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January 5, 2016

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State of Idaho Division of Water Resources
Eastern Region
Attn: Cooper Fritz
900 North Skyline Drive, Ste. A
Idaho Falls, ID 83402-1718

Re: *Water Right No. 13-4284, Statutory Claim*
Our Client: Boyd Campbell
Our File No. N-31.39

Dear Mr. Fritz:

Pursuant to your conversation with my paralegal, Michelle Welch, on December 31, 2015, we are submitting the enclosed Notice of Change in Water Right Ownership, the appropriate maps, deeds, and fee to split Water Right number 13-4284, along with an explanation of the issues concerning this split in ownership.

As Ms. Welch explained, J. Norman Foncesbeck originally filed a claim for this water right in June of 1984 and showed in his claim part of the water was irrigating land located in Section 16, Township 16 South, Range 38 East in the Southeast Quarter, namely four (4) acres of water in the southwest quarter of the southeast quarter (SW1/4 SE1/4) and twenty-two (22) acres in the southeast quarter of the southeast quarter (SE1/4 SE1/4). The land described herein is currently owned by Boyd and Beverly Campbell.

Enclosed are the following deeds for your review:

Warranty Deed #232285, 12/19/2005 from Paul and Shelly Campbell to Boyd and Beverly Campbell, which included 1/3 of decreed water rights

Warranty Deed #152932, 5/7/1980 from Marlyn and Donna Mickelsen to Paul and Shelly Campbell, which included 1/3 of decreed water rights

As Ms. Welch explained, the Mickelson deed from 1980 is prior to Mr. Foncesbeck's statutory claim filed in 1984 and therefore the property was not owned by Mr. Foncesbeck at the time of his claim, nor has he owned this property identified herein since. Therefore, 1/3 of this claim or at a minimum 26 acres of irrigation in this claim should be transferred to Boyd and Beverly Campbell accordingly by deed and at a minimum by appurtenancy. We have researched

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January 5, 2016

this parcel and have tried to determine if there are any deeds from Fannesbeck concerning this parcel and have not been able to determine that is the case. We have contacted the Franklin County Clerk and First American Title for their assistance and they have not found any deeds from Fannesbeck for this parcel as well. To do a more formal and extensive search would require several man hours of research at the Franklin County Courthouse or through a title company and would be cost prohibitive. Therefore, it is our understanding that the information provided herein would be sufficient enough to make the appropriate change.

Thank you for your assistance in this matter. If you have any questions or require anything further, please feel free to contact me or my paralegal, Michelle Welch.

Very truly yours,

OLSON & HOGGAN, P.C.



Jacob A. Waterson

JAW/mmww

Enclosures

cc: Client

J:\JAW\Water\Campbell, Boyd\Ltr Div Water Rights 13-4284.doc

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 11 2016

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?
13-4284	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: Jay N. Fonnesbeck
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Boyd O. Campbell and Beverly C. Campbell
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1241 South Hidden View Drive Providence UT 84332
Mailing address City State ZIP
- (435) 881-0172 _____
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: December 19, 2005
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] Title, if applicable: _____ Date: 1/11/2016
Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: JB Date: 1/11/2016 Receipt No. E041740 Receipt Amt. \$100.-

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: _____ Date: _____

Address on check: Olson & Hoggan P.C. 130 S Main Ste 200 PO Box 525
Logan UT 84321

232285

WARRANTY DEED

PAUL F. CAMPBELL and SHELLY P. CAMPBELL, husband and wife

grantors of Weston County of Franklin
State of Idaho, hereby CONVEY and WARRANT to

BOYD O. CAMPBELL and BEVERLY C. CAMPBELL, husband and wife
as joint tenants and not as tenants in common, with full rights of survivorship

grantees of
for the sum of TEN DOLLARS and other good and valuable consideration
the following described tract of land in Franklin County, State of Idaho.

Township 16 South, Range 38 East of the Boise Meridian
Section 16: Beginning at the Southwest corner of the Southeast Quarter of the Southeast Quarter of
Section 16; and running thence West 80 rods; thence North 80 rods; thence East 240 rods; thence South
to a point 260 feet North of the Southeast corner of the Southwest Quarter of the Southwest Quarter of
Section 15, same township and range; thence West 2379 feet, more or less to the County Road; thence
Southwesterly along the County Road to the point of beginning.

Together with 1/3 of decreed water rights.

This document has been prepared as an accommodation by HICKMAN LAND TITLE COMPANY
without the benefit of a title search and its accuracy is not guaranteed.

WITNESS, the hand of said grantor(s), this
Signed in the presence of

day of November A.D. 2005.

Recorded at the request of

Boyd Campbell

a.m. DEC 19 2005 p.m. 2:25

Paul F. Campbell
PAUL F. CAMPBELL

Shelly P. Campbell
SHELLY P. CAMPBELL

V. ELLIOTT LARSEN, RECORDER

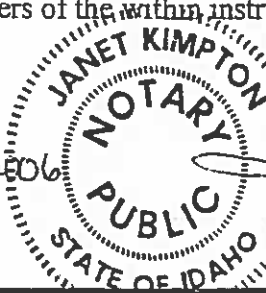
By Ruth K. Rawling Deputy
FRANKLIN COUNTY, IDAHO

STATE OF)
SS

County of Franklin

On the 30th day of November A.D. 2005 personally appeared before me PAUL F. CAMPBELL and
SHELLY P. CAMPBELL the signers of the within instrument, who duly acknowledged to me that they
executed the same.

Commission expires: 3-30-2006
Residing in: Preston



Janet Kimpton
Notary Public



HICKMAN LAND TITLE COMPANY

TN

152932

WARRANTY DEED

For Value Received

MARLYN L. MICKELSEN and DONNA MICKELSEN,
HUSBAND and WIFE

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

PAUL F. CAMPBELL and SHELLY P. CAMPBELL,
Husband and wife,

whose current address is

Weston, Idaho 83286

the grantee, the following described premises, in Franklin County Idaho, to wit.

Township 16 South, Range 38 East of the Boise Meridian
Section 16: Beginning at the Southwest corner of the
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16; and running thence
West 80 rods; thence North 80 rods; thence
East 240 rods; thence South to a point
260 feet North of the Southeast corner of
the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, same township and
range; thence West 2379 feet, more or less
to the County Road; thence Southwesterly
along the County Road to the point of beginning.

Together with 1/3 of decreed water rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
heirs and assigns forever. And the said Grantor do hereby covenant to and
with the said Grantee, that he the owner in fee simple of said premises; that they are free
from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 8, 1980

Marilyn L. Mickelsen

Donna Mickelsen

STATE OF IDAHO, COUNTY OF Franklin
On this 8th day of April, 1980,
before me, a notary public in and for said State, personally
appeared

MARLYN L. MICKELSEN and
DONNA MICKELSEN, Husband and Wife.

known to me to be the persons whose name is
subscribed to the foregoing instrument, and acknowledged to
me that they executed the same.

Notary Public
Residing at Princeton, Idaho
Comm. Expires Lifetime

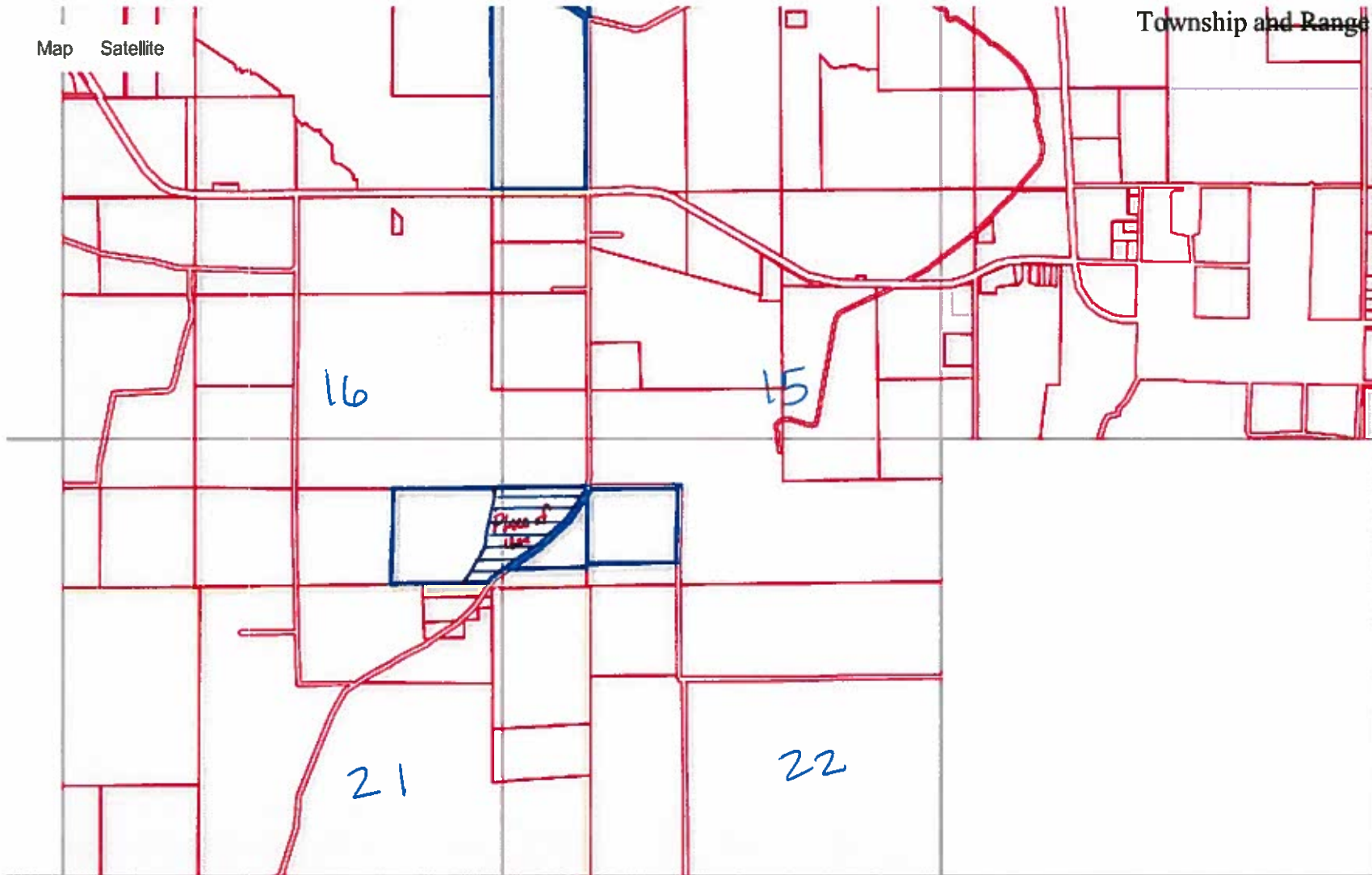
Recorded at the request of
William & Patricia

MAY 7 1980

MICHAEL R. KUNT, RECORDER
By John A. Thompson
FRANKLIN COUNTY, IDAHO

Map Satellite

Township and Range Labels



T16S R38E



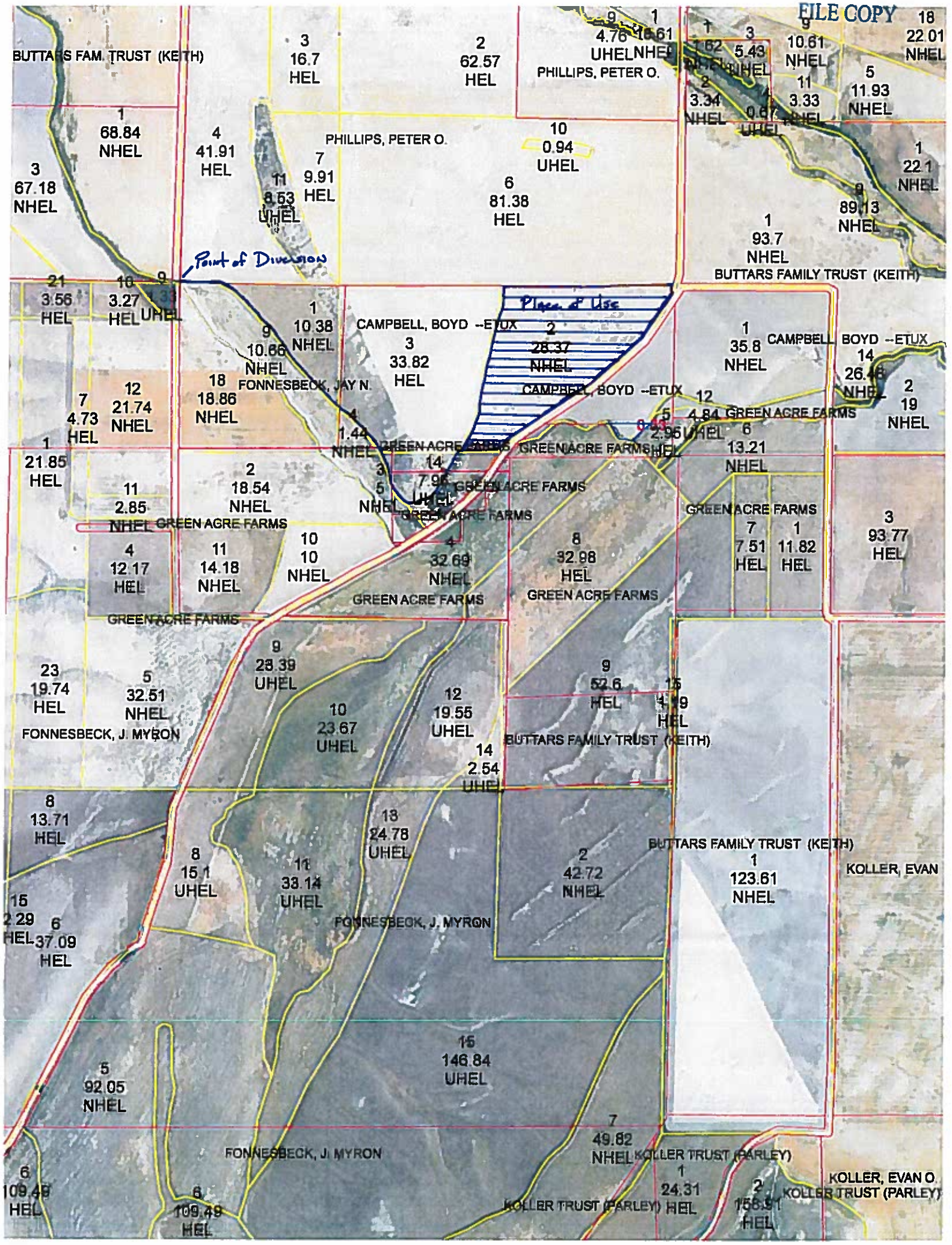
Google

Map data ©2015 Google



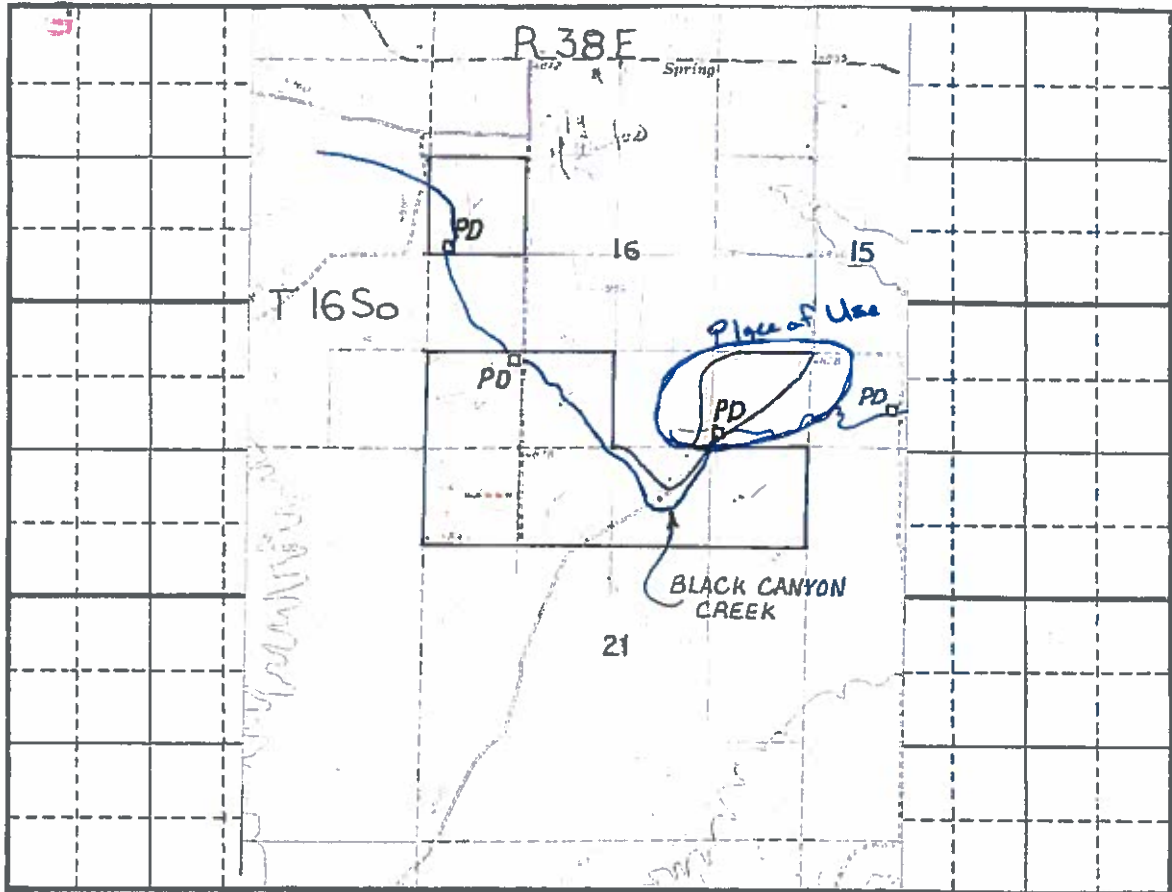
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4288887

Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Bannock) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 29th day of June, 1984.

Norman Linnestock
(Claimant)

Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by EMC Date 6/23/84 Exception filed by: _____ Date _____
Prelim. check by _____ Date 7/2/84 Forwarded to claimant by: _____
\$30.00 fee received by EMC Date 6/29/84 #34220
Published in Idaho Falls
Dates 7/12 & 19/84