

RECEIVED

JUN 17 2015

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 10 2015

IDWR / NORTH

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?
WIC 98 2054	Yes ☐	Yes ☐		Yes ☐	Yes ☐
WIC 98 7659	Yes ☐	Yes ☐		Yes ☐	Yes ☐
Not updated	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: David Byler; previously Rudy and Esther Byler and Fern and Ray Yoder
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John and Barbara Oxley
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 6130 N 16th St Phoenix AZ 85016 -1705
Mailing address City State ZIP
- 602-621-1675 drjohno@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: May 11, 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):
 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.

SUPPORT DATA

IN FILE # 98-2054

8. Signature: [Signature] Title, if applicable: _____ Date: 5/19/2015
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable: _____ Date: 5/19/2015
Signature of new owner/claimant

For IDWR Office Use Only:

Received by N Standing Date 6-10-15 Receipt No. N031285 Receipt Amt. \$50.00
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 [Signature] Date 9-30-15

98 7659

WARRANTY DEED

Escrow No.: 22185-JF

County of Boundary SS.
Filed by: Community Title
on 5-11-13 at 4:05
Glenda Poston C. Grainger
County Recorder By Deputy
Fee \$ 13.00 Chg.
Mail to Community Title

FOR VALUE RECEIVED

David Byler and Mary E. Byler, Husband and Wife

the grantors, do(es) hereby grant, bargain, sell and convey unto

Barbara B Oxley and John L Oxley, wife and husband, as community property with rights of survivorship,
whose current address is 6130 N 16th St, Phoenix, AZ 85016.

the grantees, the following described premises, in Boundary County, Idaho, TO WIT:

The South 75 feet of the Southwest Quarter of the Northeast Quarter in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho;

AND

The North Half of the Northwest Quarter of the Southeast Quarter in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho.

Together with a 30 feet easement for ingress and egress where County Road No. 13 intersects the West line of the East Half of the Northeast Quarter;

Thence South along the West line of the East Half of the Northeast Quarter to a point that is 75 feet North of the Southwest corner of the East Half of the Northeast Quarter;

Thence East 30 feet;

Thence North and parallel with the West line of the East Half of the Northeast Quarter to the point of intersection with County Road No. 13, all in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho, as disclosed by Easement Deed Instrument No. 201311, recorded March 23, 2001, records of Boundary County, Idaho.

Also together with a 30 foot easement for ingress and egress beginning at a point that is North 75 feet from the Southwest corner of the East Half of the Northeast Quarter;

Thence East 30 feet;

Thence South 100 feet;

Thence West 30 feet to the West line of the East Half of the Southeast Quarter;

Thence North 100 feet to the place of beginning, all in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho, as disclosed by Warranty Deed recorded March 23, 2001 as Instrument No. 201312, records of Boundary County, Idaho.

And reserving for the benefit of the grantors remainder property, easements for ingress and egress as disclosed by Easement Deed recorded March 23, 2001 as Instrument No. 201311 and Warranty Deed recorded March 23, 2001 as Instrument No. 201312, records of Boundary County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

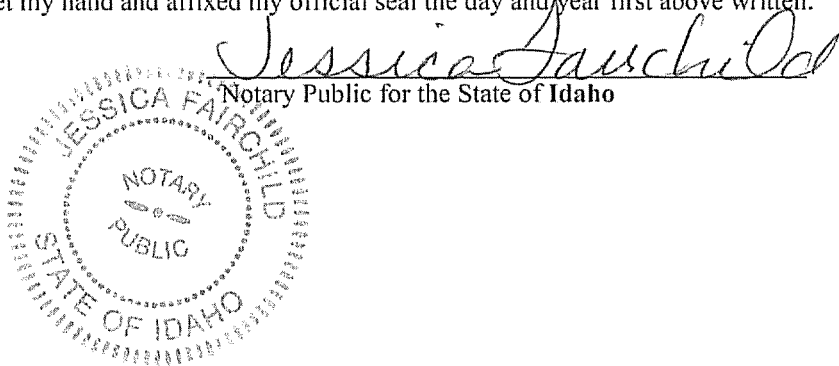
And that they will warrant and defend the same from all lawful claims whatsoever.

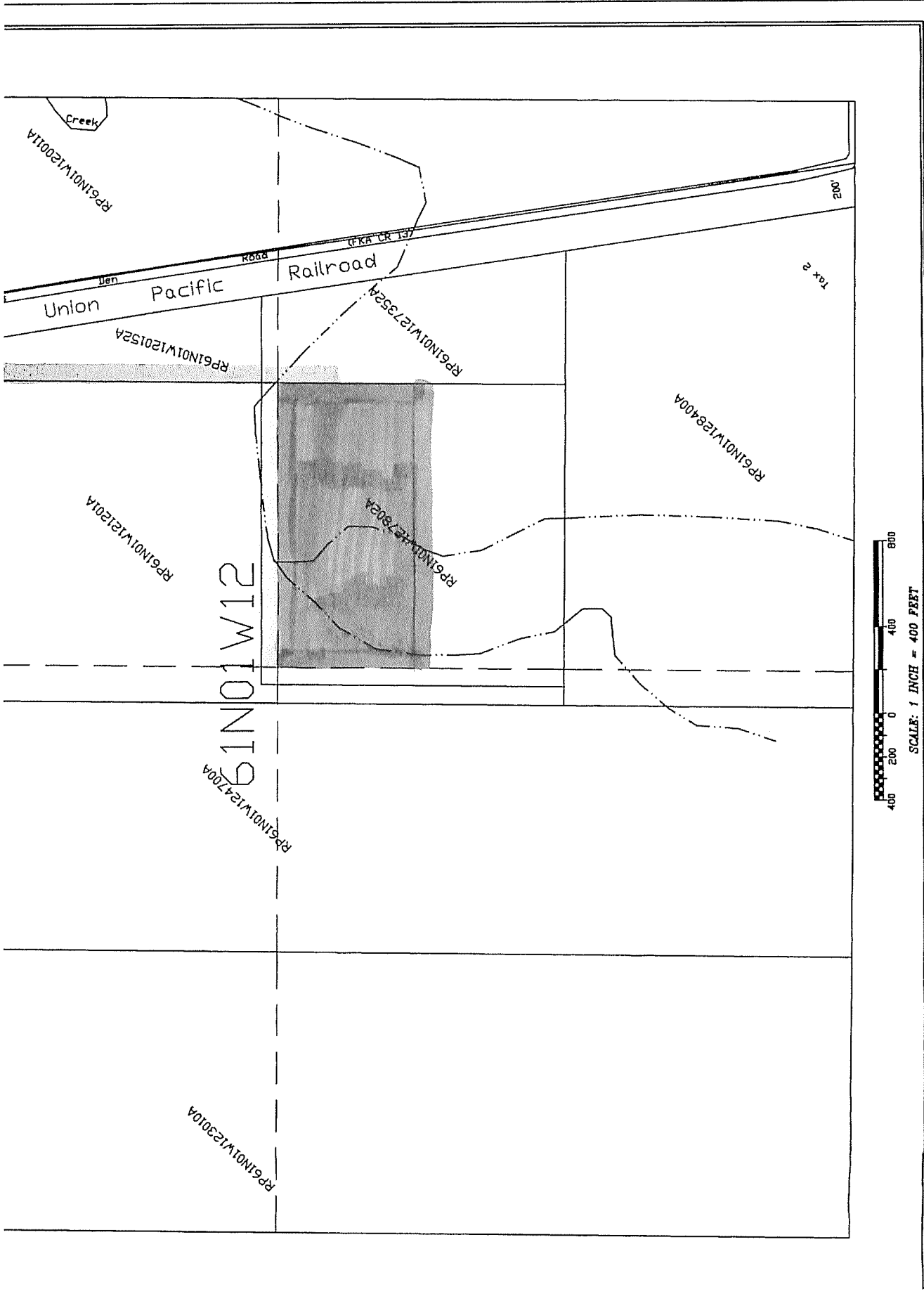
STATE OF IDAHO }
COUNTY OF BOUNDARY }SS.

On this 8 day of May, 2015 before me, a Notary Public in and for said state,
personally appeared **David Byler and Mary E. Byler**
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 **they** executed the same.

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

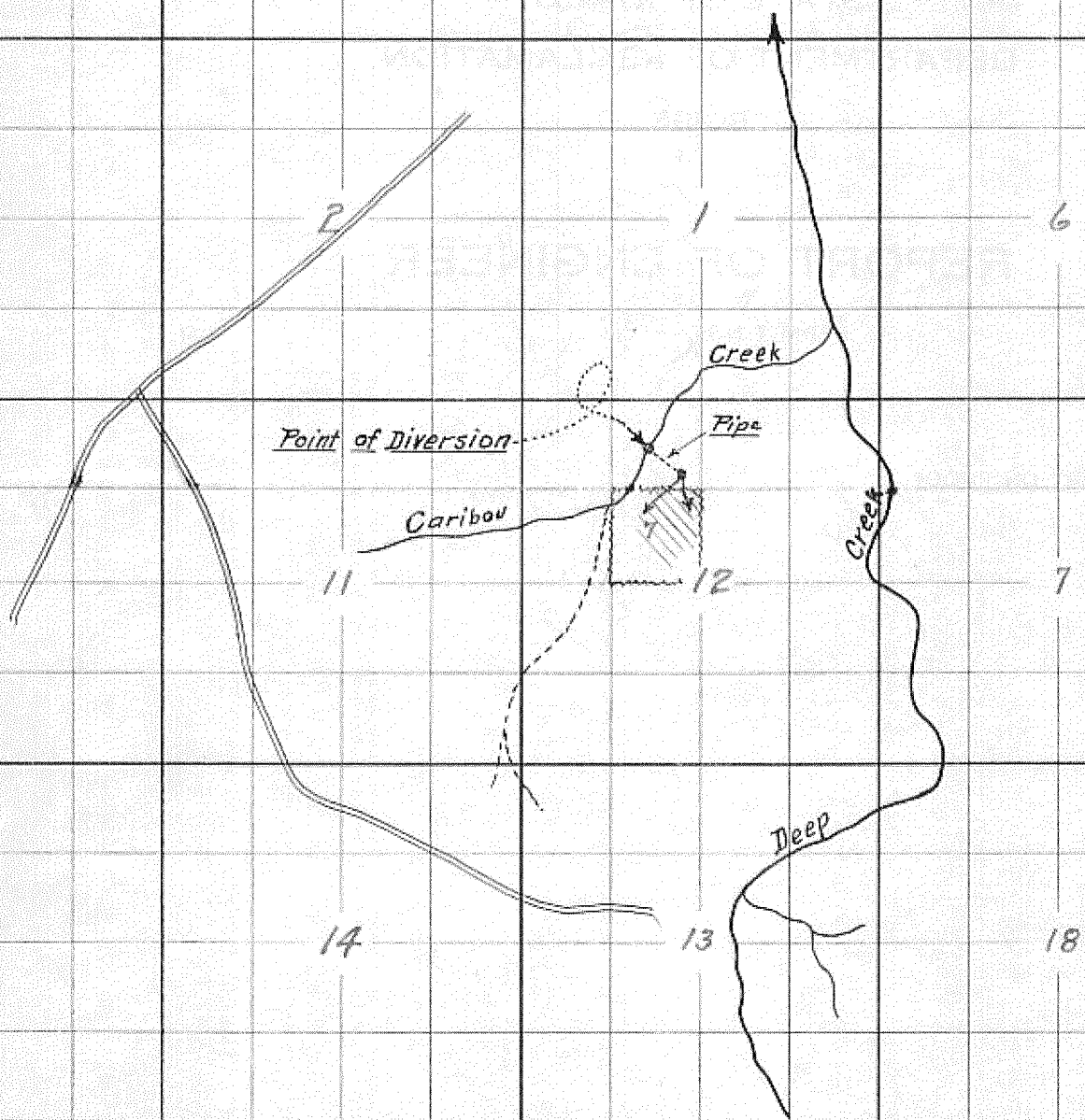
Residing at: **BONNERS FERRY**
Commission Expires: **2/02/2017**



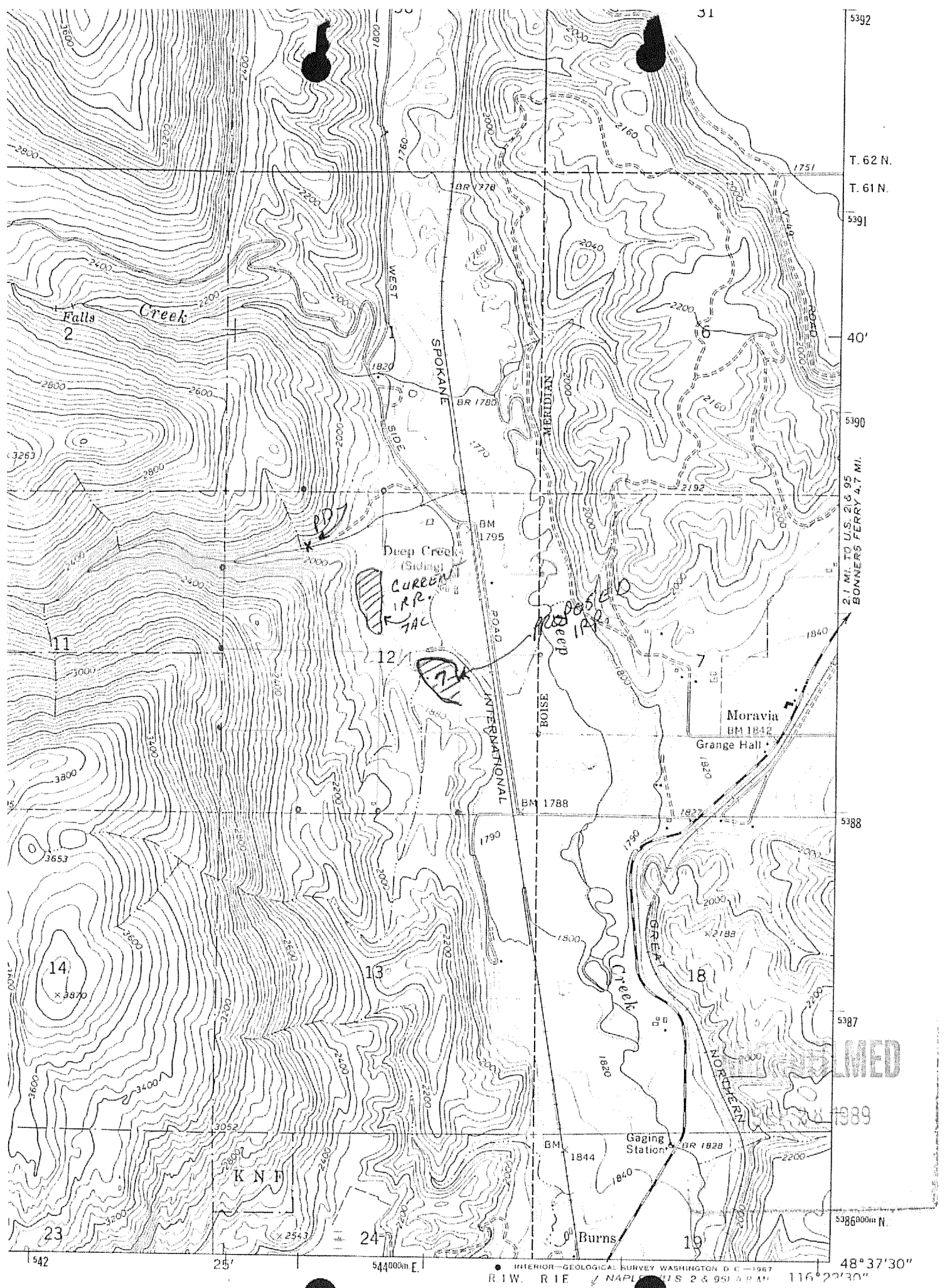


Sec. 12, Twp. 61N., R. 1W., B.M.









Certified to be a true and exact
copy of the signed original.
Community Title of Boundary County
Lisa Holmes

263931



Community Title, LLC

WARRANTY DEED

Escrow No.: 22259-JF

FOR VALUE RECEIVED

David Byler and Mary E. Byler, Husband and Wife

the grantors, do(es) hereby grant, bargain, sell and convey unto

John Oxley and Barbara Oxley, Husband and Wife, as community property, with right of survivorship

whose current address is 6130 N 16th St., Phoenix, AZ 85014

the grantees, the following described premises, in Boundary County, Idaho, TO WIT:

The South 75 feet of the East 79 feet of the Southeast Quarter of the Northwest Quarter in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho.

The East 79 feet of the Northeast Quarter of the Southwest Quarter in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho.

The South Half of the Northwest Quarter of the Southeast Quarter in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho.

TOGETHER WITH a 30 foot easement for ingress and egress where County Road No. 13 intersects the West line of the East half of the Northeast Quarter; thence South along the West line of the East Half of the Northeast Quarter to a point that is 75 feet North of the Southwest corner of the East Half of the Northeast Quarter; thence East 30 feet; thence North and parallel with the West line of the East Half of the Northeast Quarter to the point of intersection with County Road No. 13, all in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho, as disclosed by Easement Deed Instrument No. 201311, recorded March 23, 2001, records of Boundary County, Idaho.

ALSO TOGETHER WITH a 30 foot easement for ingress and egress beginning at a point that is North 75 feet from the Southwest corner of the East half of the Northeast Quarter; thence East 30 feet; thence South 100 feet; thence West 30 feet to the West line of the East half of the Southeast Quarter; thence North 100 feet to the place of beginning, all in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho, as disclosed by Warranty Deed recorded March 23, 2001 as Instrument No. 201312, records of Boundary County, Idaho.

AND

The South 75 feet of the Southeast Quarter of the Northeast Quarter in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho, lying West of the Spokane International Railroad

The East half of the Southeast Quarter in Section 12, Township 61 North, Range 1 West, Boise Meridian, Boundary County, Idaho, lying West of the Spokane International Railroad

LESS a tract of land more particularly described as follows:

BEGINNING at the point of intersection of the Westerly right of way line of the Spokane International Railroad and the South line of said Section 12; said point being South 89° 29' 06" West, 489.06 feet from the Southeast corner of said Section 12; thence along said South line South 89° 29' 06" West, 2310.74 feet to a point 165.00 feet West of the South Quarter corner of Section 12, North 0° 10' 10" West, 1320.00 feet; thence, North 89° 29' 06" East, 2099.03 feet to the Westerly right of way of the Spokane International Railroad; thence, along said right of way, South 9° 17' 23" East, 1335.61 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 6/2/15

STATE OF IDAHO }
County of Boundary } SS.
Filed by: Community Title
on 6-2-15 at 12:30
Glenda Poston
County Recorder J. Deane
By Deputy
Fee \$ 13.00 Cag
Mail to C.T.

David Byler
David Byler

Mary E. Byler
Mary E. Byler

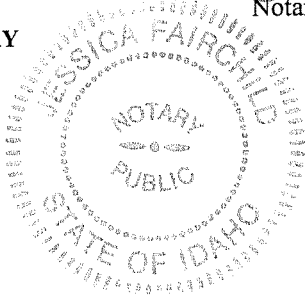
STATE OF IDAHO }
COUNTY OF Boundary } SS.

On this 2 day of June, 2015 before me, a Notary Public in and for said state, personally appeared **David Byler and Mary E. Byler** 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 first above written.

Jessica Fairchild
Notary Public for the State of Idaho

Residing at: **BONNERS FERRY**
Commission Expires: **2/02/2017**





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

September 30, 2015

JOHN L OXLEY
BARBARA B OXLEY
6130 N 16TH ST
PHOENIX AZ 85016-1705

Re: Change of Ownership for Water Right/Permit No(s): 98-2054

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.

Please note, the ownership of water right 98-7659 was not updated. The warranty deeds you provided do not include the land appurtenant to water right 98-7659. The place of use for right 98-7659 is located in Township 61N, Range 01W, Section 12, NESWNE. Your deed only covers the southern 75 feet of this quarter quarter.

A refund has been requested and will be sent to you under separate cover from the Idaho State Controller's Office within 10 days.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley 
DATE: September 30, 2015
RE: Refund: Ownership change

Please refund \$25. Ownership change of one water right was not completed.

NAME: Barbara Oxley
ADDRESS: 6130 N 16th St
Phoenix, AZ 85016-1705

RECEIPT #: N031285

Thank you.

Jean