

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 03 2020
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?
21-10262 <i>NA</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	21-10481 <i>NA</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
21-10263 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	21-10482 <i>NA</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
21-10264 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
22-02144 <i>OK</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
22-4064 <i>NA</i>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Robert Orme
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John K. Bagley, Lucella R. Bagley
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- P.O. Box 122 Rexburg ID 83440
Mailing address City State ZIP
- 208-351-0004 olegeller47@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: 10/11/2019

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):
- ☐ \$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: [Signature] 01-31-2020
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 JPS Date 2/4/2020 Receipt No. E045608 Receipt Amt. \$175.-

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 partial JB Processed by JPS Date 2/7/2020

SUPPORT DATA

IN FILE # 21-10263



Instrument No. 576148
11 Day Oct 2019
At 03 O'Clock 37 M
ABBIE MACE
FREMONT CO RECORDER
Fee \$15.00
EL Deputy
Recorded at Request of
Amerititle - Idaho Falls

WARRANTY DEED

Order No.: 326763AM

FOR VALUE RECEIVED

**Barbara Lyn Carpenter and Robert Kelly Orme, as Co-Trustees and their successors in trust of
The Orme Family Trust under the Declaration of Trust dated November 22, 2002**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

John K Bagley and Luella R Bagley, husband and wife

whose current address is:

PO Box 122
Rexburg, ID 83440

the grantee(s), the following described premises, in Fremont County, Idaho,
TO WIT:

**SITUATED IN THE STATE OF IDAHO, COUNTY OF FREMONT, BEING PART OF SECTIONS 25 &
26, TOWNSHIP 7 NORTH, RANGE 39 EAST, OF B.M., BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS:**

BEGINNING AT A BLM BRASS CAP FOUND MARKING THE SOUTHEAST CORNER OF SECTION 26;

**THENCE SOUTH 89°12'14" WEST, A DISTANCE OF 5,007.11 FEET BLM BRASS CAP MEANDER
CORNER FOUND;**

**THENCE NORTH 37°08'51" EAST, A DISTANCE OF 1,176.13 FEET TO A BLM BRASS CAP ANGLE
POINT FOUND;**

**THENCE NORTH 58°55'56" EAST, A DISTANCE OF 1,326.61 FEET TO A REBAR WITH AN
ALUMINUM CAP SET STAMPED AP-2 PLS 13856;**

**THENCE NORTH 64°50'56" EAST, A DISTANCE OF 1,992.24 FEET TO A BLM BRASS CAP ANGLE
POINT FOUND;**

**THENCE NORTH 52°02'17" EAST, A DISTANCE OF 241.29 FEET TO A REBAR WITH A PLASTIC
CAP SET STAMPED, "PLS 13856";**

THENCE NORTH 00°08'41" WEST, A DISTANCE OF 1,130.73 FEET TO A POINT;

THENCE NORTH 89°15'42" EAST, A DISTANCE OF 671.49 FEET TO A POINT;

THENCE NORTH 75°21'54" EAST, A DISTANCE OF 658.49 FEET TO A POINT;

**THENCE SOUTH 19°14'48" WEST, A DISTANCE OF 417.12 FEET TO A BLM BRASS CAP MEANDER
CORNER FOUND;**

**THENCE SOUTH 00°11'04" EAST, A DISTANCE OF 831.48 FEET TO A BLM BRASS CAP MARKING
THE EAST ¼ CORNER OF SAID SECTION 26;**

**THENCE NORTH 89°51'54" EAST, A DISTANCE OF 2,621.70 FEET TO A REBAR WITH A PLASTIC
CAP FOUND MARKING THE CENTER ¼ OF SAID SECTION 25;**

**THENCE SOUTH 00°04'31" EAST, A DISTANCE OF 1,338.75 FEET TO A POINT MARKING THE
CENTER - SOUTH 16TH CORNER**

**THENCE NORTH 89°35'50" WEST, A DISTANCE OF 1,312.85 FEET TO A REBAR WITH A PLASTIC
CAP SET STAMPED, "PLS 13856" MARKING THE SOUTHWEST CORNER OF SOUTHWEST 16TH
CORNER;**

THENCE SOUTH 00°00'34" WEST, A DISTANCE OF 666.37 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 89°19'40" EAST, A DISTANCE OF 66.00 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 00°00'34" WEST, A DISTANCE OF 260.17 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE NORTH 89°07'04" WEST, A DISTANCE OF 98.60 FEET TO A REBAR WITH A PLASTIC CAP FOUND;

THENCE SOUTH 00°59'13" WEST, A DISTANCE OF 137.53 FEET TO A REBAR WITH A PLASTIC CAP FOUND;

THENCE NORTH 88°17'13" WEST, A DISTANCE OF 15.00 FEET TO A REBAR WITH A PLASTIC CAP SET STAMPED, "PLS 13856";

THENCE SOUTH 00°59'13" WEST, A DISTANCE OF 242.66 FEET TO A REBAR WITH A PLASTIC CAP FOUND;

THENCE NORTH 89°03'31" WEST, A DISTANCE OF 1,260.90 FEET TO THE POINT OF BEGINNING,

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 10, 2019

The Orme Family Trust under the Declaration of Trust dated November 22, 2002

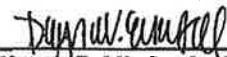

Barbara Lyn Carpenter, Co-Trustee

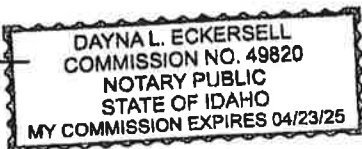

Robert Kelly Orme, Co-Trustee

State of Idaho) ss.
County of Jefferson)

On this 11th day of October, 2019, before me, the undersigned a Notary Public in and for said state, personally appeared Barbara Lyn Carpenter and Robert Kelly Orme known or identified to me to be the person whose name is subscribed to the foregoing instrument as Co-trustee's of The Orme Family Trust under the Declaration of Trust dated November 22, 2002, and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


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

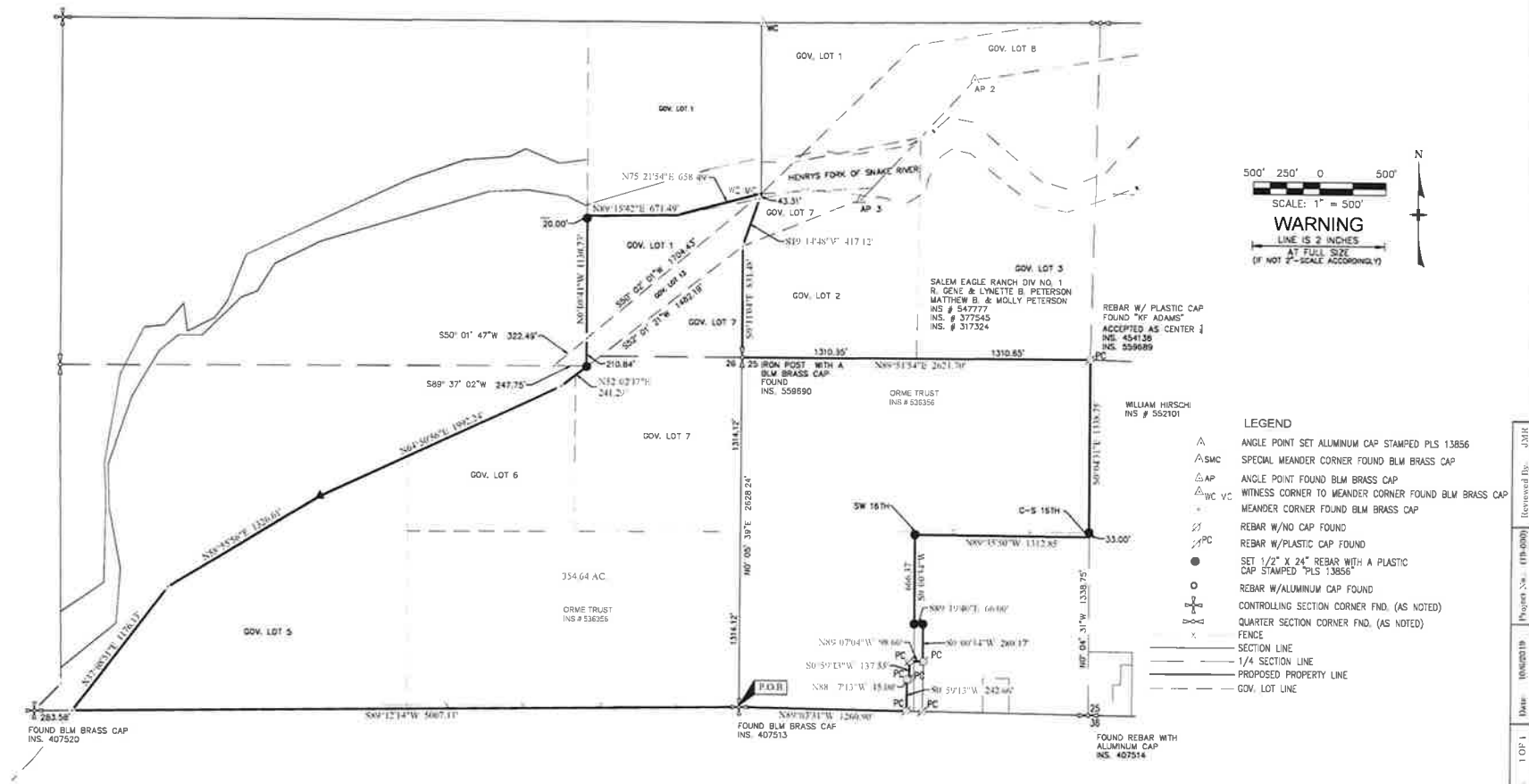


RECORD OF SURVEY ORME TRUST PART OF SECTIONS 25 & 26, TWP. 7 N, RANGE 39 E, B.M. FREMONT COUNTY, IDAHO

NOTES:
BEARINGS SHOWN HEREIN ARE BASED ON THE IDAHO STATE PLANE
COORDINATE SYSTEM, EAST ZONE, NAD 83 DATUM. DISTANCES SHOWN
HEREIN ARE GROUND DISTANCES USING AN AVERAGE PROJECT ELEVATION
OF 4850 FEET.

REFERENCES:
PLATS AND SURVEY INS. NUMBERS

NARRATIVE:
HIRED BY WHOM, HOW WAS BOUNDARY ESTABLISHED, BOUNDARY ISSUES



RECORDER'S CERTIFICATE

Instrument No. _____
Time of Day _____
Recorded in Fremont County, Idaho, _____
County Recorder _____

SURVEYOR'S CERTIFICATE

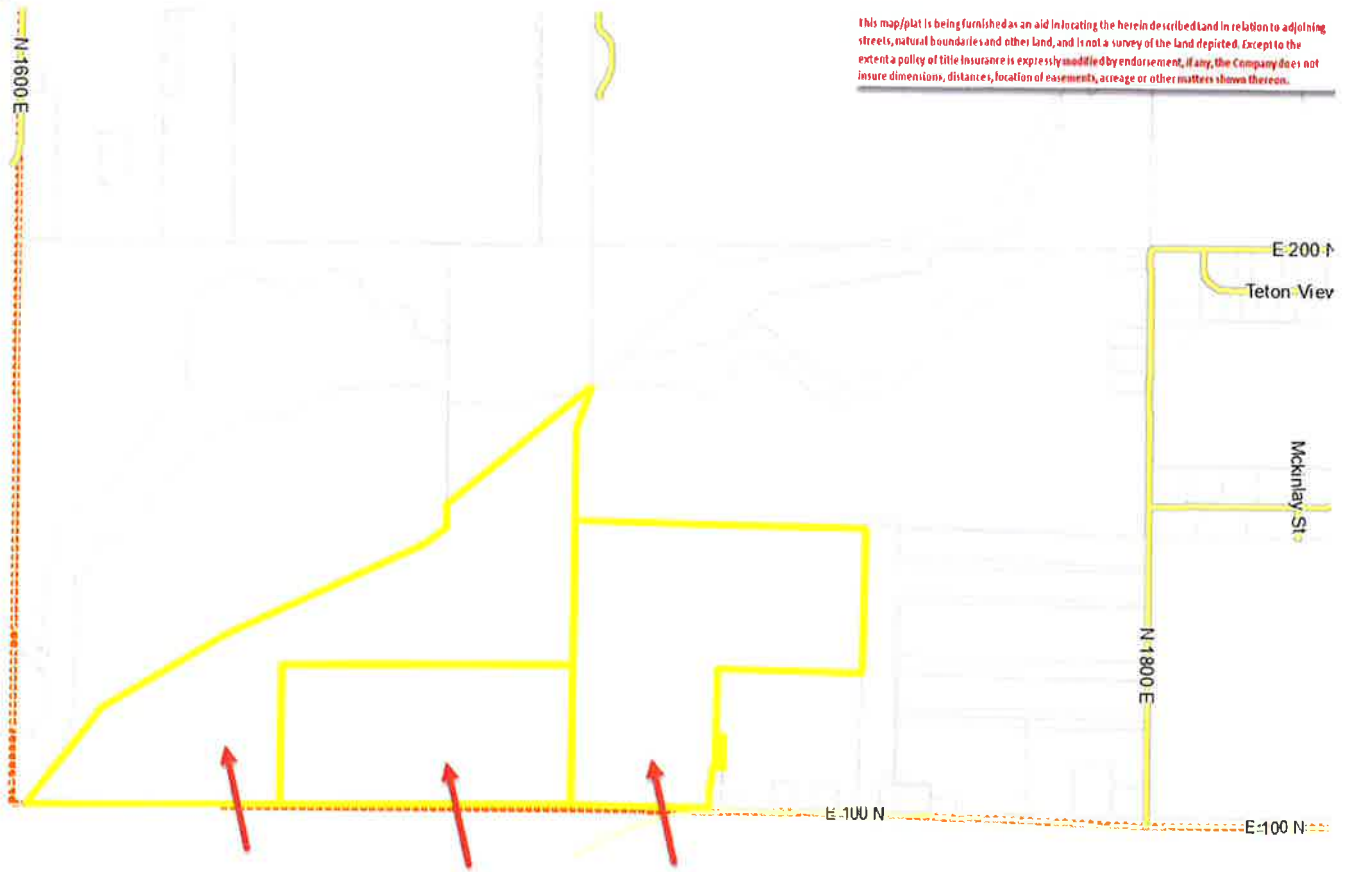
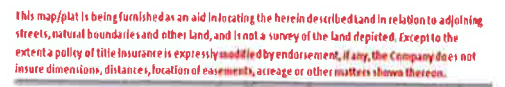
I, JEFFREY M. ROWE, A PROFESSIONAL LAND SURVEYOR
IN THE STATE OF IDAHO, NUMBER 13856, DO HEREBY
CERTIFY THAT THIS MAP AND THE SURVEY REFERRED TO
HEREIN WERE PERFORMED UNDER MY RESPONSIBLE
CHARGE IN ACCORDANCE WITH IDAHO STATE CODE,
RELATING TO SURVEYS.



RECORD OF SURVEY - ORME TRUST
PART OF SECTIONS 25 & 26, TWP. 7 N, RANGE 39 E, B.M.
FREMONT COUNTY, IDAHO

TETON VIEW SURVEYING
2847 West 700 North
St. Anthony, Id. 83145
P: 208 516 6877

Sheet No. 1 OF 1 Date: 10/20/18 Project No. 17140001 Revised By: JMR





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 07, 2020

JOHN BAGLEY
LUELLA BAGLEY
PO BOX 122
REXBURG ID 83440-0122

Re: Change in Ownership for Water Right No(s): 21-10263, 21-10264 and 22-2144

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.

Also water rights 21-10262, 21-10481, 21-10492 and 22-4064 were listed on your ownership change application. According to our review the property purchased according to instrument number 576148 recorded in Fremont County does not cover any portion of those water rights. A computer generated report for those water rights are attached for your review. Because the department did not complete the ownership change for those water rights you are entitled to a partial refund, we have initiated the refund and it should arrive from the state office in a couple of weeks.

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 01
Water District 100
Henry's Fork Ground Water District

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, February 06, 2020 4:56 PM
To: Pline, Treva; Steed, Susan
Subject: Refund Request
Attachments: Receipt

Treva & Susan,

Good afternoon!!

I have a refund request as follows:

Receipt number: E045608
Amount: \$100.00
Payable to: John Bagley
PO Box 122
Rexburg ID 83440

Reason: Total filing fee received \$175.00 for an ownership change in a Water Right for 7 water rights. We did not receive evidence of ownership for 4 of the water rights. Therefore the applicant is entitled to a partial refund (\$100.00).

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov