

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 10 2017

DEPARTMENT OF
WATER RESOURCES

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?
75-7380	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: Marue Living Trust DTD
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): James D Gill, Yvonne N Gill
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 3499 E 3195 N Kimberly ID 83341
Mailing address City State ZIP
775-934-1062 jnygill@frontiernet.net
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: 02/24/2017
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: James D Gill Title, if applicable _____ Date 4-3-2017
Signature: Yvonne N Gill Title, if applicable _____ Date 4-3-17

For IDWR Office Use Only:

Received by [Signature] Date 4/10/17 Receipt No. C103355 Receipt Amt. 25.00
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 _____ Processed by [Signature] Date 5-8-17

Trustees Deed

For Value Received

Edward A Marue and Joyce A Marue, Trustees or their successors in Trust under the Marue Living Trust, dated April 8, 2002

the grantors, do hereby grant, bargain, sell and convey unto

James David Gill and Yvonne N Gill, husband and wife

Whose current address is:

**3499 E 3195 N
Kimberly, ID 83341**

the grantee, the following described premises, to-wit:

See Attached Legal Description

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: February 17, 2017

Marue Living Trust, dated April 8, 2002



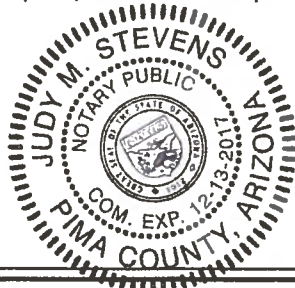
By: Edward A Marue, Trustee



By: Joyce A Marue, Trustee

State of Arizona)
County of Pima) ss

On this 17th day of February, 2017, before me a notary public in the above referenced state, personally appeared **Edward A Marue and Joyce A Marue**, known or identified to me (or proved to me on the oath of N/A), to be the person whose names are subscribed to the within instrument as Trustees of The Marue Living Trust dated April 8, 2002, and acknowledged to me that they subscribed the name of The Marue Living Trust dated April 8, 2002 thereto as principal, and their own names as Trustees.




Notary Public
Residing at: Shawson, AZ
My Commission Expires: 12/13/2017

Legal Description



WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

402 Van Dreff St.

Salmon, Idaho 83467



Phone: (208)-756-3070

February 15, 2017

Amended Lot 1 of Amended Amarlu Subdivision No. 1, recorded as Instrument No. 304545 located in H.E.S. 199, unsurveyed Section 25, T. 23 N., R. 17 E. Boise Meridian, Lemhi County, Idaho.



RECORD OF SURVEY

AMENDED BOUNDARY OF LOT NO. 1, AMARLU SUBDIVISION NO. 1 AND LOTS 2 AND 3.
AMARLU SUBDIVISION NO. 3, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

THE PURPOSE OF THIS SURVEY IS TO LOCATE COMMON BOUNDARY LINES BETWEEN ADJACENT PROPERTIES AND TO ADDITIONAL PARCELS ARE HEREBY CREATED. THEREFORE, THIS SURVEY IS EXEMPT FROM A LOT SPLIT REVIEW.

NOTE: THE RECORD BEARING AND DISTANCES SHOWN ON THIS PLAT HAVE BEEN NOTATED TO THE BASIS OF BEARING OF THIS DEARING.



LEGEND

- 5/8" x 24" BEAM WITH A PLASTIC CAP MARKED "RECORD 115 2000"
- 1/2" BEAM MARKED J & C
- M— EXISTING FENCE
- P.O.L. POINT ON LINE
- RECORD # 177-46 85-2 221 85'

LINE	BEARING	DISTANCE
L 1	N 04°45' 52" W	26.31'
L 2	N 07°33' 45" E	27.31'
L 3	N 80°14' 02" E	30.31'
L 4	N 10°10' 12" E	18.48'
L 5	N 42°50' 24" E	8.95'
L 6	N 22°30' 42" W	17.11'
L 7	N 25°30' 12" W	24.48'

STATEMENT OF AGREEMENT

WE, THE UNDERSIGNED LANDOWNERS, AGREE TO MAINTAIN THE PROPERTY LINE BETWEEN OUR SAID PROPERTIES AS SHOWN ON THIS PLAT AND MONUMENTED ON THE GROUND.

Elmer M. Bellon & Arlene M. Bellon Trust
THE ABOVE CANNOT TRUST
Edward M. Bellon - co trustee
James A. Mann - trustee

ACKNOWLEDGEMENT

STATE OF IDAHO
COUNTY OF LEMHI



ON THIS 7th DAY OF October, 2009, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO, PERSONALLY APPEARED THE ABOVE NAMED PARTIES, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE OF AGREEMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

Elmer M. Bellon
NOTARY PUBLIC
COMMISSION EXPIRES 11/10/10

COUNTY RECORDER'S CERTIFICATE

RECORDED OF LEMHI COUNTY

TIME 10:25 AM DAY 7 MONTH 10 YEAR 2009

BOOK: 13 PAGE: 41 INSTR. NO. 252362

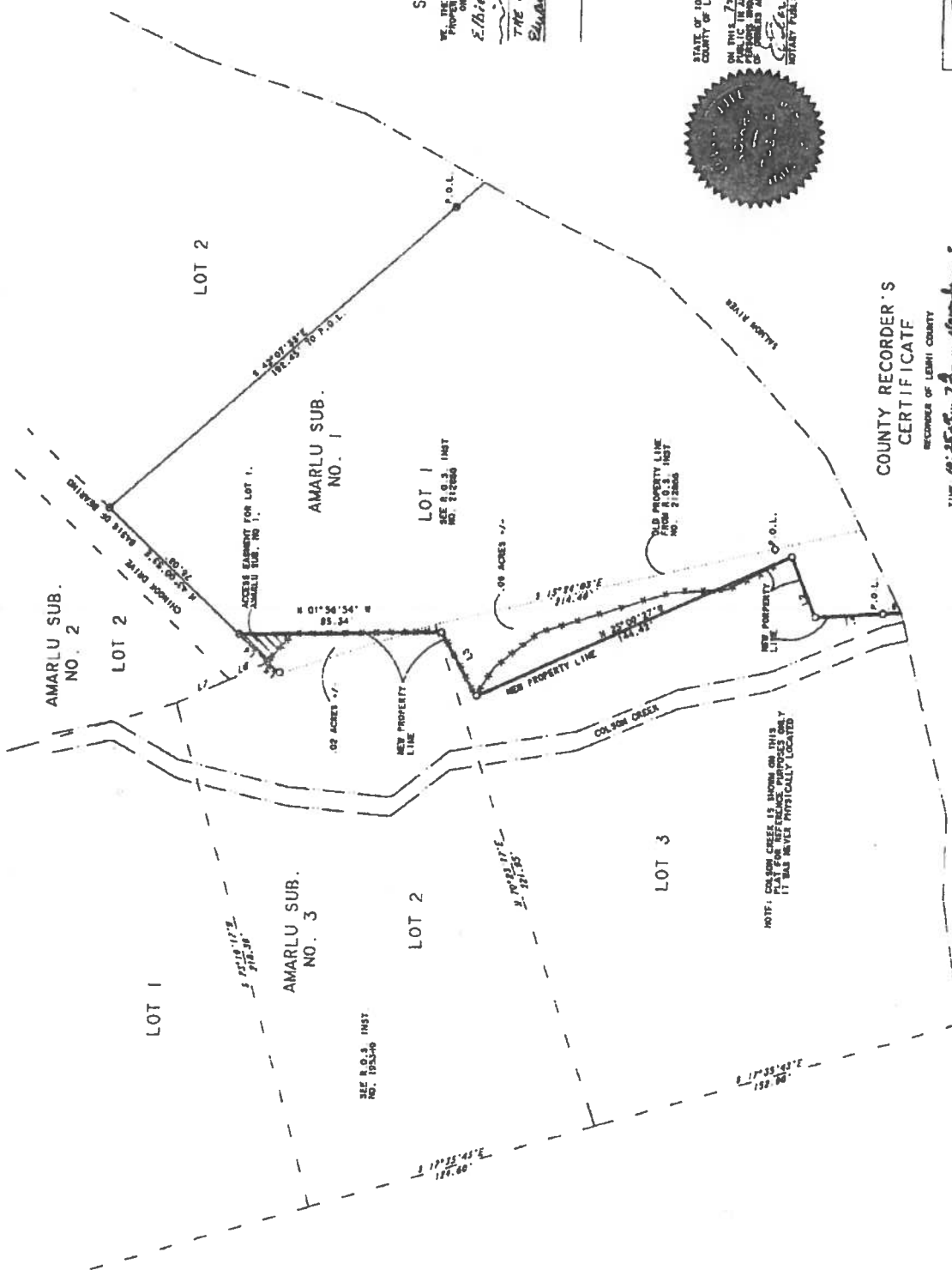
RECORDED: *Arlene M. Bellon*

BY: *Karen Bennett*

1/4	SEC	T	R
	25	23N	17E

FOR ELMER BELLON	
FILED AND	FILE BY
DATE 7/10/09	RECORD #
WADE SURVEYING	
104 S MAPLE ST. SALT LAKE CITY, UT 84147	
201-738-2070	

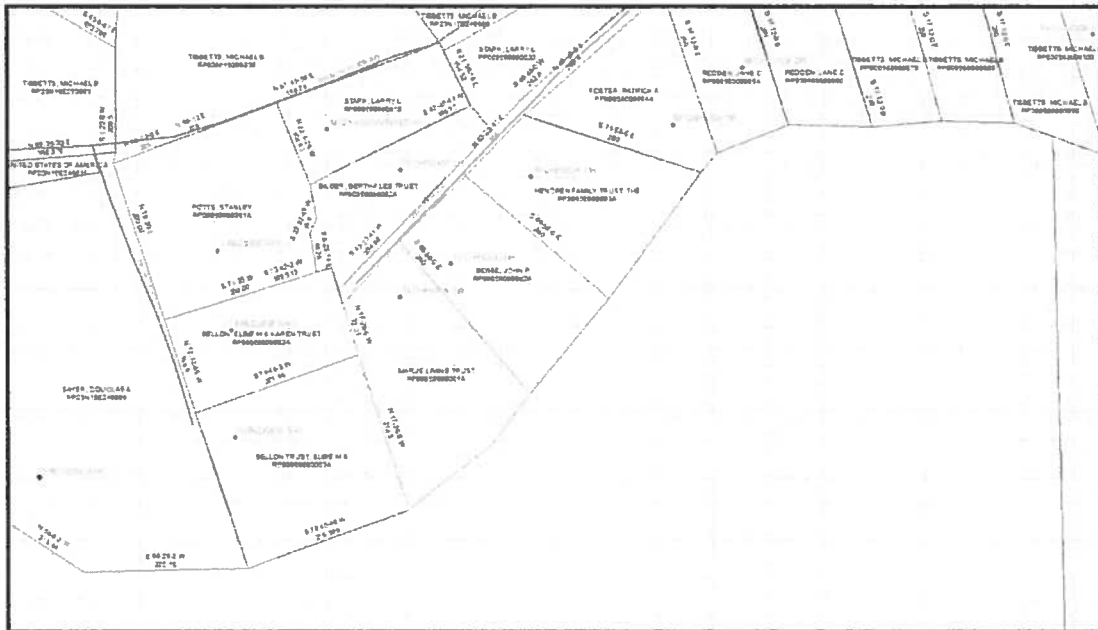
BK 13 PG 41



NOTE: COLSON CREEK IS SHOWN ON THIS PLAT FOR INFORMATION PURPOSES ONLY. IT HAS NEVER PHYSICALLY LOCATED.

Plat Map

Borrower	Gill, James S & Gill, Yvonne N				
Property Address	74 Chinook Dr				
City	Shoup	County	Lcmhi	State	ID
Zip Code	83469				
Lender	Morgan Stanley Private Bank, NA				



Copy of Water Right to Change to New Owner

Page 1

11/21/2005

IDAHO DEPARTMENT OF WATER RESOURCES Water Right Report 75-7380

WATER RIGHT NUMBER: 75-7380

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARUE LIVING TRUST DTD 4/8/2002 EDWARD A MARUE TTEE JOYCE A MARUE TTEE 7601 N CALLE SIN ENVIDIA #55 TUCSON, AZ 85718-1274 (520) 742-7247

Priority Date: 06/27/1983

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
COLSON CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.040 CFS	1.20 AF

Location of Point(s) of Diversion

COLSON CREEK	SE1/4SE1/4	Sec. 25, Twp 23N, Rge 16E, B.M.
LEMHI County		

Place of Use

DOMESTIC

Twp Rge Sec	NE	NW	SW	SE	
23N 16E 25	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	Totals
				X	

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. RP 000580000010A

Dates and Other Information:

Decreed Date: 9/15/2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 8, 2017

JAMES D GILL
YVONNE N GILL
3499 E 3195 N
KIMBERLY ID 83341

Re: Change of Ownership for Water Right/Permit No(s): 75-7380

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 § 42-222 and §42-223, Idaho Code.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley', written over a horizontal line.

Jean Hersley
Technical Records Specialist II

Enclosure(s)

Hersley, Jean

From: JD Gill <jnygill@frontiernet.net>
Sent: Friday, May 05, 2017 5:37 PM
To: Hersley, Jean
Cc: Yvonne Gill
Subject: Notice of change in water right ownership No 75-7380
Attachments: waterright.pdf; ATT00001.txt

Hello Jean,

This is in regards to Water Right No 75-7380. I hope this is the document needed. If not let me know and I will call with questions when I can have all the paperwork in front of me.

Thank you,



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 3, 2017

JAMES D GILL
YVONNE N GILL
3499 E 3195 N
KIMBERLY ID 83341

RE: Notice of Change in Water Right Ownership No(s). 75-7380

Dear Interested Party(s):

The Department of Water Resources received a Notice of Change in Water Right Ownership from you on April 10, 2017. During the review, it was discovered that additional information was needed to complete this request.

The additional information needed is the "Attached Legal Description". The Trustee's Deed you provided did not include this description.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your request unprocessed. Please send the documents to the address above or email to jean.hersley@idwr.idaho.gov or fax to (208) 287-6700, attn: Jean.

Please contact me at (208) 287-4942 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II