

RECEIVED

OCT 15 2018

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 22 2018

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?
72-10199	Yes ☐	Yes ☐	72-12J	Yes ☐	Yes ☐
72-10198	Yes ☐	Yes ☐	72-12H	Yes ☐	Yes ☐
72-00218	Yes ☐	Yes ☐		Yes ☐	Yes ☐
renumbered to 72-12J	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Falma Moye - Callinore / Ray Callinore - deceased
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): William M. Nailon, Myker Nailon
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 940 Stephens Rd Challis ID 83226
Mailing address City State ZIP
- Myk 208-833-4767 WMNOCustomer@net
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: 10-9-2018
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):
 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: William M. Nailon Title, if applicable: _____ Date: 10-9-18
Signature: Myker Nailon Title, if applicable: _____ Date: 10-9-18

For IDWR Office Use Only:

Received by JB Date 10/18/18 Receipt No. E044469 Receipt Amt. \$25.00
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 _____ Approved by _____ Processed by dj Date 11-5-18

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: April 30, 1997

PAGE: 1

RIGHT NUMBER: 72-10199

NAME AND ADDRESS: FALMA MOYE CULLINANE
RAY CULLINANE
PO BOX 969
CHALLIS ID 83226

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY-DATE: 04/01/1979

POINT OF DIVERSION T14N R19E S09 NENE Within CUSTER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CUSTER County
T14N R19E S09 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP000600000248A

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A72-10198**
Date Received: 12/ 6/1989
Receipt No: M005311
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: FALMA J. MOYE
Address: P.O. BOX 1145
CHALLIS ID

83226

2. Date of Priority: MAY 1, 1879

3. Source: CHALLIS CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	8		NW	NE		CUSTER

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	9	NE	NE		IRR	5.0
			SE	NE		IRR	5.0

Section Acres 10.0

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012B.

OWNERSHIP CHANGE 2/21/92 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STEPHENS ET. AL.

Decree Plaintiff

SHAW ET. AL.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ___ do not ___ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A72-00021B**

Date Received: 3/ 9/1990

Receipt No: S011450

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FALMA J. MOYE 208-879-4508
Address: P.O. BOX 1145
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1879

3. Source: CHALLIS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	8		NE	NW		CUSTER

5. Description of diverting works:
HEADGATE AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/4 HORSES, 4 BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	9	SE	NE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
THIS IS A PORTION OF WR 72-00021.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STEPHENS, ET AL

Decree Plaintiff

SHAW, ET AL

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of) SS.
_____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

255469

#

Custer County Req. of

CCT

Time 2:20P M Date 10/9/2018

Lura H. Baker, Clerk

Deputy \$15.00

WARRANTY DEED

This warranty deed is made on the 9th day of October, 2018, between -

FALMA J. MOYE, a single person, of 5057 W. Double Adobe Rd., McNeal, Arizona, 85617, referred to herein as Grantor; and

WILLIAM M. NAILLON and MYLA R. NAILLON, husband and wife, of 987 Foothills Road, Challis, Idaho, 83226, referred to herein as Grantee:

Grantor, for and in consideration of the sum of ten and no/100 dollars (\$10.00) and other good and valuable consideration, the receipt of which is acknowledged, has granted, bargained, and sold, and, by this deed, grants, bargains, sells, conveys, and confirms to Grantee, and Grantee's heirs and assigns forever, all of the real estate situated in Custer County, Idaho, and more accurately and particularly described at **Exhibit A** hereto.

Together with all and singular the tenements, hereditaments, and appurtenances belonging to the described property or in any manner appertaining to the property, the reversion and reversions, remainder and remainders, rents, issues, and profits of the property; and all estate, right, title, and interest in and to the property, as well in law as in equity.

Together with all water rights, permits and claims, and all interests in any canal companies or ditch associations incident to and/or appurtenant to the property.

To have and to hold, all and singular, the described property together with the appurtenances to Grantee and Grantee's heirs and assigns forever.

And Grantor and Grantor's heirs shall and will warrant and, by these presents, forever defend the described property in the quiet and peaceable possession of Grantee, Grantee's heirs, and assigns against Grantor and Grantor's heirs and against all and every person and persons whomever, lawfully claiming the same.

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255469

In witness of the above, Grantor has set Grantor's hand on the date first written above.

GRANTOR:

Falma J. Moye
FALMA J. MOYE

ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
COUNTY OF CLUSTER)

On this 9 day of OCTOBER, 2018, before me, a notary public for the above-identified state, personally appeared before me FALMA J. MOYE, who is (are) personally known to me to be the person(s) so named, or proven to me on the basis of satisfactory evidence to be the person(s) so named, whose name(s) is (are) subscribed to the within instrument, and who acknowledged to me that s/he (they) executed this instrument.



Ryan E. Millick
Notary Public
Residing in: CHALLIS, IDAHO
My Commission Expires: 9-21-23

255469

EXHIBIT A

Common Address: 940 Stephens Road, Challis, Idaho, 83226

County Tax Assessor Parcel No.: RP00060000024B A (Custer County, ID)

Legal Description:

TRACT I:

A portion of Lot 24, Rocky Mountain Meadows, Custer County, Idaho, as shown by the Official Plat thereof, recorded as instrument No. 158530, records of Custer County, Idaho, more particularly described as follows; to-wit:

Commencing at the corner common to Sections 3, 4, 9, and 10, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; thence South 0°18'44" East, 770.00 feet on and along the Section line common to said Section 9 and 10 to the Northeast corner of Lot 24, Rocky Mountain Meadows Subdivision; thence South 89°21'53" West, 609.00 feet on and along the North line of said Lot 24 to the Point of Beginning of this description; thence continuing South 89°24'11" West, 501.00 feet on and along the North line of said Lot 24 to the Northwest corner thereof; thence South 0°18'44" East, 1044.35 feet on and along the West line of said Lot 24 to the Southwest corner thereof, being also the Northwest right-of-way line of a County Road; thence North 72°49'08" East, 377.08 feet on and along said curve 225.06 feet, said curve having a delta angle of 6°07'04" and a radius of 2120.00 feet; thence North 5°22'49" West 887.36 feet to the North line of said Lot 24 and the Point of Beginning.

EXCEPTING THEREFROM

A parcel of land located in the NE1/4, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows: Commencing at the Northwest Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South 0°18'44" East along the East boundary of Section 9, thence South 89°21'53" West, 820.00 feet to a point on the Easterly bank of Challis Creek and being the REAL POINT OF BEGINNING; thence South 46°09'13" West, 124.14 feet along said Easterly bank; thence North 0°18'44" West, 85.00 feet; thence North 89°21'53" East, 90.00 feet to the Real Point of Beginning.

TRACT II:

A parcel of land located in the E1/4, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows:

Commencing at the Northeast Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South 0°18'44" East along the East boundary of Section 9; thence South 89°21'53" West, 910.00 feet; thence South 0°18'44" East, 298.66 feet to the REAL POINT OF BEGINNING; thence South 22°05'11" West, 112.92 feet; thence South 8°01'09" East, 320.86 feet; thence North 0°18'44" West, 422.36 feet to the Real Point of Beginning.

255469

EXHIBIT A

Tract I:

A portion of Lot 24, Rocky Mountain Meadows, Custer County, Idaho, as shown by the Official Plat thereof, recorded as instrument No. 158530, records of Custer County, Idaho, more particularly described as follows, to-wit:

Commencing at the corner common to Sections 3, 4, 9, and 10, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, thence South 0°18'44" East 770 feet on and along the Section line common to said Sections 9 and 10 to the Northeast corner of Lot 24, Rocky Mountain Meadows Subdivision; thence South 89°21'53" West, 409.00 feet on and along the North line of said Lot 24 to the Point of Beginning of this description; thence continuing South 89°21'53" West, 501.00 feet on and along the North line of said Lot 24 to the Northwest corner thereof; thence South 0°18'44" East, 1044.35 feet on and along the West line of said Lot 24 to the Southwest corner thereof, being also the Northwesterly right-of-way line of a County Road; thence North 72°49'08" East, 377.08 feet on an along said curve 225.06 feet, said curve having a delta angle of 6°07'04" and a radius of 2120.00 feet; thence North 5°22'49" West, 887.38 feet to the North line of said Lot 24 and the Point of Beginning.

EXCEPTING THEREFROM

A parcel of land located in the NE¼NE¼, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows:

Commencing at the Northeast Section Corner of said Section 9, a distance of 770 feet on a bearing of South 0°18'44" East along the East boundary of Section 9, thence South 89°21'53" West, 820.00 feet to a point on the Easterly bank of Challis Creek and being the REAL POINT OF BEGINNING; thence South 46°09'13" West, 124.14 feet along said Easterly bank; thence North 0°18'44" West, 85.00 feet; thence North 89°21'53" East, 90.00 feet to the Real Point of Beginning.

Tract II:

A parcel of land located in the E¼NE¼, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows:

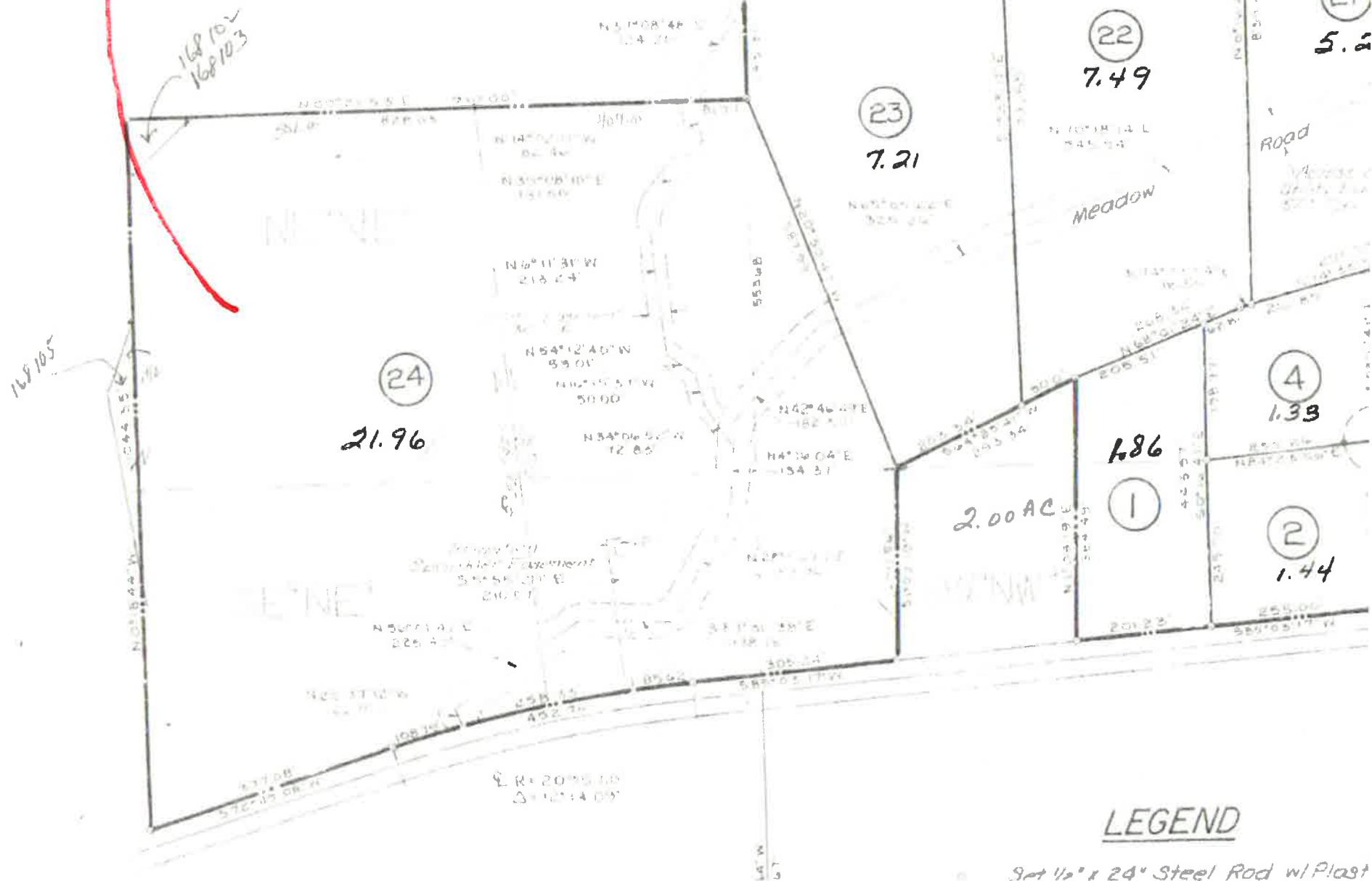
Commencing at the Northeast Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South 0°18'44" East along the East boundary of Section 9; thence South 89°21'53" West, 910.00 feet; thence South 0°18'44" East, 298.66 feet to the REAL POINT OF BEGINNING; thence South 22°05'11" West, 112.92 feet; thence South 8°01'09" East, 320.86 feet; thence North 0°18'44" West, 422.36 feet to the Real Point of Beginning.

Tract III:

A portion of Lot 24, Rocky Mountain Meadows, Custer County, Idaho, as shown by the Official Plat thereof, recorded as instrument No. 158530, records of Custer County, Idaho, more particularly described as follows, to-wit:

Commencing at the corner common to Sections 3, 4, 9, and 10, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, thence South 0°18'44" East 770.00 feet on and along the Section line common to said Sections 9 and 10 to the Northeast corner of Lot 24, Rocky Mountain Meadows Subdivision the True Point of Beginning; thence South 89°21'53" West, 409.00 feet on and along the North line of said Lot 24; thence South 05°22'49" East, 887.38 feet to a point on the Northerly right-of-way line of a County Road; thence Easterly along said County Road right-of-way 532.71 feet to the Southeast corner of said lot 24; thence North 01°09'19" East, 280.56 feet; thence North 20°50'47" West 587.99 feet to the Northeast corner of said lot 24, the True Point of Beginning.

Millon



LEGEND

Set 1/2" x 24" Steel Rod w/ Plast



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

November 5, 2018

Gary Spackman

Director

WILLIAM M NAILLON
MYLA R NAILLON
940 STEPHENS RD
CHALLIS ID 83226-4720

Re: Change in Ownership for Water Right Nos: 72-12H, 72-12J, and 72-10199

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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 cursive script that reads "Debbi Judd".

Debbi Judd
Technical Records Specialist

Enclosures

c. Water District 72A



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

October 25, 2018

Gary Spackman
Director

WILLIAM M NAILLON
MYLA R NAILLON
940 STEPHENS RD
CHALLIS ID 83226-4720

RE: Water Right Change in Ownership Nos: 72-12H, 72-12J, and 72-10199

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice). Please note that water right 72-10198 has been renumbered to 72-12H and water right 72-21B has been renumbered to 72-12J.

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

 X Filing Fee of \$25 *per* water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$50.

Because the Department cannot process the Notice without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist