:

Township N/A, Range N/A, Section N/A, N/A, 1/4 of N/A, 1/4

Govt. Lot N/A, BM., County of N/A

ending point is: Township N/A, Range N/A, Section N/A, N/A, 1/4 of N/A, 1/4

Govt. Lot N/A, BM., County of N/A

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. The water is diverted by electric pump.

SCANNED

K 117 2009

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from 01/01 to 12/31 amount 1.06 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 1.06 (cfs) and/or (b) (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) N/A

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	05W	07							12	7	5	22							46

Parcel (PIN) no(s) 50N05W074950, 50N05W075000

Total number of acres irrigated 46

10. In which county (ies) are lands listed above as place of use located? Kootenai County, Idaho

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your 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: Claimant claims a portion of that water right, recorded as water right No. 95-2092, which water right is for 1.06 cfs for irrigation purposes of 72.3 irrigated acres, and which water right denotes the places of use, all located in Township 50N, Range 5 West, Section 7, as follows:

Lot 7 - No. Acres Irrigated = 7.0

Lot 8 - No. Acres Irrigated = 25.3

Lot 9 - No. Acres Irrigated = 35.0

NE 1/4 SW 1/4 - No. Acres Irrigated = 5.0

Claimant is the present owner of Parcel Nos. 50N05W074950 & 50N05W075000, both of which were originally owned by Carnegie, the original water right holder, and to which said water right attaches.

Last Name TP Post Falls LLC

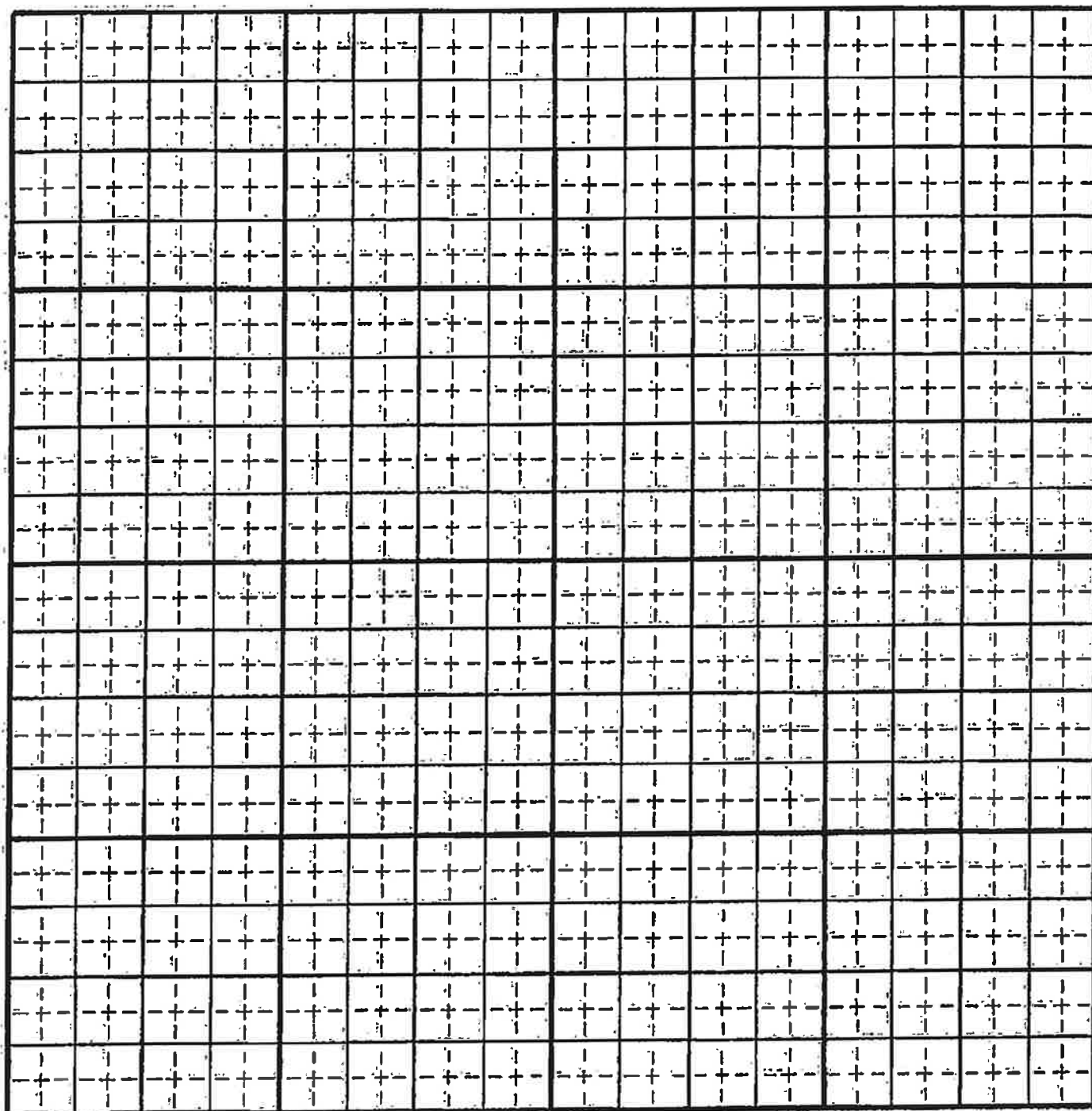
Identification No.

SCANNED

K 17 2009

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile



Last Name TP Post Falls LLC Identification No. _____

SG 1172 J

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 95-2092

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 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: Three (3) 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) [Signature] Date: 11/11/09

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Manager _____ of TP Post Falls LLC

Title _____ Organization _____

that I have signed the foregoing document in the space below as

Manager _____ of TP Post Falls LLC

Title _____ Organization _____

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

Signature of Authorized Agent [Signature] Date 11/11/09

Title and Organization TP Post Falls LLC

16. Notice of Appearance:

Notice is hereby given that I, PAUL R. HARRINGTON / LUKINS & ANNIS, P.S., will be acting as attorney at law of behalf of 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 [Signature] Date 11/17/2009

Address 250 Northwest Blvd., Suite 102

Coeur d'Alene, Idaho 83814

Last Name TP Post Falls LLC Identification No. _____

COPIED

1771



JIM BRANNON 3 P 2774208000
KOOTENAI COUNTY RECORDER
KKR 8/28/2020 4:44 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 Corp. Order No.: 505080

FOR VALUE RECEIVED

TP POST FALLS, LLC, a Utah limited liability company

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

Riverbend LLC, an Idaho Limited Liability Company

whose current address is

17397 W. Laura Ln.
Post Falls, ID 83854

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

See 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: August 28, 2020

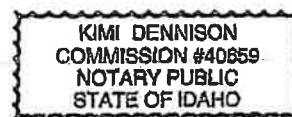
TP POST FALLS, LLC, a Utah limited liability company
By: Gregory R. Haerr, Manager

State of Idaho ss
County of Kootenai

On this 28 day of Aug, 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared Gregory R. Haerr known or identified to me to be the Managing Member in the Limited Liability Company known as TP POST FALLS, LLC, a Utah limited liability company who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

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

Kimi Dennison
Notary Public for the State of Idaho
Residing at: _____
Commission Expires: 9/2/21
Residing at: Rathdrum, ID





WARRANTY DEED

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And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: August 28, 2020

TP POST FALLS, LLC, a Utah limited liability company
By: Gregory R. Haerr, Manager

State of Idaho ss
County of Kootenai

On this 28 day of Aug, 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared Gregory R. Haerr known or identified to me to be the Managing Member in the Limited Liability Company known as TP POST FALLS, LLC, a Utah limited liability company who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

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

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Notary Public for the State of Idaho
Residing at: _____
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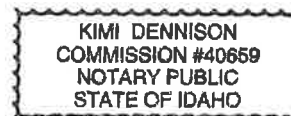


Exhibit 'A'

Parcel 1:

DESCRIPTION of a tract of land being located in portions of Government Lots 7, 8 and 9 and a portion of the Northeast Quarter of the Southwest Quarter of Section 7, Township 50 North, Range 5 West, Boise Meridian, County of Kootenai, State of Idaho, more particularly described as follows:

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Thence North 00°46'00" East a distance of 1318.01 feet along the West line of said Government Lot 10, to the Southwest corner of said Government Lot 9;

Thence South 88°38'03" East a distance of 28.09 feet to the TRUE POINT OF BEGINNING;

Thence North 04°02'10" East a distance of 134.70 feet;

Thence North 27°44'37" East a distance of 67.57 feet;

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Steading, Natalie

From: Steading, Natalie
Sent: Wednesday, June 9, 2021 4:57 PM
To: 'ryangiarusso@gmail.com'
Subject: Notice of Change in Water Right Ownership & Assignment of Permit

Hi Ryan,

We received a Notice in Change for water right 95-15391 and an Assignment of Permit for permit 95-14515. The Assignment we can process as it is into the name of RiverBend Property Management LLC, but the Notice of Change will end up in the name of Riverbend LLC because that is the name listed on the Warranty Deed.

I can hold the Notice for 30 days in case you wanted to get a new warranty deed in the name of RiverBend Property Management LLC to match what will be on the Assignment. If you would like me to process the Notice as it appears on the current deed, just let me know.

Sincerely,

Natalie Steading

Idaho Dept. of Water Resources, Northern
7600 N Mineral Drive, Ste 100
Coeur d'Alene ID 83815
Ph: (208) 762-2800
Fax: (208) 762-2819

RECEIVED

MAY 12 2021

WR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, TP Post Falls LLC, hereby assign to RiverBend Property Management LLC
 of, 17406 W Laura Ln, Post Falls, Idaho 83854; 208-818-8459
 New owner's address including city, state and ZIP Phone

All my right, title, and interest in and to Permit No(s): 95-14515 to
 appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit Number(s):

_____, to appropriate the public waters of the State of Idaho.

Describe in detail the portion of the permit assigned, listing the number of acres in each 40 acre subdivision, point of
 diversion location, and amount of the water in cubic feet per second.

Does the new permit holder own the property at the:

Point of diversion?



Yes



No

Place of use?



Yes



No

If no, describe the arrangement enabling the new owner to access the point of diversion and/or the place of use:

Dated this 7th day of May, 2021.

Permit holder

Title (if applicable)

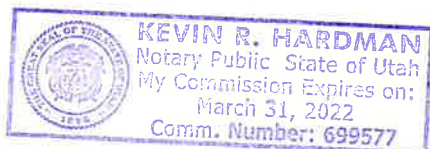
Permit holder

Title (if applicable)

State of ~~Idaho~~ UtahCounty of Salt Lake

On this 7th day of May, 2021, personally appeared before me the signer(s) of the above
 instrument, who duly acknowledged to me that he/she/they executed the same.

SEAL



Notary Public

My commission expires:

3/31/2022



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

October 19, 2021

RIVERBEND PROPERTY MANAGEMENT LLC
17406 W LAURA LN
POST FALLS ID 83854-6768

Re: Change in Ownership for Water Right No(s): 95-15391

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)