

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 14 2021

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?
21-13216 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
21-13215 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
21-13214 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
21-13213 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Mickelson Properties LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Wilcox Bros LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

Mailing address

1110 Golden Beauty Dr

City

Rexburg

State

ID

ZIP

83970

Telephone

208 356 7563

Email

Larry@WilcoxFresh.com

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: 01-04-2021

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):
- ☐ \$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.

SUPPORT DATA

IN FILE # 21-13213

8. Signature: Larry Wilcox Member 01-14-2021
- Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date
- Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by M. Pottis Date 1-14-21 Receipt No. E046566 Receipt Amt. 100.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing

Name on W-9 _____ Approved by JB Processed by JB W-9 received? Yes ☐ No ☐

Date 2/8/2021



Water Right Locator

Address or WR #



Twin Butte Rd

21-13213 21-13214
21-13213 21-13214

21-13213 21-13213

21-13215

21-13214

21-13213 21-13214
21-13213 21-13214

(1 of 4)

POU - Water Rights: 21-13216

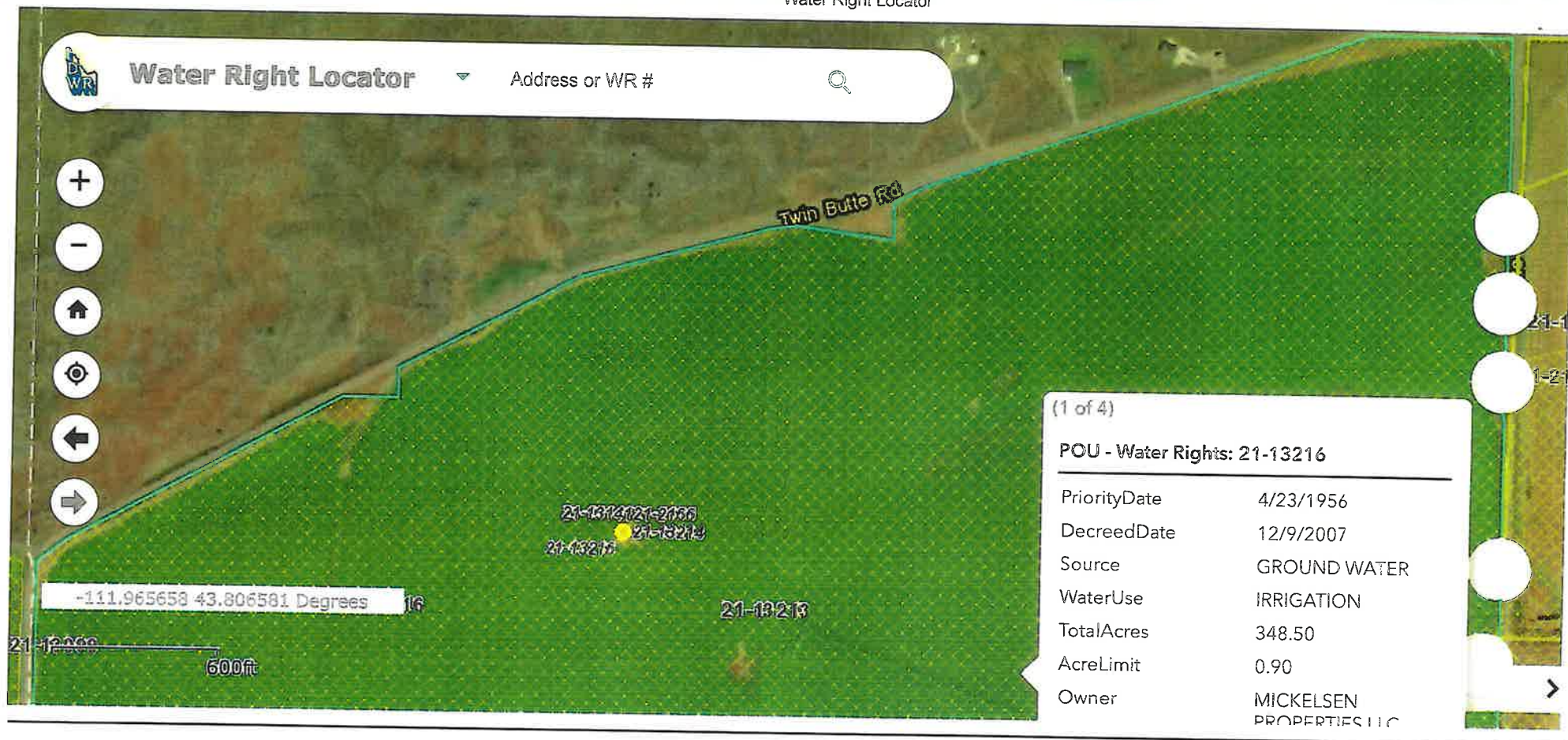
PriorityDate	4/23/1956
DecreedDate	12/9/2007
Source	GROUND WATER
WaterUse	IRRIGATION
TotalAcres	348.50
AcreLimit	0.90
Owner	MICKELSEN PROPERTIES LLC
RightID	683,331
LargePOU	0
WaterRightNumber	21-13216
BasinNumber	21
SequenceNumber	13,216

[SolitSuffix](#)
[Zoom to](#)

-111.965580 43.805373 Degrees

21-13143
21-13146
600ft

21-13088



POD - Water Rights

POU - Water Rights

Options ▾

Filter by map extent

 Refresh

PriorityDate	DecreedDate	Source	WaterUse	TotalAcres	AcreLimit	Owner	RightID	LargePOU	WaterRightNum
4/23/1956	12/9/2007	GROUND WATER	IRRIGATION	348.50	0.90	MICKELSEN PROPERTIES LLC	683,331	0	21-13216

1 features 0 selected

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442

Microfile No. 436820
4 DAY Jan 2021
At 04 O'Clock 06 PM
KIM H. MUIR
MADISON CO RECORDER
Fee \$15.00
Deputy
Recorded at Request of
FIRST AMERICAN TITLE - REXBURG

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **943120-RI (ss)**

Date: **December 31, 2020**

For Value Received, **Mickelsen Properties, LLC, an Idaho limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Wilcox Brothers L.L.C., an Idaho limited liability company**, hereinafter called the Grantee, whose current address is **1110 Golden Beauty Drive, Rexburg, ID 83440**, the following described premises, situated in **Madison County, Idaho**, to-wit:

PARCEL 3:

PART OF SECTION 34, TOWNSHIP 6 NORTH, RANGE 38 EAST OF THE BOISE MERIDIAN, MADISON COUNTY, IDAHO, DESCRIBED AS FOLLOWS:
BEGINNING AT A FOUND ALUMINUM CAP AT THE NORTHEAST CORNER OF SAID SECTION 34 AND RUNNING THENCE SOUTH 00°00'37" WEST 2639.21 FEET TO A FOUND 5/8" IRON ROD AT THE EAST QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 00°1'42" WEST 1552.35 FEET ALONG THE SECTION LINE TO THE NORTHEAST CORNER OF THE PROPERTY AS DESCRIBED IN QUIT CLAIM DEED, INSTRUMENT NO. 364312; THENCE NORTH 89°04'41" WEST 1318.69 FEET ALONG THE NORTH LINE OF SAID PROPERTY TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE NORTH 00°07'37" EAST 205.79 FEET ALONG SAID WEST LINE TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE SOUTH 89°45'27" WEST 1318.60 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE SOUTH 89°53'43" WEST 1317.15 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE NORTH 00°00'06" WEST 679.79 FEET ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER TO A POINT ON A NON-TANGENT CURVE CREATED BY AN EXISTING IRRIGATION PIVOT; THENCE 710.71 FEET ALONG SAID CURVE TO THE RIGHT, CURVE DATA: DELTA = 25°3'9"32", RADIUS = 1587.00 FEET, CHORD BEARING = NORTH 26°32'07" WEST 704.79 FEET; THENCE NORTH 58°00'11" WEST 61.65 FEET; THENCE SOUTH 57°07'13" WEST 839.25 FEET TO THE NORTH LINE OF A 50 FOOT ACCESS EASEMENT DESCRIBED IN WARRANTY DEED, INSTRUMENT NO. 249876; THENCE SOUTH 82°10'56" WEST 247.46 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF SAID SECTION 34; THENCE NORTH 00°00'16" EAST 463.13 FEET TO A FOUND ALUMINUM CAP AT THE WEST QUARTER CORNER OF SAID SECTION 34; THENCE NORTH 00°00'06" EAST 719.23 FEET ALONG THE SECTION LINE TO A POINT ON A NON-TANGENT CURVE ON THE NORTHERLY RIGHT OF WAY LINE OF AN EXISTING COUNTY ROAD (TWIN BUTTE ROAD); THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING 2 COURSES: 1) 178.53 FEET ALONG SAID CURVE TO THE RIGHT, CURVE DATA = 31°57'53", RADIUS = 320.00 FEET, CHORD BEARING = NORTH 45°26'22" EAST 176.22 FEET; THENCE 2) NORTH 61°25'18" EAST 1000.66 FEET TO THE SOUTH LINE OF THE NORTHWEST

QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 34; THENCE NORTH 89°52' 19" EAST 312.77 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34; THENCE NORTH 00°00'04" EAST 1318.09 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 34; THENCE NORTH 89°55'15" EAST 1316.80 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 34; THENCE NORTH 89°42'59" EAST 532.66 FEET ALONG THE NORTH LINE OF SAID SECTION 34 TO THE NORTHWEST CORNER OF THE PROPERTY AS DESCRIBED AND SHOWN ON RECORD OF SURVEY, INSTRUMENT NO. 335069; THENCE SOUTH 20°43'23" EAST 461.38 FEET ALONG THE WEST LINE OF SAID PROPERTY TO THE NORTHERLY RIGHT OF WAY LINE OF AN EXISTING COUNTY ROAD (TWIN BUTTE ROAD); THENCE ALONG SAID NORTHERLY RIGHT OF WAY OF SAID PROPERTY AS DESCRIBED AND SHOWN ON RECORD OF SURVEY, INSTRUMENT NO. 335069 THE FOLLOWING 3 COURSES: 1) NORTH 70°30'23" EAST 360.00 FEET; THENCE 2) NORTH 71°00'23 " EAST 250.00 FEET; THENCE 3) NORTH 71°17'22" EAST 739.99 FEET TO THE NORTH LINE OF SAID SECTION 34; THENCE NORTH 89°42'23 " EAST 665.61 FEET TO 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: 12/31/2020

Warranty Deed
- continued

File No.: 943120-RI (ss)

Mickelsen Properties LLC, an Idaho limited liability
company

By: *Mark A Mickelsen*

Name: Mark A Mickelsen

Title: Manager

STATE OF Idaho)
COUNTY OF Jefferson)
ss.

On this **Fourth day of January, 2021**, before me, a Notary Public in and for said State, personally appeared **Mark A Mickelsen**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Mickelsen 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 **he** executed the same in said Limited Liability Company's name.



Shaney Swanson
Notary Public of Idaho
Residing at: Idaho Falls, ID
Commission Expires: 1-3-27



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

February 08, 2021

WILCOX BROTHERS LLC
1110 GOLDEN BEAUTY DR
REXBURG ID 83440-5148

Re: Change in Ownership for Water Right No(s): 21-13213, 21-13214, 21-13215 & 21-13216

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 100
HENRYS FORK GROUND WATER DISTRICT