



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

March 12, 2019

BRETT P MOSEKIAN AND MELANIE M MOSEKIAN REVOCABLE TRUST
3251 HIGHWAY 95
CAMBRIDGE ID 83610-5203

RE: Change in Ownership Water Right No(s): 67-4498

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on November 2, 2018 for the above referenced water rights. The Notice was processed and acknowledgement was sent to you that same day.

On January 22, 2019, you notified the Department that water right 67-4498 should not have been included in the Notice of Change in Water Right Ownership. After reviewing the documents included with your request, the Department determined that the ownership of water right 67-4498 was updated in error. The Department also found that the deeds you submitted with your request did not include the entirety of water rights 67-475 and 67-7479. Additional documentation was requested on January 22, 2019.

The additional documentation was received by the Department on March 8, 2019. The ownership of water rights 67-475 and 67-7479 was updated to the Brett P Mosekian and Melanie M Mosekian Revocable Trust.

Since water right 67-4498 was not updated, a refund of \$25 has been requested and will be mailed to Brett & Melanie Mosekian under separate cover from the Idaho State Controller's Office.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: RUSSELL WILKERSON
GORDON WILKERSON



Instrument # 237805
STATE OF IDAHO, COUNTY OF WASHINGTON
2019-02-26 03:19:31 PM No. of Pages: 2
Recorded for: AMERITITLE - WEISER
DONNA ATWOOD Fee: \$15.00
Ex-Officio Recorder Deputy MMcConnell
Index To: DEED
Electronically Recorded by Simplifile

RECEIVED
MAR 08 2019
DEPT OF WATER RESOURCES

**Correction
WARRANTY DEED**

(To add omitted parcel to legal description in Warranty Deed 236914)

Order No.: 253016AM

FOR VALUE RECEIVED

Gordon Wilkerson and MaryAnne Wilkerson, husband and wife

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

**Brett P. Mosekian and Melanie M. Mosekian, Trustees of the Brett P. Mosekian and
Melanie M. Mosekian Revocable Trust date December 19, 2017**

whose current address is:

3695 W Clayton
Fresno, CA 93706

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

See Attached Exhibit 'A'

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.

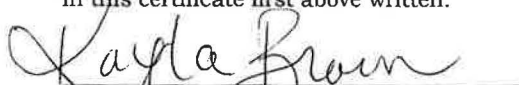
Dated: February 26, 2019


Gordon Wilkerson


MaryAnne Wilkerson

State of Idaho } ss
County of Washington)

On this 26 day of February, 2019, before me, Kayla D Brown a Notary Public in and for said state, personally appeared Gordon Wilkerson and MaryAnne Wilkerson, 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.


Notary Public for the State of Idaho
Residing at: Weiser, ID
Commission Expires: 10/9/2019

RB 11/14/2024



EXHIBIT 'A'

File No. 253016AM

Parcel II

The South Half of the Southwest Quarter of Section Three (3) in Township Fourteen (14) North, Range Two (2) West of the Boise Meridian, Washington County, Idaho.

AND

The North Half of the Northwest Quarter of Section Ten (10) in Township Fourteen (14) North, Range Two (2) West of the Boise Meridian, Washington County, Idaho EXCEPTING AND RESERVING THEREFROM the following described tract of land:

Beginning at the Southeast corner of the Northeast Quarter of the Northwest Quarter of Section 10;

Thence West a distance of 420 feet; thence North a distance of 726 feet; thence East a distance of 480 feet; thence South a distance of 726 feet to the point and place of beginning.

The Southeast Quarter of the Northwest Quarter and the East Half of the Southwest Quarter of Section Ten (10) in Township Fourteen (14) North Range Two (2) West of the Boise Meridian, Washington County, Idaho.

Parcel III

A parcel of land situated within the Northwest corner of the Southeast Quarter of Section 9, Township 14 North, Range 2 West, Boise Meridian, Washington County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of the NW1/4SE1/4 of Sec. 9, Twp. 14 N., R. 2 W., B.M.;

Thence South along the West line of said NW1/4SE1/4 a distance of 480 feet;

Thence East parallel with the North line of said NW1/4SE1/4 a distance of 360 feet;

Thence North parallel with the West line of said NW1/4SE1/4 a distance of 480 feet to a point on the North line of said NW1/4SE1/4;

Thence West along the North line of said NW1/4SE1/4 a distance of 360 feet to the Point of Beginning.

Hersley, Jean

From: Brett Mosekian <brett.mosekian@gmail.com>
Sent: Friday, March 08, 2019 3:06 PM
To: Hersley, Jean
Subject: Re: FW: water right transfer
Attachments: 2-26-19 Wilkerson-Mosekian WD Recorded Sec 3-9-10.pdf

Hi Jean

Attached is what we received from the title company. It should take care of any issues we have. Please let me know if you need anything else.

Will you handle everything with the water district or do I need to do something on my end?

Thank You

Brett Mosekian

On Wed, Mar 6, 2019 at 10:10 AM Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

Brett,

I'm following up on an email I sent to you on January 22, 2019. Do you have any additional deeds that include land appurtenant to water rights 67-475 and 67-7479?

If the Department doesn't receive the additional documents or fees (see below) requested within 10 days, the Mosekian Revocable Trust will be removed as owners of water right 67-475 & 67-7479 and a refund will be requested for water right 67-475, 67-7479 and 67-4489. Please let me know if you have any questions. Thank you.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942

From: Brett Mosekian [mailto:brett.mosekian@gmail.com]
Sent: Tuesday, January 22, 2019 3:27 PM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: Re: FW: water right transfer

I will look into this and get back to you ASAP

Thank You

Brett

On Tue, Jan 22, 2019 at 2:24 PM Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

Mr. Mosekian,

Your email regarding the recent ownership change was forwarded to me. During the review, I discovered that the ownership of water right 67-4498 should not have been updated to your Trust. I will remove the Mosekian Revocable Trust as owner on water right 67-4498.

I also discovered that the deeds you provided did not include some of the land appurtenant to water rights 67-475 and 67-7479. The land not included is located in Township 14N, Range 02W, Section 3, SWSW & SESW. The Department will need a deed that includes these land in Section 3 or water rights 67-475 and 67-7479 will need to be split and additional fees will be needed.

You paid \$200 to update the ownership of 8 water rights. $\$25 \times 8 = \200 - \$25 (for water right 67-4498 that shouldn't have been updated) + \$200 (to split two water rights), the additional fee will be **\$ 125**.

If the Department doesn't receive the additional documents or fees requested within 30 days, the Mosekian Revocable Trust will be removed as owners of water right 67-475 & 67-7479 and a refund will be requested for water right 67-475, 67-7479 and 67-4489. Please let me know if you have any questions. Thank you.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942

From: Condon, Mary

Sent: Tuesday, January 22, 2019 12:27 PM

To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>

Cc: Webster, Clay <Clay.Webster@idwr.idaho.gov>

Subject: FW: water right transfer

Jean,

Please see the requested change to a recent ownership change with an error in parcel 5, still belonging to the original owner. It looks as though 67-487 should also be included in this, as these two rights are on the same 17 acre parcel.

Best,

Mary

From: Veibell, Amanda
Sent: Tuesday, January 22, 2019 11:46 AM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: FW: water right transfer

Hi Mary.

An Ownership change related email for you.

Thanks.

Amanda Veibell

From: Brett Mosekian [<mailto:brett.mosekian@gmail.com>]
Sent: Tuesday, January 22, 2019 11:44 AM
To: IDWRInfo <idwrinfo@idwr.idaho.gov>
Subject: Fwd: water right transfer

----- Forwarded message -----

From: **Lon Lundberg** <lon@gatewayra.com>
Date: Mon, Jan 21, 2019 at 6:16 PM
Subject: water right transfer
To: Brett Mosekian <brett.mosekian@gmail.com>

Dear water resources staff person,

Upon our closing on the Wilkerson Ranch, Cambridge, ID, we requested that you transfer the acquired water rights into our name. However, one of the transferred water rights was not to change, which is the right for an 18-acre parcel the Wilkerson's are retaining.

Please change the following water right back into Russell Wilkerson's name (still the owner of the right and the ground) as follows:

Water right No. 67-4498

Owner: RUSSELL WILKERSON, 3265 HWY 95, CAMBRIDGE, ID 83610 208-257-3756

Please, if you can handle this ASAP I would greatly appreciate it, Russell has a water meeting to attend in a few days and needs this changed so he can vote at the meeting. I greatly appreciate your prompt consideration of this matter.

If you could let me know when this is handled, it would ease my mind as well as Russell's

Also, the mailing address for our trust has changed. The new address is:

3251 HWY 95

Cambridge, ID 83610

Please feel free to call if you have any further questions.

Thank you,

Brett Mosekian, owner

BRETT P MOSEKIAN AND MELANIE M MOSEKIAN REVOCABLE TRUST

Brett Mosekian (brett.mosekian@gmail.com) 1-559-907-7359

From: Condon, Mary
Sent: Tuesday, January 22, 2019 12:27 PM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Cc: Webster, Clay <Clay.Webster@idwr.idaho.gov>
Subject: FW: water right transfer

Jean,

Please see the requested change to a recent ownership change with an error in parcel 5, still belonging to the original owner. It looks as though 67-487 should also be included in this, as these two rights are on the same 17 acre parcel.

Best,

Mary

From: Veibell, Amanda
Sent: Tuesday, January 22, 2019 11:46 AM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: FW: water right transfer

Hi Mary.

An Ownership change related email for you.

Thanks.

Amanda Veibell

From: Brett Mosekian [<mailto:brett.mosekian@gmail.com>]
Sent: Tuesday, January 22, 2019 11:44 AM
To: IDWRInfo <idwrinfo@idwr.idaho.gov>
Subject: Fwd: water right transfer

----- Forwarded message -----

From: **Lon Lundberg** <lon@gatewayra.com>

Date: Mon, Jan 21, 2019 at 6:16 PM

Subject: water right transfer

To: Brett Mosekian <brett.mosekian@gmail.com>

Dear water resources staff person,

Upon our closing on the Wilkerson Ranch, Cambridge, ID, we requested that you transfer the acquired water rights into our name. However, one of the transferred water rights was not to change, which is the right for an 18-acre parcel the Wilkerson's are retaining.

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3251 HWY 95

Cambridge, ID 83610

Please feel free to call if you have any further questions.

Thank you,

Brett Mosekian, owner

BRETT P MOSEKIAN AND MELANIE M MOSEKIAN REVOCABLE TRUST

Brett Mosekian (brett.mosekian@gmail.com) 1-559-907-7359

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: March 12, 2019
RE: **Refund: ownership change-overpayment**

Please refund \$25. Water right 67-4498 should not have been updated.

NAME: BRETT & MELANIE MOSEKIAN
3251 HWY 95
CAMBRIDGE ID 83610

RECEIPT #: W046909

Thank you.

Jean