

Form 42-248/42-1409(5) July 2000

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

RECEIVED**AUG 26 2005****DEPARTMENT OF WATER RESOURCES**

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

1. 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
63-15903	PD				
63-02609	AD				
63-15901	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)

Moyle M. & Kaye / Gem Meadows Trust
Austin Moyle, President

4. New Owner/Claimant(s)

2700 N. Meridian Rd, Meridian ID 83642
*Joseph A. Moyle Lynn S Moyle**

Name Connector (Check one): ☐ and ☒ or ☐ and/or

New Mailing Address

280 N. Plummer

City, State and ZIP Code

Steun ID 83669

New Telephone Number

208 286-7373 or 870-6667

5. Date you acquired the property

**MOYLE TRUST*

*support documentation
 in file 63-15901*

Form 42-04502-1409(6) July, 2000

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: _____		
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	_____	_____

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)
(include title if applicable)

Jayle G. Mayle

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 _____	Date _____	Fee _____
Received by <i>JS</i>	Date <i>08/23/05</i>	Receipt No. <i>W033321</i>
Processed by _____	Date _____	WR _____

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

DWIGHT F. BICKEL
Attorney at Law, ISB #866
2935 W. Ann Street
Meridian, ID 83642-4142

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 07/06/04 08:45 AM
DEPUTY Bonnie Oberbillig
RECORDED-REQUEST OF
Dwight Bickle
AMOUNT 12.00



SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

SPECIAL WARRANTY DEED

GRANTOR:

JOSEPH A. MOYLE and LYNN S. MOYLE (also known as NANCY LYNN MOYLE), husband and wife.

GRANTEE:

JOSEPH A. MOYLE and LYNN S. MOYLE, as Co-Trustees of THE JOSEPH A. & LYNN S. MOYLE TRUST under Trust Agreement dated effective July 1, 2004, and their substitutes and successors as Trustee thereunder.

GRANTEE'S MAILING ADDRESS FOR TAX NOTICES:

280 N. Plummer Road, Star, ID 83669.

DESCRIPTION OF REAL PROPERTY CONVEYED BY THIS DEED:

Situated in the County of Ada, State of Idaho:

The real estate more particularly described upon Exhibit "A" attached hereto and by this reference incorporated herein and made a part hereof.

TOGETHER WITH all improvements thereon and all appurtenances thereto.

FOR GOOD AND SUFFICIENT CONSIDERATION, the above-named Grantor does hereby CONVEY unto the above-named Grantee, the real property above described. This deed is given for estate planning purposes, without valuable consideration in cash or property, to vest title to the property in a living trust established by Grantor parties.

Grantor WARRANTS that Grantor has good right and authority to execute and deliver this deed to the Grantee, and that Grantor is the owner in fee simple of said premises, subject only to those encumbrances of record, if any, which were made, suffered, or assumed by the Grantor. If the premises conveyed hereby are subject to any encumbrance securing indebtedness for the payment of which Grantor is presently personally liable, nothing herein contained shall be construed to release Grantor from such personal liability.

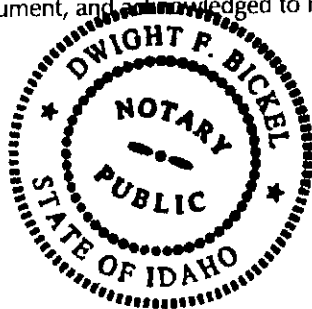
The singular terms "Grantor" and "Grantee" as used in this instrument shall be construed to include the plural.

DATED: July 1, 2004.

Joseph A. Moyle
JOSEPH A. MOYLE
Lynn S. Moyle
LYNN S. MOYLE

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this 1 day of July, 2004, before me, a Notary Public in and for said State, personally appeared JOSEPH A. MOYLE and LYNN S. MOYLE, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Dwight F. Bickel
Notary Public for Idaho
Residing at Meridian, Idaho
Comm. Expires: 11-05-2005

**EXHIBIT "A" TO
SPECIAL WARRANTY DEED**

LEGAL DESCRIPTION OF PROPERTY

Parcel No. 1:

Commencing at the Southwest corner of Section 9, T. 4 N., R. 1 W., B.M., Ada County, Idaho, thence running N. 89° 45' E. along the section line a distance of 1307.84 feet;
Thence running true North along the center line of the SW $\frac{1}{4}$ of the above said Section a distance of 1920.08 feet to a point;
Thence running N. 87° 45' W. a distance of 640.84 feet to a point;
Thence running true South, parallel to the West side of the above said Section a distance of 1404.92 feet to a point;
Thence running N. 89° 55' W. a distance of 667.5 feet more or less to a point on the West section line of the above said Section;
Thence running true South along the section line a distance of 547.0 feet more or less to the point of beginning.

TOGETHER WITH all ditches and ditch rights-of-way, water, and water rights thereunto belonging or in anywise appertaining thereto, including 50 shares of stock in the Middleton Irrigation Association, Inc., evidenced by Certificate No. 27A which stock is hereby transferred and assigned to the Grantee.

((((((((LEGAL DESCRIPTION CONTINUES ON PAGE 2))))))))

EXHIBIT "A" TO SPECIAL WARRANTY DEED (CONTINUED)

Parcel No. 2:

The East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 9, Township 4 North, Range 1 West, Boise Meridian, in Ada County, Idaho, TOGETHER WITH all water and water rights, ditches and ditch rights of way appurtenant thereto;

EXCEPT the following parcel:

A parcel of land located in the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 9, Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Southwest corner of said Section 9; thence, on the South boundary of Section 9 S89°32'27"E, a distance of 2,182.81 feet to a point from which the Southeast corner of the SW $\frac{1}{4}$ of Section 9 bears S89°32'27"E a distance of 440.0 feet; thence, N00°37'41"E, a distance of 623.15 feet to the Southwest corner of said parcel of land and being the Real Point of Beginning; thence, continuing N00°37'41"E, a distance of 455.42 feet to a point on the South bank of a large drain ditch; thence along the South bank of said ditch S87°32'00"E, a distance of 440.23 feet to a point on the East boundary of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 9, from which the Center $\frac{1}{4}$ corner of Section 9 bears N00°37'41"E, a distance of 1,577.53 feet; thence on the East boundary of said E $\frac{1}{2}$ of the SW $\frac{1}{4}$ S00°37'41"W, a distance of 440.0 feet to a point from which the Southeast corner of the SW $\frac{1}{4}$ bears S00°37'41"W, a distance of 623.15 feet; thence N89°32'27"W, a distance of 440.0 feet to the Point of Beginning.

Said parcel comprising of 4.52 acres, more or less.

((((((((END OF LEGAL DESCRIPTION))))))))

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

98005999

98005999

ADA CO. RECORDER

J. DAVID NAVARRO

BOISE ID

Dwight A. Stahl

'98 JAN 26 AM 10 00

FEE *90* DEP *Stahl*
RECORDED AT THE REQUEST OF

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

QUITCLAIM DEED

GRANTORS:

AUSTIN MOYLE and MARY MOYLE, also known as MARY E. MOYLE, husband and wife.

GRANTEE:

JOSEPH AUSTIN MOYLE, as his sole and separate property.

GRANTEE'S ADDRESS:

280 N. Plummer Road, Star, Idaho 83669.

DESCRIPTION OF REAL PROPERTY CONVEYED BY THIS DEED:

Situated in the County of Ada, State of Idaho:

An undivided one-half interest in the following property, as a tenant in common with Grantors:

Parcel 1:

Commencing at the Southwest corner of Section 9, T. 4 N., R. 1 W., B.M., Ada County, Idaho, thence running N. 89° 45' E. along the section line a distance of 1307.84 feet;

Thence running true North along the center line of the SW¼ of the above said Section a distance of 1920.08 feet to a point;

Thence running N. 87° 45' W. a distance of 640.84 feet to a point;

Thence running true South, parallel to the West side of the above said Section a distance of 1404.92 feet to a point;

Thence running N. 89° 55' W. a distance of 667.5 feet more or less to a point on the West section line of the above said Section;

Thence running true South along the section line a distance of 547.0 feet more or less to the point of beginning.

TOGETHER WITH all ditches and ditch rights-of-way, water, and water rights thereunto belonging or in anywise appertaining thereto, including 50 shares of stock in the Middleton Irrigation Association, Inc., evidenced by Certificate No. 27A.

Parcel 2:

The East Half of the Southwest Quarter (E½ SW¼) of Section 9, Township 4 North, Range 1 West, Boise Meridian, in Ada County, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights of way appurtenant thereto.

FOR VALUE RECEIVED, the above-named Grantors do hereby convey, release, remise and forever QUITCLAIM unto the above-named Grantee, the real property above described, together with the appurtenances.

This deed conveys all right, title, and interest now owned by Grantors in the above-described property, together with all right, title, and interest therein acquired by Grantors hereafter, up to and including the date of recording of this deed.

This deed is given to document a previous oral agreement of the parties.

DATED: January 21, 1998.

Austin Moyle
AUSTIN MOYLE

Mary Moyle
MARY MOYLE

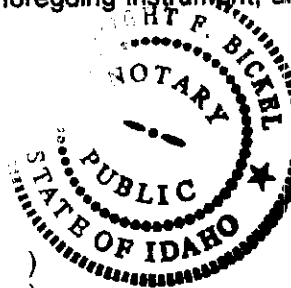
Confirmed:

Austin Moyle
AUSTIN MOYLE, by his Attorney-in-Fact:

Joseph A. Moyle
Attorney-In-Fact for AUSTIN MOYLE

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

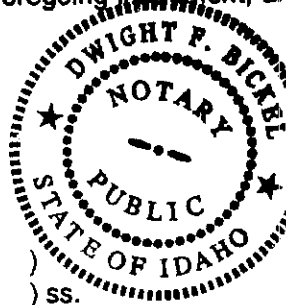
On this 21st day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared AUSTIN MOYLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.



Dwight F. Bickel
Notary Public for Idaho
Residing at Meridian, Idaho
Comm. Expires: 10-25-99

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

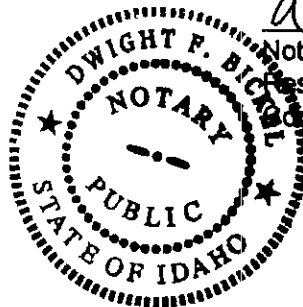
On this 21st day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared MARY MOYLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.



Dwight F. Bickel
Notary Public for Idaho
Residing at Meridian, Idaho
Comm. Expires: 10-25-99

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 21st day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH AUSTIN MOYLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument as attorney-in-fact for AUSTIN MOYLE, and acknowledged to me that he subscribed the name of AUSTIN MOYLE thereto as principal, and his own name as attorney-in-fact.



Dwight F. Bickel
Notary Public for Idaho
Residing at Meridian, Idaho
Comm. Expires: 10-25-99

When recorded mail to:

Austin & Mary Moyle
2700 N. Meridian Road
Meridian, ID 83642

98005997

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

Dwight J. Lusk

'98 JAN 26 AM 10 00

This space reserved for recording information

FEE *12.00* DEP *5.00*
RECEIVED AT THE REQUEST OF

**NOTICE OF TERMINATION OF TRUST
and TRUSTEE'S DEED**

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, AUSTIN MOYLE and MARY MOYLE (also known as MARY E. MOYLE) created a Trust named **MOYLE MINK RANCH TRUST** pursuant to a Declaration of Trust dated October 16, 1978; and

WHEREAS, the name of said Trust was changed on December 1, 1979, to **GEM MEADOWS TRUST CO.**; and

WHEREAS, AUSTIN MOYLE and MARY MOYLE (also known as MARY E. MOYLE), husband and wife, are the holders of all certificates of beneficial interest in **GEM MEADOWS TRUST CO.**, and in such capacity are the sole beneficiaries of said Trust; and

WHEREAS, COSMIC SERVICES, INC., a corporation, is the duly appointed and acting Trustee of **GEM MEADOWS TRUST CO.**; and

WHEREAS, the Declaration of Trust of **GEM MEADOWS TRUST CO.** authorizes the Trustee to terminate said Trust whenever the Trustee determines that such termination would be in the best interests of the beneficiaries of the Trust; and

WHEREAS, AUSTIN MOYLE and MARY MOYLE have requested that Trustee terminate the Trust, and Trustee has determined that it is in the best interests of said beneficiaries to do so; and

WHEREAS, in event of termination of **GEM MEADOWS TRUST CO.** the Declaration of Trust requires that the assets being held in trust be distributed to the holders of the certificates of beneficial interest in said Trust;

NOW, THEREFORE, in consideration of the premises and pursuant to the Declaration of Trust of **GEM MEADOWS TRUST CO.**:

1. COSMIC SERVICES, INC., as Trustee of **GEM MEADOWS TRUST CO.** hereby declares said Trust to be terminated, effective January 1, 1995.
2. COSMIC SERVICES, INC., as Trustee of **GEM MEADOWS TRUST CO.**, hereby GRANTS, CONVEYS, and DISTRIBUTES to AUSTIN MOYLE and MARY MOYLE, husband and wife,

whose mailing address is 2700 N. Meridian Road, Meridian, Idaho 83642, all real and personal property comprising a part of the trust estate of **GEM MEADOWS TRUST CO.**, including but not necessarily limited to the following real estate situated in Ada County, Idaho:

Commencing at the Southwest corner of Section 9, T. 4 N., R. 1 W., B.M., Ada County, Idaho, thence running N. 89° 45' E. along the section line a distance of 1307.84 feet;

Thence running true North along the center line of the SW¼ of the above said Section a distance of 1920.08 feet to a point;

Thence running N. 87° 45' W. a distance of 640.84 feet to a point;

Thence running true South, parallel to the West side of the above said Section a distance of 1404.92 feet to a point;

Thence running N. 89° 55' W. a distance of 667.5 feet more or less to a point on the West section line of the above said Section;

Thence running true South along the section line a distance of 547.0 feet more or less to the point of beginning.

TOGETHER WITH all ditches and ditch rights-of-way, water, and water rights thereunto belonging or in anywise appertaining thereto, including 50 shares of stock in the Middleton Irrigation Association, Inc., evidenced by Certificate No. 27A.

3. **GEM MEADOWS TRUST CO.** is sometimes known of record as **GEM MEADOWS TRUST**, and is the entity which is the Grantee named in that certain deed dated October 1, 1980, executed by Austin Moyle, Trustee of Moyle Mink Ranch Trust, to Gem Meadows Trust, recorded April 25, 1991, as Instrument No. 9120925 in the office of the County Recorder of Ada County, Idaho. Said deed was intended to memorialize, as a matter of public record, the change of name of **MOYLE MINK RANCH TRUST** to **GEM MEADOWS TRUST CO.**, which occurred on December 1, 1979.
4. Trustee hereby ratifies and adopts as the valid and binding act of the Trustee of **GEM MEADOWS TRUST CO.** that certain Quitclaim Deed executed by "Austin Moyle, President of Gem Meadows Trust" to Van Rose Acres, Grantee, recorded as Instrument No. 96010436 in the office of the County Recorder of Ada County, Idaho.
5. The transactions set forth herein became effective on January 1, 1995, but have not previously been formally documented.

IN WITNESS WHEREOF, the Trustee has executed this instrument effective as of the date stated herein.

COSMIC SERVICES, INC., as Trustee of
GEM MEADOWS TRUST CO.
(aka **GEM MEADOWS TRUST**)

By: Joseph A. Moyle
President of Cosmic Services, Inc.

Attest:

W. Rudolph
Secretary of Cosmic Services, Inc.

CERTIFICATION AND CONSENT

AUSTIN MOYLE and MARY MOYLE, also known as MARY E. MOYLE, husband and wife, hereby certify that they were the creators of GEM MEADOWS TRUST CO., formerly named MOYLE MINK RANCH TRUST; that they were the only parties who contributed any assets to said Trust; that they are now the holders of all certificates of beneficial interest in GEM MEADOWS TRUST CO.; and that they consent to and approve of the termination of said Trust by the Trustee and reconveyance of the trust assets to AUSTIN MOYLE and MARY MOYLE, husband and wife, as set forth in the foregoing document.

Austin Moyle
AUSTIN MOYLE

Mary Moyle
MARY MOYLE

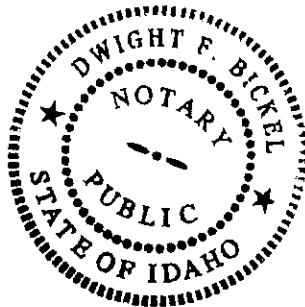
Confirmed:

Austin Moyle
AUSTIN MOYLE, by his Attorney-in-Fact:

Joseph A. Moyle
Attorney-in-Fact for AUSTIN MOYLE

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

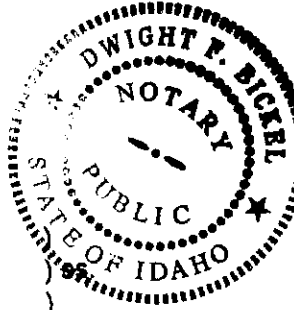
On this 21 day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH A. MOYLE, known or identified to me to be the President of COSMIC SERVICES, INC., the corporation which executed the foregoing document as Trustee of VAN ROSE ACRES, and acknowledged to me that such corporation executed the same as such Trustee.



Dwight F. Bickel
Notary Public for Idaho
Residing at: Meridian, Idaho
Comm. Expires: 10-25-99

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

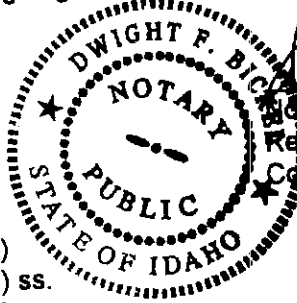
On this 21st day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared AUSTIN MOYLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.



Dwight F. Bickel
Notary Public for Idaho
Residing at Meridian, Idaho
Comm. Expires: 10-25-99

STATE OF IDAHO)
COUNTY OF ADA)

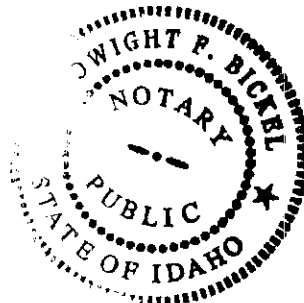
On this 21st day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared MARY MOYLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.



Dwight F. Bickel
Notary Public for Idaho
Residing at Meridian, Idaho
Comm. Expires: 10-25-99

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 21st day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH AUSTIN MOYLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument as attorney-in-fact for AUSTIN MOYLE, and acknowledged to me that he subscribed the name of AUSTIN MOYLE thereto as principal, and his own name as attorney-in-fact.



Dwight F. Bickel
Notary Public for Idaho
Residing at Meridian, Idaho
Comm. Expires: 10-25-99