

RECEIVED

NOV 21 2019

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?
84-12227	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: Don R. Berry and State of Idaho Dept of Lands
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Nicole D. Cleveland and Broc L. Caal (only change is Berry to Cleveland/IDL stays with new)
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 551 Huckleberry Butte Rd Orofino ID 83544
Mailing address City State ZIP
208-476-3197
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: September 20, 2019
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: Nicole D. Cleveland Title, if applicable: _____ Date: 11/15/2019
Signature: Broc L. Caal Title, if applicable: _____ Date: 11/15/2019

For IDWR Office Use Only:

Received by Ja Date 11-21-19 Receipt No. N035771 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 11-22-19

1 inch = 752 feet



This plat is made solely for the purpose of assisting in locating said land, and the Company assumes no liability for variations if any, in dimensions and location ascertained by actual survey."

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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

This map is for reference purposes only. The County is not responsible for any inaccuracies contained herein.

236523

Instrument # 236523

CLEARWATER COUNTY, OROFINO, IDAHO

9-20-2019 02:40:29 PM No. of Pages: 2

Recorded for: CCLT

CARRIE BIRD

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Carol Huskett
*Return to

WARRANTY DEED

Donald R. Berry, hereinafter called the Grantor, in and for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby GRANT, CONVEY, and WARRANT to Nicole D. Cleveland, an unmarried woman, and Broc L. Caal, an unmarried man, whose address is 551 Huckleberry Butte Rd, Orofino, ID 83544, herein after called Grantee, all right, title and interest in the following described real property:

SITUATE IN THE COUNTY OF CLEARWATER, STATE OF IDAHO, to-wit:

Township 37 North, Range 2 East, Boise Meridian, Clearwater County, Idaho
Section 13: S1/2 SE1/4 SE1/4

SUBJECT TO: Rights of the public in and to that portion of said premises lying within Huckleberry Butte Road.

SUBJECT TO: All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by the record of Survey recorded November 16, 1998, as instrument number 179680, but deleting any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

SUBJECT TO: All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by the record of Survey recorded November 16, 1998, as instrument number 179681, but deleting any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

TO HAVE AND TO HOLD the said premises with their appurtenances, unto the said Grantee and to the Grantee's heirs and assigns forever. The Grantor does hereby covenant to and with the Grantee, that the described real property is free from all encumbrances, except as above described, and that Grantor will warranty and forever defend the title thereto against all lawful claims and demands whatsoever.

WARRANTY DEED

DATED this 20 day of September, 2019.

Donald R Berry
DONALD R. BERRY

STATE OF IDAHO)
) ss.
County of Clearwater)

On this 20th day of September, 2019, before me, the undersigned Notary Public, personally appeared DONALD R. BERRY, known or identified to me to be the person who executed the within instrument and acknowledged to me that he executed the same.

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

(NOTARY SEAL)



Brittany Goetz
NOTARY PUBLIC FOR IDAHO
Commission expires: 8/01/23

WARRANTY DEED

CLEARWATER AREA
10230 HWY 12
Orofino ID 83544
Phone (208) 476-4587
Fax (208) 476-7175



DUSTIN T. MILLER, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS
Brad Little, Governor
Lawrence E. Denney, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon D Woolf, State Controller
Sherri Ybarra, Sup't of Public Instruction

November 19, 2019

RECEIVED

NOV 21 2019

IDWR / NORTH

State of Idaho, Department of Water Resources
Northern Region
Attn: Natalie Steading
7600 N. Mineral Drive, Ste. 100
Coeur d'Alene, Id 83815

Re: Notice of Change of Right of Ownership, Permit No. 84-12227
Don R. Berry and State of Idaho Department of Lands

Dear Natalie:

On October 28 2013, the Department of Water Resources issued a Permit Approval Notice to Don R. Berry and the State of Idaho Department of Lands in recognition of a new water right. The water right permit originated in May 2005 with Don Berry and was amended in 2013 to include the co-applicant, Idaho Department of Lands, in connection with State Term Easement No. 6467.

On September 20, 2019 Don Berry sold his property to Broc Caal and Nicole Cleveland. The new owners have 120 days to report the change of ownership and request a water rights transfer. It is our intention to include the necessary documents in this package to complete the transfer, including: 1) a signed Notice of Change of Ownership form, 2) a copy of the Warranty Deed of the new ownership, 3) a plat or survey map of the ownership, and 4) a \$25.00 filing fee. We recommend that Idaho Department of Water Resources grant the transfer of water rights to the new owners, Mr. Caal and Ms. Cleveland, with Idaho Department of Lands remaining on the permit. This also fulfills the obligations of the state term easement.

If you have any questions, please contact me at (208) 476-4587.

Sincerely,

Jay L. Sila
Clearwater Area Manager

Enclosures

CC: Bridgett Cafferty, Resource Specialist, Sr.



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

November 22, 2019

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720-0050

NICOLE D CLEVELAND
BROC L CAAL
551 HUCKLEBERRY BUTTE RD
OROFINO ID 83544-5083

Re: Change in Ownership for Water Right No(s): 84-12227

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) 762-2800.

Sincerely,

Natalie Steading
Tech Records Specialist 1

Enclosure(s)