

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APR 09 2015

DEPT OF WATER RESOURCES  
SOUTHERN 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 36-17038              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 36-17039              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Idaho Water Company CO LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kevin and Dana Moss

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/or

269 S 300 E

Jerome

Idaho

83338

Mailing address

City

State

ZIP

(208) 324-1000

KEVIN.MOSS@massgreenhouses.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: April, 1, 2015

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):
- SUPPORT DATA**
- IN FILE # 36-17038
- ☐ \$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: Kevin D. Moss

Signature of new owner/claimant

Title, if applicable

Date

4/1/15

Signature: Dana Moss

Signature of new owner/claimant

Title, if applicable

Date

4/1/15

## For IDWR Office Use Only:

Received by DM

Date

4.9.2015

Receipt No.

5034671

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

Date

When recorded return to:

**Instrument # 2151146**

JEROME COUNTY, JEROME, IDAHO  
4-1-2015 11:54:22 AM No. of Pages: 2  
Recorded for : KEVIN D. MOSS  
MICHELLE EMERSON  
Ex-Officio Recorder Deputy 7.00 Fee: 13.00

### **SPECIAL WARRANTY DEED FOR WATER RIGHT**

Idaho Water Company of 1135 Valley Rd. So. Eden, ID 83325(Grantor) does hereby grant, bargain, sell, assign, and convey unto Kevin D. Moss and Dana Moss (Grantee) of 2275S 300E, Jerome, Idaho 83388 and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the Water Right(s)# 36-17038 and 36-17039 and hereto (collectively the "Water Right"). Grantor retains no residual or reversionary interest in the Water Right(s) listed in the exhibits.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner or has the right to sell through an option contract with the original owner of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other covenants or warranties as to the Water Rights.

The Subject Water Rights are appurtenant to the real property described in Exhibit 1 consisting of a Water Right Report for Water Rights #36-17038 and 36-17039 and legal description of land the Water Rights are appurtenant to. **No Land is included in this Deed.**

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor:

Dated:

By:

Exhibits:

Exhibit 1: Water Right Report for Water Right #36-17038 and 36-17039  
There are 37 acre feet/anum of Water included in this agreement that are appurtenant to a portion of the land covered by the Water Right Reports.

**STATE OF IDAHO**

County of Jerome )  
 ) S.

On this 1 day of April, 2015, before me the undersigned Notary Public in and for said state, personally appeared Delbert Kohtz, Managing Member of Idaho Water Company LLC, and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

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

Notary public for

Residing at

My commission expires

