

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 02 2017

DEPARTMENT OF
WATER RESOURCES

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?
36-16104	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16106	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16108	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Vanderham Dairy
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John Phillips and Anita Phillips
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1325 W 535 N Paul ID 83347
Mailing address City State ZIP
- 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: 5/3/2007
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: John Phillips Title, if applicable _____ Date 9/28/2017
 Signature of new owner/claimant
 Signature: Anita Phillips Title, if applicable _____ Date 9/28/2017
 Signature of new owner/claimant

SUPPORT DATA

IN FILE # 36-16104

For IDWR Office Use Only:

Received by cem Date 10/2/17 Receipt No. C104184 Receipt Amt. \$75.00
 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 10-5-17

#21000

WARRANTY DEED

490698

For Value Received

DEL KOHTZ and FRAN KOHTZ, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

JOHN PHILLIPS and ANITA PHILLIPS, husband and wife

Address: P.O. Box 603 Paul, Id 83347

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

ARCEL NO. 1:

**TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

SECTION 19: SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$

ARCEL NO. 2:

**TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

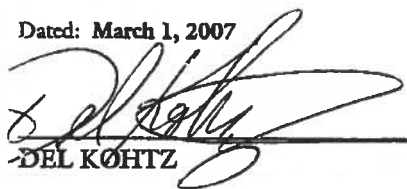
SECTION 19: SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$

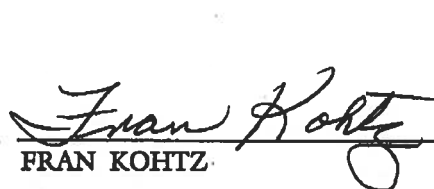
SUBJECT TO:

All reservations in patents or deeds in the chain of title.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 1, 2007

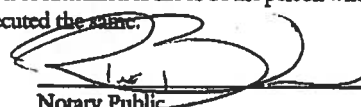

DEL KOHTZ

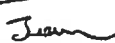

FRAN KOHTZ

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

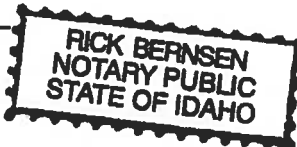
Instrument # **490698**
MINIDOKA COUNTY, IDAHO
2007-05-03 04:22:41 No. of Pages: 1
Recorded for: RUPERT LAND TITLE
DUANE SMITH Fee: 3.00
Ex-Officio Recorder Deputy 

On this ^{1st} day of ^{MAY} ~~MARCH~~, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared DEL KOHTZ and FRAN KOHTZ, known or identified to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public

Residing at: 

My Commission expires: 7-30-09





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 5, 2017

JOHN PHILLIPS
ANITA PHILLIPS
1325 W 535 N
PAUL ID 83347

Re: Change of Ownership for Water Right Nos: 36-16104, 36-16106, and 36-16108

Dear Water Right Holders:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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.

Also 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. If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. Parsons, Smith, Stone, Loveland, & Shirley LLP