

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 10 2022

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?
✓ 34-2464 OK	Yes ☒	Yes ☐	→ 34-2464/34-14866	Yes ☐	Yes ☐
✓ 34-74 OK	Yes ☒	Yes ☐	→ 34-74/34-14864	Yes ☐	Yes ☐
✓ 34-489A OK	Yes ☒	Yes ☐	→ 34-489A/34-14865	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Magee Group, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): G and L Kimball Family Estate Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 273 Mackay ID 83251-0273
Mailing address City State ZIP
(208) 588-3080 Lindakimball1126@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: July 19, 2019
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):
 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 W-9.

8. Signature: Bary Kimball Trustee January 10, 2022
Signature of new owner/claimant Title, if applicable Date

Signature: Linda Kimball Trustee January 10, 2022
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by C. H. Date 1/10/22 Receipt No. E047688 Receipt Amt. \$300.00
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 JC Processed by JC Date 1/28/2022

QUITCLAIM DEED

257753
Custer County Req. of
Gary F. Magee
Time 8:42 AM Date 3-5, 2020
Lura H. Baker, Clerk
Tinae Kagner Deputy \$ 15.00

This QUITCLAIM DEED, Executed this 19th day of July, 2019, by Gary F. Magee, President of the Magee Group, Inc. ("Grantor"), whose mailing address is 315 West Elliott Road, #107-309, Tempe, AZ 85284, hereby REMISES, RELEASES AND FOREVER QUITCLAIMS TO the G and L Kimball Family Estate Trust ("Grantee"), whose address is P.O. Box 273, Mackay, ID 83251-0273, all right, title, interest and claim to the following Water Rights situated in the State of Idaho to-wit:

Water Right #s 34-2464, 34-74, and 34-489A to irrigate 4.4 acres

Magee Group, Inc.

By:

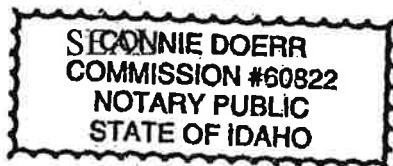
Gary F. Magee, President

State of Idaho)

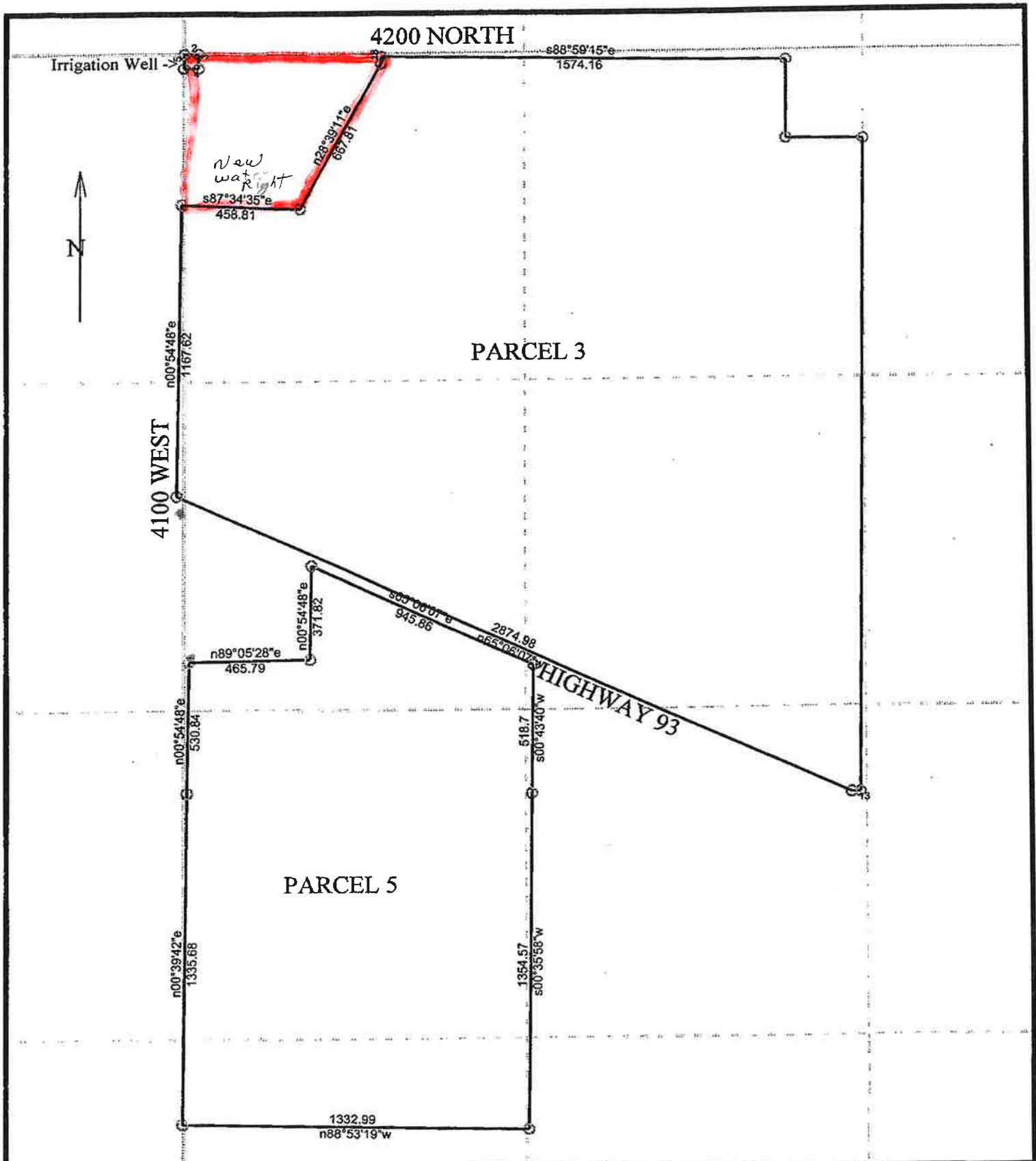
County of Custer)

On this 19th day of July, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Gary F. Magee, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.



Connie Doerr
Notary Public of Idaho
Residing at: Mackay, ID
My commission expires: 12-17-2024



pt W $\frac{1}{2}$ 5-6N-25EBM, Custer County, ID

4/18/2017

Scale: 1 inch = 500 feet

File: 631805.ndp

This map is solely for the purpose of assisting in locating the premises and the company assumes no liability for variations if any, with an actual survey.

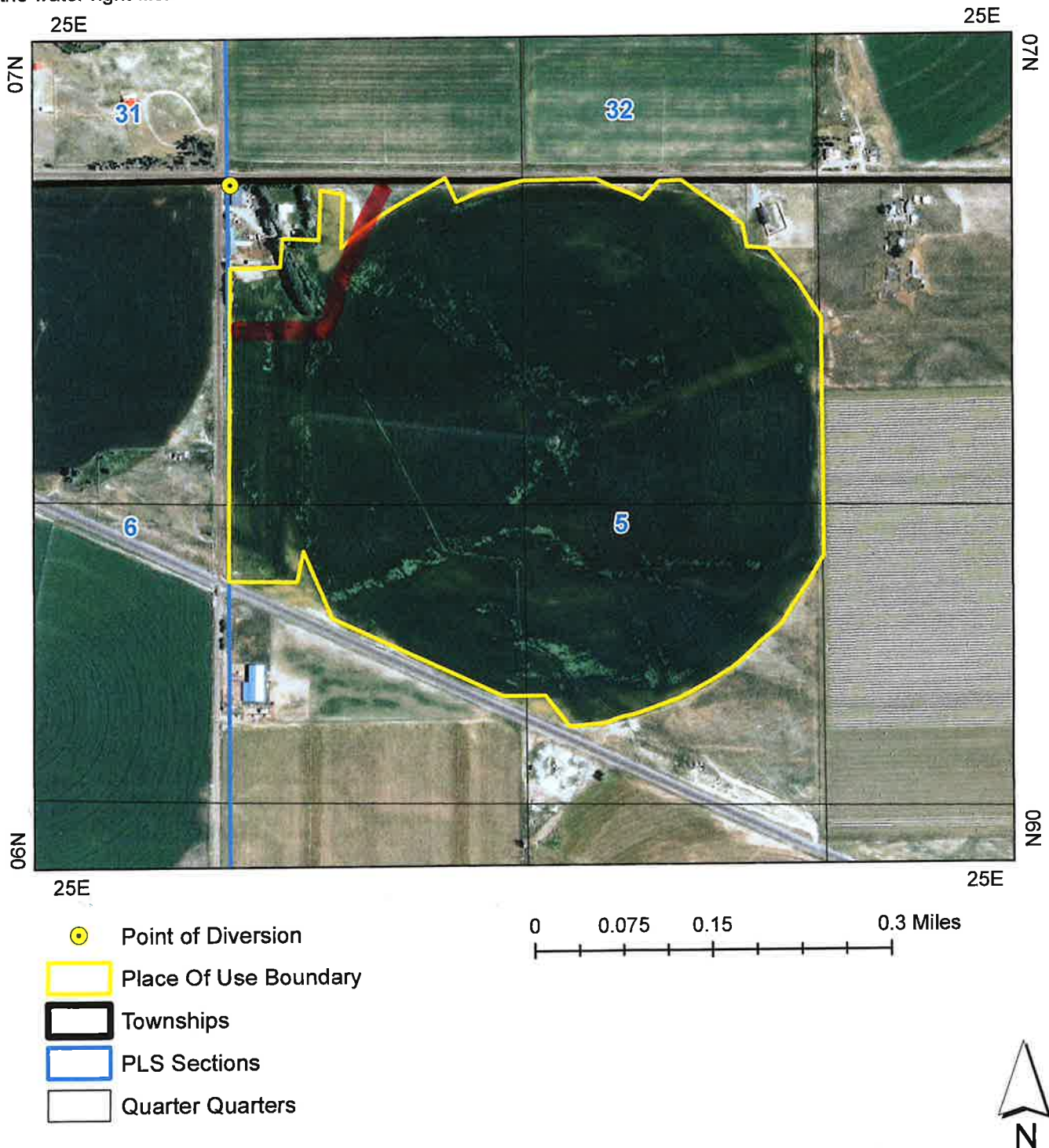
First American Title Company

State of Idaho
Department of Water Resources

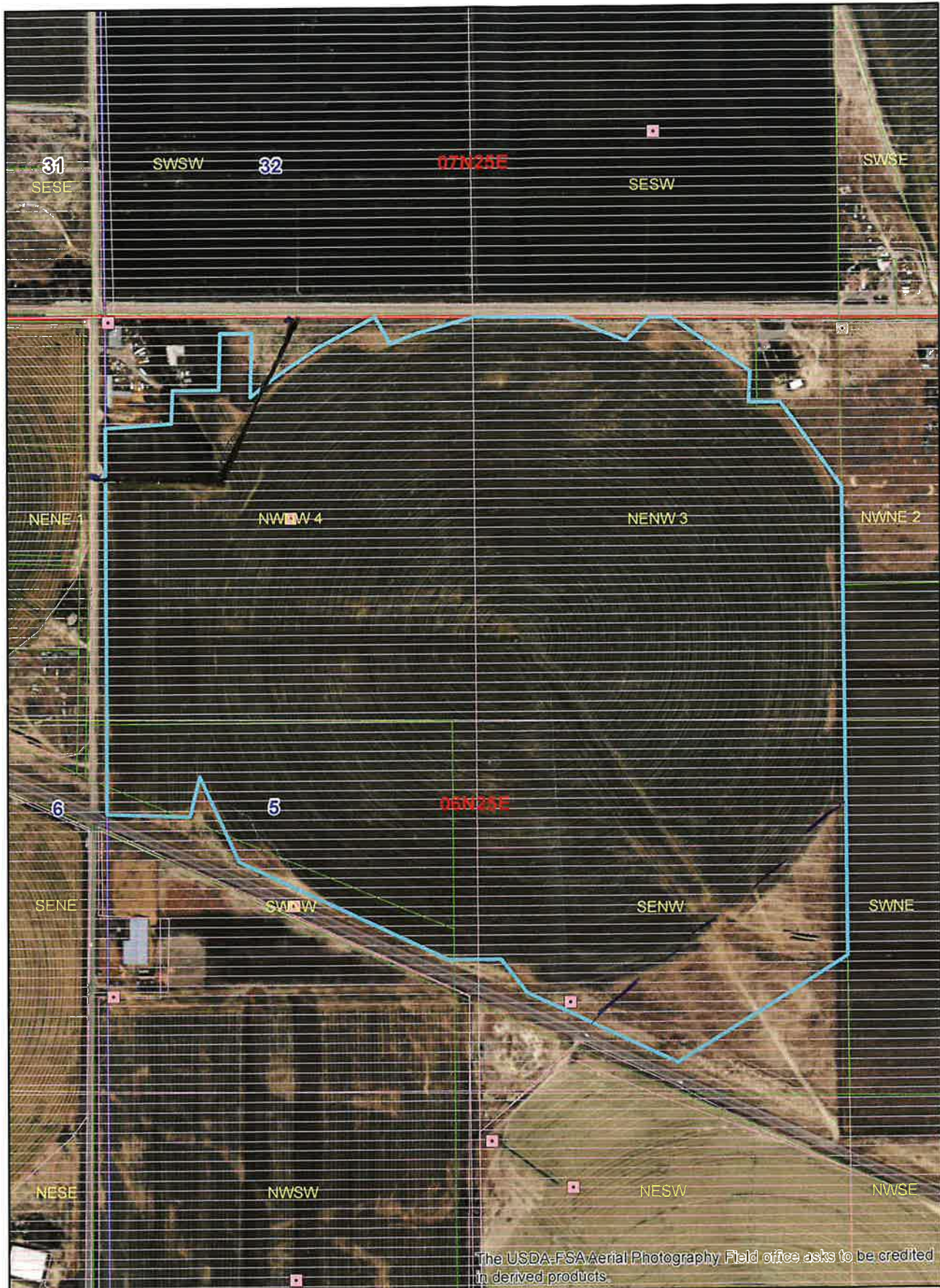
Water Right
34-2464

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



34-489A
34-2464 34-74



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/10/2022

Water Right 34-2464

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MAGEE GROUP INC 315 W ELLIOT RD # 107-309 TEMPE, AZ 85284-1328 (602) 743-0063

Priority Date: 6/28/1965

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	2.210 CFS	387.1 AF
	<u>Total Diversion</u>		2.210 CFS	387.1 AF

Source and Point(s) of Diversion

GROUND WATER	L4(NWNWNW)	Sec. 5, Twp 06N, Rge 25E, CUSTER County
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Place Of Use

IRRIGATION within CUSTER County

T06N R25E S5 L3	NENW	40.0
T06N R25E S5 L4	NWNW	39.0
T06N R25E S5	SWNW	18.0
T06N R25E S5	SEnw	23.0
	Right Acre Limit:	110.6
	POU Total Acres:	120.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 110.6 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-74 and 34-2464 when combined shall not exceed a total diversion rate of 4.45 cfs and the irrigation of 110.6 acres.
3. X35 Rights 34-74, 34-489A and 34-2464 when combined shall not exceed a total diversion rate of 4.64 cfs and the irrigation of 120 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. 214 Prior to the diversion and use of water under Transfer approval 79860, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/10/2022

7. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates and Other Information

Decreed Date: 9/19/2001

State or Federal: S

Owner Name Connector: AND

Water District Number: 34

Mitigation Plan: False

Combined Use Limits

Rate

4.750

34-74 ,34-2464

Volume

Acres

118.0

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/10/2022

Water Right 34-74

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MAGEE GROUP INC 315 W ELLIOT RD # 107-309 TEMPE, AZ 85284-1328 (602) 743-0063

Priority Date: 6/30/1904

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	2.250 CFS	
	<u>Total Diversion</u>		2.250 CFS	

Source and Point(s) of Diversion

BIG LOST RIVER	SENWNW	Sec. 34, Twp 07N, Rge 24E, CUSTER County
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Place Of Use

IRRIGATION within CUSTER County

T06N R25E S5 L3	NENW	40.0
T06N R25E S5 L4	NWNW	39.0
T06N R25E S5	SWNW	18.0
T06N R25E S5	SEnw	23.0
Right Acre Limit:		110.6
POU Total Acres:		120.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 110.6 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-74 and 34-2464 when combined shall not exceed a total diversion rate of 4.45 cfs and the irrigation of 110.6 acres.
3. X35 Rights 34-74, 34-489A and 34-2464 when combined shall not exceed a total diversion rate of 4.64 cfs and the irrigation of 120 acres.
4. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/10/2022

8. Water is delivered through the Harris-Vaught Ditch
9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information

Decreed Date: 5/24/2001

State or Federal: S

Water District Number: 34

Mitigation Plan: False

Combined Use Limits

Rate

4.750

34-74 ,34-2464

Volume

Acres

118.0

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/10/2022

Water Right 34-489A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MAGEE GROUP INC 315 W ELLIOT RD # 107-309 TEMPE, AZ 85284-1328 (602) 743-0063

Priority Date: 5/6/1899

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	0.190 CFS	
	<u>Total Diversion</u>		0.190 CFS	

Source and Point(s) of Diversion

BIG LOST RIVER	SENWNW	Sec. 34, Twp 07N, Rge 24E, CUSTER County
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Place Of Use

IRRIGATION within CUSTER County

T06N R25E S5 L3	NENW	40.0
T06N R25E S5 L4	NWNW	39.0
T06N R25E S5	SWNW	18.0
T06N R25E S5	SENW	23.0
	Right Acre Limit:	9.4
	POU Total Acres:	120.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 9.4 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-74, 34-489A and 34-2464 when combined shall not exceed a total diversion rate of 4.64 cfs and the irrigation of 120.0 acres.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. Water is delivered through the Harris-Vaught Ditch.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/10/2022

provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information

Decreed Date: 12/14/2001

State or Federal: S

Owner Name Connector: AND

Water District Number: 34

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A



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

January 28, 2022

THE G & L KIMBALL FAMILY ESTATE TRUST
PO BOX 273
MACKAY ID 83251-0273

Re: Change in Water Right Ownership: 34-74 (Split into 34-74 and 34-14864), 34-489A Split into 34-489A and 34-14865) and 34-2464 (split into 34-2464 and 34-14866)

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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: MAGEE GROUP INC
WATER DISTRICT 34
BIG LOST RIVER GROUND WATER DISTRICT