

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 04 2016

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MAY 02 2016

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
LIC 97-7004 <i>α</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
77-7543-LIC 97-7061	Yes ☒	Yes ☐		Yes ☐	Yes ☐
LIC 97-2017 <i>α</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Paul & Marie Jayo
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kalispel Tribe of Indians
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 39 Usk WA 99180
Mailing address City State ZIP
(509) 447-1147 n/a
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: May 2, 2007
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):
 - ☐ \$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 #

97-2017

8. Signature: Glen Nenema Glen Nenema, Kalispel Tribe Chair 4-21-16
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by db Date 5/2/16 Receipt No. N0318741 Receipt Amt. 75.00

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 [Signature] Date 3-15-17

FILED AT THE REQUEST OF:
Sandpoint Title Insurance, Inc.
120 S. Second Avenue
Sandpoint, ID 83864
208-263-2222
Order No. 48968-LW

SANDPOINT TITLE INSURANCE
FILED BY

2001 MAY -2 A 11: 22

MALE SCOTT
BONNER COUNTY RECORDER

LA DEPUTY

728002

48968 NA

TRUSTEE'S SPECIAL DEED

RECEIVED
MAY 02 2016
IDWR / NORTH

THE GRANTOR, ANTHONY E. GRABICKI, Trustee of the Bankrupt Estate of Gladys Marie Jayo, Debtor, United States Bankruptcy Court for the District of Idaho, Case No. 06-20051, pursuant to an Order of said Bankruptcy Court authorizing the sale of the premises, grants, bargains, sells and conveys to the Kalispel Tribe of Indians, hereinafter referred to as Grantee, whose current address is P.O. Box 39, Usk, Washington 99180, the following described real estate situated in Bonner County, Idaho:

See attached Exhibit "A".

Upon the determination by the Bonneville Power Administration (BPA) that this real property is not being managed for wildlife, as described in the February, 1999 Northern Idaho Wildlife Agreement with the Kalispel Indian Community of the Kalispel Reservation on file with the BPA Manager, Real Property Services, then this property shall vest in BPA in fee simple absolute.

The Grantor, for himself and his successors and assigns, does by these presents expressly limit the covenants of this deed to those therein expressed, and exclude all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under said Grantor, and not otherwise, he will forever warrant and defend the described real estate. Warranties, if any, herein given are given in the representative capacity of the Grantor, as Trustee for the Bankrupt Estate of Gladys Marie Jayo, and not in his individual capacity. Warranties, if any contained herein, and any recourse arising against the Grantor is expressly limited to, and will not exceed, the amount of title insurance coverage available to the Grantee provided by title insurance policy issued by Sandpoint Title Insurance, Inc. under Commitment No. 48968-LW dated October 30, 2006.

IN WITNESS WHEREOF, the said Trustee has caused this instrument to be executed
this 2nd day of May, 2007.

GRANTOR-TRUSTEE

By *Anthony E. Grabicki*
ANTHONY E. GRABICKI
Trustee of the Bankrupt Estate of
Gladys Marie Jayo

STATE OF WASHINGTON)
: ss.
County of Spokane)

On this day personally appeared before me ANTHONY E. GRABICKI, Trustee for the Bankrupt Estate of Gladys Marie Jayo, to me known to be the individual who executed the within and foregoing instrument as Trustee, and not in his individual capacity, and acknowledged to me that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

DATED this 30th day of April, 2007.



Brenda K Gulliford
NOTARY PUBLIC in and for the State
of Washington, Residing at Spokane
My Commission Expires: 5/17/2010

PARCEL 1

The East 250 feet of that portion of the Northeast quarter of Section 21, Township 59 North, Range 5 West, Boise Meridian, Bonner County, Idaho lying North of the existing County Road.

Less the county road right of way therein.

PARCEL 2

The Northeast quarter, the North half of the Southeast quarter and the North half of the Southwest quarter of Section 21, in Township 59 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

Less the county road right of way therein;

EXCEPTING THEREFROM the East 250 feet of the that portion of the Northeast quarter of Section 21, Township 59 North, Range 5 West, Boise Meridian, Bonner County, Idaho lying North of the existing County Road.

PARCEL 3

The East half of the Southeast quarter of the Southeast quarter and the East half of the West half of the Southeast quarter of the Southeast quarter all in Section 21, in Township 59 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

PARCEL 4

The South half of the Northeast quarter of the Southeast quarter of the Northwest quarter; the North half of the Southeast quarter of the Southeast quarter of the Northwest quarter; the South half of the South half of the Southeast quarter of the Northwest quarter; the Northwest quarter of the Northeast quarter of the Southwest quarter; the Northwest quarter of the Northeast quarter of the Southwest quarter; the West half of the Southwest quarter of the Northeast quarter of the Southwest quarter; the Northwest quarter of the Southwest quarter; the North half of the Southwest quarter of the Southwest quarter; the Southwest quarter of the Southwest quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of the Southwest quarter of the Southwest quarter; The Southwest quarter of the Southwest quarter of the Southwest quarter of the Northwest quarter; the Northeast quarter of the Southwest quarter of the Southeast quarter of the Northwest quarter; the Northeast quarter of the Southeast quarter of the Southwest quarter of the Southwest quarter, all in Section 22, in Township 59 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

PARCEL 5

The Northwest quarter of the Northwest quarter of the Northwest quarter of the Northwest quarter and the Southwest quarter of the Northwest quarter of the Northwest quarter of the Northwest quarter in Section 27, in Township 59 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

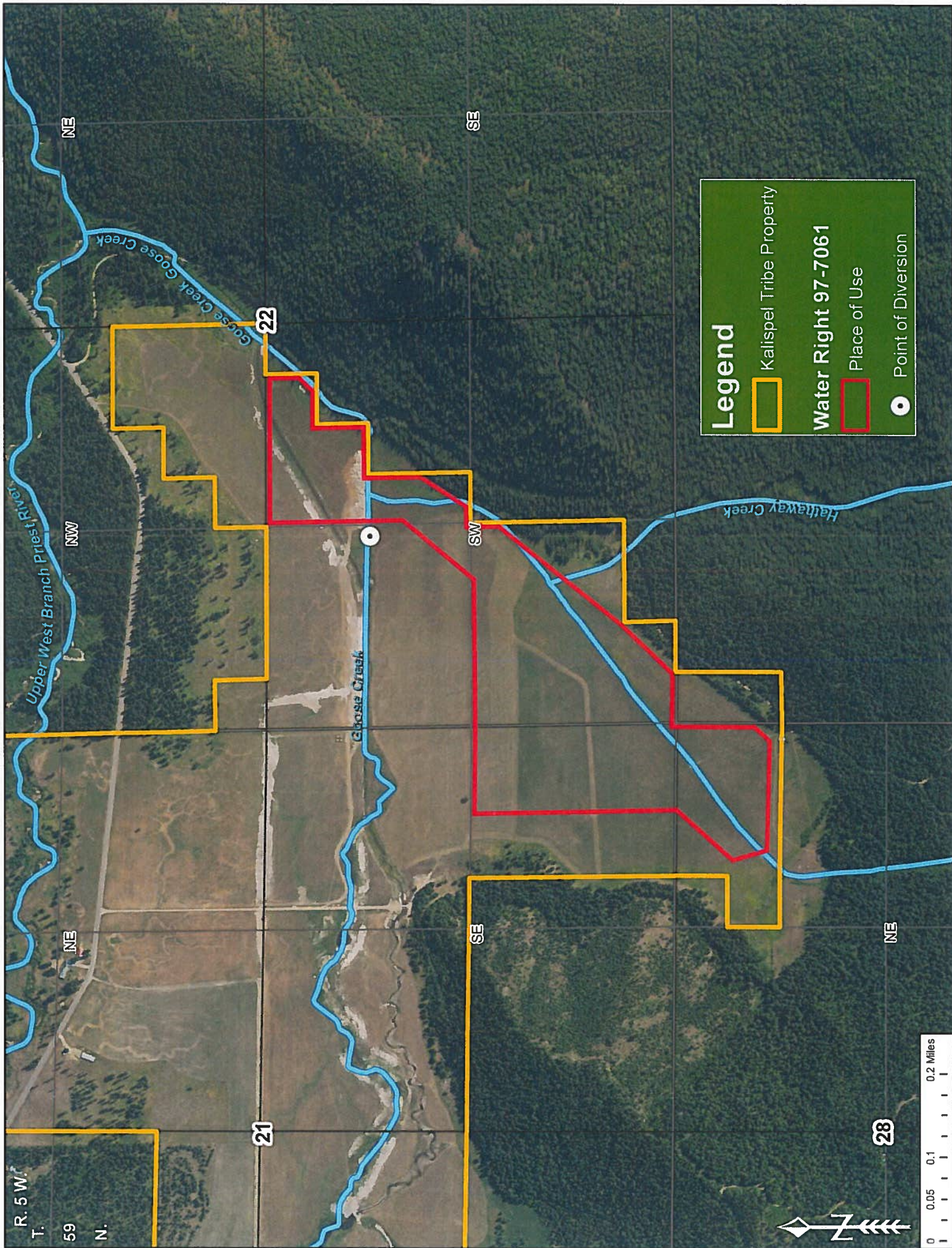
PARCEL 6

The Northeast quarter of the Northeast quarter of the Northeast quarter; the East half of the Northwest quarter of the Northeast quarter of the Northeast quarter; the Southwest quarter of the Northwest quarter of the Northeast quarter of the Northeast quarter all in Section 28, in Township 59 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

PARCEL 7

The Southeast quarter of the Northeast quarter of the Northwest quarter of the Northwest quarter; the East half of the Southeast quarter of the Northwest quarter of the Northwest quarter; the East half of the East half of the Southwest quarter of the Northwest quarter; the Southwest quarter of the Northeast quarter of the Northwest quarter; the Northwest quarter of the Southeast quarter of the Northwest quarter; the West half of the Southwest quarter of the Southeast quarter of the Northwest quarter; the Southeast quarter of the Northeast quarter of the Northwest quarter; the Northwest quarter of the Northeast quarter of the Southeast quarter of the Northwest quarter; the Northwest quarter of the Northeast quarter; the West half of the Northeast quarter of the Northeast quarter; the West half of the West half of the Southeast quarter of the Northeast quarter.

the West half of the Northeast quarter of the Northeast quarter of the Northeast quarter, all in Section 29, Township 59 North,
Range 5 West, Boise Meridian, Bonner County, Idaho.



R. 5 W.

T.

59

N.

NW

NE

NW

20

21

SW

SE

SW

SE

NW

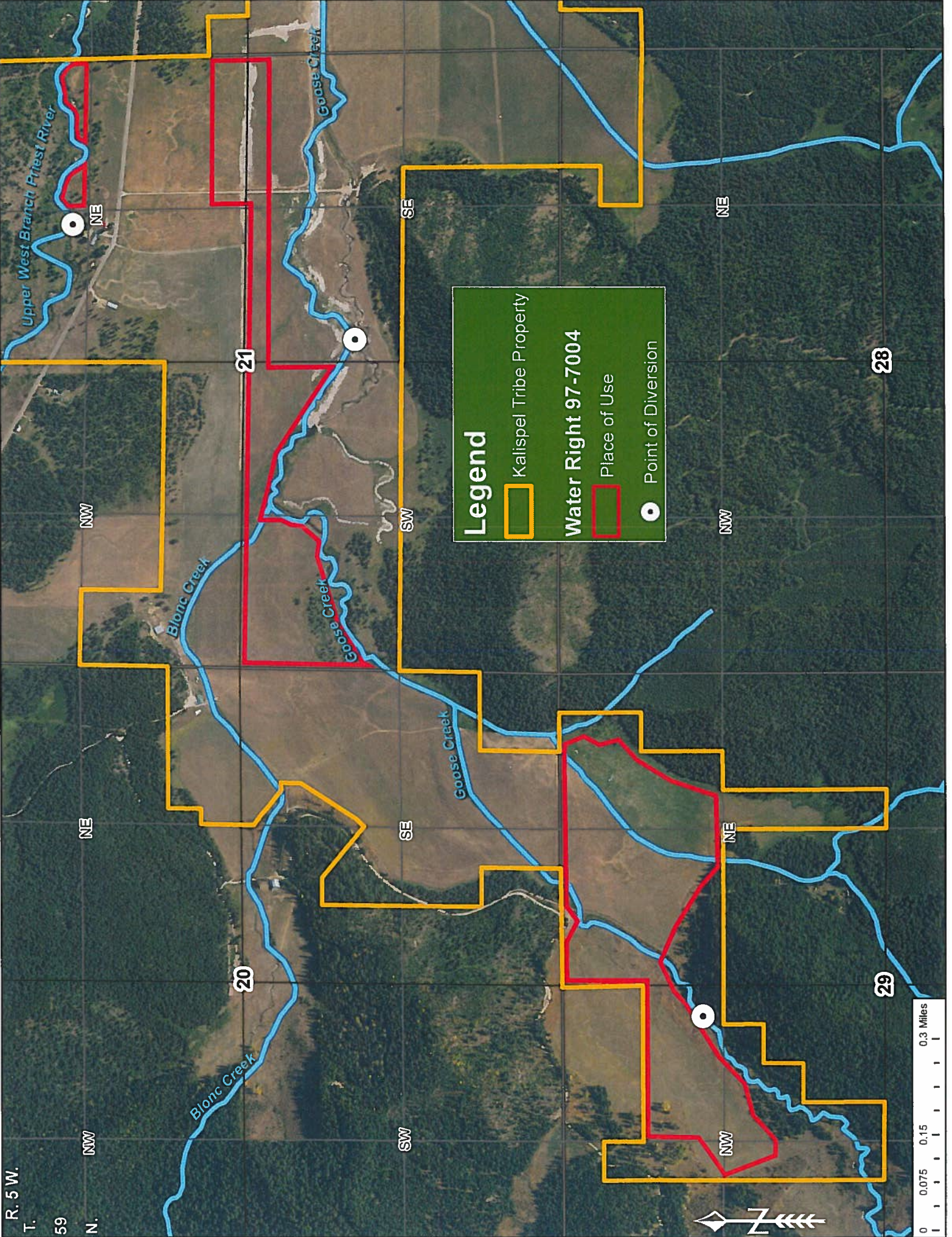
NE

NW

NE

29

28



Legend

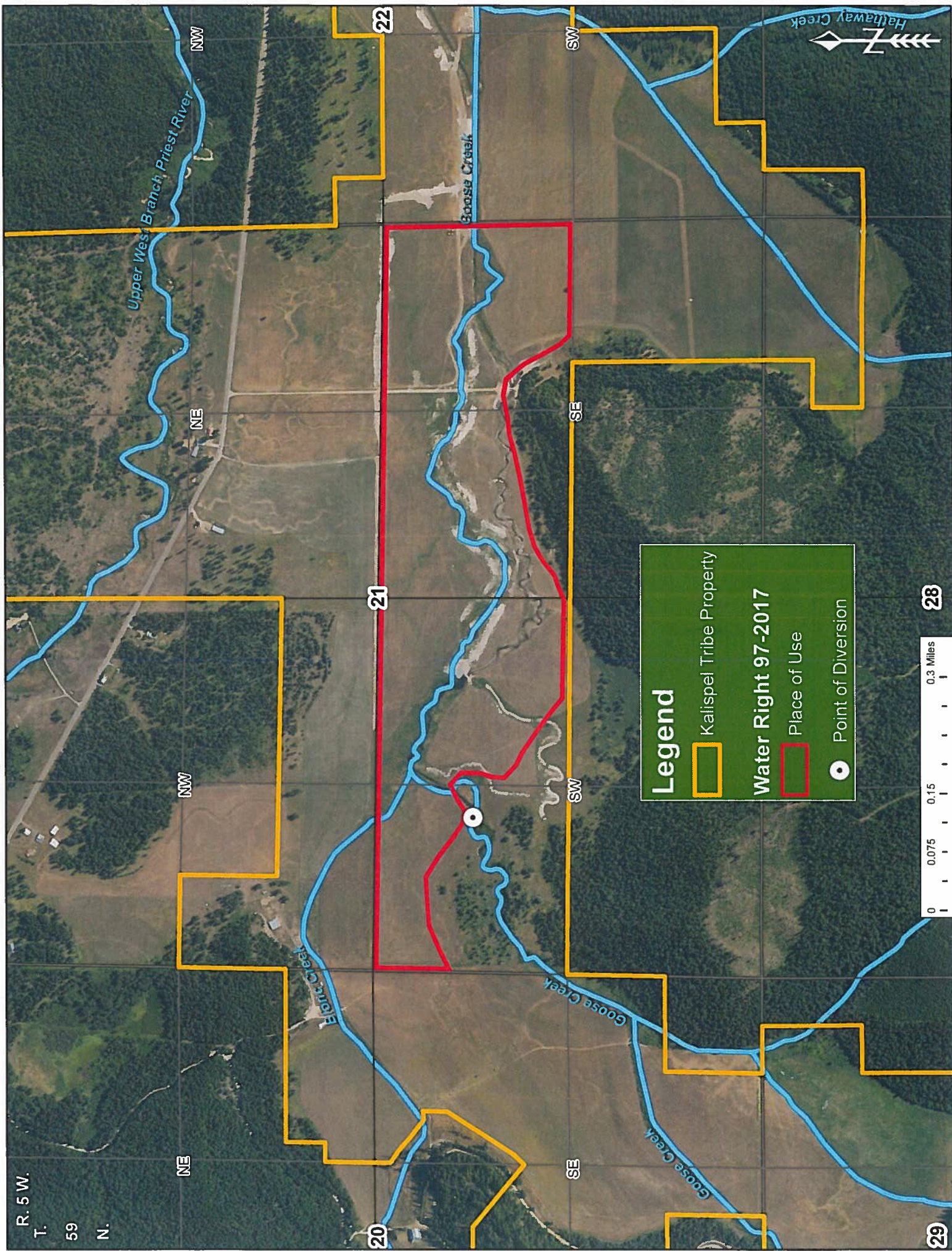
 Kalispel Tribe Property

Water Right 97-7004

 Place of Use

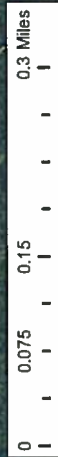
 Point of Diversion

0 0.075 0.15 0.3 Miles



Legend

- Kalispel Tribe Property
- Water Right 97-2017**
- Place of Use
- Point of Diversion





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

March 15, 2017

KALISPEL TRIBE OF INDIANS
PO BOX 39
USK WA 99180

Re: Change in Water Right Ownership: 97-4011 (Split into 97-4011 and 97-7541) and 97-4012 (Split into 97-4012 and 97-7544), 97-7061 (Split into 97-7061 and 97-7543), 97-2017 and 97-7044

Dear Water Right Holder(s):

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

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

March 15, 2017

PAUL JAYO
MARIE JAYO
3867 SQUAW VALLEY RD
PRIEST RIVER ID 83856-9669

Re: Change in Water Right Ownership: 97-7061 (Split into 97-7061 and 97-7543)

Dear Water Right Holder(s):

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

Hersley, Jean

From: Zach Welcker <ZWelcker@kalispeltribe.com>
Sent: Tuesday, February 28, 2017 5:04 PM
To: Hersley, Jean
Subject: Water Rights 97-4012 and 97-7061
Attachments: Delbert W Jepson MOA Regarding the Division of Water Right 97-4012 dated....pdf

Hi Jean,

I've attached the documentation you requested concerning the splitting of water right 97-4012. We will also be mailing you a check for \$75 later this week for the cost of splitting water right 97-7061.

Please confirm receipt of this email and let me know if you need any more information.

Thanks for your help and patience,

Zach

Zach Welcker
Senior Policy Analyst
Kalispel Tribe of Indians
(509) 447-7448 (office)
(509) 671-5633 (cell)





State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

September 29, 2016

KALISPEL TRIBE OF INDIANS
ATTN: GLEN NENEMA
PO BOX 39
USK WA 99180

RE: Notice of Change in Water Right Ownership No(s). 97-4011, 97-4012, 97-7004, 97-7061 and 97-2017

Dear Property Owner(s):

The Department of Water Resources received a Notice of Change in Water Right Ownership from you on May 2, 2016. During the review, it was discovered that additional information was needed to complete this request.

According to the warranty deed you provided, water right 97-7061 will need to be split. There are 18 acres located in Township 59N, Range 05W, Section 22, NESE that do not belong to the Kalispel Tribe of Indians. An additional fee of **\$75** will be required to split this water right. I have enclosed a water right report and map for your benefit.

In regards to water the splitting of water right 97-4012, the Department needs more information on how this is to be divided. Water right 97-4012 is a right for irrigation and stockwater with the diversion rate limited to the irrigation rate. It appears, according to the map you provided, Kalispel Tribe of Indians will get the irrigation portion of this right. However, since the stockwater rate is included in the irrigation rate, it is not clear on how we should proceed. Enclosed is a water right report for your benefit.

Please send the additional information to the address above, fax it to (208) 287-6700 or email to jean.hersley@idwr.idaho.gov. The fee for the dividing of water right 97-7061 will need to be mailed to the address above.

The Department cannot process the ownership change without proper information, 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 the ownership change. Thank you for your patience.

Please feel free to contact me at (208) 287-4942 if you have any questions regarding this matter.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure