

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 04 2021

WATER RESOURCES
WESTERN REGION

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?
63-21454	Yes ☒	Yes ☐		Yes ☐	Yes ☐
63-21455	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<i>63-32660</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Matthew & Karen Moser
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Benedict Waltenberger
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 30280 Boulder Rd Parma ID 83660
Mailing address City State ZIP
- 559-694-6063 ben.waltenberger@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: Oct 17, 2018
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 # 63-21454

8. Signature: Benedict Waltenberger Title, if applicable: _____ Date: 03 FEB 21
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by LE Date 03/12/2021 Receipt No. W049182 Receipt Amt. \$250.00
W049066 W-9 received? Yes ☐ No ☒
 Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing
 Name on W-9 _____ Approved by MW Processed by MW Date 11/23/2021



Order Number: 18320759

Warranty Deed

For value received,

Matthew Moser and Karen Moser, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Benedict J. Waltenberger as Trustee of The Benedict J. Waltenberger Trust, dated June 30, 2017.

whose current address is 30280 Boulder Rd Parma, ID 83660

the grantee, the following described premises, in Canyon County, Idaho, to wit:

This parcel is a portion of the West half of Block 2 of the Roswell Park Fruit Tract, as shown on the official plat thereof on file in Book 3 of Plats at Page(s) 56 in the office of the Recorder for Canyon County, Idaho, being the West half of the Northwest quarter of the Northeast quarter of Section 13, Township 5 North, Range 6 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

Commencing at the Northwest corner of the Northwest quarter of the Northeast quarter (North quarter corner, Section 13), a found brass cap monument; thence South $88^{\circ}26'59''$ East along the North boundary of the Northwest quarter of the Northeast quarter of Section 13 a distance of 168.00 feet to the True Point of Beginning, a 1/2 by 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence continuing South $88^{\circ}26'59''$ East along the North boundary of the Northwest quarter of the Northeast quarter of said Section 13 a distance of 492.04 feet to the Northeast corner of the West half of the Northwest quarter of the Northeast quarter, also being the Northeast corner of the West half of Block 2, Roswell Park Fruit Tract, a 5/8 by 30 inch rebar set with a plastic cap stamped P.L.S. 15352; thence South $00^{\circ}11'14''$ East along the East boundary of the West half of the Northwest quarter of the Northeast quarter, also being the East boundary of the West half of Block 2, Roswell Park Fruit Tract, a distance of 1324.58 feet to the Southeast corner of the West half of the Northwest quarter of the Northeast quarter, also being the Southeast corner of the West half of Block 2, Roswell Park Fruit Tract, a 5/8 by 30 inch rebar set with a plastic cap stamped P.L.S. 15352; thence North $88^{\circ}32'45''$ West along the South boundary of the West half of the Northwest quarter of the Northeast quarter a distance of 661.05 feet to the Southwest corner of the West half of the Northwest quarter of the Northeast quarter, also being the Southwest corner of the West half of Block 2, a found 5/8 inch diameter rebar; thence North $00^{\circ}08'31''$ West along the West boundary of the Northwest quarter of the Northeast quarter, also being the West boundary of the West half of Block 2, Roswell Park Fruit Tract, a distance of 945.66 feet to a 1/2 by 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence South $88^{\circ}26'59''$ East a distance of 204.36 feet to a 1/2 by 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence North $05^{\circ}35'22''$ West a distance of 382.80 feet to the True Point of Beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: October 17, 2018

Matthew Moser

Karen Moser

State of Idaho, County of Canyon, ss.

On this 24th day of October in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Matthew Moser and Karen Moser, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Becky Shubert

Notary Public

Residing In:

Residing: Eagle, ID

My Commission Expires:

Commission Expires: 02/23/2023

(seal)

BECKY SHUBERT
COMMISSION #20154
NOTARY PUBLIC
STATE OF IDAHO

Order Number: 18320758

Warranty Deed

For value received,

Matthew M. Moser and Karen S. Moser, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Benedict J. Waltenberger as Trustee of The Benedict J. Waltenberger Trust, dated June 30, 2017

whose current address is 30280 Boulder Rd Parma, ID 83660

the grantee, the following described premises, in Canyon County, Idaho, to wit:

This parcel is a portion of the Southwest quarter of the Northeast quarter and of the Southeast quarter of the Northwest quarter of Section 13, Township 5 North, Range 6 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

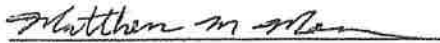
Commencing at the Northwest corner of the Northwest quarter of the Northeast quarter (North quarter corner, Section 13), a found brass cap monument; thence
South 00°08'31" East along the West boundary of the Northwest quarter of the Northeast quarter of Section 13 a distance of 1325.66 feet to the True Point of Beginning, the Northwest corner of the Southwest quarter of the Northeast quarter a found 5/8 inch diameter rebar; thence
South 88°32'45" East along the North boundary of the Southwest quarter of the Northeast quarter a distance of 1322.11 feet to the Northeast corner of the Southwest quarter of the Northeast quarter, a found 1/2 inch diameter rebar; thence
South 00°14'23" East along the East boundary of the Southwest quarter of the Northeast quarter a distance of 651.52 feet to a point on the centerline of Dutton Spillway and Drain Ditch, witnessed by a found 1/2 inch diameter rebar bearing North 00°14'23" West a distance of 40.97 feet; thence
North 69°08'14" West along said centerline a distance of 192.86 feet to a point witnessed by a found 1/2 inch diameter rebar bearing South 00°14'23" East a distance of 16.43 feet; thence
South 00°14'23" East parallel with the East boundary of the Southwest quarter of the Northeast quarter a distance of 736.43 feet to a point on the South boundary of the Southwest quarter of the Northeast quarter, a found gin spike; thence
North 88°38'11" West along the South boundary of the Southwest quarter of the Northeast quarter a distance of 60.00 feet to a found 1/2 inch diameter rebar; thence
North 00°14'23" West parallel with the East boundary of the Southwest quarter of the Northeast quarter a distance of 740.29 feet to a point on the center line of Dutton Spillway and Drain Ditch, witnessed by a found 1/2 inch diameter rebar bearing South 00°14'23" East a distance of 10.29 feet; thence traversing said centerline as follows:

Southwesterly 137.16 feet along the arc of a curve to the left having a radius of 200.00 feet and a central angle of 39°17'36" and a long chord which bears South 63°15'14" West a distance of 134.49 feet; thence
South 45°52'08" West a distance of 164.23 feet; thence
South 56°26'35" West a distance of 61.99 feet; thence Northwesterly 281.51 feet along the arc of a curve to the right having a radius of 285.00 feet and a central angle of 56°35'40" and a long chord which bears North 87°45'24" West a distance of 270.21 feet; thence
North 74°52'39" West a distance of 55.82 feet; thence
North 57°36'32" West a distance of 81.17 feet; thence
South 86°22'11" West a distance of 21.98 feet; thence
South 46°40'13" West a distance of 53.45 feet; thence
South 58°36'58" West a distance of 50.29 feet; thence
North 59°15'52" West a distance of 69.71 feet; thence
North 72°53'19" West a distance of 100.45 feet; thence
North 44°48'40" West a distance of 199.95 feet; thence Northwesterly 322.60 feet along the arc of a curve to the right having a radius of 600.00 feet and a central angle of 30°48'23" and a long chord which bears North 34°35'34" West a distance of 318.73 feet; thence
North 02°19'03" East a distance of 154.62 feet; thence
North 09°21'00" West a distance of 105.88 feet; thence

North 03°12'58" West a distance of 92.62 feet to a point on the North boundary of the Southeast quarter of the Northwest quarter; thence leaving said centerline and bearing South 88°32'40" East along the North boundary of the Southeast quarter of the Northwest quarter a distance of 195.62 feet to the True Point of Beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: October 17, 2018



Matthew M. Moser



Karen S. Moser

State of Idaho, County of Canyon, ss.

On this 24th day of October in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Matthew M. Moser and Karen S. Moser, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.



Notary Public

Residing In:

My Commission Expires:

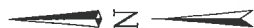
(seal)

Residing: Eagle, ID

Commission Expires: 02/23/2023

BECKY SHUBERT
COMMISSION #20154
NOTARY PUBLIC
STATE OF IDAHO

A PORTION OF THE NW 1/4 NE 1/4, SW 1/4 NE 1/4 AND THE SE 1/4 SW 1/4 OF SECTION 13,
TOWNSHIP 5 NORTH, RANGE 6 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO



Scale: 1" = 180'

0
Z
E
O
E
7

- ⊕ BRASS CAP MONUMENT – FOUND
- ⊙ 5/8" REBAR – FOUND
- ⊙ 5/8" x 30" REBAR – SET
- 1/2" REBAR – FOUND
- 1/2" x 24" REBAR – SET
- GIN SPIKE – FOUND
- CALCULATED POINT
- PROPERTY BOUNDARY
- SECTION/ALLOTMENT PART LINE
- FENCE LINE
- UNKNOWNS

CERTIFICATION

I, Thomas J. Wellard, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Delineation Act, Idaho Code 55-1611 through 55-1612.



ENTRY No. 564-13-1-0-0-00-00

SURVEY FOR:

KAREN MOSER

Skinner
Land Survey

T. W.

Date: Oct 13, 2018

Precision Land Surveyors, P.C.
21851 Upper Pleasant Ridge Rd.
Caldwell, Idaho 83607
(208)-454-0933

WWW.SKINNERLANDSURVEY.COM

Skinner
Land Survey
Precision Land Surveyors, P.C.
 21851 Upper Pleasant Ridge Rd.
 Caldwell, Idaho 83607
 (208)454-0933
 WWW.SKINNERLANDSURVEY.COM
 surveys@skinnerlandsurvey.com

Thomas J. Wellard, PLS
Rodney Clark, PE



October 12, 2018

Legal Description for
 Karen Moser
 Job No. SE1418

Parcel 1

This parcel is a portion of the SW ¼ NE ¼ and SE ¼ SW ¼ of Section 13, Township 5 North, Range 6 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northwest corner of the NW ¼ NE ¼, (N ¼ corner, Section 13), a found brass cap monument;

thence South 00° 08' 31" East along the West boundary of the NW ¼ NE ¼ of Section 13 a distance of 1325.66 feet to the **TRUE POINT OF BEGINNING**, the Northwest corner of the SW ¼ NE ¼ a found 5/8 inch diameter rebar;

thence South 88° 32' 45" East along the North boundary of the SW ¼ NE ¼ a distance of 1322.11 feet to the Northeast corner of the SW ¼ NE ¼, a found ½ inch diameter rebar;

thence South 00° 14' 23" East along the East boundary of the SW ¼ NE ¼ a distance of 651.52 feet to a point on the Centerline of Dutton Spillway and Drain Ditch, witnessed by a found ½ inch diameter rebar bearing North 00° 14' 23" West a distance of 40.97 feet;

thence North 69° 08' 14" West along said centerline a distance of 192.86 feet to a point witnessed by a found ½ inch diameter rebar bearing South 00° 14' 23" East a distance of 16.43 feet;

thence South 00° 14' 23" East parallel with the East boundary of the SW ¼ NE ¼ a distance of 736.43 feet to a point on the South boundary of the SW ¼ NE ¼, a found gin spike;

thence North 88° 38' 11" West along the South boundary of the SW ¼ NE ¼ a distance of 60.00 feet to a found ½ inch diameter rebar;

thence North 00° 14' 23" West parallel with the East boundary of the SW ¼ NE ¼ a distance of 740.29 feet to a point on the Center Line of Dutton Spillway and Drain Ditch, witnessed by a found ½ inch diameter rebar bearing South 00° 14' 23" East a distance of 10.29 feet;

thence traversing said centerline as follows:

Southwesterly 137.16 feet along the arc of a curve to the Left having a radius of 200.00 feet and a central angle of 39° 17' 36" and a long chord which bears South 63° 15' 14" West a distance of 134.49 feet;

BW

mm

KM

Thomas J. Wellard, PLS
Rodney Clark, PE



Moser Legal Description
Parcel 1, Page 2 of 2

South 45° 52' 08" West a distance of 164.23 feet;

South 56° 26' 35" West a distance of 61.99 feet;

Northwesterly 281.51 feet along the arc of a curve to the Right having a radius of 285.00 feet and a central angle of 56° 35' 40" and a long chord which bears North 87° 45' 24" West a distance of 270.21 feet;

North 74° 52' 39" West a distance of 55.82 feet;

North 57° 36' 32" West a distance of 81.17 feet;

South 86° 22' 11" West a distance of 21.98 feet;

South 46° 40' 13" West a distance of 53.45 feet;

South 58° 36' 58" West a distance of 50.29 feet;

North 59° 15' 52" West a distance of 69.71 feet;

North 72° 53' 19" West a distance of 100.45 feet;

North 44° 48' 40" West a distance of 199.95 feet;

Northwesterly 322.60 feet along the arc of a curve to the Right having a radius of 600.00 feet and a central angle of 30° 48' 23" and a long chord which bears North 34° 35' 34" West a distance of 318.73 feet;

North 02° 19' 03" East a distance of 154.62 feet;

North 09° 21' 00" West a distance of 105.88 feet;

North 03° 12' 58" West a distance of 92.62 feet to a point on the North boundary of the SE ¼ SW ¼;

thence leaving said centerline and bearing South 88° 32' 40" East along the North boundary of the SE ¼ SW ¼ a distance of 195.62 feet to the **TRUE POINT OF BEGINNING**, containing 25.060 acres more or less, and being subject to any and all easements and rights-of-way of record or implied.

[BW]

[mm]

[KM]



Thomas J. Wellard, PLS
Rodney Clark, PE



October 12, 2018

Legal Description for
Karen Moser
Job No. SE1418

Parcel 3

This parcel is a portion of the W ½ of Block 2 of the Roswell Park Fruit Tract, as shown on the Official Plat thereof on file in Book 3 of Plats at Page 56 in the Office of the Recorder for Canyon County, Idaho being the W ½ NW ¼ NE ¼ of Section 13, Township 5 North, Range 6 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northwest corner of the NW ¼ NE ¼, (N ¼ corner, Section 13), a found brass cap monument;

thence South 88° 26' 59" East along the North boundary of the NW ¼ NE ¼ of Section 13 a distance of 168.00 feet to the **TRUE POINT OF BEGINNING**, a ½ x 24 inch rebar set with a plastic cap stamped 15352;

thence continuing South 88° 26' 59" East along the North boundary of the NW ¼ NE ¼ of said Section 13 a distance of 492.04 feet to the Northeast corner of the W ½ NW ¼ NE ¼, also being the Northeast corner of the W ½ of Block 2, Roswell Park Fruit Tract, a 5/8 x 30 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 00° 11' 14" East along the East boundary of the W ½ NW ¼ NE ¼, also being the east boundary of the W ½ of Block 2, Roswell Park Fruit Tract, a distance of 1324.58 feet to the Southeast corner of the W ½ NW ¼ NE ¼, also being the Southeast corner of the W ½ of Block 2, Roswell Park Fruit Tract, a 5/8 x 30 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 88° 32' 45" West along the South boundary of the W ½ NW ¼ NE ¼ a distance of 661.05 feet to the Southwest corner of the W ½ NW ¼ NE ¼, also being the Southwest corner of the W ½ of Block 2, a found 5/8 inch diameter rebar;

thence North 00° 08' 31" West along the west boundary of the NW ¼ NE ¼, also being the West boundary of the W ½ of Block 2, Roswell Park Fruit Tract, a distance of 945.66 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 88° 26' 59" East a distance of 204.36 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 05° 35' 22" West a distance of 382.80 feet to the **TRUE POINT OF BEGINNING**, containing 18.462 acres more or less, and being subject to any and all easements and rights-of-way of record or implied.



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 23, 2021

THE BENEDICT J WALTENBERGER TRUST
30280 BOULDER RD
PARMA ID 83660-6607

Re: Change in Water Right Ownership: 63-21454 (Split into 63-21454 and **63-35154**),

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 605-4632.

Sincerely,

Marcelina Williams
Water Resource Agent

Enclosure(s) Map & Proof Report after split
CCd: KAREN MOSER & MATTHEW M MOSER



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

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Governor Brad Little

Director Gary Spackman

November 23, 2021

THE BENEDICT J WALTENBERGER TRUST
30280 BOULDER RD
PARMA ID 83660-6607

Re: Change in Water Right Ownership: 63-21455 (Split into 63-21455 and **63-35153**),

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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If you have any questions concerning the enclosed information, please contact me at (208) 605-4632.

Sincerely,

Marcelina Williams
Water Resource Agent

Enclosure(s) Map & Proof Report after split
CCd: KAREN MOSER & MATTHEW M MOSER



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 23, 2021

THE BENEDICT J WALTENBERGER TRUST
30280 BOULDER RD
PARMA ID 83660-6607

Re: Change in Water Right Ownership: 63-32660 (Split into 63-32660 and **63-35152**),

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 605-4632.

Sincerely,

Marcelina Williams
Water Resource Agent

Enclosure(s): Map & Proof Report after split
CCd: Mathew and Karen Moser



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 05, 2021

BENEDICT WALTENBERGER
30280 BOULDER RD
PARMA ID 83660-6607

RE: Change in Ownership for Water Right No(s): 63-21454, 63-21455

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Filing Fee of \$100 per water right for changes resulting from division of a water right

OR

- Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

During our review of the documentation you submitted we found discrepancies between that documentation and the legal description of the place of use for the water rights indicated in your Notice. Both water rights cover as part of their place of use a parcel to the southeast of the ones referenced in your submitted deeds. I have enclosed copies of the water right report and place of use maps for your reference.

If you do own the property to the southeast, or own the water rights separately from the land they relate to, please submit additional conveyance documents showing your ownership of that property.

If you do not own the property to the southeast, an additional fee will be required to process the change in ownership as a split. The \$50 fee you submitted with your Notice will be applied to the split, and the remaining fee due will be \$150.

Because the Department cannot process the Notice without proper documentation and fees, we will hold any action on your Notice pending receipt of the necessary information and/or fees. If we do not receive the necessary information and/or fees within 30 days we will return your Notice and all attachments and your Notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from

any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynne Evans", followed by a stylized flourish.

Lynne Evans
Office Specialist II

Enclosures