

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

JUN 02 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
36-10290	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-10291	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Michael E. Musser
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Michael E. Musser and Judy S. Musser, Trustees of the Michael & Judy Musser Family Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 934 E 5204 N Hagerman ID 83332
Mailing address City State Zip
208-969-0066 mshadyg6@aol.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: 08/12/2020
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
o 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):
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.

SUPPORT DATA

IN FILE # 36-10290

8. Signature: Judy S. Musser Trustee 05-25-2022
Signature of new owner/claimant Title, if applicable Date
Judy S. Musser
Print name
- Signature: Michael E. Musser Trustee 05-25-2022
Signature of new owner/claimant Title, if applicable Date
Michael E. Musser
Print name

Received by SG Date 6/2/22 For IDWR Office Use Only: Receipt No. 5039272 Receipt Amt. \$50.00
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 DM Date 7-8-2022

Recording requested by:
Echelon Law, PLLC
1146 Eastland Drive North
Twin Falls, ID 83301
service@echelonlawpllc.com

THIS INSTRUMENT FILED FOR
RECORD BY FIRST AMERICAN TITLE
CO. AS AN ACCOMMODATION ONLY. IT
HAS NOT BEEN EXAMINED AS TO ITS
EXECUTION OR AS TO ITS EFFECT
UPON THE TITLE.

Instrument # 277789
GOODING COUNTY, GOODING, IDAHO
05-24-2022 09:39:43 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - TWIN FALLS
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

Above for Recorder's Office Only

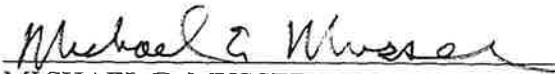
QUITCLAIM DEED

MICHAEL E. MUSSER, a married man as his sole and separate property, hereinafter "Grantor," does release and forever quitclaim unto MICHAEL E. MUSSER and JUDY S. MUSSER, as Trustees of THE MICHAEL & JUDY MUSSER FAMILY TRUST, created March 22, 2001, whose address is 934 E 5204 N, Hagerman, Idaho 83332, hereinafter "Grantee," and to its heirs and assigns, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property situated in Gooding County, State of Idaho, to-wit:

See Attached **Exhibit A**
Including Water Right No(s). 36-10290 and 36-10291

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto Grantee, and to his heirs and assigns forever. This conveyance includes any after acquired rights to the herein described property that may be acquired by the Grantor after the date hereof.

WITNESS the hand of said Grantor this 20th day of May 2022.


MICHAEL E. MUSSER

STATE OF IDAHO)
) ss.
County of Twin Falls)

This record was acknowledged before me on May 20, 2022, by MICHAEL E. MUSSER.



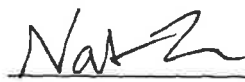

Notary Public for State of Idaho
Residing at Twin Falls, ID

EXHIBIT "A"

TOWNSHIP 7 SOUTH OF RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 31: Part of Lot 4, and part of the Southeast 1/4 of the Southwest 1/4, being more particularly described as follows:

Commencing at a found 5/8-inch steel rod marking the Southeast corner of said Southeast 1/4 of the Southwest 1/4;

Thence along the Southerly boundary of said Southeast 1/4 of the Southwest 1/4, North 89 Degrees 23 Minutes 20 Seconds West, a distance of 373.96 feet to the POINT OF BEGINNING of this land description, from which point a set 5/8-inch rebar with a plastic cap Imprinted "PLS 9858" bears North 61 Degrees 03 Minutes 19 Seconds West at a distance of 52.6 feet;

Thence continuing along said Southerly boundary, North 89 Degrees 23 Minutes 20 Seconds West, a distance of 944.30 feet to a found concrete pillar with a brass cap stamped "PLS 1000" marking the Southeast corner of Lot 4 in said Section 31, being also the Southeast corner of Hunters Point Estates as shown on a Plat filed in the Gooding County Recorder's Office on December 18, 1979 as Instrument Number 80356;

Thence along the Southerly boundary of said Lot 4, and along the Southerly boundary of said survey, North 89 Degrees 18 Minutes 13 Seconds West, a distance of 491.60 feet (*S89°45'57"E, 493.49', Record*) to the point of intersection with the Southwesterly boundary of a tract of land identified as Block 2 Lot 15 on said survey, said point being the beginning of a curve concave to the South, having a radius of 378.03 feet (*948.67', Record*), a central angle of 2 Degrees 29 Minutes 18 Seconds (*00°52'32", Record*), and being subtended by a chord which bears North 75 Degrees 14 Minutes 46 Seconds West 16.42 feet (*N63°15'38"W, 14.50', Record*), and from which point a found 1/2-inch steel pin bears North 74 Degrees 09 Minutes West at a distance of 1.9 feet;

Thence Westerly along said curve to the left, and along the Southwesterly boundary of said Lot 15, a distance of 16.42 feet (*14.50', Record*) to a found 1/2-inch steel rod;

Thence continuing along the Southwesterly boundary of said Lot 15 the following bearings and distances:

North 76 Degrees 29 Minutes 24 Seconds West tangent to said curve, a distance of 80.00 feet to the point of beginning of a curve tangent to said line, from which point a found 1/2-inch steel rod bears North 76 Degrees 29 Minutes 24 Seconds West at a distance of 1.0 feet;

Thence Westerly and Northwesterly a distance of 212.30 feet along the curve to the right, having a radius of 470.84 feet (*475', Record*), a central angle of 25 Degrees 50 Minutes 04 Seconds (*25°36'43", Record*), and being subtended by a chord which bears North 63 Degrees 34 Minutes 23 Seconds West 210.50 feet (*N63°53'35"W, 210.57', Record*) to a point of tangency, from which point a found 1/2-inch steel rod bears North 50 Degrees 39 Minutes 21 Seconds West at a distance of 1.0 feet;

Thence North 50 Degrees 39 Minutes 21 Seconds West tangent to said curve, a distance of 403.10 feet to a found 1/2-inch steel pin marking the intersection with the Westerly boundary of Lot 4 of said Section 31;

Thence along the Westerly boundary of said Lot 4, and along the Westerly boundary of said Lot 15 in Block 2, North 00 Degrees 43 Minutes 48 Seconds East, a distance of 704.83 feet (*N00°15'57"E, 717.49', Record*) to a found 5/8-inch steel pin;

cont'd
EXHIBIT "A"

Thence South 89 Degrees 22 Minutes 13 Seconds East, a distance of 194.16 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 28 Degrees 07 Minutes 10 Seconds East, a distance of 133.92 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 58 Degrees 10 Minutes 49 Seconds East, a distance of 271.86 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 71 Degrees 13 Minutes 13 Seconds East, a distance of 358.63 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 89 Degrees 54 Minutes 50 Seconds East, a distance of 237.69 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 61 Degrees 26 Minutes 29 Seconds East, a distance of 230.59 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 42 Degrees 55 Minutes 34 Seconds East, a distance of 525.96 feet to a set 5/8-inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 61 Degrees 03 Minutes 19 Seconds East, a distance of 450.80 feet to the POINT OF BEGINNING.

According to a 2020 survey by GradeTek, PLLC, Gooding, ID and containing 26.116 ACRES, more or less.

**Certification of Trust for the
Michael & Judy Musser Family Trust
dated March 22, 2001**

ECHELON LAW, PLLC

1146 EASTLAND DR. N.
TWIN FALLS, IDAHO 83301

Certification of Trust for the Michael & Judy Musser Family Trust dated March 22, 2001

Pursuant to Idaho Code Ann. § 68-114, this Certification of Trust is signed by all the currently acting Trustees of the Michael & Judy Musser Family Trust dated March 22, 2001, as restated on May 20, 2022, who declare:

1. The Trustors are Judy S. Musser and Michael E. Musser. The trust is revocable by the Trustors, acting jointly and not separately.
2. The Trustees of the trust are Michael E. Musser and Judy S. Musser. The signatures of both Trustees are required to conduct business on behalf of the trust unless one Trustee explicitly grants signature authority to the other in writing.
3. The tax identification number of the trust is the Social Security number of Judy S. Musser.
4. Title to assets held in the trust will be titled as:

Michael E. Musser and Judy S. Musser, Trustees, or their successors in interest, of the Michael & Judy Musser Family Trust dated March 22, 2001, and any amendments thereto.
5. An alternative description will be effective to title assets in the name of the trust or to designate the trust as a beneficiary if the description includes the name of at least one initial or successor Trustee, any reference indicating that property is being held in a fiduciary capacity, and the date of the trust.
6. Excerpts from the trust document that establish the trust, designate the Trustee, and set forth the powers of the Trustee will be provided upon request. The powers of the Trustees include the power to acquire, sell, assign, convey, pledge, encumber, lease, borrow, manage, and deal with real and personal property interests.
7. The terms of the trust provide that a third party may rely upon this Certification of Trust as evidence of the existence of the trust and is specifically relieved of any obligation to inquire into the terms of this trust or the authority of my Trustee, or to see to the application that my Trustee makes of funds or other property received by my Trustee.
8. The trust has not been revoked, modified, or amended in any way that would cause the representations in this Certification of Trust to be incorrect.

May 20, 2022

Michael E. Musser
Michael E. Musser, Trustee

May 20, 2022

Judy S. Musser
Judy S. Musser, Trustee

STATE OF IDAHO

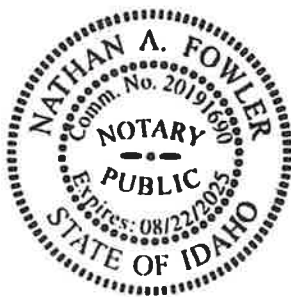
)

) ss.

COUNTY OF TWIN FALLS

)

On this day, May 20, 2022, before me Nathan Fowler, a notary public, personally appeared Michael E. Musser and Judy S. Musser, as Trustees, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within Certification of Trust, and acknowledged that they executed the same.



Nathan A. Fowler
Notary Public of Idaho
My commission expires: 08/22/2025



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 8, 2022

MICHAEL & JUDY MUSSER FAMILY TRUST
MICHAEL E & JUDY S MUSSER, TRUSTEES
934 E 5204 N
HAGERMAN ID 83332-5503

Re: Change in Ownership for Water Right No(s): 36-10290 and 36-10291

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) 293-9908.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Echelon Law PLLC