

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

FEB 16 2021

DEPT OF WATER RESOURCES
SOUTHERN 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?
45-14284	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: George Montgomery Gwen Montgomery
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Albion 12 Investments, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 7595 East McDonald Dr., Ste. 130 Scottsdale AZ 85450
Mailing address City State ZIP
- 602-524-1805
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. 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: [Signature] Power of Attorney 2/11/2021
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DH Date 2-16-2021 Receipt No. SO38403 Receipt Amt. \$25 -
 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 JB Date 2-17-2021

QUITCLAIM DEED

For value received, George A. and Gwen Montgomery, as grantors hereby quitclaim unto Albion 12 Investments, LLC, the grantee whose current address is 7595 E. McDonald Drive, Suite 130, Scottsdale, Arizona 85450, all of the grantor's right, title, and interest in and to the following described water right situated in Cassia County, Idaho, on record with the Idaho Department of Water Resources:

Water right no. 45-14284, priority date 2/26/1972, for 1.31 cfs to irrigate 67 acres.

Grantor has caused this quitclaim deed to be executed this 12 day of

November, 2010.

By:

George A. Montgomery
George A. Montgomery

Gwen Montgomery
Gwen Montgomery

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Michael L. Merriman, hereby nominate and appoint
G. Erick Powell as my attorney-in-fact with full authority to
act for and on my behalf to undertake any and all acts or matters pertaining to water right
transfers before the Idaho Department of Water Resources for the following water right
transactions:

All water rights involving Albion 12 Investments, LLC

All water rights involving Rose Creek Ranch, LLC

in Cassia County, Idaho. Additionally, I hereby ratify and confirm any
and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said
instruments of writing that may be necessary or proper to carry into execution and effect the
applications, and transfers above-mentioned. Further, I hereby declare that each and every
application, transfer, agreement, receipt, or payment which shall be by my said agent given,
made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at
all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or
concerning the said premises by virtue of these present. This Limited Power of Attorney will
become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 25th day of MARCH 2015.

Michael Merriman
Signature

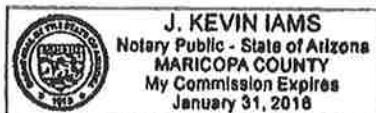
Signature

State of Arizona)
County of Maricopa) ss.

On this 25 Day of March, 2015, before me, a Notary
Public in and for said County and State, personally appeared Michael Merriman
known or identified to me to be the individual whose name and subscription 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.

S
E
A
L



AJD
Notary Public
In and for said State and County

1/31/2016
My Commission Expires



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 17, 2021

ALBION 12 INVESTMENTS LLC
7595 E MCDONALD DR STE 130
SCOTTSDALE AZ 85250-6081

Re: Change in Ownership for Water Right No(s): 45-14284

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.

Additionally, the \$25.00 fee, which was submitted with the Notice, will be refunded to your representative, Brockway Engineering, because the fee was paid during the transfer process for transfer #79943 on March 21, 2016.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9909.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Bitzenburg'.

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: WD-140; Erick Powell, Brockway Engineering

Bitzenburg, James

From: Bitzenburg, James
Sent: Wednesday, February 17, 2021 10:53 AM
To: IdwrPayable
Subject: Request for refund

IDWR Payable-

On February 16, 2021, our office received a *Notice of Change in Water Right Ownership* from Albion 12 Investments, LLC, submitted by Brockway Engineering. The Notice was accompanied by a \$25.00 fee, which had already been paid in a water right transfer back in 2016. Could you issue a refund for the \$25.00 fee? The current fee was paid by Brockway Engineering, PLLC. Their address is:

**BROCKWAY ENGINEERING PLLC
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301**

They paid for the notice with check #16276, and the receipt number is S038403. Thank you, and let me know if you need any more information.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

FEB 16 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

February 11, 2021

Mr. James Bitzenburg
Idaho Department of Water Resources
650 Addison Ave West, Suite 500
Twin Falls, ID

Re: Notice of Change of Ownership

Dear Jim,

As we discussed on the phone and via email, here are the documents regarding the change of ownership for water right no. 45-14284.

If you have any questions, please do not hesitate to contact me.

Sincerely,

G. Erick Powell, Ph.D., P.E.

enclosed

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

OK # 16276 enc.