

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 21 2023
DEPARTMENT OF
WATER RESOURCES

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WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
78-2002	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: Wind Walker Properties LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dan Allan Moitoza and Leanne Gae Moitoza Living Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 2611 S. Goshen Way Boise ID 83709
Mailing address City State Zip
- damolitoza@aol.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. Do you own the land identified as the water right place of use? Yes ☐ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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 706 signed by:

8. Signature: Dan Allan Moitoza Trustee 6/12/2023
 Signature of new owner/claimant Title, if applicable Date
 Dan Allan Moitoza

Signature: Leanne Gae Moitoza Trustee 6/12/2023
 Signature of new owner/claimant Title, if applicable Date
 Leanne Gae Moitoza
 Print name

Received by DM Date 6-20-23 For IDWR Office Use Only: Receipt No. W051319 Receipt Amt. \$25.00
 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 7-27-23

SCANNED
JUL 27 2023

Instrument # 141264

County Adams Idaho

Book 3 of Plats page 33

Recorded on 10/19/2018

State of Idaho

Ex-Officio Recorder Deputy

Index to 141264

WARRANTY DEED

For Value Received, WIND WALKER PROPERTIES, LLC, an Idaho limited liability company

the grantor, does hereby grant, bargain, sell and convey unto

DAN ALLAN MOITOZA and LEANNE GAE MOITOZA LIVING TRUST, dated October 19, 2018

the grantee, whose address is: 2611 S. Goshen Way, Boise, ID 83709

the following described premises, in Adams County, Idaho, to-wit:

Lot 9 Block 1, Valley Knolls Subdivision as said lot and block are numbered and designated upon the official plat thereof on file and of record in the Office of the County Recorder, Adams County, Idaho in Book 3 of Plats page 33 as Instr. No. 137179.

****Restriction:** Owners of one or more lots within this subdivision shall not divert, capture, convey, use impound, or otherwise physically control any water from irrigation ditches, creeks, rivers, or any other means of water conveyance, except and unless such diversion, capture, conveyance, use, or other physical control of water is pursuant to a valid water right owned, held leased, or controlled by such lot owner(s). Lot owners shall allow access for ditch maintenance pursuant to State Law.

- To ensure adequate fire protection, no certificate of occupancy shall be issued for any home or other structure within the subdivision unless and until:

(a) All homes under 3,600 sq ft gross floor area shall include an approved fire sprinkler system.

(b) A water storage tank containing 15,000 gallons of water shall be installed, filled and maintained in the subdivision.

-No home that exceeds 3,600 sq. ft. of gross floor area shall be constructed within the subdivision unless and until it is approved in writing by the Meadows Valley Fire District. To ensure adequate fire protection for such home, the Meadows Valley Fire District may impose, as conditions of approval, higher protection standards than those contained in these notes and the Adams County Subdivision Ordinance.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that it is free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that he will warrant and defend the same from all lawful claims whatsoever.

Date: June 6, 2023

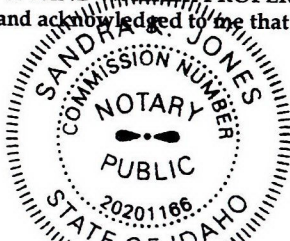
WIND WALKER PROPERTIES, LLC, an Idaho limited liability company

BY: Mary T. Horkan, Manager
MARY T. HORKAN, Manager

STATE OF IDAHO)

County of Adams) ss

On this 12th day of June, 2023, before me, a Notary Public in and for the said State, personally appeared MARY T. HORKAN, known or identified to me to be the person whose name is subscribed to the within instrument as one of the Manager/Members of WIND WALKER PROPERTIES, LLC, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that she executed the same in said Limited Liability Company's name.

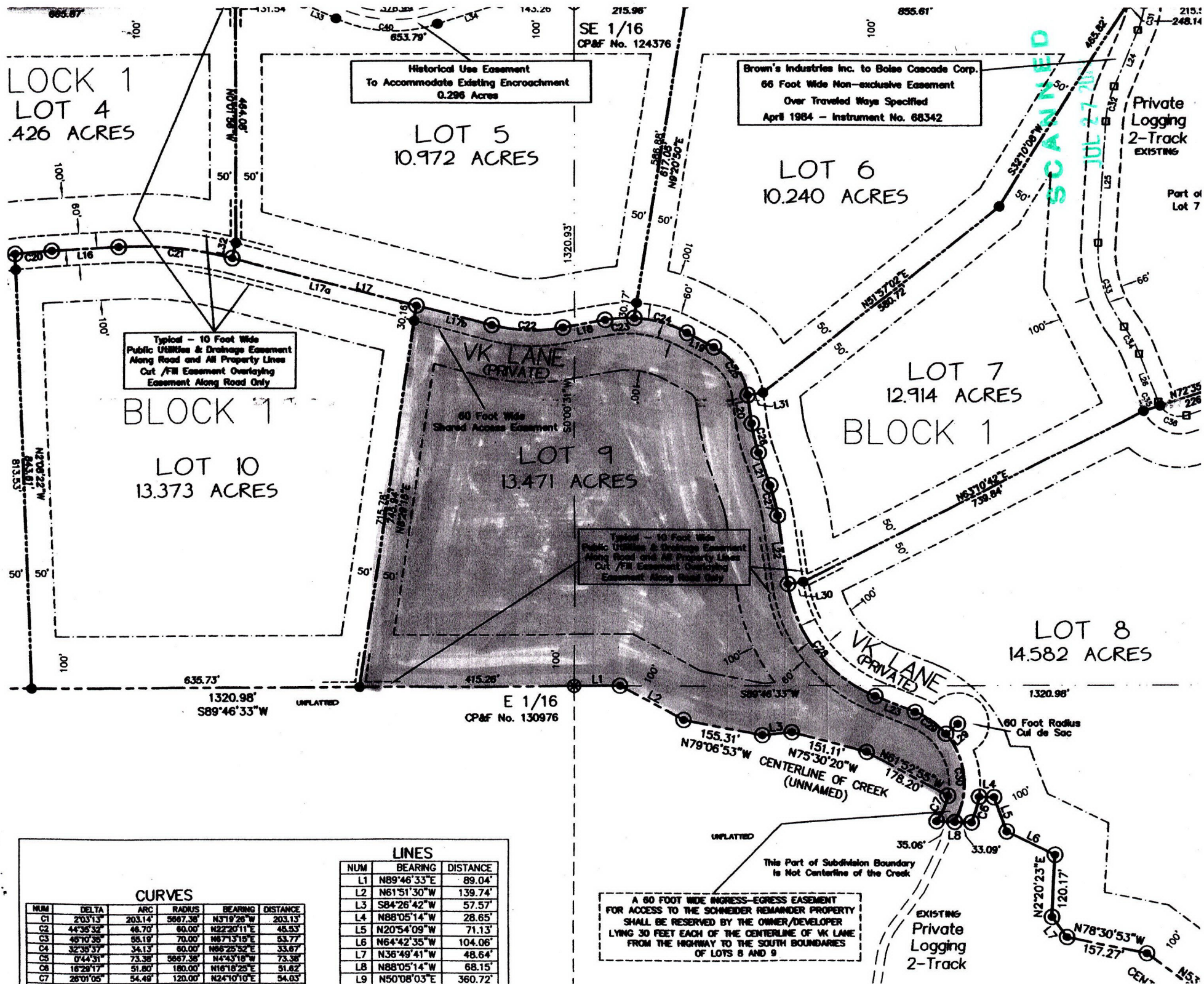


Sandra K Jones
Notary Public for Idaho
Residing at: Council ID
Commission expires: 03/23/2026

23-1175
~~23-1194~~

SCANNED

JUL 27 2023



CURVES

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	203.13	203.14	5667.38	N31°26'W	203.13
C2	44°35'32"	46.70	60.00	N22°20'11"E	46.53
C3	48°10'36"	58.19	70.00	N67°13'19"E	53.77
C4	32°35'37"	34.13	60.00	N86°25'32"E	33.67
C5	0°44'31"	73.38	5667.38	N44°3'18"W	73.38
C6	16°29'17"	51.80	180.00	N16°18'25"E	51.82
C7	26°01'05"	54.49	120.00	N24°10'10"E	54.03

LINE

NUM	BEARING	DISTANCE
L1	N89°46'33"E	89.04
L2	N61°51'30"W	139.74
L3	S84°26'42"W	57.57
L4	N88°05'14"W	28.65
L5	N20°54'09"W	71.13
L6	N64°42'35"W	104.06
L7	N36°49'41"W	48.64
L8	N88°05'14"W	68.15
L9	N50°08'03"E	360.72



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 27, 2023

DAN ALLAN MOITOZA & LEANNE GAE MOITOZA LIVING TRUST
2611 S GOSHEN WAY
BOISE ID 83709-8506

Re: Change in Ownership for Water Right No(s): 78-2002

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

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