

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
67-7028	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: Donald E. Kesler and Billie B. Kesler
 Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Missman Road, LLC
 New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

<u>2180 Missman Road</u>	<u>Council</u>	<u>ID</u>	<u>83612</u>
Mailing address	City	State	ZIP
<u>775-722-8265</u>	<u>akaglee@gmail.com</u>		
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: _____

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.

8. Signature: [Signature] Title, if applicable: MEMBER Date: 11/13/2020
Signature of new owner/claimant

Signature: [Signature] Title, if applicable: Member Date: 11/13/2020
Signature of new owner/claimant

For IDWR Office Use Only:

Received by LE Date 11/18/2020 Receipt No. W046890 Receipt Amt. \$25.00

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 LE Processed by LE Date 11/02/2021

COPY

WARRANTY DEED

Instrument # 136466

COUNCIL, ADAMS, IDAHO

11-13-2020 04:21:06 PM No. of Pages: 2

Recorded for : TIMBERLINE TITLE & ESCROW

SHERRY WARD

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 15.00

[Signature]

For Value Received, DOUGLAS KESLER, as his sole and separate property

the grantor, does hereby grant, bargain, sell and convey unto
MISSMAN ROAD, LLC, an Idaho limited liability company

the grantee, whose current address is 2180 Missman Road, Council, ID 83612

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

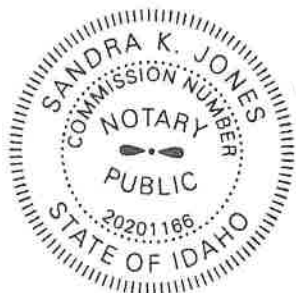
TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor hereby covenants to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: November 3, 2020

[Signature: Douglas Kesler]
DOUGLAS KESLER

STATE OF Idaho)
COUNTY OF Adams) : ss

On this 6th day of November, in the year of 2020, before me, a Notary Public in and for said State, personally appeared DOUGLAS KESLER 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 executed the same.



[Signature: Sandra K. Jones]
Notary Public
Residing at: Council ID
Commission expires: 03/23/2026

EXHIBIT 'A'

A tract of land in Lot 1, Block 7, Second Addition to Council Valley Orchards, Adams County, Idaho, as said lot and block are designated on the official plat of said subdivision on file in the Adams County Recorder's Office more particularly described as follows:

Commencing at the Northwest corner of said Lot 1 of said Block 7, and running

Thence East on the North line thereof 416 feet to the REAL POINT OF BEGINNING;

Thence continuing East on and along the North line of said Lot 1 a distance of 634 feet to a point;

Thence South at right angles a distance of 208 feet to a point;

Thence West parallel to the North line of said Lot 1 a distance of 634 feet to a point;

Thence North parallel to the West end line of said Lot 1 a distance of 208 feet to the REAL POINT OF BEGINNING.

AND

A tract of land in Lot 1, Block 7, Second Addition to Council Valley Orchards, Adams County, Idaho, as said lot and block are designated on the official plat of said subdivision on file in the Adams County Recorder's Office more particularly described as follows:

Commencing at the Northwest corner of said Lot 1 of said Block 7;

Thence East on the North line thereof 416 feet;

Thence South parallel to the West line of said lot 208 feet;

Thence West parallel to the North line of said Lot 416 feet to a point on the West line of said lot;

Thence North on said West line 208 feet to the REAL POINT OF BEGINNING.

SUBJECT TO the right-of-way of Missman Road as now established.

COPY

WARRANTY DEED

Instrument # 136320

COUNCIL, ADAMS, IDAHO

10-26-2020 03:00:12 PM No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

SHERRY WARD

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: DEED

[Signature]

For Value Received, DOUGLAS KESLER, as Personal Representative of the Estate of DONALD E. KESLER and BILLIE KESLER aka BILLIE B. KESLER

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

DOUGLAS KESLER, as his sole and separate property

the grantee, whose address is: 2344 Lappin Lane, Council, ID 83612

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: October 26, 2020

The Estate of DONALD E. KESLER and
BILLIE KESLER aka BILLIE B. KESLER

[Signature: Douglas Kesler]

BY: DOUGLAS KESLER, Personal Representative

STATE OF IDAHO)
) ss
County of ADAMS)

On this 26th day of October, 2020, before me, a Notary Public in and for the said State, personally appeared DOUGLAS KESLER, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of DONALD E. KESLER and BILLIE KESLER aka BILLIE B. KESLER and acknowledged to me that he executed the same as said Personal Representative.



[Signature: Angela Bungarner]

Notary Public for Idaho

Residing at: Cambridge, ID

Commission expires: 5-8-21

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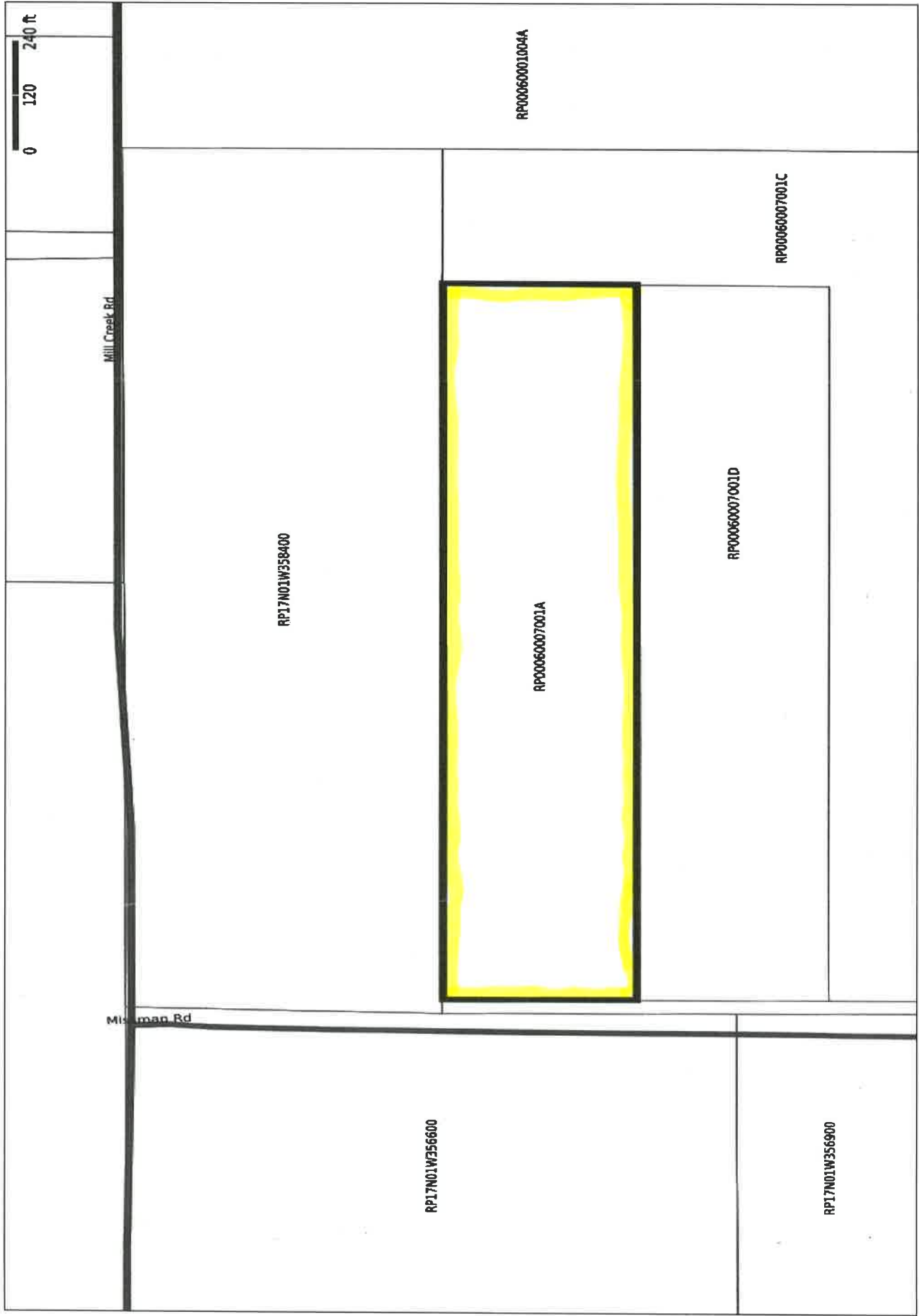
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SUBJECT TO the right-of-way of Missman Road as now established.

KESLER





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 02, 2021

MISSMAN ROAD LLC
2180 MISSMAN RD
COUNCIL ID 83612-5213

Re: Change in Ownership for Water Right No(s): 67-7028

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) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES

11/2/2021

Proof Report

- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. STOCKWATER, 3 RANGE CATTLE PARCEL NO. RP 00360007001A A PROPERTY ALSO KNOWN AS TAX 569, LOT 1, BLK 7 COUNCIL VALLEY ORCHARDS 2ND ADD.

Dates and Other Information

Decreed Date: 12/8/2000

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: TBD

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A