

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Notice of Change in Water Right Ownership JUL 22 2015

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a **WATER RESOURCES** **WESTERN REGION** 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?
not changed 63-28914	Yes ☐	Yes ☐		Yes ☐	Yes ☐
2-10387	Yes ☐	Yes ☒		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Aky View Forest, Inc
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Edward Ray Montierth + Susan Montierth
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 825 Heartland Dr Nampa ID 83686
Mailing address City State ZIP
- 208-989-8310 foragemaster2@msn.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: _____

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: Edward Montierth owner 7/22/15
Signature of new owner/claimant Title, if applicable Date
- Signature: Susan Montierth owner 7/22/15
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 7/22/15 Receipt No. W043344 Receipt Amt. \$50⁰⁰

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 Ray Montierth Approved by _____ Processed by [Signature] Date 8-7-15



PioneerTitleCo.
GOING BEYOND

100 10th Avenue South
Nampa, ID 83651

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 576355 CH/SM

WARRANTY DEED

For Value Received

Herbert R. Montierth, a married man as his sole and separate property
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Edward Ray Montierth and Susan Montierth, husband and wife
hereinafter referred to as Grantees, whose current address is 825 Heartland Dr. Nampa, ID 83686
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: July 21, 2015

Herbert R. Montierth
Herbert R. Montierth

State of IDAHO, County of CANYON

On this 21st day of July in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Herbert R. Montierth known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Al Heck
Residing at: PARMA, ID
Commission Expires: 11/2/2019

EXHIBIT A

The Northeast Quarter of the Southeast Quarter of Section 2, Township 1 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

A parcel of land lying in a portion of the Northeast Quarter of the Southeast Quarter of Section 2 Township 1 North, Range 3 West, Boise Meridian, Canyon County, Idaho and more particularly described as follows:

BEGINNING at an aluminum cap marking the section corner common to Sections 2, 1, 11 and 12; thence North 0° 10' 00" East 1,353.86 feet along the Easterly boundary of the said Southeast Quarter of Section 2, which is also the centerline of a certain county road, to an aluminum cap, and also said point being the REAL POINT OF BEGINNING; thence continuing North 0° 10' 00" East 756.86 feet along the said Easterly boundary of the Southeast Quarter of Section 2 to a point; thence North 89° 50' 00" West 313.50 feet to an iron pin; thence South 0° 10' 00" West 21.00 feet along a line Westerly of and parallel with the said Easterly boundary of the Southeast Quarter of Section 2 to an iron pin; thence North 89° 50' 00" West 255.50 feet to an iron pin; thence North 0° 10' 00" East 115.00 feet along a line Westerly of and parallel with the said Easterly boundary of the Southeast Quarter of Section 2 to an iron pin; thence North 89° 50' 00" West 20.00 feet to an aluminum cap; thence South 0° 10' 00" West 850.86 feet along a line Westerly of and parallel with the said Easterly boundary of the Southeast Quarter of Section 2 to an aluminum cap; thence South 89° 50' 00" East 589.00 feet to the POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO:

A 60 foot wide ingress-egress and irrigation easement along the North side of the above described property and which lies 30 feet each side of the following described centerline:

Commencing at the Northeast corner of Section 2, Township 1 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and running thence

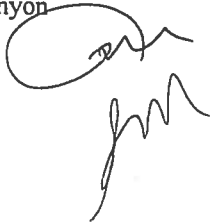
South 00°10'17" West 2599.16 feet along the East line of said Section to the POINT OF BEGINNING; thence

South 89°54'20" West 1325.54 feet; thence

South 00°10'22" West 30.00 feet; thence

South 89°54'35" West 3976.84 feet to the West line of said Section.

J. R. M.





PioneerTitleCo.
GOING BEYOND

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File No. 576355 CH/SM

PERSONAL REPRESENTATIVE'S DEED

This Personal Representative's Deed is made July 21, 2015 by Grantor, Herbert. R. Montierth, Personal Representative for the Estate of Golda Darlene Montierth, deceased, being the duly qualified personal representative of such Estate filed in ADA County, State of IDAHO Probate No. 3P-14841, and does for valuable consideration, hereby sell and convey to Edward Ray Montierth and Susan Montierth, husband and wife, Grantees, whose address is 825 Heartland Dr. Nampa, ID 83686 the following described real property situated in Canyon County, Idaho:

See Exhibit A attached hereto and made a part hereof.

together with all appurtenances pertaining thereto.

Estate of Golda Darlene Montierth

Herbert R. Montierth P. R.
Herbert. R. Montierth, Personal Representative

State of IDAHO, County of CANYON

On this 21st day of July in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Herbert. R. Montierth, Personal Representative of the Estate of Golda Darlene Montierth, deceased, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same as such Personal Representative.

Mr. Heck
Residing at: PARMA, ID
Commission Expires: 11/2/2019

EXHIBIT A

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South 89°54'20" West 1325.54 feet; thence

South 00°10'22" West 30.00 feet; thence

South 89°54'35" West 3976.84 feet to the West line of said Section.

79/ A. M.



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

August 10, 2015

EDWARD RAY MONTIERTH
SUSAN L MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

RE: Change of Ownership for Water Rights: 2-10387, 63-32685, 63-32687, 63-32689, 63-32691 and 63-32693

Dear Water Right Holders:

On August 7, the Department sent a letter acknowledging the update of ownership on the above mentioned water rights. Omitted from the letter was the fact that water right 2-10387 was leased to the Water Supply Bank (Bank) in 2010 and will remain in the Bank until December 31, 2015. Water rights 63-32685, 63-32687, 63-32689, 63-32691 and 63-32693 were leased to the Bank in 2015. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while they are in the bank, even if the right(s) are not rented from the Bank. The right(s) will remain in the Bank until December 31, 2019, unless released earlier by the Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

If you have any questions regarding this letter, please contact me at (208) 287-4942. Thank you.

Sincerely,

Jean Hersley
Technical Records Specialist II



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

August 7, 2015

EDWARD RAY MONTIERTH
SUSAN L MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

Re: Change of Ownership for Water Right/Permit No(s): 2-10387, 63-32685, 63-32687, 63-32689, 63-32691 and 63-32693

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 that the ownership of water right 63-28914 was not updated. There are several homes in Township 01N, Range 03W, Section 2, NESE that this right could be appurtenant to. One home is on the property you acquired and the other home is on property owned by Sky Ranch Idaho, LLC. The Department will need documentation to show which home this water right was historically used on. As such, a refund of \$25 has been requested and should reach you within 10 days under separate cover from the State Controller's Office.

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,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: August 7, 2015
RE: Refund: Ownership Change

Please refund \$25.00. Ownership of 1 water right not updated for Edward Ray and Susan Montierth

NAME: SOUTH VALLEY FARMS LLC

ADDRESS: 825 HEARTLAND
NAMPA ID 83686

RECEIPT #:W043344

Thank you.

Jean