

RECEIVED

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN REGION

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?
63-4219A	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: JUDY A. JEPSON
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): GARRET FOSHA
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 4471 PARTRIDGE COURT SAN JOSE CA 95121
Mailing address City State ZIP
- 408 510 9605 GARFOS408@EMAIL.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: 11/7/2018
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] 11/14/2018
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by AH Date 11/26/2018 Receipt No. W046963 Receipt Amt. 25⁰⁰

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 di Date 1-4-19

AFTER RECORDING MAIL TO:

Garrett Foshay
13327 North Horseshoe Bend Road
Boise, ID 83714

By: _____
FIRST AMERICAN TITLE CO.
I hereby certify this to be a true
and exact copy of the original.

WARRANTY DEED

File No.: **4106-3138139 (WS)**

Date: **November 04, 2018**

For Value Received, **Judith A. Jepson trustee of the Judith A. Jepson Living Trust**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Garrett Foshay an unmarried man**, hereinafter referred to as Grantee, whose current address is **13327 North Horseshoe Bend Road, Boise, ID 83714**, the following described premises, situated in **Ada County, Idaho**, to wit:

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

PARCEL I

LOT 3 IN BLOCK 1 OF MARYGLEN SUBDIVISION #1, ACCORDING TO THE PLAT THEREOF, FILED IN BOOK 29 OF PLATS AT PAGE 1781, RECORDS OF ADA COUNTY, IDAHO, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY: COMMENCING AT THE NORTHEAST CORNER OF SAID PROPERTY; THENCE SOUTH 53°15'05" WEST ALONG SAID PROPERTY LINE 225 FEET TO A POINT; THENCE SOUTH 20°55'51" EAST 250 FEET TO A POINT; THENCE NORTH 53°15'06" EAST 200 FEET TO A POINT; THENCE SOUTH 20°55'51" EAST 382.50 FEET TO A POINT ON THE SOUTHERLY PROPERTY LINE OF SAID PROPERTY; THENCE NORTH 51°30'35" EAST 25 FEET ALONG SAID PROPERTY LINE TO THE SOUTHEASTERLY CORNER OF SAID PROPERTY; THENCE NORTH 20°55'51" WEST ALONG THE EASTERLY PROPERTY LINE OF SAID PROPERTY 631.75 FEET TO THE POINT OF BEGINNING.

PARCEL II

A PORTION OF LOT 3 IN BLOCK 1 OF MARYGLEN SUBDIVISION #1, ACCORDING TO THE PLAT THEREOF, FILED IN BOOK 29 OF PLATS AT PAGE 1781, RECORDS OF ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID PROPERTY; THENCE SOUTH 53°15'05" WEST ALONG SAID PROPERTY LINE 225 FEET TO A POINT; THENCE SOUTH 20°55'51" EAST 250 FEET TO A POINT; THENCE NORTH 53°15'06" EAST 200 FEET TO A POINT; THENCE SOUTH 20°55'51" EAST 382.50 FEET TO A POINT ON THE SOUTHERLY PROPERTY LINE OF SAID PROPERTY; THENCE

APN: R5488500062

Warranty Deed
- continued

File No.: 4106-3138139 (WS)
Date: 11/04/2018

**NORTH 51°30'35" EAST 25 FEET ALONG SAID PROPERTY LINE TO THE SOUTHEASTERLY
CORNER OF SAID PROPERTY; THENCE
NORTH 20°55'51" WEST ALONG THE EASTERLY PROPERTY LINE OF SAID PROPERTY 631.75
FEET TO THE POINT OF BEGINNING.**

APN: R5488500062

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.

APN: R5488500062

Warranty Deed
- continued

File No.: 4106-3138139 (WS)
Date: 11/04/2018

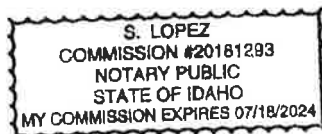
Judith A. Jepson Living Trust

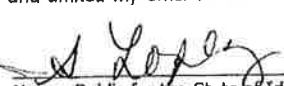

Judith A. Jepson, Trustee

STATE OF Idaho)
COUNTY OF Ada)

On this 5 day of November, 2018, before me, a Notary Public in and for said State, personally appeared **Judith A. Jepson**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Trustee** of **Judith A. Jepson Living Trust**, and acknowledged to me that ~~he/she/they~~ executed the same as such **Trustee**.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

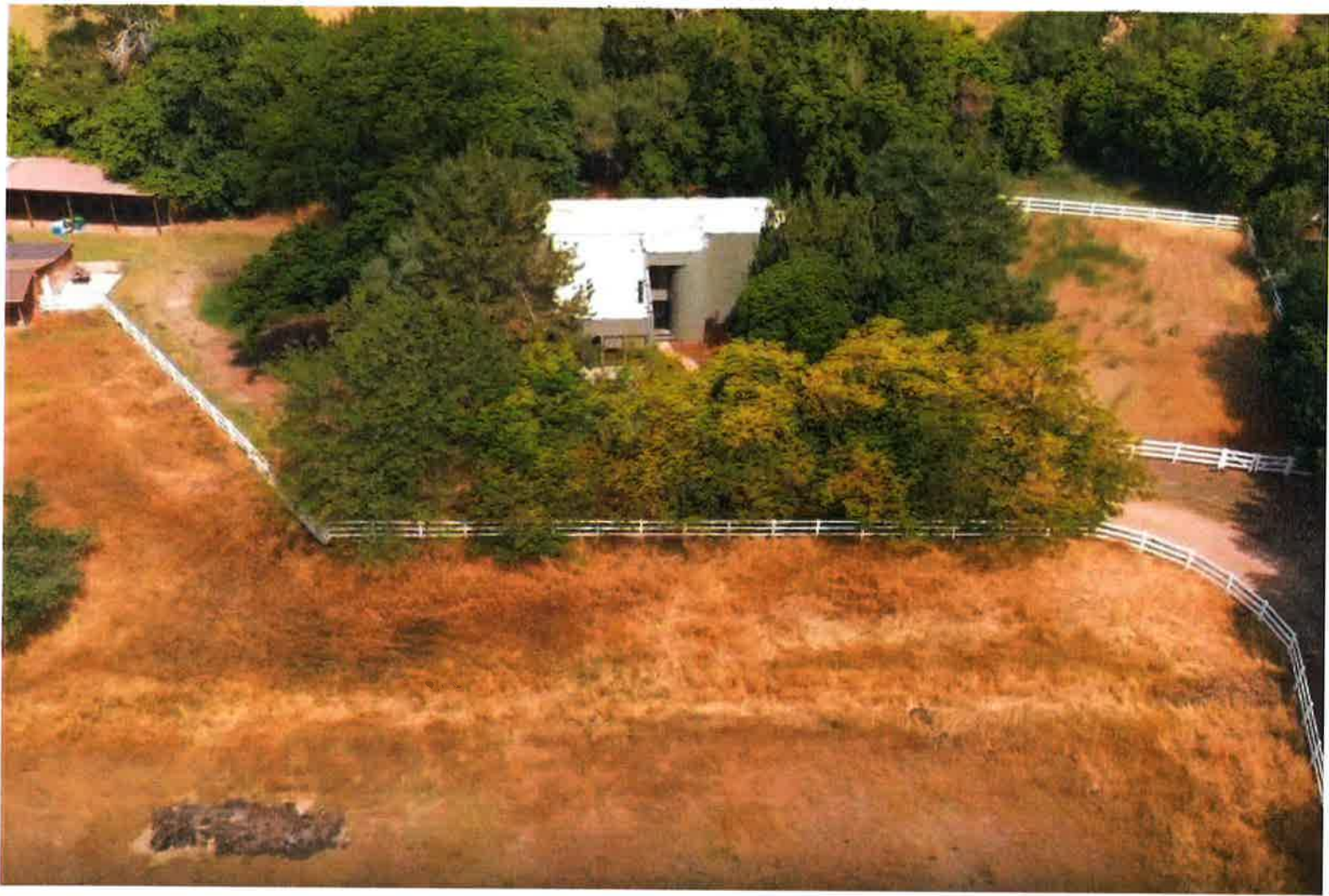



Notary Public for the State of Idaho
Residing at: Meridian, ID
My Commission Expires: 7-18-24

SE4 SEC.34, SW4, SEC.35-T.5N, R1E BM. Ada Co.
NE4 SEC.3, NW4, SEC.2-T.4N, R1E BM. Ada Co.

[illegible]









State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

March 1, 2007

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

JERALD G LEE
SHARON A LEE
13327 HORSESHOE BEND RD
BOISE ID 83703

NOTICE TO RESUME WATER USE

Re: Water Right No. 63-4219A

Dear Applicant(s):

On the 23rd of May 2002, the department approved an Application for Extension of Time to Avoid Forfeiture for Water Right no. 63-4219A. The department granted the request for the irrigation of 4.0 acres. One condition of the approval was that diversion and use of this water must resume on or before May 1, 2007. Failure to resume use of the water and to notify the department of the resumed use would be cause for the water to revert back to the state and again be subject to appropriation.

I am enclosing a Resumption of Use form for your use to notify the department of your resumption of use of the water right. Please complete the form and return it to my attention at the above address.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

domestic # 63-15641
\$25 + c of deed to transfer

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4219A V1

WATER RIGHT NUMBER: 63-4219A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JERALD G LEE 13327 HORSESHOE BEND RD BOISE, ID 83703 (208)939-0641
Original Owner	STEPHANIE L MC GLOTHLIN 13327 N HORSESHOE BEND RD BOISE, ID 83703 (208)938-0322
Current Owner	JUDY A. JEPSON 13327 HORSESHOE BEND RD BOISE, ID 83714 (208)939-6312
Original Owner	SHARON A LEE 13327 HORSESHOE BEND RD BOISE, ID 83703 (208)939-0641
Original Owner	MATTHEW S MC GLOTHLIN 13327 N HORSESHOE BEND RD BOISE, ID 83703 (208)938-0322

Priority Date: 12/31/1910

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
DRY CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.100 CFS	18.00 AF
	<u>Total Diversion:</u>	0.100 CFS	18.00 AF

Location of Point(s) of Diversion

DRY CREEK	NW1/4SW1/4	Sec. 35, Twp 05N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	35																	4.0

Total Acres: 4

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4219A V1

Conditions of Approval:

1. Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Parcel Nos. R5488500060 and R5488500065.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River.
7. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. C18 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. Section 42-1412(6), Idaho Code.

Comments:

1. vmusic 6/21/2005 EVIDENCE OF PRIORITY

Comment: USED AFFIDAVIT OF GLENN STILLWELL SUBMITTED FOR THE E AND F PORTIONS OF THIS SPLIT. CAN SEE FROM AERIALS AND STATUTORY CLAIM THAT THIS PORTION OF PART OF LAND ORIGINALLY IRRIGATED.

2. vmusic 6/21/2005 OWNERSHIP

Comment: RECEIVED PHONE CALL FROM MATT MCGLOTHLIN THAT HE SOLD PROPERTY TO JUDY JEPSON LAST YEAR. SENT CHANGE OF OWNERSHIP LETTER TO JEPSON WITH FORM ON 6-21-05.

3. lgagnon 9/22/2005 OWNERSHIP CHANGE

Comment: THE DATA IN THE NAME FEILD HAS BEEN CHANGED TO SHOW THAT THIS RIGHT HAS AN OWNERSHIP CHANGE.

4. Vmusic 3/1/2007 CHANGES AFTER DR FILED

Comment: SM TED BOOTH CONTACTED WESTERN AFTER THE DR WAS FILED AND WHEN HE WAS PREPARING TO ISSUE THE PARTIAL DECREE RE OTHER PROVISIONS. I TOLD HIM THAT THERE WERE 3 REMARKS THAT SHOULD BE IN EXPLANATORY AND NOT OTHER PROVISIONS - THE PARCEL INFO, AND 2 TRANSFER CONDITIONS. I MOVED THOSE REMARKS FROM OTHER PROVISIONS TO EXPLANATORY IN THE ECVR TODAY.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4219A V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: And
Water District Number: 63
Generic Max Rate Per Acre: 0.03
Generic Max Volume Per Acre: 4.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69746

This is to certify that: SHARON A LEE AND/OR
JERALD G LEE
13327 HORSESHOE BEND RD
BOISE ID 83703
(208)939-0641

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Point of Diversion

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-4219A	AJC/Beneficial Use	12/31/1910	0.12 cfs			4.0	DRY CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-4219A	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-4219A	63-4219A	0.10 cfs	18.0 af	N/A	4.0		N/A	N/A	N/A	N/A
TOTALS		0.10 cfs	18.0 af	N/A	4.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of June, 2002

[Signature]
Chief, Water Allocation Bureau

**Please
Carefully Review
Your Partial Decree**

Carefully read and check all items to make sure they are accurate, such as:

1. Name and Address
2. Water Source
3. Date of Priority
4. Point of Diversion
5. Place of Use
6. Nature of Use

**If You Find An Error
Or Something That Needs
To Be Corrected**

Immediately call the IDWR Regional Office that handles your basin. The telephone numbers are on the back panel of this brochure. Your basin is designated as the first two digits of your water right.

If an administrative change is needed the proper form will be mailed to you upon your request. Complete and return the form to the IDWR Regional Office that handles your basin.

Costs associated with this publication are available from the Idaho Department of Water Resources in accordance with Section 60-202, Idaho Code.
IDWR - 40,000 - 7/98

Printed on recycled paper

**Here's How to Contact
IDWR Regional Offices If
You Need Assistance**

If your partial decree begins with 01, 21, 22, 23, 24, 25, 27, 29, 31, 32, 33, 34, 35, 73, 74, 75:

IDWR Eastern Regional Office
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718
(208) 525-7161

If your partial decree begins with 02, 36, 37, 41, 43, 45, 47, 71, 72:

IDWR Southern Regional Office
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

If your partial decree begins with 03, 51, 55, 57, 61, 63, 65, 67, 69, 77, 78, 79:

IDWR Western Regional Office
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

If your partial decree begins with 81, 82, 83, 84, 85, 86:

IDWR Northern Regional Office
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

**Guide
To Reviewing
Your Partial
Decree
Water Right
In The
Snake River Basin
Adjudication**



Idaho
Department
of Water
Resources



5th Judicial
District
Court
of Twin Falls



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

C.L. "Butch" Otter
Governor

January 04, 2019

Gary Spackman
Director

GARRETT FOSHAY
13327 HORSESHOE BEND RD
BOISE ID 83714-9630

Re: Change in Ownership for Water Right No: 63-4219A

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,

Debbi Judd
Technical Records Specialist

Enclosures

c. Water District 63