

RECEIVED

MAY 22 2019

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

MAY 13 2019

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-14325	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Paul Ianier

Name of current water right holder/claimant

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

FRANCIS MAGEE OR GRETA MAGEE

New owner(s) as listed on the conveyance document

Name connector ☐ and ☒ or ☐ and/or

P.O. Box 55

Mailing address

MACKAY

City

ID

State

83251

ZIP

208-720-1854

Telephone

BLACKFORD CATTLE @ 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: DECEMBER 18, 2015

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature:

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

JB

Date

5/13/2019

Receipt No.

E044968

Receipt Amt.

\$25.-

Approved by

Processed by

Date

Returned + Refund Requested @ 7/19/2019

QUITCLAIM DEED

For value received, Paul Lanier and Marianne Lanier, as grantor hereby quitclaims unto Magee Family Trust represented by Fran Magee, the grantee whose current address is PO Box 55 Mackay, Idaho 83251, all of the grantor's right, title, and interest in and to the following described water rights situated in Custer County, Idaho.

All of water right 34-322, priority date 7/21/1886, for 0.8 cfs and irrigation of 40.0 acres.

All of water right 34-323, priority date 6/1/1889, for 0.8 cfs and irrigation of 70.0 acres.

Grantor has caused this quitclaim deed to be executed this 18 day of December, 2015.

By: Paul M. Lanier
<GRANTOR>

owner
<TITLE>

By: Marianne Lanier
<GRANTOR>

owner
<TITLE>

State of Idaho)
County of Custer) S.S.

On this 18 day of December, in the year of 2015, before me, a Notary Public, personally appeared MARIANNE & Paul Lanier, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

S
E
A
L

HELENA A. MARINAC
NOTARY PUBLIC
STATE OF IDAHO

Hele A. Marinac
Notary Public

In and for said State and County

9-27-2018

My Commission Expires on



State of 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

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE

Governor

July 19, 2019

GARY SPACKMAN

Director

Magee Family Trust
Francis Magee
PO Box 55
Mackay ID 83251

RE: Notice of Change in Water Right Ownership
Water Rights: 34-14325

Dear Sir/Madam:

On May 13, 2019, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically a chain of deeds tracing from the owner currently listed on the water rights to you. On May 17, 2019, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact us at (208) 525-7161.

Respectfully submitted,

Cher Ramos

Technical Records Specialist

Enclosure(s)

Barg, Jonie

From: Barg, Jonie
Sent: Friday, July 19, 2019 10:23 AM
To: Pline, Treva; Steed, Susan
Subject: Refund Request
Attachments: Receipt

Treva & Susan,

Good morning!!

I have a refund request as follows:

Receipt number: E044968
Amount: \$25.00
Payable to: Rainbow Ranch ID LLC
PO Box 55
Mackay ID 83251

Reason: Total filing fee received \$25.00 for an ownership change. Evidence of ownership was not provided. Deficiency letter was mailed May 17, 2019, no response within the 30 days, therefore could not be complete and was returned. The applicant is entitled to a full refund.

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



State of 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

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 17, 2019

MAGEE FAMILY TRUST
PO BOX 55
MACKAY ID 83251

RECEIVED

MAY 27 2019

DEPARTMENT OF
WATER RESOURCES

RE: Change in Water Right Ownership Water Right No. 34-14325

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 Water Right Ownership:** copy of Full Recorded Deed or other legal document indicating your ownership of the property and/or water rights in question (The Quitclaim Deed that was provided does not cover the water right on the ownership change form)

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,

Cher Ramos
Technical Records Specialist