

RECEIVED

MAR 14 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JAN 17 2019

DEPT OF WATER RESOURCES

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-20925	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-20927	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: George Peter Koss 2001 Revocable Trust, Victoria Jane Kerr Koss 2001 Revocable Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): George Peter Koss and Victoria Jane Kerr Koss
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- PO Box 277 Hailey ID 83333
Mailing address City State ZIP
208-720-2523 gpkoss@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: 3/10/2003
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.

SUPPORT DATA

IN FILE #

37-20925

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X 8. Signature: [Signature] Title, if applicable: _____ Date: 9-24-18
Signature of new owner/claimant

Y Signature: [Signature] Title, if applicable: _____ Date: 9/24/18
Signature of new owner/claimant

For IDWR Office Use Only:

Received by [Signature] Date 1-17-2019 Receipt No. 5037116 Receipt Amt. \$100
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 RD Date 04/11/19

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

LAWSON LASKI CLARK & POGUE, PLLC
Post Office Box 3310
Ketchum, Idaho 83340

Instrument # 653876

HAILEY, BLAINE, IDAHO
8-3-2018 11:58:01 AM No. of Pages: 1
Recorded for : LAWSON LASKI CLARK & POGUE
JOLYNN DRAGE Fee: 15.00
Ex-Officio Recorder Deputy
Index to: WTY/OGC/CORP DEED

G

(Space Above This Line For Recorder's Use)

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, THE KOSS FAMILY LIMITED PARTNERSHIP dated December 7, 2004, whose address is Post Office Box 277, Hailey, Idaho 83333, hereby conveys, releases, remises and forever quitclaims to George Peter Koss and Victoria Jane Kerr Koss, husband and wife, as community property, whose address is Post Office Box 277 Hailey, Idaho 83333, all of its right, title and interest which it has, if any, in the real property in the State of Idaho, County of Blaine described as:

Lot 3D of a Replat of Lot 4, Block 1, Buckhorn Subdivision, 2nd
Add. And Lots 3A and 3B, Block 1 Buttercup Meadows
Subdivision, according to the official plat thereof, recorded as
Instrument No. 276081, records of Blaine County, Idaho.

(376081)
TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

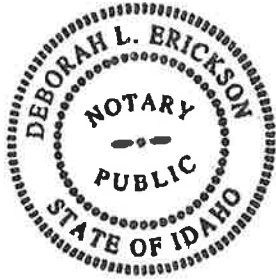
DATED this 25 day of July 2018.


George Peter Koss, General Partner
The Koss Family Limited Partnership

STATE OF IDAHO,)
) ss.
County of Blaine.)

On this 25th day of July 2018, before me, the undersigned, a Notary Public in and for said county and state, personally appeared GEORGE PETER KOSS, known to me or proved to me upon satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity as the General Partner of THE KOSS FAMILY LIMITED PARTNERSHIP.

WITNESS my hand and official seal.



Deborah Erickson
Notary Public for Idaho
Residing at Hailey Id
My Commission expires 10.09.22

A PLAT SHOWING A REPLAT OF LOT 4, BLOCK 1, BUCKHORN SUBDIVISION 2nd ADD. AND LOTS 3A & 3B, BLOCK 1, BUTTERCUP MEADOWS SUBDIVISION WHEREIN THE LOT LINE BETWEEN LOT 4 AND LOTS 3A & 3B IS SHIFTED TO CREATE LOTS 4A, 3C AND 3D LOCATED WITHIN SECTION 4, T.2 N., R.18 E., B.M., BLAINE COUNTY, IDAHO

SECTION 4, T.2 N., R.18 E., B.M., BLAINE COUNTY, IDAHO

SCALE IN FEET
200 100 0 200 400 600

JANUARY 1985

Scale : 1" = 200'

Red Devil Subdivision

LEGEND

6	Found Brass Cap
0	Found 5/8" Rebar
0	Found 1/2" Rebar
•	Set 1/2" Rebar, L.S. 3621
---	Centerline Havelthwaite Canal
---	Easement, Width as Shown
---	Approximate 100-Year Floodplain
---	Building Envelope
---	Blue Avalanche Zone (Per Arthur Means Avalanche Study dated March, 1980)
---	Red Avalanche Zone (Per Arthur Means Avalanche Study dated March, 1980)
---	25% Slope Line

NOTES

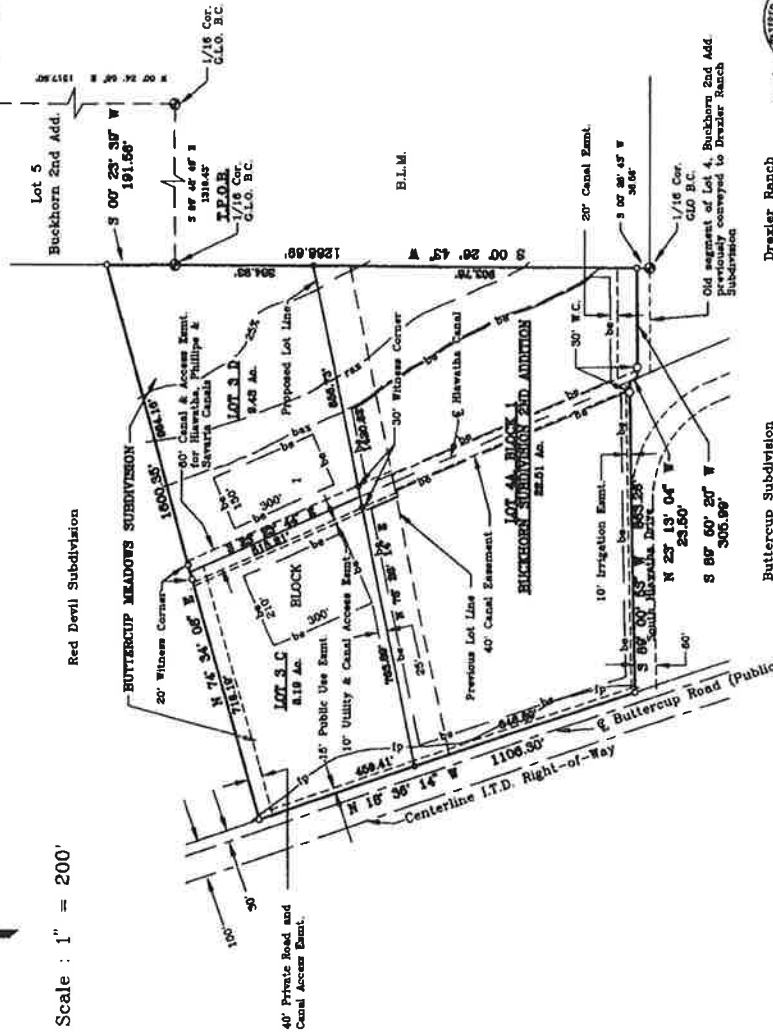
1. Lot 4 is subject to notes, conditions and restrictions contained within the plat for the Buckhorn Subdivision 2nd Addition, recorded in the Blaine County Recorder's office under instrument No. 270487 and 270491, respectively, and any amendments thereto.
2. Lots 3C and 3D are subject to notes, conditions and restrictions contained within the plat and C.C. & P.'s for Buttercup Meadows Subdivision, recorded in the Blaine County Recorder's office under instrument No. 270487 and 270491, respectively, and any amendments thereto.

BASES OF HEARINGS IS BUCKHORN SUBDIVISION 1st ADDITION

REPLAT OF LOT 4, BLOCK 1, BUCKHORN SUBDIVISION 2nd ADD.
AND LOTS 3A & 3B, BLOCK 1, BUTTERCUP MEADOWS SUBDIVISION
GALPA ENGINEERING, INC.
KETCHUM, IDAHO
SHEET 1 OF 2
Job No. 2654-02

Richard D. Fosbury, L.S. 3621

RICHARD D. FOSBURY, L.S. 3621



SCANNED
APR 01 2019

CERTIFICATE OF OWNERSHIP

This is to certify that we, the undersigned are the owners in fee simple of the following described parcel of land:
A parcel of land located within Section 4, T.2N., R.18E., B.M., Blaine County, Idaho, more particularly described as follows:

Lot 4, Block 1, Buckhorn Subdivision 2nd. Addition and Lots 3A & 3B, Block 1, Buttercup Meadows Subdivision, Blaine County, Idaho

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. Protective covenants governing this Subdivision are recorded under County Recorder Instrument Nos. 270491 and 341906, and any amendments thereto.

It is the intent of the owners to hereby include said land in this plat.

Ronald C. Wilcox

Ronald C. Wilcox

Lorraine B. Wilcox

Lorraine B. Wilcox

ACKNOWLEDGEMENT

STATE OF IDAHO } ss
COUNTY OF BLAINE }
On this 13 day of March, 1995, before me, a Notary Public in and for said State, personally appeared the persons whose names are subscribed to the Owner's Certificate and acknowledged to me that they executed the 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.

Diana Buckhorn
Notary Public
Residing in Hailey
My Commission expires 09.07.2000



SURVEYOR'S CERTIFICATION

I, Richard D. Fosbury, a duly licensed land surveyor in the State of Idaho, do hereby certify that this is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with Idaho State Code relating to plats and surveys.



ACKNOWLEDGEMENT

STATE OF IDAHO } ss
COUNTY OF BLAINE }
On this 17 day of January, 1995, before me, a Notary Public in and for said State, personally appeared Richard D. Fosbury, known to me to be the person whose name is subscribed to the above Surveyor's certificate and acknowledged to me that he executed the 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.

William J. Wilcox
Notary Public in and for the State of Idaho
Residing in Hailey
My Commission expires 3/31/96

COUNTY ENGINEER'S APPROVAL

I, Jim W. Koontze, County Engineer for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the state of Idaho relating thereto.



APPROVAL OF BLAINE COUNTY COMMISSIONERS

The foregoing replat was approved by the Blaine County Board of Commissioners on this 2nd day of February, 1995.

Lance Harley
Chairman

COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and this replat is hereby approved this 1st day of March, 1995.

Wick L. Wick by S. Rand
Blaine County Treasurer

COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO } ss
COUNTY OF BLAINE }
This is to certify that the foregoing replat was filed in the office of the Recorder of Blaine County, Idaho on this 1st day of MARCH, 1995, at 1:11 P.M., and duly recorded in Plat Book MARY GREEN BY MPP at page 110.
Ex-officio Recorder

A Replat of Lot 4, Block 1, Buckhorn Subd. 2nd Add. and Lots 3A & 3B, Block 1, Buttercup Meadows Subdivision
Galena Engineering, INC.
Ketchum, Idaho
Sheet 2 of 2

Job No. 2654.02

SCANNED
APR 01 2019

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-20925

NAME AND ADDRESS: KOSS FAMILY LTD PARTNERSHIP
PO BOX 277
HAILEY, ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.19 CFS

PRIORITY DATE: 03/24/1983

POINT OF DIVERSION: T03N R18E S20 SWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.19 CFS

PLACE OF USE: Irrigation Within Blaine County
T02N R18E S04 LOT 2 (NWNE) 0.8
9.4 Acres Total SWNE 8.6

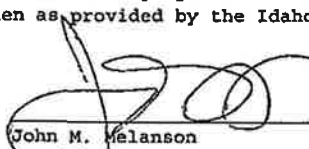
Right Nos. 37-20925 and 37-20927 are limited to the irrigation
of a combined total of 9.4 acres in a single irrigation season.

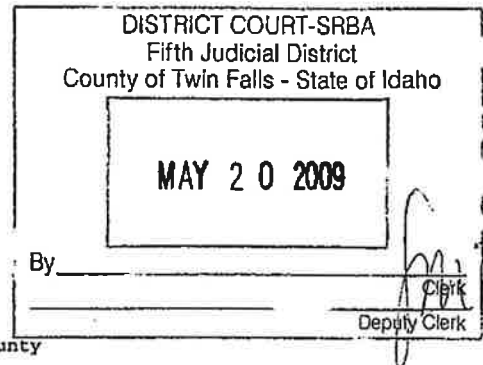
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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APR 01 2019

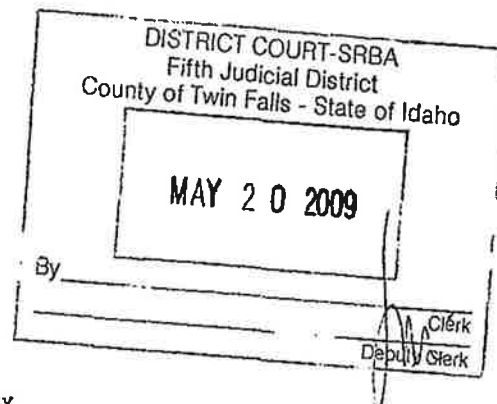
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-20927



NAME AND ADDRESS:

KOSS FAMILY LTD PARTNERSHIP
PO BOX 277
HAILEY, ID 83333

SOURCE:

BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY:

0.38 CFS

PRIORITY DATE:

11/26/1886

POINT OF DIVERSION:

T03N R18E S20 SWNW Within Blaine County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
0.38 CFS

PLACE OF USE:

Irrigation Within Blaine County
T02N R18E S04 LOT 2 (NWNE) 0.8 SWNE 8.6
9.4 Acres Total

Right Nos. 37-20925 and 37-20927 are limited to the irrigation
of a combined total of 9.4 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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APR 01 2019

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/17/2019

Water Right 37-20925

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340-0998 (208) 726-4421
Current Owner	KOSS FAMILY LTD PARTNERSHIP PO BOX 277 HAILEY, ID 83333
Previous Owner	GEORGE PETER KOSS 2001 REVOCABLE TRUST GEORGE PETER KOSS TRUSTEE PO BOX 277 HAILEY, ID 83333 (208) 788-5677
Previous Owner	VICTORIA JANE KERR KOSS 2001 REVOCABLE TRUST VICTORIA JANE KERR KOSS TRUSTEE PO BOX 277 HAILEY, ID 83333 (208) 788-5677

Priority Date: 3/24/1883

Basis: Decreed

Status: Active

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From

04/15

To

10/31

Diversion Rate

0.190 CFS

Volume

Total Diversion

0.190 CFS

Source and Point(s) of Diversion

BIG WOOD RIVER

SWNW

Sec. 20, Twp 03N, Rge 18E, BLAINE County

Place Of Use

IRRIGATION within BLAINE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	4		0.8 L2	8.6														9.4

POU Total Acres: 9.4

SCANNED
APR 01 2019

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/17/2019

Water Right 37-20927

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340-0998 (208) 726-4421
Current Owner	KOSS FAMILY LTD PARTNERSHIP PO BOX 277 HAILEY, ID 83333
Previous Owner	GEORGE PETER KOSS 2001 REVOCABLE TRUST GEORGE PETER KOSS TRUSTEE PO BOX 277 HAILEY, ID 83333 (208) 788-5677
Previous Owner	VICTORIA JANE KERR KOSS 2001 REVOCABLE TRUST VICTORIA JANE KERR KOSS TRUSTEE PO BOX 277 HAILEY, ID 83333 (208) 788-5677

Priority Date: 11/26/1886

Basis: Decreed

Status: Active

Source
BIG WOOD RIVER

Tributary
MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.380 CFS	
	<u>Total Diversion</u>		0.380 CFS	

Source and Point(s) of Diversion

BIG WOOD RIVER SWNW Sec. 20, Twp 03N, Rge 18E, BLAINE County

Place Of Use

IRRIGATION within BLAINE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	4		0.8 L2	8.6														9.4

POU Total Acres: 9.4

SCANNED

APR 01 2019



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

April 01, 2019

GEORGE PETER KOSS
VICTORIA J KERR KOSS
PO BOX 277
HAILEY ID 83333-0276

Re: Change in Ownership for Water Right No(s): 37-20925 and 37-20927

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) 287-4803.

Sincerely,

Rosemary DeMond
Administrative Assistant 2

Enclosure(s)

SUPPORT DATA
IN FILE # 37-20925