

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 11 2014

Department of Water Resources
Eastern 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?
22-13752 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-13755 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-13758 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-13761 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: LOMA VISTA RANCH INC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Garth Wilcox, Kathy Lynn Wilcox
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or

3825 S. 7000 W. Rexburg ID 83440
Mailing address City State ZIP
(208) 356-7702 ghwcpa@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: August 1, 1992

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: Garth Wilcox owner 12-8-14
Signature of new owner/claimant Title, if applicable Date
Signature: Kathy Lynn Wilcox owner 12/9/14
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 12/11/2014 Receipt No. E040486 Receipt Amt. \$100.-
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 JB Processed by JB Date 1/15/2015

SUPPORT DATA
IN FILE # 22-13752

Idaho Department of Water Resources



SRBA Recommendation:

22-13446

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Madison County
IDWR Basin 22



Prepared by J. Crabtree
On Thursday, November 30, 2006
1987/88 Aerial Photography

Assignment of Contract and Quitclaim Deed

1. Effective Date

December 31, 2009

2. Parties

Assignor: Loma Vista Ranch, Inc. (Loma Vista)

Assignee: Garth Wilcox and Kathy Lynn Wilcox
(Wilcoxes)

3. Background

On August 1, 1992 Loma Vista as buyer entered into a contract of sale (COS) with Triple L Farms, Inc. as seller. Loma Vista agreed to purchase a parcel of real property situated in Madison County, Idaho and more particularly described in the notice of contract of sale, which is recorded as Instrument No. 244111 in the records of Madison County. Loma Vista now desires to assign its interest in the COS to the Wilcoxes.

4. Assignment

For value received, Loma Vista assigns all of its right, title, interest, and obligations under the contract of sale executed by Loma Vista and Triple L Farms, Inc. on August 1, 1992 to Garth Wilcox and Kathy Lynn Wilcox, husband and wife.

5. Quitclaim Deed

For value received, Loma Vista transfers, conveys, remises, and forever quitclaims unto Garth Wilcox and Kathy Lynn Wilcox, husband and wife, all of its interest in the following described real property situated in Madison County, Idaho, to wit:

Twp. 5 N., Rge. 38 E., Boise Mer:

Sec. 12: S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,

Twp. 5 N., Rge. 39 E., Boise Mer:

Sec. 7: S $\frac{1}{2}$ SW $\frac{1}{4}$ and that part of S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ lying west of the center line of the county road described in that Deed of Easement from H.C. Frew and Marie Frew, husband and wife to Madison County, dated December 14, 1950 and recorded in Book 202 of Deeds at page 291, as Instrument No. 93294, records of Madison County, Idaho.

Excepting and Excluding therefrom that part of the following described property:

Commencing at a point that is N01°05'00"W, 1123.5 feet from the Southeast corner of the SW $\frac{1}{4}$ of Sec. 7, Twp. 5 N., Rge. 39 E., Boise Mer., and running thence S89°45'W, 174.25 feet; thence N01°05'00"W, 250 feet; thence N89°45'00"E, 174.25 feet; thence S01°05'00"E, 250 feet to the point of beginning, containing 1.00 acre. LESS County road Right of way.

ALSO Less and excepting: A parcel of land situated in Madison County, State of Idaho, Twp. 5 N. Rge. 39 E., Boise Mer., Sec. 7, more particularly described as follows: Beginning at the South Quarter corner of Sec. 7, Twp. 5 N., Rge. 39 E., thence S89°48'24"W, 2568.72 feet to the true point of beginning; thence S89°48'24"W, 63.40 feet; thence N01°32'48"W, 1265.00 feet; thence N80°12'24"E, 4.82 feet; thence S02°44'29"E, 422.50 feet; thence S02°25'00"E, 736.00 feet; thence S21°05'03"E, 115.51 feet to the true point of beginning.

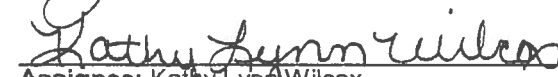
TOGETHER WITH all and singular the tenements, Hereditaments, and appurtenances thereunto belonging or in any wise appertaining.

6. Warranties

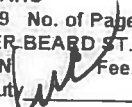
Loma Vista warrants that 1) it has the right to assign its interest in the COS; 2) it has obtained written consent from the seller, Triple L Farms, Inc., to assign Loma Vista's interest in the COS; and 3) it has not suffered any part of the property subject to the COS to be transferred or encumbered except that portion conveyed by the Correction Warranty Deed recorded as Instrument No. 292192 in the records of Madison County, Idaho.


Assignor: Loma Vista Ranch, Inc.
By: Garth Wilcox, its President

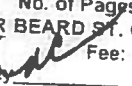

Assignee: Garth Wilcox


Assignee: Kathy Lynn Wilcox

Instrument # 358600

REXBURG, MADISON, IDAHO
12-31-2009 04:37:09 No. of Pages: 2
Recorded for : THATCHER BEARD ST. CLAIR
MARILYN R. RASMUSSEN Fee: 6.00
Ex-Officio Recorder Deputy 

Instrument # 358601

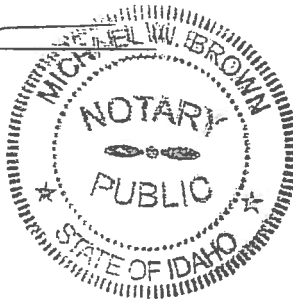
REXBURG, MADISON, IDAHO
12-31-2009 04:40:00 No. of Pages: 2
Recorded for : THATCHER BEARD ST. CLAIR
MARILYN R. RASMUSSEN Fee: 6.00
Ex-Officio Recorder Deputy 

Acknowledgment

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 31st day of December, 2009, before me, the undersigned, a Notary Public in and for the State of Utah, personally appeared **Garth Wilcox**, known to me or proved to me on the basis of satisfactory evidence to be the President of **Loma Vista Ranch, Inc.**, an Idaho Corporation, and after being sworn by me and upon oath represented that he is the President of the business entity, that this instrument was signed on behalf of the entity pursuant to his authority to do so, and that this instrument is the free act and deed of Loma Vista Ranch, Inc.

Michael W. Brown
Notary Public for Idaho
Residing at **REXBURG**
My Commission Expires: **5/12/2014**



Acknowledgment

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 31st day of December, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared **Garth Wilcox** and **Kathy Lynn Wilcox**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Michael W. Brown
Notary Public for Idaho
Residing at: **REXBURG**
My Commission Expires: **5/12/2014**

