

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 23 2015

IDWR / NORTH

Notice of Change in Water Right Ownership

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?
87-7060	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: James P. & Netta M. Agidius
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Paul C. Agidius and Lucinda L. Agidius
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- P. O. Box 9341 Moscow ID 83843
Mailing address City State ZIP
(208) 301-4063 pagidius@moscow.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: 2/3/1993
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: [Signature] Title, if applicable _____ Date 2/8/15
Signature: [Signature] Title, if applicable _____ Date 2/8/15

For IDWR Office Use Only:

Received by [Signature] Date 2/20/15 Receipt No. N031070 Receipt Amt. \$25
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 3-27-15

CORRECTIVE WARRANTY DEED

WHEREAS, the Grantors, JAMES P. AGIDIUS and NETTA M. AGIDIUS, husband and wife, conveyed to PAUL C. AGIDIUS and LUCINDA L. AGIDIUS, husband and wife, whose current address is 411 N. Almon, #327, Moscow, Idaho, for valuable consideration, a tract of land situated in the County of Latah, State of Idaho, and that said conveyance was made by a Warranty Deed, dated the 3rd day of February, 1993, duly recorded in the real property records of Latah County, Idaho as instrument number 394497, and

WHEREAS, the legal description in said deed was in error, the correct legal description being:

A parcel of land located in the NE¼ SW¼ of Section 25, T40N R5W BM and being more particularly described as follows:

Beginning at the northeast corner of the NE¼ SW¼ of Section 25; thence N 89°47'37" W, 858.25 feet along the north line of said NE¼ SW¼; thence South 235.12 feet to a point in the centerline of Brooks Road and the TRUE POINT OF BEGINNING.

Thence S 0°05'38" W, 1092.23 feet to a point on the south line of the NE¼ SW¼ of said Section 25;
Thence N 89°57'19" W, 457.09 feet along said south line to the southwest corner of the NE¼ SW¼ of Section 25;
Thence N 0°08'56" W, 766.34 feet along the west line of said NE¼ SW¼ to a point in the centerline of Brooks Road;
Thence along said centerline the following courses:
N 51°36'50" E, 43.68 feet;
N 54°12'28" E, 74.52 feet;
N 54°10'24" E, 123.74 feet;
N 57°19'19" E, 153.87 feet;
N 53°55'38" E, 168.68 feet to the TRUE POINT OF BEGINNING.

TOGETHER with an easement for ingress and egress between the northern and southern portions of said parcel described above over and across the current road lying east of and running along the northern half of

the eastern boundary line of the above described parcel on the NE 1/4 SW 1/4 Section 25, T40N, R5W, B.M.

WHEREAS, the said Grantors now desire to correct said Warranty Deed so as to accurately describe the property intended to be conveyed and deeded.

NOW, THEREFORE, this Corrective Warranty Deed is made this date, by JAMES P. AGIDIUS and NETTA M. AGIDIUS, Grantors, to PAUL C. AGIDIUS and LUCINDA L. AGIDIUS, Grantees, of 411 N. Almon, #327, Moscow, Idaho,

WITNESSETH, that for and in consideration of the above recited premises and other good and valuable consideration, the Grantors hereby conveys and deeds to the Grantees, the following described real property located in Latah County, Idaho, including any interest therein which Grantors may hereafter acquire, to-wit:

A parcel of land located in the NE¼ SW¼ of Section 25, T40N R5W BM and being more particularly described as follows:

Beginning at the northeast corner of the NE¼ SW¼ of Section 25; thence N 89°47'37" W, 858.25 feet along the north line of said NE¼ SW¼; thence South 235.12 feet to a point in the centerline of Brooks Road and the TRUE POINT OF BEGINNING.

Thence S 0°05'38" W, 1092.23 feet to a point on the south line of the NE¼ SW¼ of said Section 25;
Thence N 89°57'19" W, 457.09 feet along said south line to the southwest corner of the NE¼ SW¼ of Section 25;
Thence N 0°08'56" W, 766.34 feet along the west line of said NE¼ SW¼ to a point in the centerline of Brooks Road;

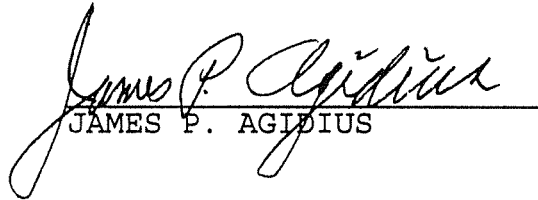
Thence along said centerline the following courses:

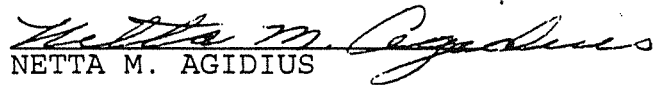
N 51°36'50" E, 43.68 feet;
N 54°12'28" E, 74.52 feet;
N 54°10'24" E, 123.74 feet;
N 57°19'19" E, 153.87 feet;
N 53°55'38" E, 168.68 feet to the TRUE POINT OF BEGINNING.

TOGETHER with an easement for ingress and egress between the northern and southern portions of said parcel described above over and across the current road lying east of and running along the northern half of the eastern boundary line of the above described parcel on the NE 1/4 SW 1/4 Section 25, T40N, R5W, B.M.

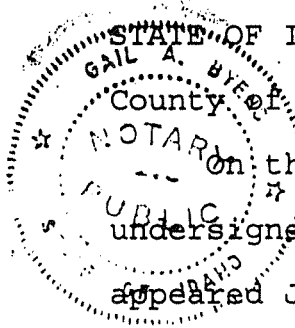
TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

DATED this 16 day of June, 1993.


JAMES P. AGIDIUS


NETTA M. AGIDIUS

ACKNOWLEDGMENT



STATE OF IDAHO)
GAIL A. BYER) ss.
County of Latah)

On this 16th day of June, 1993, before me, the undersigned Notary Public in and for said State, personally appeared JAMES P. and NETTA M. AGIDIUS, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

NO. 397091
AT THE REQUEST OF:

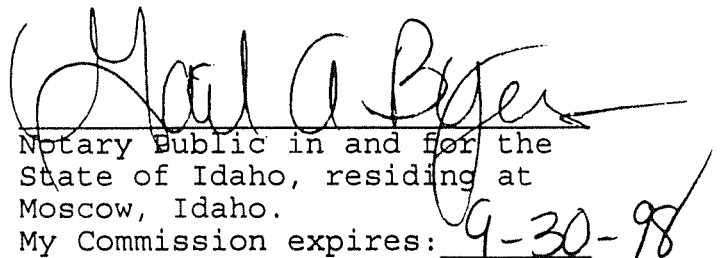
Paul Agidius
DATE & HOUR:

June 17 1993 4:17 P.M.

SUSAN PETERSEN
LATAH COUNTY RECORDER

FEE \$ 9.00/CK BY Susan Petersen

m/ 20 Box 9341
Moscow ID 83843
CORRECTIVE WARRANTY DEED


Notary Public in and for the State of Idaho, residing at Moscow, Idaho.
My Commission expires: 9-30-98

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That JAMES P. AGIDIUS and NETTA M. AGIDIUS, husband and wife, the Grantors, for and in consideration of the sum of One Dollar and other things of value, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto PAUL C. AGIDIUS and LUCINDA L. AGIDIUS, husband and wife, whose current address is 411 N. Almon, #327, Moscow, Idaho, the following described real property situated in Latah County, State of Idaho, to-wit:

A legal description for a parcel of land located in the NE 1/4 SW 1/4 Section 25, T40N, R5W, B.M.

Beginning at the west 1/4 corner of Section 25, thence S 86° 42' 26" E, 1315.22 feet along the east-west centerline of said Section 25. Thence S 0° 19' 13" E, 496.47 feet along the north-south 1/16 line to the centerline of the existing road and the TRUE POINT OF BEGINNING.

Thence along the said centerline the following courses.

N 51° 36' 50" E, 51.62 feet
N 54° 12' 28" E, 74.52 feet
N 54° 10' 24" E, 123.74 feet,

Thence leaving above described road centerline, S 88° 25' 11" E, 265.65 feet, thence S 0° 5' 38" W, 950.25 feet, thence N 88° 25' 11" W, 460.96 feet, thence N 0° 19' 13" W, 796.80 feet to the TRUE POINT OF BEGINNING.

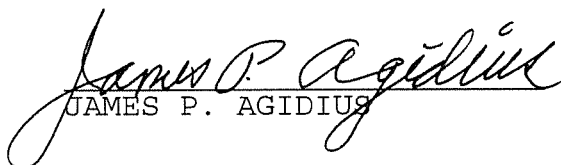
Said parcel contains 9.78 acres.

TOGETHER with an easement for ingress and egress between the northern and southern portions of said parcel described above over and across the current road lying east of and running along the northern half of the eastern boundary line of the above described parcel on the NE 1/4 SW 1/4 Section 25, T40N, R5W, B.M.

TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all estate, right, title and interest in and to said property, as well in law as in equity of the said Grantors.

THE GRANTORS hereby covenant and warrant that the above described premises are free and clear of liens and encumbrances of whatever kind and nature whatsoever, EXCEPT FOR (a) reservations in U. S. Patent with rights, easements and restrictions as set forth therein; and that the Grantors will warrant and defend the said premises against all lawful claims and demands except those hereinabove excepted.

Dated this 3 day of Feb, 1993.

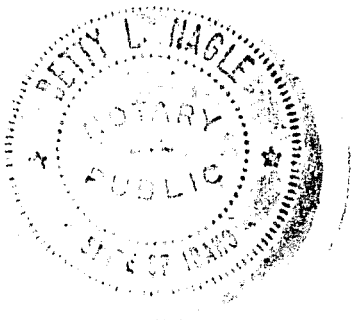

JAMES P. AGIDIUS


NETTA M. AGIDIUS

ACKNOWLEDGMENT

STATE OF IDAHO)
)
County of Latah) ss.

On this 3rd day of February, 1993, before me,
the undersigned Notary Public in and for said State,
personally appeared JAMES P. and NETTA M. AGIDIUS, known to
me to be the persons whose names are subscribed to the
foregoing instrument, and acknowledged to me that they
executed the same.



Betty L. Hagler
Notary Public in and for the
State of Idaho, residing at
Moscow, Idaho.
My Commission expires: Life

NO. 394497
AT THE REQUEST OF

Paul Agidius
DATE & HOUR:

Feb 8 1993 12:58P M.
SUSAN PETERSEN
LATAH COUNTY RECORDER

FEE \$ 9.00 / CK BY [Signature]
Deputy

m/ PO BOX 9341
moscow ID 83843

FILMED

AFFIDAVIT IN SUPPORT
OF TRANSFER OF WATER RIGHTS

I, NETTA M. AGIDIUS, being first duly sworn, depose and state that all irrigation and storage rights held under *Water Right License No. 87-7060* were transferred to PAUL C. AGIDIUS and LUCINDA L. AGIDIUS under *Warranty Deed* dated the 3rd day of February, 1993, duly recorded in the real property records of Latah County, Idaho as instrument number 394497, as amended by *Corrective Warranty Deed* dated the 16th day of June, 1993, duly recorded in the real property records of Latah County, Idaho as instrument number 397001.

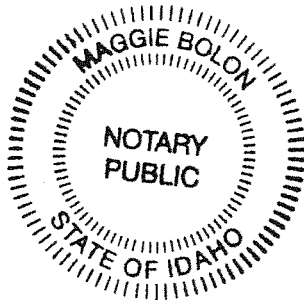
DATED THIS 22 day of November, 2013.

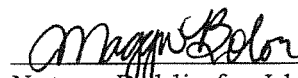

NETTA M. AGIDIUS

ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Nez Perce)

On this 22nd day of November, 2013, before me, the undersigned Notary Public in and for said State, personally appeared NETTA M. AGIDIUS, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.




Notary Public for Idaho,
Residing in Nez Perce County.
My Commission Expires: July 22nd 2019



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

March 27, 2015

PAUL C AGIDIUS
LUCINDA L AGIDIUS
PO BOX 9341
MOSCOW ID 83843

Re: Change of Ownership for Water Right/Permit No(s): 87-7060

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. 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 black ink, appearing to read 'Jean Hersley'.

Jean Hersley
Technical Records Specialist II

Enclosure(s)

Paul C Agidius

From: Ball, Dianne <Dianne.Ball@idwr.idaho.gov>
Sent: Tuesday, February 17, 2015 4:24 PM
To: Paul Agidius
Cc: Davis, Eric
Subject: RE: Change in Water Right Ownersuip re Water Right 87-7060

Thanks – if you send it to **my** attention I can receipt it and forward the paperwork down to our state office in Boise.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

From: Paul Agidius [mailto:pagidius@moscow.com]
Sent: Tuesday, February 17, 2015 4:15 PM
To: Ball, Dianne
Subject: RE: Change in Water Right Ownersuip re Water Right 87-7060

Dianne

Sorry about that. I knew there was a fee and thought I enclosed a check. I will get one off to you tomorrow.

Paul C. Agidius

From: Ball, Dianne [mailto:Dianne.Ball@idwr.idaho.gov]
Sent: Tuesday, February 17, 2015 2:58 PM
To: pagidius@moscow.com
Cc: Davis, Eric
Subject: Change in Water Right Ownersuip re Water Right 87-7060

Good afternoon, Paul,

Regarding your request for owner change for water right 87-7060, there is a \$25 fee required for an undivided water right ownership change.

Rather than send the paperwork back to you for you to then send back to us with a check, I thought I'd try e-mail first.

Item 7 was checked that a copy of the conveyance was required, and that was enclosed. It also was checked that a filing fee was required, although no "dot" was marked under item 7 and no check was included.

If you will please send a check to us, made payable to IDWR, we will be able to process the ownership change.

If you have any questions, don't hesitate to call our office.

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, February 17, 2015 2:58 PM
To: 'pagidius@moscow.com'
Cc: Davis, Eric
Subject: Change in Water Right Ownersuip re Water Right 87-7060
Attachments: Owner_change_87-7060.pdf

Good afternoon, Paul,

Regarding your request for owner change for water right 87-7060, there is a \$25 fee required for an undivided water right ownership change.

Rather than send the paperwork back to you for you to then send back to us with a check, I thought I'd try e-mail first.

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If you will please send a check to us, made payable to IDWR, we will be able to process the ownership change.

If you have any questions, don't hesitate to call our office.

Thank you,

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819