

RECEIVED

APR 16 2020

WATER RESOURCES
WESTERN REGIONSTATE 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?
65-23861	Yes ☒	Yes ☐		Yes ☐	Yes ☐
65-23862	Yes ☒	Yes ☐		Yes ☐	Yes ☐
65-23863	Yes ☐ (NO)	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Alces Management's Financial Services LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Edward D. Koch and Laureen Koch, h & w
New owner(s) as listed on the conveyance document

P.O. Box 343 Jordan Valley ID 83622
Mailing address City State ZIP
208-912-5233 ted_koch@yahoo.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: 4/8/2020

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):

- ☒ \$25 per undivided water right. 1
☒ \$100 per split water right. 2
☐ 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:

Edward D. Koch
Signature of new owner/claimant

Title, if applicable

Date

Signature:

Laureen Koch
Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by KT Date 04/16/2020

Receipt No. W048202

Receipt Amt. \$225.00

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 N/A

Approved by AK

Processed by AK

Date

4/23/2020

Cancelled
4/23/2020
AK

SUPPORT DATA
IN FILE # 65-23861

Instrument # 267270

IDAHO CITY, BOISE COUNTY, IDAHO
04-08-2020 12:34:55 PM No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE INSURANCE
MARY T. PRISCO Fee: \$15.00
Ex-Officio Recorder Deputy Tracy Greenway
Index to: DEEDS
Electronically Recorded by Simplifile

AFTER RECORDING MAIL TO:

Edward D. Koch and Laureen Koch
P.O. Box 343
Garden Valley, ID 83622

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

WARRANTY DEED

File No.: 4102-3440652 (PC) #892710-MC

Date: April 03, 2020

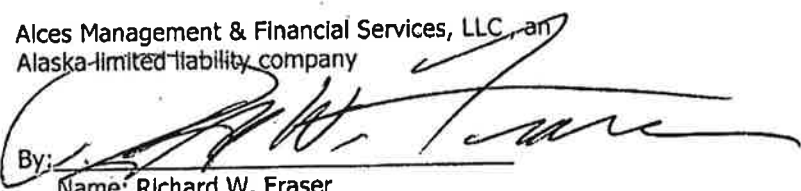
For Value Received, **Alces Management & Financial Services, LLC, an Alaska limited liability company**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Edward D. Koch and Laureen Koch, husband and wife**, hereinafter referred to as Grantee, whose current address is **P.O. Box 343, Garden Valley, ID 83622**, the following described premises, situated in **Boise County, Idaho**, to wit:

LEGAL DESCRIPTION: Real property in the County of Boise, State of Idaho, described as follows:

See legal description attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Alces Management & Financial Services, LLC, an
Alaska limited liability company

By: 

Name: Richard W. Fraser
Title: Manager/Member

APN:

Warranty Deed
- continued

File No.: **4102-3440652 (PC)**
Date: **04/03/2020**

STATE OF California)

ss.

COUNTY OF)

This record was acknowledged before me on _____ by Richard W. Fraser as
Manager/Member of Alces Management & Financial Services, LLC, an Alaska limited liability company.

Signature of Notary Public
My Commission Expires: _____

See Attached Acknowledgment

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California)SS
COUNTY OF San Luis Obispo)

On April 3, 2020 before me, K. Lemay, Notary Public, personally appeared
Richard W. Fraser

who proved to me on the basis of satisfactory evidence 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

K. Lemay



This area for official notarial seal.

OPTIONAL SECTION - NOT PART OF NOTARY ACKNOWLEDGEMENT CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER(S) TITLE(S)
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER

SIGNER IS REPRESENTING:

Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION - NOT PART OF NOTARY ACKNOWLEDGEMENT

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

Reproduced by First American Title Company 11/2007

A parcel of land being a portion of the NE¼ of the SW¼, and a portion of the NW¼ of the SE¼, a portion of the NE¼ of the SE¼, of Section 10, T.9N., R.4E., B.M., Boise County, Idaho and being more particularly described as follows:

Commencing at the West ¼ corner of said Section 10, Thence South 89°40'42" East 1324.43 feet to an iron pin marking the CW 1/16 corner of said Section 10 (northwest corner of said NE¼ of the SW¼), Thence South 01°01'08" West 1281.04 feet along the westerly boundary line of said NE¼ of the SW¼ to an iron pin marking the SW 1/16 corner (southwest corner of said NE¼ of the SW¼ of Section 10), Thence South 89°40'57" East 1242.45 feet along the southerly boundary line of said NE¼ of the SW¼ to an iron pin marking the POINT OF BEGINNING: Thence North 00°53'29" East 430.23 feet to an iron pin; Thence South 89°32'01" East 822.29 feet to an iron pin; Thence South 68°43'40" East 724.73 feet to the Middle Fork of the Payette River; Thence along the centerline of the Middle Fork of the Payette River the following courses and distances: Thence South 32°14'50" West 48.75 feet; Thence South 47°19'18" West 129.39 feet; Thence South 60°30'51" West 85.44 feet to the southerly boundary line of said NW¼ of the SE¼; Thence North 89°32'01" West 1224.01 feet along said southerly boundary line of said NW¼ of the SE¼ to the CS 1/16 corner of Section 10 (southwest corner of said NW¼ of the SE¼); Thence North 89°40'57" West 84.84 feet along the southerly boundary line of said NE¼ of the SW¼ to the POINT OF BEGINNING.

Together with an Access and Utility Easement as set forth in Instrument No. 267269 recorded April 8, 2020

Patty Chupp

From: Thorneycroft, Kensie <Kensie.Thorneycroft@idwr.idaho.gov>
Sent: Tuesday, April 7, 2020 8:30 AM
To: Patty Chupp
Subject: [External] RE: file #892710
Attachments: notice-of-change-of-water-right-ownership.pdf

Good morning,

I apologize for not getting back to you yesterday. I found only three water rights matching the parcel. The numbers are:

~~65-11341~~ - 65-23862 - 44.5 acres - to be split
~~65-11342~~ - 65-23863 - 3 acres - ~~to be split~~
~~65-2851~~ - 65-23861 - 44 acres - to be split

All three are irrigation rights and are currently under the ownership of Carol and Tim Mussell. The Notice of Change in Water Right Ownership is the correct form. Please fill that out (all three water rights can be put on the one form) and then have them sign it. We will also need a \$25 filing fee per water right, so for all three it'd be \$75. Then lastly we will need a copy of the deed showing proof of ownership. The deed will also need to include a legal description. If giving any other kind of deed than a Warranty Deed, if the sellers name is not the same as the owner of the water right (Mussell) then we will need a chain of ownership showing it going from Mussell to the next to the buyer.

I have also attached the notice of change in water right ownership for you with the instructions.

Feel free to call if you need any more help with this,

Thank you,

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190

From: Patty Chupp [mailto:pchupp@firstam.com]
Sent: Tuesday, April 07, 2020 8:11 AM
To: Thorneycroft, Kensie <Kensie.Thorneycroft@idwr.idaho.gov>
Subject: Re: file #892710

Good morning,

I am just checking on the water right information for this property. They need a closing statement and docs to sign today for recording tomorrow. As soon as I hear from you I will do print the Notice of change in Water Right Ownership for them to sign. Do they have to sign one for each water right number?

Thank you

-- Patty Chupp -- 208-501-7671

<https://www.firstam.com/covid-19-update>

Instrument # 220825

IDAHO CITY, BOISE COUNTY, IDAHO

10-9-2008 4040.38 No. of Pages: 1

Recorded for: ALS

CONSTANCE SWEARINGEN

Ex-Officio Recorder Deputy

Index to: RECORD OF SURVEY

SCALE 1"=400'

LEGEND

- Boundary Line
- Section Line
- New Parcel Line
- Centerline
- Existing Fence
- Found Brass Cap (As Noted)
- Found Aluminum Cap (As Noted)
- Found 1/8" Iron Pin (As Noted)
- Set 1/8" x 30" Iron Pin w/ Plastic Cap "PLS 8710"
- Calculated Point
- Date of Record
- Reference Number
- Witness Corner
- Point of Beginning

REFERENCES:

- (1) Record of Survey Inst. No. 134380
- (2) Record of Survey Inst. No. 213403
- (3) Record of Survey Inst. No. 120800
- (4) Warranty Deed Inst. No. 198163
- (5) The Government, File No. 04-08-5621, Policy No. 4 1878942, Dated Sept. 1, 2004
- (6) Egress/Egress Encumbrance Inst. No. 170067
- (7) Warranty Deed, Inst. No. 174679
- (8) Record of Survey Inst. No. 114688
- (9) Easement Deed, Inst. No. 108298
- (10) Easement Deed, Inst. No. 108788

CERTIFICATE OF SURVEYOR

I, DOUGLAS G. BERKEY, 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, and that this map is an accurate representation of said survey and that it is in conformity with the Center Publications and Filing Act, Idaho Code §§-101 through §§-1012.

DOUGLAS G. BERKEY

License No. 5710

INDEX No. 341-10-5-0

RECORD OF SURVEY/AGRICULTURE SPLIT FOR

TIM MUSSELL

A PORTION OF SECTION 10,

T. 9 N., R. 4 E., S. 14,

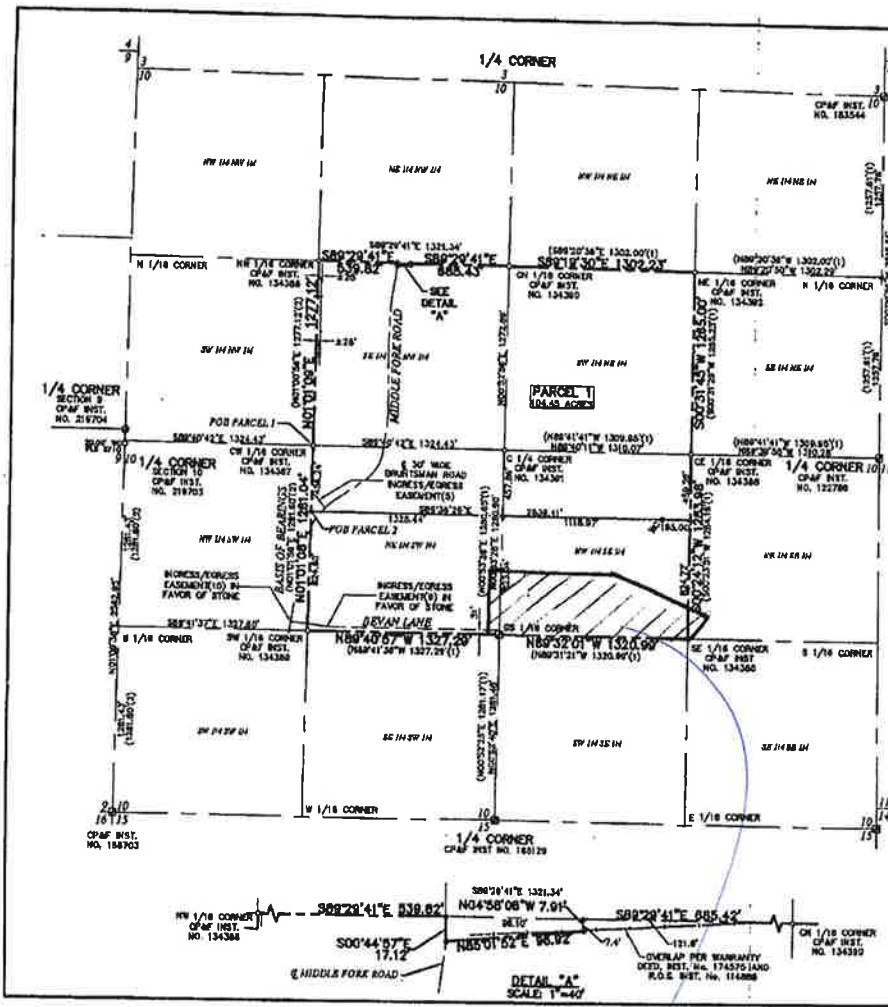
BOISE COUNTY, IDAHO

SCALE 1"=400' E.N. ALL S.D. D.B. (SHEET) 1 OF 1

DATE: September 24, 2008 FILE: 8165-03 AS BUILT

ALS

Surveyors - Planners
1103 West Main Street
Middletown, Idaho
208-886-8888



Koch

N



South Middle Fork Rd

Bevan Lane

P2 ---->

s89°32'01"e
822.29

P1

s68°43'40"e
724.73

1224.01
n89°32'01"w

Middle Fork Payette River

S 1/4 Corner

PTN N2SE, NESW, SEC 10-9N-4E, BOISE COUNTY, IDAHO 4/3/2020

Scale: 1 inch= 550 feet File: 892710.ndp

01 /nw,sw,10,9n,4e p2
02 /s89.4042e 1324.43
03 /s01.0108w 1281.04
04 /s89.4057e 1242.45
05 n00.5329e 430.23
06 s89.3201e 822.29
07 s68.4340e 724.73
08 s32.1450w 48.75
09 s47.1918w 129.39
10 s60.3051w 85.44
11 n89.3201w 1224.01
12 n89.4057w 84.84
13 @0 ESMT
14 /nw,sw,10,9n,4e
15 /s89.4042e 1324.43
16 /s01.0108w 1281.04

17 n00.0108e 60.00
18 s89.4057e 1023.48
19 n49.1349e 252.76
20 n00.5329e 141.96
21 Lt, r=20.00, delta=051.1904, chord=n24.4603w 17.32
22 Rt, r=60.00, delta=282.3808, chord=s89.0631e 75.00
23 Lt, r=20.00, delta=051.1904, chord=s26.3301w 17.32
24 s00.5329w 168.88
25 s49.1349w 302.17
26 n89.4057w 1046.70

This map is solely for the purpose of assisting in locating the premises and the company assumes no liability for variations if any, with an actual survey.

First American Title Company

MEMORANDUM

TO: Water Right Files: 65-23861, 65-23862, and 65-23863

FROM: Anna Kaiser

DATE: 4/23/2020

RE: Telephone Conversation With Applicant Regarding WR 65-23863

On April 16, 2020, the Department of Water Resources (Department) received a Notice of Change in Water Right Ownership for the three above listed water rights in the name of Edward D and Laureen Koch. On April 22, 2020, I sent Edward Koch an email notifying him that the Department cannot update ownership of water right no. 65-23863 without further documentation because its place of use neither fully nor partially overlaps the applicant's property. On April 23, 2020, Edward D Koch notified me via phone call, that he no longer wishes to persue changing ownership of water right 65-23863. Water rights 65-23861 and 65-23862 will be split and ownership will be updated. The payer will be refunded \$25.00 for the 63-23863 ownership change.

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, April 23, 2020 3:17 PM
To: Marston, Sascha
Subject: Partial Refund - FIRST AMERICAN TITLE INSURANCE CO

TO: Sascha Marston

FROM: Anna Kaiser

DATE: April 23, 2020

RE: *Partial Refund: Notice of Change in Water Right Ownership*

Please refund \$25 of the \$225 payment. On 4/16/2020, Edward and Laureen Koch submitted a Notice of Change in Water Right Ownership. The department was unable to process a portion this application as it was invalid.

Please issue a refund of \$25 to:

FIRST AMERICAN TITLE INSURANCE CO
800 W MAIN ST
STE 910
BOISE ID 83702

RECEIPT #

W048202



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 24, 2020

EDWARD D KOCH
LAUREEN KOCH
PO BOX 343
JORDAN VALLEY ID 83622

Re: Notice of Change in Water Right Ownership No: 65-23861 & 65-23862

Original: Water Right No. 65-23861 *Split into:* Water Right No. **65-23919**
Original: Water Right No. 65-23862 *Split into:* Water Right No. **65-23920**

Dear Water Right Holders:

We have received and processed a Change of Ownership for a portion of the original Water Right as referenced above. This Change of Ownership required a split of the original water right.

When a portion of the original water right has been conveyed to another, a new water right number is created to represent the portion obtained by the new owners. For your records proof reports for **65-23919 & 65-23920** and maps depicting the place of use (POU) and the point of diversion (POD) are enclosed. Please refer to your new water right numbers when corresponding with our office.

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.

Sincerely,

Anna Kaiser
Water Resource Agent
Western Regional Office

Enclosures

CC:

FIRST AMERICAN TITLE
ATTN: PATTY CHUPP
800 W MAIN ST STE 910
BOISE ID 83702



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 24, 2020

ALCES MANAGEMENT & FINANCIAL SERVICES LLC
ATTN: RIK FRASER
5701 WILLOW CREEK RD
EAGLE ID 83616

Re: Notice of Change in Water Right Ownership No: 65-23861 & 65-23862

Original: Water Right No. **65-23861** *Split into:* Water Right No. 65-23919
Original: Water Right No. **65-23862** *Split into:* Water Right No. 65-23920

Dear Water Right Holders:

The Department has received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is created to represent the portion obtained by the new owners. For your records proof reports for **65-23861 & 65-12862** and maps depicting the place of use (POU) and the point of diversion (POD) are enclosed.

Your pending transfer application no. 83891 will be updated by the Department to reflect the place of use shapes, acreage, and water quantity of water rights 65-23861 and 65-23862 after split. Please note, this split will not affect the validity of your transfer.

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.

If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Water Resource Agent
Western Regional Office

Enclosures