

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 26 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?
16021	Yes ☐	Yes ☐		Yes ☐	Yes ☐
13-2105	Yes ☐	Yes ☐		Yes ☐	Yes ☐
Remove daniel	Yes ☐	Yes ☐		Yes ☐	Yes ☐
only	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Daniel Gilbert
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Patrick Gilbert
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 875 W. 4000 S. Preston ID 83263
Mailing address City State ZIP
- 208-589-4002 Ptshop1994@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: 10/30/2015
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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: Patrick James Gilbert Owner 1-21-16
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 JB Date 1/26/2016 Receipt No. E041773 Receipt Amt. \$25.-
 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 JB Processed by JB Date 2/8/2016

State of Idaho

License and Certificate of Water Right

Water License No. 16021
 Water District No. 5-1

Amount 1.4 sec. ft.
 Priority 6-10-1924

THIS IS TO CERTIFY that A. J. Dawson, of Weston, and Daniel Gilbert
 of Fairview, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated June 10,, 1924; that Permit No. 16021
 was issued under said application; that Certificate of Completion of works, with a carrying capacity
 of 1.4 second feet, was issued thereunder on January 29,, 1925, showing
 that said works were completed on the 5th day of January, 1925; and
 that on the 1st day of June, 1925,

A. J. Dawson, of Weston, and Daniel Gilbert,

of Fairview, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of a right to the use of the waters of Weston Slough,
 a tributary of Bear River for the purpose of Irrigation and domestic use,
 under Use Permit No. 16021 of the Commissioner of Reclamation, and
 that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
 Volume 6 of Licenses, at page 3276, on the 8th day of July, 1925;

The right hereby confirmed dates from June 10,, 1924;

The Point of Diversion is located:

in the SE 1/4 of SW 1/4, Sec. 17, Tp. 16 S; R. 39 E., B. M. Franklin County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 1.4 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S	39 E	20	NE $\frac{1}{4}$ NW $\frac{1}{4}$	20	20
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	25	25
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	25	25
</					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
 of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
 this 8th day of July, 1925

W. L. Swenden
 Commissioner of Reclamation.



State of Idaho
License and Certificate of Water Right

Water License No. 16021
Water District No. 5-1

To A. J. Dawson, of Weston, and
Daniel Gilbert of Palmyra

Source of Supply Weston Slough,
tributary of Bear River,
Franklin County

Amount 1.4 Sec. Feet

Point of Diversion Sec. SW. 30.

17. Tp. 16. S. R. 39. E. B. 4. W.

Place of Use: NE 1/4, Sec. 30, T. 16. S., R. 39. E., B. 4. W.

Sec. 30, Tp. 16. S., R. 39. E., B. 4. W.

Purpose Irrigation and domestic use

Date of Priority 6-10-1924

Recorded July 9, 1925

in Book 6 of Records Page 3276

Platted

Recorded in Dist. Book

72238 Slough
Ditch

State of Idaho

A. J. Dawson

July 5

Thomson W. M. 3/4

30

45

10

of Water

90

62

Daniel Gilbert

Abstract Record

Book 9 Page 194

Free Book

Recorded

Proof Read

Indexed

265906 1-4

Recorded at the request of
Fuller & Fuller
Time 4:42 Amount \$ 190

NOV 02 2015

TRUSTEE'S DEED

SHAUNA T. GEDDES, RECORDER
By C. [Signature] Deputy
Franklin County, Idaho

THIS DEED made this ²⁰ day of October, 2015, between Lisa G. Frame, duly appointed and acting Trustee of the F. BARLOW GILBERT FAMILY TRUST, dated the 1st day of March, 1989, and amended the 16th day of May, 2008 and further amended the 9th day of October, 2014, hereinafter called "Grantor" and Patrick Gilbert, as his sole and separate property, hereinafter called "Grantee".

WHEREAS, Lisa G. Frame is the duly appointed and acting Trustee of the Barlow Gilbert Family Trust, dated the 1st day of March, 1989, and amended the 16th day of May, 2008 and further amended the 9th day of October, 2014, by and between Lisa G. Frame as Trustor, and Lisa G. Frame, as Trustee.

NOW, THEREFORE, WITNESSETH, that the said Grantor, for valuable consideration, and for the purpose of distributing certain real property from the Barlow Gilbert Family Trust, do by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the said Grantee, and his heirs and assigns forever, that certain parcel of land, situate, lying and being in Franklin County, State of Idaho, and more particularly described as follows:

See Exhibit "A"

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders rents, issues and profits thereof;

SUBJECT TO all easements, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Trust is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions easements of record and easements visible upon the

265906 2-4

premises, and that the said Trust will warrant and defend the same from all claims whatsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal the day and year first above written.

THE BARLOW GILBERT FAMILY TRUST

By:

Lisa G. Frame, Trustee
Lisa G. Frame, Trustee

STATE OF UTAH

) SS.

County of Sanpete

On this ³⁰ day of October, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Lisa G. Frame, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Barlow Gilbert Family Trust and acknowledged to me that she executed the same as Trustee of the said Trust.

Nathan Johnson
NOTARY PUBLIC for State of
Residing at:
Comm. Expires:



EXHIBIT "A"

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho

Section 20: The West Half of the Northeast Quarter

All of the land East of the Bear River in the Southwest Quarter of the Southeast Quarter of Section 17.

265906³⁻⁴

Section 25: The West half of the Northeast Quarter; the Northwest Quarter of the Southeast Quarter; the West Half of the Southwest Quarter of the Southeast Quarter.
Subject to Boundary Line Agreement recorded February 4, 2015 under instrument number 263509

Beginning at the Northwest corner of Section 22, Township 16 South, Range 39 East of the Boise Meridian, running thence East 160 rods, thence South 35 rods thence West 160 rods, thence North 35 rods to the place of beginning, being the Northerly 35 acres in the North Half of the Northwest Quarter of the said Section 22.

Excepting therefrom the following 3 parcels.

Excepting: (135164)

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 22: Commencing at the Northwest corner of Section 22, and running thence East 220 feet, thence South 220 feet, thence West 220 feet, thence North 220 feet to the place of beginning.

Excepting: (214879)

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 16 SOUTH, RANGE 39 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 22 BEARS SOUTH $89^{\circ} 57'11''$ EAST 2656.73 FEET; THENCE SOUTH $89^{\circ} 57'11''$ EAST 647.07 FEET ALONG THE NORTH BOUNDARY OF SECTION 22 TO THE TRUE POINT OF BEGINNING.

THENCE SOUTH $89^{\circ} 57'11''$ EAST 209.09 FEET ALONG THE NORTH BOUNDARY OF SECTION 22; THENCE SOUTH $00^{\circ} 50'21''$ WEST 233.88

FEET TO A 5/8" REBAR AND CAP; THENCE NORTH $89^{\circ} 57'11''$ WEST 209.09 FEET TO A 5/8" REBAR AND CAP; THENCE NORTH $00^{\circ} 50'21''$ EAST 233.88 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO A COUNTY ROAD AND UTILITY EASEMENT DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 22 BEARS SOUTH $89^{\circ}57'11''$ EAST 2656.73 FEET; THENCE SOUTH $89^{\circ}57'11''$ EAST 647.07 FEET ALONG THE NORTH BOUNDARY OF SECTION 22 TO THE TRUE POINT OF BEGINNING. THENCE SOUTH $89^{\circ}57'11''$ EAST 209.09 FEET ALONG THE NORTH BOUNDARY OF SECTION 22; THENCE SOUTH $00^{\circ}50'21''$ WEST 24.64 FEET TO A 5/8" REBAR AND CAP SET ON THE SOUTHERLY RIGHT OF WAY LINE 4000 SOUTH, A COUNTY ROAD, THENCE SOUTH $89^{\circ}33'29''$ WEST 209.12 FEET ALONG SAID RIGHT OF WAY LINE TO A 5/8" REBAR AND CAP; THENCE NORTH $00^{\circ}50'21''$ EAST 26.42 FEET TO THE TRUE POINT OF BEGINNING.

Excepting: (232573)

A parcel of land being in the Northwest corner of Section 22, Township 16 South, Range 39 East of the Boise Meridian, thence running South 220.5 feet to the point of beginning; thence East 220.5 feet; thence South 357 feet thence West 220.5 feet; thence North 357 feet more or less to the point of beginning.

Also;

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho Section 20: Commencing at a point 8 rods South of the Northwest corner of the Southeast Quarter of Section 20, in Township 16 South, Range 39 East of the Boise Meridian, running thence South 72 rods; thence East 80 rods• thence North 72 rods; thence West 80 rods to the place of beginning.

Section 20: The Southwest Quarter of the Southeast Quarter

Section 20: Commencing at the Southwest corner of the Northeast Quarter of said Section 20, and running thence South 8 rods; thence East 80 rods• thence North 8 rods; thence West 80 rods to the point of beginning.



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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 12, 2016

Patrick Gilbert
875 W 4000 S
Preston ID 83263

RE: Change of Ownership for Water Right No(s). 13-2105

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. 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 deliberately abandoned or 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,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 11