

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
NOV 30 2017
WATER RESOURCES
WESTERN 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?
63-19044	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: Gerald L. Diffendaffer
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Bruce Schoeberl
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2412 n 23rd Boise ID 83703
Mailing address City State ZIP
- 208-501-6297 bruceboise@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: 11/30/17
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: Bruce Schoeberl 11/25/17
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 [Signature] Date 11/30/17 Receipt No. W045872 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 X Approved by X Processed by X Date X

AFTER RECORDING MAIL TO:

Bruce Schoeberl
2412 North 33rd Street
Boise, ID 83703

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.: **4102-2962658 (PC)**

Date: **November 29, 2017**

For Value Received, **Judith Lorraine Diffendaffer, (aka Judith Diffendaffer), an unmarried woman**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Bruce Schoeberl, a married man as his sole and separate property**, hereinafter referred to as Grantee, whose current address is **2412 North 33rd Street, Boise, ID 83703**, 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:

LOT 1 IN BLOCK 2 OF CANTWELL SUBDIVISION, ACCORDING TO THE PLAT THEREOF, FILED IN BOOK 16 OF PLATS AT PAGES 1087 AND 1088, RECORDS OF ADA COUNTY, IDAHO.

APN: **R1279000025**

4N 33 SWNW
2E

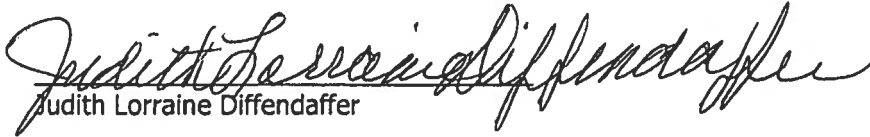
TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all 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: R1279000025

Warranty Deed
- continued

File No.: 4102-2962658 (PC)

Date: 11/29/2017

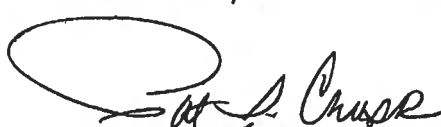

Judith Lorraine Diffendaffer

STATE OF Idaho)
COUNTY OF Ada)
SS.

On this 29th day of **November, 2017**, before me, a Notary Public in and for said State, personally appeared **Judith Lorraine Diffendaffer**, 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 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.




Notary Public for the State of Idaho
Residing at: Boise, ID
My Commission Expires: 5/8/22

FILED By:  Deputy Clerk
Fourth Judicial District, Ada County
CHRISTOPHER D. RICH, Clerk

Allan R. Bosch, ISB No. 2527
CAPITOL LAW GROUP, PLLC
205 North 10th Street, Fourth Floor
P.O. Box 2598
Boise, ID 83701-2598
Telephone (208) 424-8872
Facsimile (208) 424-8874
E-mail abosch@capitolawgroup.com
Attorneys for Surviving Spouse

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=5 LISA BATT
CAPITOL LAW

2017-068076
07/25/2017 03:50 PM
AMOUNT: \$15.00



IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE ESTATE OF)	CASE NO. CV01-17-09708
)	
GERALD LEE DIFFENDAFFER,)	DECREE VESTING ESTATE IN
)	SURVIVING SPOUSE
)	(I.C. 15-3-1205)
Deceased.)	
)	

Upon consideration of the Petition for Summary Administration of Estate of Which Surviving Spouse is Sole Beneficiary filed by Judith Diffendaffer on May 24, 2017, the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, Gerald Lee Diffendaffer died on March 24, 2017 domiciled in Ada County.
4. Venue is proper.
5. The decedent and Judith Diffendaffer were duly married at Boise, Idaho, on December 28, 1957, and remained married until the date of decedent's death.
6. The surviving spouse, Judith Diffendaffer, is the sole devisee of the decedent.
7. The decedent died testate, leaving a will dated March 25, 2004. The will was validly executed and is the last will of the decedent.

DECREE VESTING ESTATE IN SURVIVING SPOUSE - 1

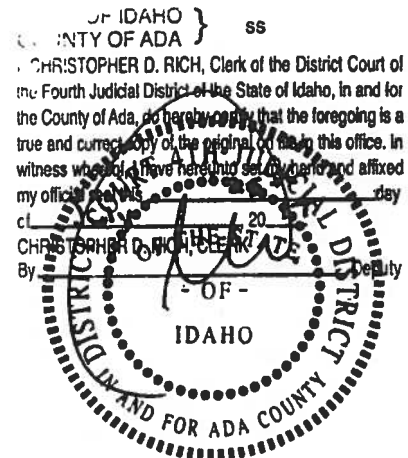
8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent and properly characterizes the property as community property.

THEREFORE, it is ordered, adjudged and decreed as follows:

1. Judith Diffendaffer is the surviving spouse of the decedent and is the sole devisee of the decedent.
2. All property of the decedent, including, but not limited to, the property described on the schedule attached to this Decree is hereby vested in and distributed to Judith Diffendaffer free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

Dated: Signed: 7/18/2017 02:45 PM


MAGISTRATE



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on 07/20/2017, I served a true and correct copy of the foregoing upon each of the following individual(s) by causing the same to be delivered by the method and to the address(es) indicated below:

Allan R. Bosch
Capitol Law Group, PLLC
PO Box 2598
Boise, ID 83701-2598

☐ U.S. Mail, postage prepaid
☐ Hand-Delivered
☐ Overnight Mail
☐ Facsimile
☒ Email: abosch@capitolawgroup.com
 agrissom@capitolawgroup.com
☐ Court E-File



Clerk of the Court

Signed: 7/20/2017 08:16 AM

SCHEDULE OF PROPERTY

All assets of the Decedent, including, but not limited to, the following:

1. BANK ACCOUNTS.

Name of Institution	Type of Account
Idaho Central Credit Union	Checking Account and Savings Account

2. REAL PROPERTY.

Location	Type
2412 North 33 rd Street Boise, ID 83703	See attached legal descriptions

3. VEHICLES & MISCELLANEOUS.

Name	Type
2015 Ford Explorer	Automobile
2000 Mercury Grand Marquis	Automobile
1999 Ford F250	Automobile
1921 Model T Runabout	Automobile
2006 Utility Trailer	Trailer
2002 Montana 5 th Wheel	Camper

4. PERSONAL PROPERTY.

Name of Item	Type
Household Items	Various

PROPERTY LEGAL DESCRIPTIONS

The real property located at 2412 North 33rd Street, Boise, Idaho 83703; more particularly described as follows:

**LOT 1 IN BLOCK 2 OF CANTWELL SUBDIVISION, ACCORDING TO THE
OFFICIAL PLAT THEREOF, FILED IN BOOK 16 OF PLATS AT PAGE(S) 1087
AND 1088, OFFICIAL RECORDS OF ADA COUNTY IDAHO.**



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 13, 2018

BRUCE SCHOEBERL
2412 N 33RD ST
BOISE ID 83703

RE: Ownership Change for Water Right No. 63-19044

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. However, the application has not been processed due to insufficient documentation. Please see the attached letter originally sent on December 20, 2017 for further information. The Department did not receive a response to the request.

Because the Department cannot process this request at this time, we are returning the application and all attachments. You may submit this form with the required documentation and fees at any time. A refund has been requested and will be sent to the payer (FIRST AMERICAN TITLE COMPANY) under separate cover.

Thank you for your cooperation, if you have any questions please contact this office at (208)334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad Jones'.

Chad Jones
Office Specialist II
Western Region Office

Enclosures

Jones, Chad

From: Jones, Chad
Sent: Tuesday, March 13, 2018 12:06 PM
To: Marston, Sascha
Subject: Refund - FIRST AMERICAN TITLE COMPANY

TO: Sascha Marston

FROM: Chad Jones

DATE: March 13, 2018

RE: Refund: Ownership Change 63-19044

This ownership change was submitted for BRUCE SCHOEBERL (payer – FIRST AMERICAN TITLE COMPANY) for water right 63-19044. The water right was decreed by the SRBA in the wrong ¼, ¼ and cannot be processed without a transfer application being submitted. A letter sent 12/20/17 asking for clarification / additional info did not receive a response.

Please issue a refund of \$25 to:

FIRST AMERICAN TITLE & ESCROW
800 WEST MAIN ST
STE 910
BOISE ID 83702

RECEIPT #

W045872



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 20, 2017

BRUCE SCHOEBERL
2412 N 33RD
BOISE ID 83703

RE: Notice of Ownership Change in Water Right No. 63-19044

Dear Applicant,

Water Right No. 63-19044 cannot be modified without further documentation. It appears that the legal description on the right was claimed and decreed in error. The location of this water right is listed as Township 4N, Range 2E, Section 33, and NWNW. The deed that you have provided puts the parcel in Township 4N, Range 2E, Section 33 and SWNW. The only way to correct this error is by filing an application for transfer of water right to change the point of diversion and place of use to the correct location. I have included a proof report of the water right for reference.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience and cooperation. Please call (208)334-2190 if you have any questions concerning the enclosed information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad Jones', is written over a horizontal line.

Chad Jones
Office Specialist II
Western Regional Office

Enclosures