

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 30 2021

Notice of Change in Water Right Ownership

Department of Water Resources
Eastern Region

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. **DEV**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-915D	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-519D	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Rod Michaelson / James Hayes
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Richard Davis / Kelli Gossen
New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or

4097 N 4300 W
Mailing address

Mackay
City

ID
State

83251
ZIP

208 954-1244
Telephone

Quantum.mfg@gmail.com
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: 6-4-21

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):

- \$50
☐ \$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:

Richard Davis
Signature of new owner/claimant

Title, if applicable

8/12/21
Date

Signature:

Kelli Gossen
Signature of new owner/claimant

Title, if applicable

8-12-21
Date

For IDWR Office Use Only:

Received by m.pettis

Date 8-30-21

Receipt No. E047310

Receipt Amt. 50.00

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 JB

Processed by JB

Date 3/22/2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the Water Right and Adjudication Search link at www.idwr.idaho.gov.

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at www.idwr.idaho.gov, or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 260614
CHALLIS, CUSTER, IDAHO
06-03-2021 02:22:21 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: KW

Space Above This Line for Recorder's Use Only

WARRANTY DEED

Date: **June 01, 2021**

File No.: **973053-B (jcm)**

For Value Received, **Rod Michaelson and Natalie Michaelson, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Richard G. Davis, an unmarried man and Kelli G. Gossen, an unmarried woman**, hereinafter called the Grantee, whose current address is **4097 North 4300 West, Mackay, ID 83251**, the following described premises, situated in **Custer County, Idaho**, to-wit:

A parcel of land generally described as being a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 6 North, Range 24 E.B.M., Custer County, Idaho, more particularly described as follows: Beginning at the corner common to Sections 1, 2, 11 and 12, Township 6 North, Range 24 E.B.M; thence S. 01°02'19" E. along the E. boundary of the NE $\frac{1}{4}$ of said Section 11 a distance of 412.34 feet to an existing fenceline; thence S. 89°03'38" W., on or along said fenceline, a distance of 460.68 feet; thence N. 28°45'47" E. a distance of 737.40 feet to an existing fenceline and the southerly right-of-way of the Houston Road; thence S. 52°24'03" E. along the southerly right-of-way of said Houston Road, as defined by said existing fenceline, a distance of 121.93 feet to the E. boundary of the SE $\frac{1}{4}$ of said Section 2; thence S. 00°38'30" E. along the E. boundary of the SE $\frac{1}{4}$ of said Section 2, a distance of 152.20 feet to the corner common to said Sections 1, 2, 11 and 12 and the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the 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, and that Grantor will warrant and defend the same from all claims whatsoever.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

E-RECORDED simplefile

ID: 260614
County: CUSTER
Date: 6-3-2021 Time: 2:22pm

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **973053-B (jcm)**

Date: **June 01, 2021**

For Value Received, **Rod Michaelson and Natalie Michaelson, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Richard G. Davis, an unmarried man and Kelli G. Gossen, an unmarried woman**, hereinafter called the Grantee, whose current address is **4097 North 4300 West, Mackay, ID 83251**, the following described premises, situated in **Custer County, Idaho**, to-wit:

A parcel of land generally described as being a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 6 North, Range 24 E.B.M., Custer County, Idaho, more particularly described as follows: Beginning at the corner common to Sections 1, 2, 11 and 12, Township 6 North, Range 24 E.B.M; thence S. 01°02'19" E. along the E. boundary of the NE $\frac{1}{4}$ of said Section 11 a distance of 412.34 feet to an existing fenceline; thence S. 89°03'38" W., on or along said fenceline, a distance of 460.68 feet; thence N. 28°45'47" E. a distance of 737.40 feet to an existing fenceline and the southerly right-of-way of the Houston Road; thence S. 52°24'03" E. along the southerly right-of-way of said Houston Road, as defined by said existing fenceline, a distance of 121.93 feet to the E. boundary of the SE $\frac{1}{4}$ of said Section 2; thence S. 00°38'30" E. along the E. boundary of the SE $\frac{1}{4}$ of said Section 2, a distance of 152.20 feet to the corner common to said Sections 1, 2, 11 and 12 and the point of beginning.

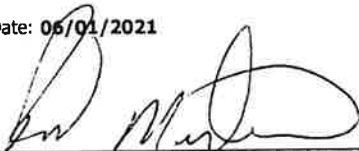
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

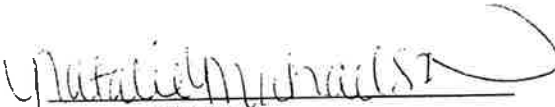
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 06/01/2021

Warranty Deed
- continued

File No.: 973053-B (jcm)

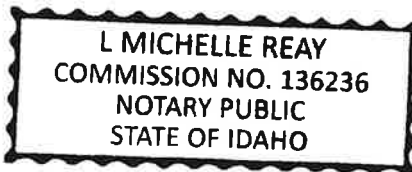

Rod Michaelson


Natalie Michaelson

STATE OF Idaho

COUNTY OF ~~Custer~~ ^{SS.} Bingham *done*

On this **June 1, 2021**, before me, a Notary Public in and for said State, personally appeared **Rod Michaelson and Natalie Michaelson**, 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.




Notary Public for the State of Idaho
Residing at: BLACKFOOT ID
My Commission Expires: 09/04/2024

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
535 First American Circle
Rexburg, ID 83440

Instrument # 250604

CHALLIS, CUSTER, IDAHO
07-29-2015 02:44:53 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
Lura H. Baker Fee: \$13.00
Ex-Officio Recorder Deputy: CAC

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 555589-RX (jb)

Date: July 27, 2015

For Value Received, James M. Hays and Donna Hammond Hays, fka Donna Marie Hammond, Husband and Wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Rod Michaelson and Natalie Michaelson, hereinafter called the Grantee, whose current address is 4097 North 4300 West, Mackay, ID 83251, the following described premises, situated in Custer County, Idaho, to-wit:

A parcel of land generally described as being a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 6 North, Range 24 E.B.M., Custer County, Idaho, more particularly described as follows: Beginning at the corner common to Sections 1, 2, 11 and 12, Township 6 North, Range 24 E.B.M; thence S. 01°02'19" E. along the E. boundary of the NE $\frac{1}{4}$ of said Section 11 a distance of 412.34 feet to an existing fenceline; thence S. 89°03'38" W., on or along said fenceline, a distance of 460.68 feet; thence N. 28°45'47" E. a distance of 737.40 feet to an existing fenceline and the southerly right-of-way of the Houston Road; thence S. 52°24'03" E. along the southerly right-of-way of said Houston Road, as defined by said existing fenceline, a distance of 121.93 feet to the E. boundary of the SE $\frac{1}{4}$ of said Section 2; thence S. 00°38'30" E. along the E. boundary of the SE $\frac{1}{4}$ of said Section 2, a distance of 152.20 feet to the corner common to said Sections 1, 2, 11 and 12 and the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

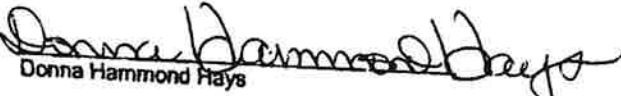
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 07/27/2015

Warranty Deed
- continued

File No.: 593588-11X (1b)


James M. Hays


Donna Hammond Hays

STATE OF Idaho)
COUNTY OF Custer)
SS.

On this Twenty-ninth day of July, 2015, before me, a Notary Public in and for said State, personally appeared James M. Hays and Donna Hammond Hays, 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.




Notary Public for the State of ~~Idaho~~ Texas
Residing at:
My Commission Expires:

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
535 First American Circle
Rexburg, ID 83440

Instrument # 250604

CHALLIS, CUSTER, IDAHO
07-29-2015 02:44:53 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
Lura H. Baker Fee: \$13.00
Ex-Officio Recorder Deputy: CAC

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 555589-RX (jb)

Date: July 27, 2015

For Value Received, **James M. Hays and Donna Hammond Hays, fka Donna Marie Hammond, Husband and Wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Rod Michaelson and Natalie Michaelson**, hereinafter called the Grantee, whose current address is **4097 North 4300 West, Mackay, ID 83251**, the following described premises, situated in **Custer County, Idaho**, to-wit:

A parcel of land generally described as being a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 6 North, Range 24 E.B.M., Custer County, Idaho, more particularly described as follows: Beginning at the corner common to Sections 1, 2, 11 and 12, Township 6 North, Range 24 E.B.M; thence S. 01°02'19" E. along the E. boundary of the NE $\frac{1}{4}$ of said Section 11 a distance of 412.34 feet to an existing fenceline; thence S. 89°03'38" W., on or along said fenceline, a distance of 460.68 feet; thence N. 28°45'47" E. a distance of 737.40 feet to an existing fenceline and the southerly right-of-way of the Houston Road; thence S. 52°24'03" E. along the southerly right-of-way of said Houston Road, as defined by said existing fenceline, a distance of 121.93 feet to the E. boundary of the SE $\frac{1}{4}$ of said Section 2; thence S. 00°38'30" E. along the E. boundary of the SE $\frac{1}{4}$ of said Section 2, a distance of 152.20 feet to the corner common to said Sections 1, 2, 11 and 12 and the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

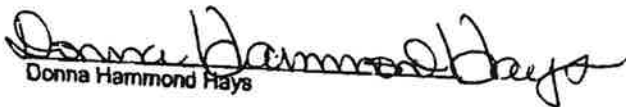
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 07/27/2015

Warranty Deed
- continued

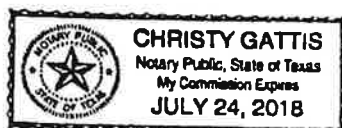
File No.: 583580-RX (1b)

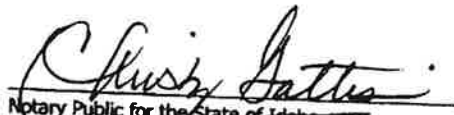

James M. Hays


Donna Hammond Hays

STATE OF Idaho)
COUNTY OF Custer)
SS.

On this Twenty-ninth day of July, 2015, before me, a Notary Public in and for said State, personally appeared James M. Hays and Donna Hammond Hays, 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.




Notary Public for the State of Idaho ~~Idaho~~ Texas
Residing at:
My Commission Expires:



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 22, 2022

RICHARD DAVIS
KELLI G GOSSEN
4097 N 4300 W
MACKAY ID 83251-4510

Re: Change in Ownership for Water Right No(s): 34-519D, 34-915D

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 34



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 14, 2022

RICHARD DAVIS
KELLI GOSSEN
4097 N 4300 W
MACKAY ID 83251

RE: Change in Ownership Water Right No. 34-915D, 34-519D

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** According to the notes on file. The department requested a full chain of title going back to the current owner of the water right on September 3, 2021. The chain has not been supplied. Please supply a full chain of title going back to the current owner of record for the water rights above. The current owner of record is James Hays and Donna Hammond.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

SCANNED

MAR 14 2022



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 1, 2021

RICHARD DAVIS
KELLI GOSSEN
4097 N 4300 W
MACKAY ID 83251

RE: Change in Ownership Water Right No. 34-915D & 34-519D

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** Copy of conveyance document, recorded Warranty Deed or other legal evidence of ownership.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

SCANNED

AUG 31 2021