

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
 SEP 28 2005
 WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-01204	PD	✓			
65-02985X	PD				
65-02985A	PD				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) KATHRYN REED-MOFFIS & TERRELL MOFFIS
6051 W. IDAHO EMMETT, ID. 83617
4. New Owner/Claimant(s) ALAN SPENCER & TINA MCGUFFEY
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 1500 E. GEM ESTATES LN.
 City, State and ZIP Code EMMETT, ID. 83617
 New Telephone Number 208 365-0724
5. Date you acquired the property 07-12-05

1500 E. GEM ESTATES LN.

SUPPORT DATA

IN FILE: 65-2985A

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>65-01204</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.46 CFS</u>	<u>23 ACRES/STOCK</u>
Stock	<u>10 HEAD</u>	
Domestic		
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Alan Spencer
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>VM</u>	Date <u>9-28-05</u>	Fee <u>\$110.00 + \$25.00</u>	
Received by <u>LS</u>	Date <u>9-28-05</u>	Receipt No. <u>10033470</u>	
Processed by _____ AJ	Date _____	WR _____	Date _____

617106

INSTRU. NO. <u>244558</u>
PAGES <u>1</u> OF <u>4</u>

AFTER RECORDING MAIL TO:

Alan W. Spencer and Tina A. McGuffey
1500 East Gem Estates Lane
Emmett, ID 83617

Instrument # 244558

EMMETT, GEM, IDAHO
2005-07-13 03:32:00 No. of Pages: 4
Recorded for : FIRST AMERICAN TITLE CO
SUSAN K. HOWARD Fee: 12.00
Ex-Officio Recorder Deputy *Judy Evans*
Index to: WARRANTY DEED

WARRANTY DEED

File No.: **4104-617106 (KSB)**

Date: **July 09, 2005**

For Value Received, **Kathryn Reed-Moffis and Terrell Moffis, wife and husband**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Alan W. Spencer and Tina A. McGuffey, husband and wife**, hereinafter referred to as Grantee, whose current address is **1500 East Gem Estates Lane, Emmett, ID 83617**, the following described premises, situated in **Gem County, Idaho**, to wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, records of Gem County, Idaho; and that Grantor will warrant and defend the same from all claims whatsoever.

Kathryn Reed-Moffis
Kathryn Reed-Moffis

Terrell Moffis
Terrell Moffis

APN: **RP-0031900**

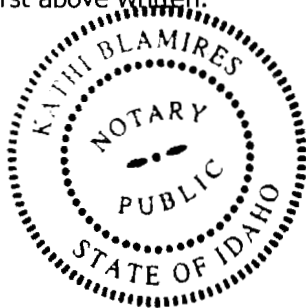
Warranty Deed
- continued

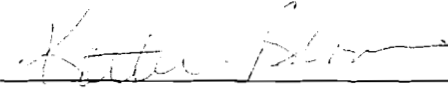
File No.: **4104-617106 (KSB)**
Date: **07/09/2005**

STATE OF Idaho)
SS.
COUNTY OF Gem)

On this Twelfth day of July, 2005, before me, a Notary Public in and for said State, personally appeared **Kathryn Reed-Moffis and Terrell Moffis**, 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 in this certificate first above written.





Notary Public for the State of Idaho
Residing at: , RESIDING AT EMMETT, ID
My Commission Expires: MY COMM. EXPIRES MAY 4, 2010

APN: RP-0031900

Warranty Deed
- continued

File No.: 4104-617106 (KSB)
Date: 07/09/2005

EXHIBIT A

PARCEL 2

THAT PORTION OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼, SOUTHEAST ¼ OF THE SOUTHEAST ¼ AND GOVERNMENT LOT 1 OF SECTION 31, TOWNSHIP 7 NORTH, RANGE 2 WEST, AND THAT PORTION OF GOVERNMENT LOTS 1, 2 AND 7 OF SECTION 6, TOWNSHIP 6 NORTH, RANGE 2 WEST, BOISE MERIDIAN, GEM COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 7 NORTH, RANGE 2 WEST, BOISE MERIDIAN;

THENCE NORTH 88°12'02" WEST, 2646.78 FEET, TO THE SOUTH ¼ CORNER OF SAID SECTION 31;

THENCE NORTH 01°05'46" EAST, 781.86 FEET, ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 31, TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 01°05'46" EAST, 871.81 FEET, ALONG SAID WEST LINE, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF WEST IDAHO BLVD., SAID POINT BEING ON THE ARC OF A NON-TANGENT 606.62 FOOT RADIUS CURVE TO THE RIGHT, A RADIAL BEARING FROM SAID POINT BEARS NORTH 05°38'54" WEST;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 24°24'28" A DISTANCE OF 258.42 FEET;

THENCE SOUTH 71°12'12" EAST, 1062.27 FEET, ALONG SAID RIGHT-OF-WAY, TO THE BEGINNING OF A NON-TANGENT 1175.92 FOOT RADIUS CURVE TO THE LEFT, A RADIAL BEARING FROM SAID POINT BEARS NORTH 18°47'52" EAST;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 11°04'05" A DISTANCE OF 227.16 FEET;

THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 23°04'17" WEST, 145.78 FEET;

THENCE SOUTH 41°58'51" WEST, 638.81 FEET, TO A POINT ON THE BOUNDARY OF A CONSERVATION EASEMENT;

THENCE ALONG THE SAID CONSERVATION EASEMENT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 47°01'26" EAST, 113.20 FEET; SOUTH 42°22'01" EAST, 305.73 FEET;

SOUTH 14°20'56" EAST, 217.74 FEET; SOUTH 01°16'12" EAST, 145.88 FEET;

SOUTH 02°15'22" WEST, 159.66 FEET; SOUTH 11°58'55" WEST, 127.86 FEET;

NORTH 89°53'21" WEST, 76.45 FEET; SOUTH 04°56'06" EAST, 1798.62 FEET;

THENCE SOUTH 86°40'14" EAST, 1200.35 FEET, TO A POINT 25.00 FEET WEST OF, MEASURED AT RIGHT ANGLES, THE EAST LINE OF GOVERNMENT LOT 7 OF SECTION 6, TOWNSHIP 6 NORTH, RANGE 2 WEST, BOISE MERIDIAN;

THENCE SOUTH 00°03'44" WEST, 220.50 FEET, PARALLEL TO SAID EAST LINE, TO THE NORTH BANK OF THE PAYETTE RIVER;

THENCE ALONG SAID NORTH BANK THE FOLLOWING COURSES AND DISTANCES:

SOUTH 66°51'40" WEST, 111.12 FEET; SOUTH 78°14'49" WEST, 277.28 FEET;

SOUTH 88°00'41" WEST, 141.59 FEET; NORTH 78°03'25" WEST, 73.41 FEET;

NORTH 86°47'35" WEST, 64.72 FEET; NORTH 76°29'20" WEST, 96.67 FEET;

NORTH 62°57'31" WEST, 156.87 FEET; NORTH 46°08'15" WEST, 196.46 FEET;

NORTH 63°01'56" WEST, 124.76 FEET; NORTH 35°57'51" WEST, 100.88 FEET;

NORTH 39°20'45" WEST, 416.86 FEET; NORTH 23°55'29" WEST, 370.09 FEET;

INSTRU. NO. <u>244508</u>
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APN: **RP-0031900**

Warranty Deed
- continued

File No.: **4104-617106 (KSB)**
Date: **07/09/2005**

**NORTH 18°47'40" WEST, 404.49 FEET; NORTH 41°18'21" WEST, 239.27 FEET;
NORTH 47°42'44" WEST, 115.63 FEET; NORTH 36°41'47" WEST, 195.19 FEET;
NORTH 21°56'37" WEST, 145.37 FEET; NORTH 11°06'59" WEST, 132.31 FEET;
NORTH 04°11'20" WEST, 169.40 FEET; NORTH 22°28'26" WEST, 222.03 FEET;
NORTH 02°09'07" EAST, 144.72 FEET; NORTH 16°21'33" WEST, 507.36 FEET;
NORTH 61°36'20" WEST, 45.32 FEET; NORTH 43°10'56" WEST, 213.90 FEET TO THE POINT
OF BEGINNING.**

SUBJECT TO RIGHTS-OF-WAY OR EASEMENTS OF RECORD OR IN USE.

APN: **RP-0031900**

RECORD OF SURVEY

OF PORTIONS OF THE SOUTHEAST ¼ OF SECTION 31,
TOWNSHIP 7 NORTH, RANGE 2 WEST AND THE
NORTHEAST ¼ OF SECTION 6,
TOWNSHIP 6 NORTH, RANGE 2 WEST, BOISE MERIDIAN,
GEM COUNTY, IDAHO

.460 CFS
65-01204
BISSEL CREEK

BASIS OF BEARINGS:

THE BASIS OF BEARING FOR THIS SURVEY IS THE
NAD83 IDAHO COORDINATE SYSTEM, WEST ZONE, PER
G.P.S. OBSERVATIONS TO CONTROL STATION
"EMMETT2". THE RESULTING GRID BEARING ON THE
EAST LINE OF THE SOUTHEAST ¼ OF THE
SOUTHEAST ¼ OF SECTION 31, TOWNSHIP 7 NORTH,
RANGE 2 WEST, BOISE MERIDIAN IS N01°02'50"E

LEGEND:

- FOUND HIGHWAY R/W BRASS CAP MONUMENT
- FOUND 5/8" IRON PIN W/ALUMINUM CAP
- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- FOUND "BLAKLEY" BRASS CAP FOR SECTION CORNER
- FOUND 1/2" IRON PIN PLS 6552 PER R OF S No. 207330
- SET 1/2" IRON PIN W/PLASTIC CAP PLS 6552
- x-x-x- FENCE LINE

NOTE:

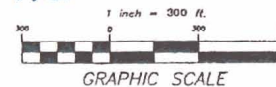
1. TRI COUNTY SURVEYING, INC. ASSUMES NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NONCOMPLIANCE WITH COUNTY PLANNING AND ZONING ORDINANCE RESTRICTIONS AS THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.
2. THE PROPERTY DESCRIPTIONS FOR WEST IDAHO BLVD., IN THIS AREA, ARE VERY AMBIGUOUS AND THEREFORE THE SOUTHERLY BOUNDARY OF WEST IDAHO BLVD. AS DEFINED BY THE EXISTING HIGHWAY MONUMENTS WAS USED AS THE PROPERTY BOUNDARY FOR THIS PROJECT.

SURVEY FOR:

TERRY & KATHIE MOFFIS
6051 W. IDAHO BLVD.
EMMETT, ID 83617
PHONE: (208) 365-1684

TRI COUNTY SURVEYING, INC.

PROFESSIONAL LAND SURVEYORS
510 So. Washington Ave., P.O. Box
Emmett, Idaho 83617-0974
Phone: (208) 365-7470



LINE	BEARING	DISTANCE
L1	N88°58'58"W	123.91'
L2	N01°03'45"E	5.00'
L3	N88°46'15"W	241.89'
L4	N09°43'22"E	166.12'
L5	N66°51'40"E	111.12'
L6	N78°14'49"E	277.28'
L7	N88°00'41"E	141.59'
L8	N78°03'25"W	73.41'
L9	N86°47'35"W	64.72'
L10	N76°29'20"W	96.67'
L11	N62°57'31"W	156.87'
L12	N46°08'15"W	196.46'
L13	N63°01'56"W	124.26'
L14	N35°37'51"W	100.68'
L15	N41°18'21"W	239.22'
L16	N47°42'44"W	115.63'
L17	N36°41'47"W	195.19'
L18	N21°56'37"W	145.37'
L19	N11°06'59"W	132.31'
L20	N04°11'20"W	169.40'
L21	N22°28'26"W	222.03'
L22	N02°09'07"E	144.72'
L23	N16°21'33"W	502.36'
L24	N61°36'20"W	45.32'
L25	N43°10'56"W	213.90'
L26	N03°50'09"W	291.24'
L27	N85°49'25"W	306.96'
L28	N70°15'53"W	274.76'
L29	N47°01'26"W	113.20'
L30	N42°22'01"W	305.73'
L31	N14°20'56"W	212.74'
L32	N01°16'12"W	145.88'
L33	N02°15'22"E	159.66'
L34	N11°58'55"E	127.86'
L35	N89°53'21"W	76.45'
L36	N04°56'06"W	12.40'
L38	N00°03'44"E	220.50'

CURVE	DELTA	RADIUS	LENGTH
CI	0°35'33"	716.20'	7.41'

L29 TO L36
1,103.92
8,497.05 (N/E)

L5 TO L25 3,474.24

871 = 4,346.07 (S/W)

C.R. No. 193499