

RECEIVED

OCT 19 2015

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

OCT 13 2015

IDWR/NORTHERN

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?
98-100 98-7964	Yes ☒	Yes ☐		Yes ☐	Yes ☐
98-2034 98-7967	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John Stone Hagg George Koppang
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Clifty View Nursery Inc
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 312 Clifty View Rd Conners Ferry Id 83805
Mailing address City State ZIP
- 208-267-7129 strees@cliftyview.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: Jan 15 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 # 98-100

8. Signature: Ernie E. Benfield President Oct 9, 2015
Signature of new owner/claimant Title, if applicable Date
- Signature: Dana M. Benfield Secretary Oct 9, 2015
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by LM Date 10-09-2015 Receipt No. N03157 Receipt Amt. \$200.00

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 _____ Date 3-24-11



After Recording Return To:
Boundary Abstract Company, Ltd.
6430 Kootenai Street
PO Box 749
Bonners Ferry, ID 83805

265212

STATE OF IDAHO } ss.
County of Boundary }
Filed by: Boundary Abstract
on 10-6-15 at 11:49
Glenda Poston
County Recorder C. Granger
By Deputy Chg
Fee \$ 13.00
Mail to BA

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That GARY L. ADAIR, TRUSTEE OF THE GARY L. ADAIR REVOCABLE TRUST DATED, NOVEMBER 11, 2011, herein called the grantor whether one or more, in consideration of One dollar (\$1.00) and other valuable consideration received from grantee, do hereby grant, bargain, sell, convey and confirm unto LON E. MERRIFIELD and DONNA MERRIFIELD, husband and wife as community property with rights of survivorship, whose address is 312 CLIFTY VIEW ROAD, BONNERS FERRY, ID 83805, herein called the grantee whether one or more, the following described real property:

SEE EXHIBIT A ATTACHED HERETO

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

And grantor for itself and its successors does hereby covenant with the grantee and with grantee's heirs and assigns that grantor is lawfully seized of said premises; that they are free from encumbrances except covenants, easements and restrictions of record; all regular taxes and special assessments, except those levied or assessed subsequent to date hereof.

That grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whosoever.

Dated this 6th day of October, 2015.

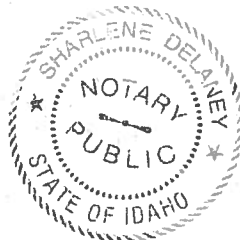
THE GARY L. ADAIR REVOCABLE TRUST
DATED, NOVEMBER 11, 2011

Gary L. Adair Trustee
GARY L. ADAIR, TRUSTEE

STATE OF IDAHO)
) ss.
County of Boundary)

On this 6th day of October, 2015, before me, the undersigned Notary Public, personally appeared GARY L. ADAIR known to me to be the Trustee of The Gary L. Adair Revocable Trust dated November 11, 2011, and known or identified to me to be the person whose name is subscribed to the within instrument for and on behalf of said trust and acknowledged to me that said trust executed the same.

Sharlene Delaney
Notary Public for Idaho
Residing at Bonners Ferry
Commission Expires: 10/07/2018



265212

EXHIBIT "A"
LEGAL DESCRIPTION

The West Half of the Northeast Quarter (W ½ NE ¼) of Section Eighteen (18), Township Sixty-one (61) North, Range Two (2) East, Boise Meridian, Boundary County, Idaho.

TOGETHER WITH all domestic and irrigation water rights (98100-982034).

LESS the following described property:

A portion of land located in the West Half of the Northeast Quarter (W ½ NE ¼) of said Section Eighteen (18), more particularly described as follows:

Commencing at the common corner of Sections Seven (7), Eight (8), Seventeen (17) and Eighteen (18), Township Sixty-one (61) North, Range Two (2) East; thence in a Westerly direction in the center of the County Road for a distance of 1302.00 feet to the POINT OF BEGINNING; thence in a Southerly direction on existing fence line for a distance of 1320.00 feet; thence 99.00 feet in a Westerly direction; thence 1320.00 feet in a Northerly direction to the center of the County Road; thence 99.00 feet in an Easterly direction to the POINT OF BEGINNING.

ALSO LESS:

A portion of land commencing at the common corner of Sections Seven (7), Eight (8), Seventeen (17) and Eighteen (18), Township Sixty-one (61) North, Range Two (2) East; thence in a Westerly direction in the center of the County Road a distance of 1401.00 feet to the POINT OF BEGINNING; thence Southerly 838.00 feet to a point; thence Westerly 528.00 feet to a point; thence Northerly 838.00 feet to a point; thence Easterly 536.00 feet to the POINT OF BEGINNING.

ALSO LESS:

Any portion lying within the County Road right of way.

230388
WARRANTY DEED

STATE OF IDAHO } ss.
County of Boundary }
Filed by: Boundary Abstract
on 1-16-07 at 4:20
Glenda Poston
County Recorder C. Petersen
By Deputy
Fee \$ 6.00 chg
Mail to 34

IN CONSIDERATION of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged by grantor, **STEVE M. KOPPANG, an unmarried person**, grantor, does hereby bargain, sell and convey unto **CLIFTY VIEW NURSERY, INC., an Idaho Corporation**, whose address is, Route 1, Box 509, Bonners Ferry, ID 83805, the following described property:

SEE ATTACHED EXHIBIT A - LEGAL DESCRIPTION

TO HAVE AND TO HOLD the said premises with their appurtenances unto the grantee, its heirs and assigns forever. And the grantor does hereby covenant to and with the said grantee that it is the owner in fee simple of said premises and that they are free from all encumbrances, and that it will warrant and defend the same from all lawful claims whatsoever.

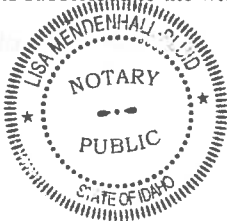
The single number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

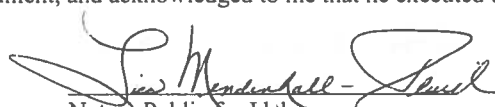
DATED this 15th day of January, 2007.


STEVE M. KOPPANG

STATE OF IDAHO)
) ss.
County of Boundary)

On this 15th day of January, 2007, before me, the undersigned Notary Public, personally appeared **STEVE M. KOPPANG**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.




Notary Public for Idaho
Residing at Bonners Ferry
Com. Expires: 10/07/09 1/29/10
LM

230388

EXHIBIT A - LEGAL DESCRIPTION

A tract of land situated in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Eighteen (18), Township Sixty-one (61) North, Range Two (2) East of the Boise Meridian, Boundary County, Idaho being a portion of that parcel described in Instrument No. 175222; more particularly described as follows:

Commencing at a point on the north line of the Northeast Quarter (NE1/4) of Section 18 which is S 89°16'02" E, 892.52 feet from the northwest corner of said NE1/4; thence, leaving said north line S 01°30'53" W, 10.79 feet to the intersection with the southerly right of way of County Road No. 23 and the TRUE POINT OF BEGINNING; thence, leaving said right of way S 01°30'53" W, 448.92 feet; thence S 84°40'00" E, 7.50 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, continuing S 84°40'00" E, 38.58 feet to a fence corner; thence, along a fence line as it was found to exist November 27, 2006, S 00°35'42" W, 219.80 feet to a cross fence; thence, leaving said fence line but continuing S 00°35'42" W, 154.83 feet to the intersection with the south line of that parcel described in Instrument No. 175222, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along said south line S 89°16'02" E, 236.52 feet to the southeast corner of that parcel described in Instrument No. 175222, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along the east line of that parcel described in Instrument No. 175222, N 01°09'11" E, 825.36 feet to the intersection with the southerly right of way of County Road No. 23, which is marked on the ground by a fence post at the northerly terminus of a fence line as it was found to exist November 27, 2006; thence, along said right of way N 88°53'29" W, 278.28 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, continuing along said right of way N 88°53'29" W, 5.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO an easement for ingress and egress in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Eighteen (18), Township Sixty-one (61) North, Range Two (2) East of the Boise Meridian, Boundary County, Idaho, more particularly described as follows:

Commencing at a point on the north line of the Northeast Quarter (NE1/4) of Section 18 which is S 89°16'02" E, 892.52 feet from the northwest corner of said NE1/4; thence, leaving said north line S 01°30'53" W, 10.79 feet to the intersection with the southerly right of way of County Road No. 23 and the TRUE POINT OF BEGINNING; thence, leaving said right of way S 01°30'53" W, 448.92 feet; thence S 84°40'00" E, 7.50 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence N 01°11'54" E, 449.46 feet to the intersection with the southerly right of way of County Road No. 23, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along said right of way N 88°53'29" W, 5.00 feet to the TRUE POINT OF BEGINNING.

PROPERTY DESCRIPTION – KOPPANG TO CLIFTY VIEW NURSERY, INC.

A tract of land situated in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Eighteen (18), Township Sixty-one (61) North, Range Two (2) East of the Boise Meridian, Boundary County, Idaho being a portion of that parcel described in Instrument No. 175222; more particularly described as follows:

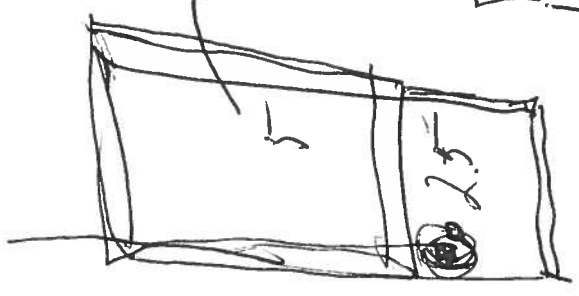
Commencing at a point on the north line of the Northeast Quarter (NE1/4) of Section 18 which is S 89°16'02" E, 892.52 feet from the northwest corner of said NE1/4; thence, leaving said north line S 01°30'53" W, 10.79 feet to the intersection with the southerly right of way of County Road No. 23 and the TRUE POINT OF BEGINNING; thence, leaving said right of way S 01°30'53" W, 448.92 feet; thence S 84°40'00" E, 7.50 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, continuing S 84°40'00" E, 38.58 feet to a fence corner; thence, along a fence line as it was found to exist November 27, 2006, S 00°35'42" W, 219.80 feet to a cross fence; thence, leaving said fence line but continuing S 00°35'42" W, 154.83 feet to the intersection with the south line of that parcel described in Instrument No. 175222, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along said south line S 89°16'02" E, 236.52 feet to the southeast corner of that parcel described in Instrument No. 175222, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along the east line of that parcel described in Instrument No. 175222, N 01°09'11" E, 825.36 feet to the intersection with the southerly right of way of County Road No. 23, which is marked on the ground by a fence post at the northerly terminus of a fence line as it was found to exist November 27, 2006; thence, along said right of way N 88°53'29" W, 278.28 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, continuing along said right of way N 88°53'29" W, 5.00 feet to the TRUE POINT OF BEGINNING, encompassing an area of 5.00 acres.

SUBJECT TO an easement for ingress and egress in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Eighteen (18), Township Sixty-one (61) North, Range Two (2) East of the Boise Meridian, Boundary County, Idaho, more particularly described as follows:

Commencing at a point on the north line of the Northeast Quarter (NE1/4) of Section 18 which is S 89°16'02" E, 892.52 feet from the northwest corner of said NE1/4; thence, leaving said north line S 01°30'53" W, 10.79 feet to the intersection with the southerly right of way of County Road No. 23 and the TRUE POINT OF BEGINNING; thence, leaving said right of way S 01°30'53" W, 448.92 feet; thence S 84°40'00" E, 7.50 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence N 01°11'54" E, 449.46 feet to the intersection with the southerly right of way of County Road No. 23, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877;

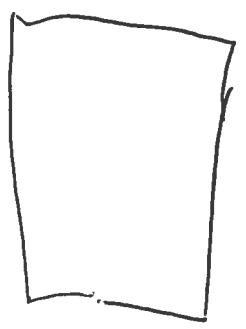
$\frac{A}{0}$

$$\begin{array}{r} 9.92 \\ 508 \\ 500 \\ \hline 20 \end{array}$$

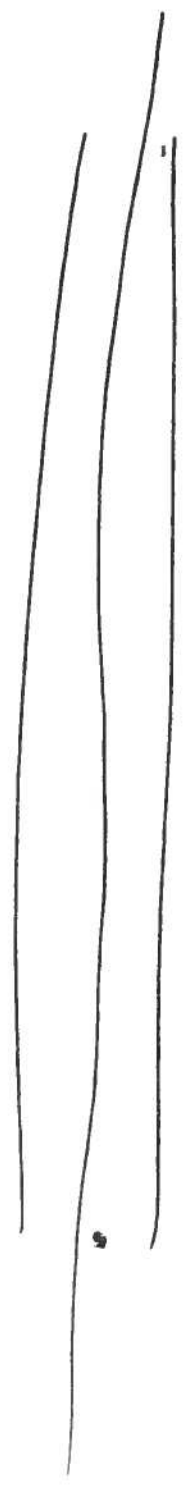
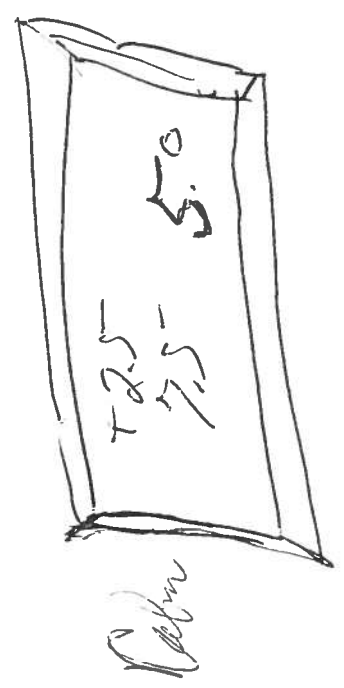


$$\begin{array}{r} 55 \\ 45 \\ 55 \\ 45 \end{array}$$

$$\begin{array}{r} 100 \\ 300 \end{array}$$



$$\frac{A}{0}$$





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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 28, 2016

STEVE M KOPPANG
6048 KOOTENAI TRAIL RD
BONNERS FERRY ID 83805

LON MERRIFIELD
DONNA MERRIFIELD
CLIFTY VIEW NURSERY, INC.
312 CLIFTY VIEW RD
BONNERS FERRY ID 83805

RE: Notice of Change in Water Right Ownership

Dear Water Right Holders:

The Department of Water Resources is in receipt of 3 notice of change in water right ownership for water right nos. 98-100 and 98-2034. Each water right has been divided between the new owners with a small portion left behind in the original owner's name. I've enclosed copies of the water right reports for each water right.

The water rights were divided into 4 parts as follows:

Water Right No.	Water Right Holders	Diversion Rate	Acres
98-7963	Steve M. Koppang	0.06 CFS	3.2
98-7964	Clifty View Nursery, Inc.	0.08 CFS	4.2
98-7965	Lon & Donna Merrifield	0.30 CFS	15.0
98-100 (remainder)	George & Rita Koppang	0.03 CFS	1.6

Water Right No.	Water Right Holders	Diversion Rate	Acres
98-7966	Steve M. Koppang	0.04 CFS	2.1
98-7967	Clifty View Nursery, Inc.	0.06 CFS	2.8
98-7968	Lon & Donna Merrifield	0.20 CFS*	10.0
98-2034 (remainder)	George & Rita Koppang	0.02 CFS	1.1

* Water Right 98-7968 was also given the domestic use portion of the water right with the total max diversion rate of 0.20 CFS.

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.

Each water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Emalee Rushing". The signature is written in a cursive, flowing style.

Emalee Rushing
Administrative Assistant