

DE ✓

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 14 2020

Notice of Change in Water Right Ownership

DEPARTMENT OF
WATER RESOURCES

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?
74-15496	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: KENT A AND PAULA K PHARIS
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): JAMES B SCOFIELD SR & CATHERINE E SCOFIELD FAMILY LIVING TRUST
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 4831 S Adriano Way Pahrum NV 89061
Mailing address City State ZIP
- 406-880-3049 cetsco@hotmail.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: June 12, 2020
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):
 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.
8. Signature: Catherine E. Scofield Trustee 9-10-20
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] Trustee 9-10-20
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by lu Date 9-14-2020 Receipt No. C109251 Receipt Amt. \$ 25

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing

Name on W-9 _____ Approved by _____ Processed by di W-9 received? Yes ☐ No ☒ Date 9/23/2020



WARRANTY DEED

Alliance Title & Escrow Corp. Order No.: 487674

FOR VALUE RECEIVED

A. Kent Pharis and Paula K. Pharis, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

James B. Scofield, Sr. and Catherine E. Scofield Family Living Trust, dated March 15, 2018, James B. Scofield, Sr. and Catherine E. Scofield, Trustees

whose current address is

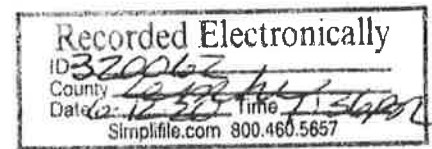
**4831 South Adriano Way
Pahrump, NV 89061**

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

Lots 2 and 3 of Red Rock Stage Stop Subdivision, according to the Official Plat thereof filed for record in Book 9 of Plats at Page 82, official Records of Lemhi County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.



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And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 6-12-20

A. Kent Pharis
A. Kent Pharis

Paula K. Pharis
Paula K. Pharis

State of Idaho } ss
County of Lemhi }

On this 12th day of June, 2020, before me, Heidi Semmler, a Notary Public in and for said state, personally appeared A. Kent Pharis and Paula K. Pharis, 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 same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Heidi Semmler
Heidi Semmler
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: May 19, 2021

HEIDI SEMMLER
COMMISSION #54524
NOTARY PUBLIC
STATE OF IDAHO

State of Idaho
Department of Water Resources

Water Right

74-15496

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Date created: 7-2-2020

CERTIFICATE OF REVOCABLE FAMILY TRUST

Contemporaneously with the execution of this Certificate, the undersigned, JAMES B. SCOFIELD, SR. and CATHERINE E. SCOFIELD, residents of Nye County, Nevada, have executed that certain document entitled, the "JAMES B. SCOFIELD, SR. AND CATHERINE E. SCOFIELD FAMILY LIVING TRUST," dated March 15, 2018, which provides in pertinent parts as follows:

1. **GRANTORS:** The Grantors under the terms of said Trust are JAMES B. SCOFIELD, SR. and CATHERINE E. SCOFIELD.
2. **TRUSTEES:** The Trustees under said Trust are JAMES B. SCOFIELD, SR. and CATHERINE E. SCOFIELD.
3. **SUCCESSOR TRUSTEE:** In the event either original Trustee shall for any reason cease to act as Trustee, the remaining Trustee shall act as sole Trustee. If both original Trustees should become deceased or incapacitated, ERIKA L. MICKELSON and JAMES B. SCOFIELD, III shall serve as Successor Co-Trustees of the within referenced Trust Agreement. If ERIKA L. MICKELSON or JAMES B. SCOFIELD, III should become deceased, unable or unwilling to serve as Successor Trustee, THE OTHER OF THEM shall serve as Successor Trustee of the within referenced Trust Agreement.
4. **BENEFICIARIES:** The beneficiaries of this Trust are the Grantors.
5. **TRUST IDENTIFICATION:** The tax identification number used to identify the Trust is _____.
6. **INCAPACITY:** The determination of the physical or mental incapacity of the Grantors or Trustees named herein shall be certified in writing by one licensed physician or by one licensed psychologist and this determination shall be valid, whether or not a court of competent jurisdiction has declared a Grantor or Trustee incompetent, mentally ill, or in need of a guardian or conservator. Anyone dealing with this Trust may rely on the physician's or the psychologist's written statements regarding the Grantor's or Trustee's incapacity, or a photocopy of the statements, presented to them by the Successor Trustee. A third party relying on such written statements shall not incur any liability to any beneficiary for any dealings with the Successor Trustee in reliance upon such written statements.
7. **POWER TO AMEND OR REVOKE:** During the life of the Grantors, the Trust may be revoked in whole or in part by an instrument in writing signed by the Grantors and delivered to the Trustees. The Grantors may at any time during their life amend any of the terms of the Trust by an instrument in writing signed by the Grantors and delivered to the Trustees. By presenting this certificate, the Trustees hereby represent and affirm that as of the date of presentation, the Trust has not been revoked or amended to make any representations contained in this certificate incorrect, and that the signatures are those of all the currently acting Trustees.

8. **POWER TO ACT ALONE:** Property of the Trust may be held, retained or managed by any one of the original Trustees acting alone without obtaining permission from the other original Trustee.

9. **TITLING OF ASSETS:** The form in which title to assets of the trust is to be taken is as follows:

“JAMES B. SCOFIELD, SR. and CATHERINE E. SCOFIELD, Trustees of the JAMES B. SCOFIELD, SR. AND CATHERINE E. SCOFIELD FAMILY LIVING TRUST dated March 15, 2018”.

10. **POWERS OF TRUSTEE(S):**

- (a) With respect to real property: to sell and to buy real property; to mortgage and/or convey by deed of trust or otherwise encumber any real property now or hereafter owned by this Trust (including, but not limited to any real property, the Trustee may hereafter acquire or receive and the Grantors' personal residence) to lease, sublease, release; to eject, remove and relieve tenants or other persons from, and recover possession of by all lawful means; to accept real property as a gift or as security for a loan; to collect, sue for, receive and receipt for rents and profits and to conserve, invest or utilize any and all of such rents, profits and receipts for the purposes described in this paragraph; to do any act of management and conservation, to pay, compromise or to contest tax assessments and to apply for refunds in connection therewith; to employ laborers; to subdivide, develop, dedicate to public use without consideration, and/or dedicate easements over; to maintain, protect, repair, preserve, insure, build upon, demolish, alter or improve all or any part thereof; to obtain or vacate plats and adjust boundaries; to adjust differences in valuation on exchange or partition by giving or receiving consideration; to release or partially release real property from a lien.
- (b) To register any securities or other property held hereunder in the names of Trustees or in the name of a nominee, with or without the addition of words indicating that such securities or other property are held in a fiduciary capacity, and to hold in bearer form any securities or other property held hereunder so that title thereto will pass by delivery, but the books and records of Trustees shall show that all such investments are part of their respective funds.
- (c) To hold, manage, invest and account for the separate trusts in one or more consolidated funds, in whole or in part, as they may determine. As to each consolidated fund, the division into the various shares comprising such fund need be made only upon Trustees' books of account.
- (d) To lease Trust property for terms within or beyond the term of the Trust and for any purpose, including exploration for and removal of gas, oil, and other

minerals; and to enter into community oil leases, pooling and unitization agreements.

- (e) To borrow money, mortgage, pledge or lease Trust assets for whatever period of time Trustee shall determine, even beyond the expected term of the respective Trust.
- (f) To hold and retain property, real or personal, in the form in which the same may be at the time of the receipt thereof, as long as in the exercise of their discretion it may be advisable so to do, notwithstanding same may not be of a character authorized by law for investment of Trust funds.
- (g) To invest and reinvest in their absolute discretion, and they shall not be restricted in their choice of investments to such investments as are permissible for fiduciaries under any present or future applicable law, notwithstanding that the same may constitute an interest in a partnership.
- (h) To advance funds to any of the Trusts for any Trust purpose. The interest rate imposed for such advances shall not exceed the current rates.
- (i) To institute, compromise, and defend any actions and proceedings.
- (j) To vote, in person or by proxy, at corporate meetings any shares of stock in any Trust created herein, and to participate in or consent to any voting Trust, reorganization, dissolution, liquidation, merger, or other action affecting any such shares of stock or any corporation which has issued such shares of stock.
- (k) To partition, allot, and distribute, in undivided interest or in kind, or partly in money and partly in kind, and to sell such property as the Trustees may deem necessary to make divisions or partial or final distribution of any of the Trusts.
- (l) To determine what is principal or income of the Trusts and apportion and allocate receipts and expenses as between these accounts.
- (m) To make payments hereunder directly to any Beneficiary under disability, to the guardian of his or her person or estate, to any other person deemed suitable by the Trustees, or by direct payment of such Beneficiary's expenses.
- (n) To employ agents, attorneys, brokers, and other employees, individual or corporate, and to pay them reasonable compensation; which shall be deemed part of the expenses of the Trusts and powers hereunder.
- (o) To accept additions of property to the Trusts, whether made by the Grantors, a member of the Grantors' family, by any beneficiaries hereunder, or by any one interested in such beneficiaries.

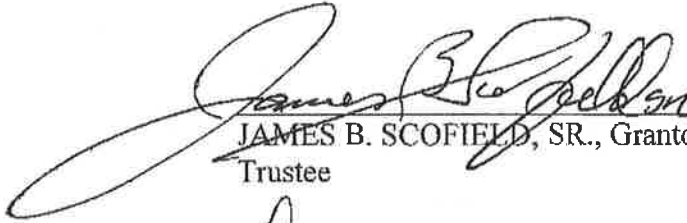
- (p) To hold on deposit or to deposit any funds of any Trust created herein, whether part of the original Trust fund or received thereafter, in one or more savings and loan associations, bank or other financing institution and in such form of account, whether or not interest bearing, as Trustees may determine, without regard to the amount of any such deposit or to whether or not it would otherwise be a suitable investment for funds of a trust.
- (q) To open and maintain safety deposit boxes in the name of this Trust.
- (r) To make distributions to any Trust or Beneficiary hereunder in cash or in specific property, real or personal, or an undivided interest therein, or partly in cash and partly in such property, and to do so without regard to the income tax basis of specific property so distributed. The Grantors request but do not direct, that the Trustees make distributions in a manner which will result in maximizing the aggregate increase in income tax basis of assets of the estate on account of federal and state estate, inheritance and succession taxes attributable to appreciation of such assets.
- (s) The powers enumerated in NRS 163.265 to NRS 163.410, inclusive, are hereby incorporated herein to the extent they do not conflict with any other provisions of this instrument.
- (t) The enumeration of certain powers of the Trustees shall not limit their general powers, subject always to the discharge of their fiduciary obligations, and being vested with and having all the rights, powers, and privileges which an absolute owner of the same property would have.
- (u) The Trustees shall have the power to invest Trust assets in securities of every kind, including debt and equity securities, to buy and sell securities, to write covered securities options on recognized options exchanges, to buy-back covered securities options listed on such exchanges, to buy and sell listed securities options, individually and in combination, employing recognized investment techniques such as, but not limited to, spreads, straddles, and other documents, including margin and option agreements which may be required by securities brokerage firms in connection with the opening of accounts in which such option transactions will be effected.
- (v) The power to guaranty loans made for the benefit of, in whole or in part, any Grantor or Beneficiary or any entity in which any Grantor or Beneficiary has a direct or indirect interest.
- (w) In regard to the operation of any closely held business of the Trust, the Trustees shall have the following powers:
 - (1) The power to retain and continue the business engaged in by the Trust or to recapitalize, liquidate or sell the same.

- (2) The power to direct, control, supervise, manage, or participate in the operation of the business and to determine the manner and degree of the fiduciary's active participation in the management of the business and to that end to delegate all or any part of the power to supervise, manage or operate the business to such person or persons as the fiduciary may select, including any individual who may be a Beneficiary or Trustee hereunder.
- (3) The power to engage, compensate and discharge, or as stockholder owning the stock of the Corporation, to vote for the engagement, compensation and discharge of such manager, employees, agents, attorneys, accountants, consultants or other representatives, including anyone who may be a Beneficiary or Trustee hereunder.
- (4) The power to become or continue to be an officer, director or employee of a Corporation and to be paid reasonable compensation from such Corporation as such officer, director and employee, in addition to any compensation otherwise allowed by law.
- (5) The power to invest or employ in such business such other assets of the Trust estate.

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[SIGNATURES AND NOTARIZATION ON FOLLOWING PAGE]

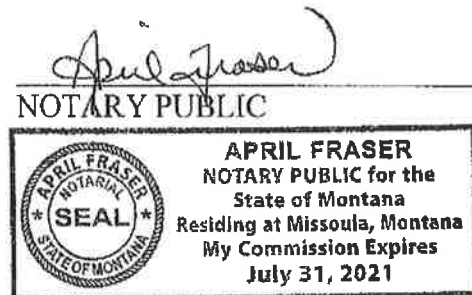
IN WITNESS WHEREOF, the Grantors and Trustees have hereunto set their hands April 17, 2018.


JAMES B. SCOFIELD, SR., Grantor and
Trustee

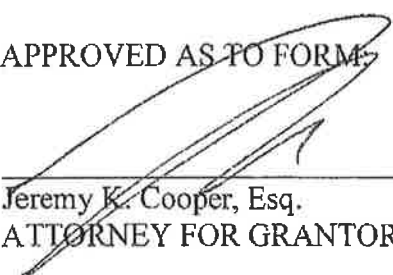

CATHERINE E. SCOFIELD, Grantor and
Trustee

STATE OF MONTANA)
)ss.
COUNTY OF MISSOULA)

On April 17, 2018 personally appeared before me, a Notary Public in and for said County of Missoula, State of Montana, JAMES B. SCOFIELD, SR. and CATHERINE E. SCOFIELD, 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 instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument, the persons, or the entity upon behalf of which the person acted, executed the instrument.



APPROVED AS TO FORM:


Jeremy K. Cooper, Esq.
ATTORNEY FOR GRANTORS



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

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

Brad Little
Governor

Gary Spackman
Director

September 24, 2020

JAMES B SCOFIELD SR & CATHERINE E SCOFIELD FAMILY LIVING TRUST
4831 S ADRIANO WAY
PAHRUMP NV 89061-7599

Re: Change in Ownership for Water Right No: 74-15496

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right 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) 287-4920.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Debbi Judd'.

Debbi Judd

Technical Records Specialist

Enclosures

c. Water District 74 – *via email*