

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 17 2016

Notice of Change in Water Right Ownership

DEPT OF WATER RESOURCES
SOUTHERN 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?
37-817	Yes ☐		Yes ☐		Yes ☐
37-21972	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: James R. Martell and Carmela M. Martell, Trustees under the James
Name of current water right holder/claimant R. Martell and Carmela M. Martell Living ^{Trus}

3. New Owner(s)/Claimant(s): Teddy S. Frey, Trustee of the Agee Family Trust
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
1524 East 4250 North
Mailing address
Buhl ID 83316
City State ZIP
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: _____

6. 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):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 37-817

7. Signature: By:  Trustee 8-12-16
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 DM Date 8-17-2016 Receipt No. SO35676 Receipt Amt. \$50-
Approved by _____ Processed by _____ Date _____

CASE NO. 69031RG-G

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

TRUST WARRANTY DEED

FOR VALUE RECEIVED JAMES R. MARTELL and CARMELA M. MARTELL, Trustees, or their successors in trust, under the JAMES R. MARTELL AND CARMELA M. MARTELL LIVING TRUST DATED FEBRUARY 17, 2011, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto TEDDY S. FREY, Trustee of THE AGEE FAMILY TRUST DATED MAY 1, 1987 hereinafter called grantee, whose address is: 1524 East 4250 North, Buhl, ID 83316, the following described premises, in Gooding County, Idaho, to-wit:

PARCEL NO. 1

Township 4 South, Range 12 East, Boise Meridian, Gooding County, Idaho
Section 27: NE $\frac{1}{4}$ SE $\frac{1}{4}$;

PARCEL NO. 2

Township 4 South, Range 12 East, Boise Meridian, Gooding County, Idaho
Section 26: SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Section 27: S $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 34: NE $\frac{1}{4}$;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 11, 2016

The JAMES R. MARTELL AND CARMELA M. MARTELL LIVING TRUST DATED FEBRUARY 17, 2011

By: James R. Martell
James R. Martell, Trustee

By: Carmela M. Martell
Carmela M. Martell, Trustee

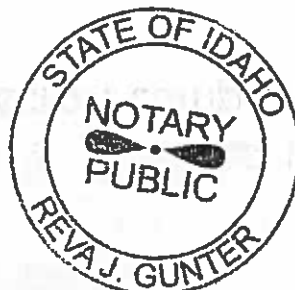
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STATE OF IDAHO
County of Twin Falls

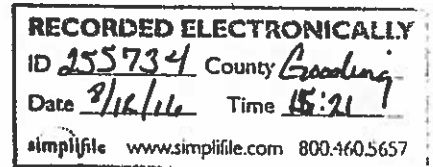
On this 12th day of August, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared JAMES R. MARTELL and CARMELA M. MARTELL known to me to be the Trustees of the trust that executed this instrument, or the persons who executed the instrument on behalf of said trust, and acknowledged to me that they executed the same as such Trustee.

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

Reva J. Gunter
Notary Public for Idaho
Residing at: Filer
My Commission expires: 6/29/22



CASE NO. 69031RG-G



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163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

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Section 26: SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Section 27: S $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 34: NE $\frac{1}{4}$;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 11, 2016

The JAMES R. MARTELL AND CARMELA M. MARTELL LIVING TRUST DATED FEBRUARY 17, 2011

By: James R. Martell
James R. Martell, Trustee

By: Carmela M. Martell
Carmela M. Martell, Trustee

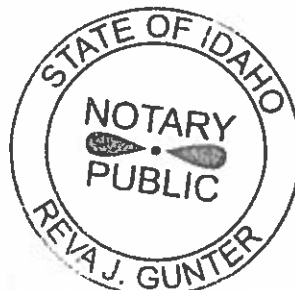
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 12th day of August, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared JAMES R. MARTELL and CARMELA M. MARTELL known to me to be the Trustees of the trust that executed this instrument, or the persons who executed the instrument on behalf of said trust, and acknowledged to me that they executed the same as such Trustee.

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

Reva J. Gunter
Notary Public for Idaho
Residing at: Filer
My Commission expires: 6/29/22





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 19, 2016

AGEE FAMILY TRUST
TEDDY FREY TRUSTEE
1524 E 4250 N
BUHL ID 83316

RE: Change of Ownership for Water Right Nos. 37-817 and 37-21972

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports 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 Sections 42-222 and 42-223, Idaho Code.

Also, 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 this office if you have any questions regarding this matter.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: TitleFact Inc. (Order 69031RG)



TitleFact

a land title & escrow company

RECEIVED

AUG 17 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

August 12, 2016

Dept. of Water Resources
650 Addison Ave. West
Suite 500
Twin Falls, ID 83301

RE: Our Order No. 69031RG
Martell – Agee Family Trust

Enclosed, please find the following:

Our check in the amount of \$50.00
Water Transfer Form
Copy of recorded Warranty Deed

Thank you for your help in this matter. If you have any questions, please contact Reva at TitleFact, Inc., at (208) 733-3821.

Sincerely yours,
TITLEFACT, INC.

Reva J. Gunter
Escrow Officer

T.W. Stivers
Richard B. Stivers
R. Todd Blass

163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

Phone (208) 733-3821
Fax (208) 734-2940
Toll Free (800) 733-3850