

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED DE
NOV 04 2016
DEPARTMENT OF
WATER RESOURCES

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?
37-10071	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-7083	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Lola Louise Remaklus, Theobold Remaklus
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Phillip Moxley
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|------------------------|---------------------------|-----------|--------------|
| <u>651 Bliss Grade</u> | <u>Bliss</u> | <u>ID</u> | <u>83314</u> |
| Mailing address | City | State | ZIP |
| <u>(208) 850-5059</u> | <u>AMSTELECOM@aol.com</u> | | |
| 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: April 16, 2003
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: Phillip Moxley Title, if applicable: _____ Date: 10/18/16
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by VC Date 11/4/16 Receipt No. C1021011 Receipt Amt \$50
 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 [Signature] Date 11-8-16

EXHIBIT

A

Document is being re-recorded to correct legal description .

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by MELODIE L. JONES, general personal representative of the Estate of Lola Louise Remaklus, deceased, Grantor, to PHILLIP MOXLEY, ~~a single man~~, Grantee, whose current address is 651 Bliss Grade, Bliss, Idaho 83314. an unmarried man

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. CV2002-4247, in Canyon County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Gooding County, Idaho:

See Attached Schedule A

SUBJECT TO:

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

Taxes for 2003 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments levied or to be levied by any local irrigation district.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Power Line Easement given by Fred G. Bliss and Vertie E. Bliss to Great Shoshone and Twin Falls Water Power Company, dated January 30, 1911, recorded January 19, 1912 in Book 20 of Deeds at Page 554 as Instrument Number 25644, Gooding County records, affecting Lots 6, 7 and 8 and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 6S., Range 13 E.B.M., Gooding County, Idaho.

Power Line Easement given by Andrew A. Colvin and Helen Colvin, his wife to Idaho Power Company, a corporation dated March 31, 1949, recorded April 16, 1949, in Book 6 of Misc. at Page 424 as Instrument Number 108606, Gooding County records, affecting Lot 2 of Section 7, Township 6 South, Range 13 East BM.

Power Line Easement given by Theobold S. Remaklus and Lola Boston Remaklus, his wife to Idaho Power Company, a corporation, dated April 1, 1969, recorded August 15, 1969 as Instrument Number 29576, Gooding County records, affecting E $\frac{1}{2}$ of Lot 7 in Sec 7, Twp 6S, Rge 13 E.B.M..

PERSONAL REPRESENTATIVE'S DEED - 1

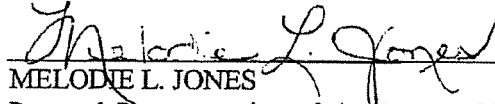
Instrument # 200591 *Re-record*
GOODING, GOODING, IDAHO
2003-05-05 02:05:37 No. of Pages: 3
Recorded for : LAND TITLE
HELEN EDWARDS
Ex-Officio Recorder Deputy *H. Edwards*

Instrument # 200314
GOODING, GOODING, IDAHO
2003-04-18 03:53:00 No. of Pages: 3
Recorded for : LAND TITLE
HELEN EDWARDS
Ex-Officio Recorder Deputy *Sammy Watson* Fee: 9.00

Right of Way to Access and Maintain Road by and between Ted Remaklus and Lola Remaklus, husband and wife and Bliss Highway District, recorded March 10, 1994 as Instrument Number 156097, records of Gooding County, Idaho affecting Lot 2; SW ¼ NW¼; Lot 8 and SE¼NW¼; Section 7T. 6SR.13 EBM.

with all appurtenances.

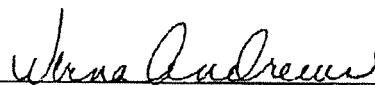
EXECUTED this 16th day of April, 2003.


MELODIE L. JONES
Personal Representative of the Estate of LOLA
LOUISE REMAKLUS, deceased.

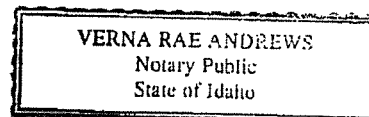
STATE OF IDAHO)
) ss.
County of Ada)

On this 17 day of April, 2003, before me, the undersigned, a notary public in and for said state, personally appeared, MELODIE L. JONES, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Lola Louise Remaklus, deceased, and acknowledged to me that she executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.


NOTARY PUBLIC
Residing at: Canyon County
My Commission Expires: 02/02/07

*SEAL



SCHEDULE A

Order Number: GG-04214

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 7: The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), and Lot 5, 6, 7 and 8 and that part of Lot 2, lying East of that certain Main Highway running North and South from the "Bliss Bridge" through said tract of land, the said Main Highway being approximately 750 feet East of the West Boundary line of the Said Lot 2.

EXCEPTING THEREFROM:

A tract of land in Lot 7, more particularly described as follows:

Commencing at the Southeast corner of said Lot 7; 713.53
Thence along the South Line of Lot 7 North 88°47'40" West, a distance of ~~282.75~~
feet to the intersection with the meander of the Snake River as run by Allen
M. Thompson September, 1877 and proportioned;
Thence along said proportioned meander line North 27°44'30" West a distance of
258.11 ~~282.75~~ feet to the TRUE POINT OF BEGINNING;
Thence continuing along said meander line North 27°44'30" West, a distance of
282.75 feet;
Thence leaving said meander line North 57°06'30" East, a distance of 814.25 feet to
the approximate centerline of Bliss Grade Road as Traveled;
Thence continuing along the approximate centerline of Bliss Grade Road as Traveled
the following courses and distances;
South 33°03'30" East a distance of 105.30 feet;
Thence South 43°28'40" East, a distance of 137.30 feet;
Thence leaving said Bliss Grade Road South 54°22'20" West, a distance of 866.14
feet to return the POINT OF BEGINNING.

Document is being re-recorded to correct legal description.

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by MELODIE L. JONES, general personal representative of the Estate of Lola Louise Remaklus, deceased, Grantor, to PHILLIP MOXLEY, ^{a single man} ~~a single man~~, Grantee, whose current address is 651 Bliss Grade, Bliss, Idaho 83314. ^{an unmarried man} ~~an unmarried man~~

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. CV2002-4247, in Canyon County, Idaho;

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PERSONAL REPRESENTATIVE'S DEED - 1

Instrument # 200590

GOODING, GOODING, IDAHO

2003-05-05

02:03:31

No. of Pages: 3

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 9.00

Instrument # 200313

GOODING, GOODING, IDAHO

2003-04-18

03:52:02

No. of Pages: 3

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 9.00

Right of Way to Access and Maintain Road by and between Ted Remaklus and Lola Remaklus, husband and wife and Bliss Highway District, recorded March 10, 1994 as Instrument Number 156097, records of Gooding County, Idaho affecting Lot 2; SW ¼ NW¼; Lot 8 and SE¼NW¼; Section 7T. 6SR.13 EBM.

with all appurtenances.

EXECUTED this 16th day of April, 2003.

Melodie L. Jones
MELODIE L. JONES
Personal Representative of the Estate of LOLA
LOUISE REMAKLUS, deceased.

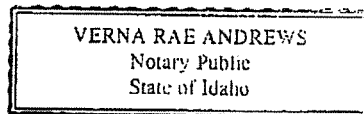
STATE OF IDAHO)
County of Ada) ss.

On this 17 day of April, 2003, before me, the undersigned, a notary public in and for said state, personally appeared, MELODIE L. JONES, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Lola Louise Remaklus, deceased, and acknowledged to me that she executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Verna Andrews
NOTARY PUBLIC
Residing at: Canyon County
My Commission Expires: 02/02/07

*SEAL



Schedule A

Order Number: GG-04214

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

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Thence leaving said Bliss Grade Road South $54^{\circ}22'20''$ West, a distance of 866.14
feet to return the POINT OF BEGINNING.



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

November 8, 2016

PHILLIP MOXLEY
651 BLISS GRADE
BLISS ID 83314

Re: Change of Ownership for Water Right/Permit No(s): 37-7083 and 37-10071

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) 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 § 42-222 and §42-223, Idaho Code.

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. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

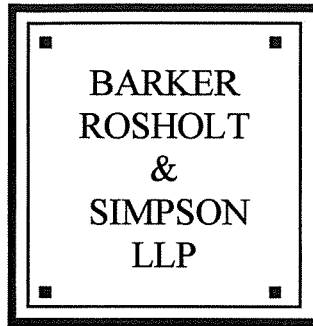
A handwritten signature in black ink, appearing to read 'Jean Hersley', written over a horizontal line.

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Water District No. 130
Water District No. 02
Barker Rosholt Simpson LLP

ALBERT P. BARKER
JOHN A. ROSHOLT
JOHN K. SIMPSON
TRAVIS L. THOMPSON
SHELLEY M. DAVIS
PAUL L. ARRINGTON
SCOTT A. MAGNUSON



1010 W. Jefferson, Suite 102
Post Office Box 2139
Boise, Idaho 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

163 Second Avenue West
Post Office Box 63
Twin Falls, Idaho 83303-0063
(208) 733-0700 telephone
(208) 735-2444 facsimile

Scott A. Magnuson
sam@idahowaters.com

November 2, 2016

VIA U.S. MAIL

Idaho Department of Water Resources
Idaho Water Center
322 East Front Street
Boise, ID 83702

RECEIVED

NOV 04 2016

DEPARTMENT OF
WATER RESOURCES

Re: *Notice of Change in Water Right Ownership*
Water Right Nos. 37-10071 and 37-7083

Dear Clerk,

Our office represents the interests of Mr. Phillip Moxley, and as such, please direct any further communications concerning the above referenced water rights to our office. Enclosed herewith, please find a completed *Notice of Change in Water Right Ownership* for Water Rights 37-10071 and 37-7083, executed by Mr. Moxley. Also enclosed herewith, please find check no. 24958 in the amount of \$50.00, the filing fee for the change in ownership. Copies of the deeds filed with the recorder's office evidencing the transfer of the property are also enclosed.

If you have any questions or concerns, please call or email our office.

Very truly yours,
BARKER ROSHOLT & SIMPSON LLP

Scott A. Magnuson

SAM/jlw
Encl.