

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 07 2015

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?
34-241 <i>OK</i>	Yes ☐	Yes ☐	34-322 <i>OK</i>	Yes ☐	Yes ☐
34-533 <i>OK</i>	Yes ☐	Yes ☐	34-323 <i>OK</i>	Yes ☐	Yes ☐
34-10461 <i>OK</i>	Yes ☐	Yes ☐	<i>Need doc. for</i>	Yes ☐	Yes ☐
34-2324 <i>OK</i>	Yes ☐	Yes ☐	<i>34-10114</i>	Yes ☐	Yes ☐
34-12356 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Magee Family Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Joshua B. J. Felton Gabiola
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|----------------------|----------------------------|-----------|--------------|
| <u>4058 N 4080 W</u> | <u>Mackay</u> | <u>ID</u> | <u>83251</u> |
| Mailing address | City | State | ZIP |
| <u>208-339-8258</u> | <u>felton32@atcnet.net</u> | | |
| 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: 11/9/2015
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):
 - ☐ \$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.

SUPPORT DATA

IN FILE # 34-241

8. Signature: [Signature] Title, if applicable: _____ Date: 11/9/15
 Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 12/7/2015 Receipt No. E0411672 Receipt Amt. \$175.-

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 12/21/2015

Warranty Deed

Cecily Carlson \$13.00
Deputy

For value received, **Magee Family Trust**

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

Joshua B.J. Felton Gabiola , aka Joshua Felton, an unmarried man

whose current address is **4058 N. 4080 W., Mackay, ID 83251**

the grantee, the following described premises, in Custer County, Idaho, to wit:

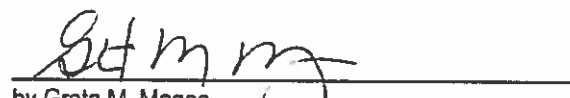
See attached Exhibit A

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: November 9th, 2015

Magee Family Trust


by Francis P. Magee


by Greta M. Magee

State of Idaho

ss.

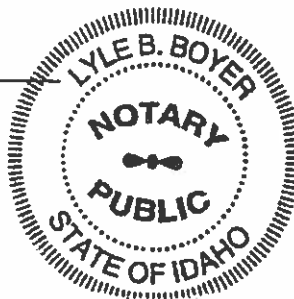
County of Butte

On this 9th day of November in the year of 2015, before me, the undersigned, a notary public in and for said state personally appeared Francis P. Magee and Greta M. Magee, known or identified to me to be the person whose name is subscribed to the within instrument, as trustees of the Magee Family Trust and acknowledged to me that they executed the same as trustees.


Notary Public

Residing at:

My Commission Expires:



251177

EXHIBIT "A"

287731

Township 6 North, Range 25 East Boise Meridian, Custer County, Idaho
Section 7: Southeast Quarter

Section 18: Northwest Quarter Northeast Quarter; Southeast Quarter Northeast Quarter;
Southwest Quarter Northeast Quarter

ALSO: The West Half Northeast Quarter Northeast Quarter, Section 18, Township 6 North,
Range 25 East Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of Section 18; thence North $88^{\circ}59'48''$ West 679.75 feet along the North line of Section 18 to the Northeast Corner of the West Half Northeast Quarter Northeast Quarter, and the point of beginning. Thence South $00^{\circ}38'53''$ East 1350.86 feet to the Southeast Corner of said West Half Northeast Quarter Northeast Quarter; thence North $89^{\circ}20'20''$ West 676.43 feet to the Southwest Corner of said West Half Northeast Quarter Northeast Quarter; thence North $00^{\circ}47'02''$ West 1355.00 feet to the Northwest Corner of said West Half Northeast Quarter Northeast Quarter; thence South $88^{\circ}59'48''$ East 679.75 feet to the point of beginning.

Excepting therefrom: The East Half Southeast Quarter Northeast Quarter Section 18, Township 6 North, Range 25 East Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of Section 18; thence South $00^{\circ}30'40''$ East 1346.73 feet along the Section line to the Northeast Corner of the East Half Southeast Quarter Northeast Quarter, and the point of beginning. Thence South $00^{\circ}30'40''$ East 1346.73 feet to the Southeast Corner of said East Half Southeast Quarter Northeast Quarter; thence North $89^{\circ}41'04''$ West 673.13 feet to the Southwest Corner of said East Half Southeast Quarter Northeast Quarter; thence North $00^{\circ}38'52''$ West 1350.86 feet to the Northwest Corner of said East Half Southeast Quarter Northeast Quarter; thence South $89^{\circ}20'20''$ East 676.42 feet to the point of beginning.





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

December 23, 2015

Joshua B J Felton Gabiola
4058 N 4080 W
Mackay ID 83251

RE: Change of Ownership for Water Right No(s). 34-241, 34-322, 34-323, 34-533, 34-2324, 34-10461 & 34-12356

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.

According to our review you are the owner of water right 34-10114. In order for the department to complete an ownership change for that water right a Notice of Change in Water Right application, evidence of ownership and filing fee is required. A proof report is attached for your review.

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 34
USDA Bingham County FSA



United States
Department of
Agriculture

Farm and Foreign
Agricultural
Services

Farm
Service
Agency

Bingham County FSA
725 Jensen Grove Dr, Ste. #2
Blackfoot, ID 83221
Ph: 208-785-2090 Fax: 208-785-5847

December 2, 2015

Idaho Department of Water Resources
900 N Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RECEIVED

DEC 07 2015

Department of Water Resources
Eastern Region

Dear IDWR:

Enclosed please find the following with the applicable supporting documentation and checks for payment of fees:

- Notice of Security Interest in a Water Right
- Notice of Change in Water Right Ownership

If you have any questions, I can be reached at the number above or by e-mail, dustin.carter@id.usda.gov.

Sincerely,

Dustin D. Carter,
Farm Loan Manger

cc: Joshua B. J. Felton Gabiola



USDA is an equal opportunity provider and employer.