

RECEIVED
Form 42-148/42-1409(6) Rev. 1/15

JUN 01 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN 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?
D 65-1131A ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
LC 65-22350 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
D 65-1272L ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
X 65-22717	Yes ☐	Yes ☐		Yes ☐	Yes ☐
voided	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Vogel, Katherine Christopher Steven Kelsey as Trustee of the
Name of current water right holder/claimant Christopher Steven Kelsey 2002
3. New Owner(s)/Claimant(s): Christopher Steven Kelsey Trustee Separate Property Trust, Dated 3/23/2002

New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
PO Box 310 Cardiff CA 92007
Mailing address City State ZIP
760.707-9693 Email cskelsey@pacbell.net
Telephone

4. If the water rights and/or adjudication claims were split, how did the division occur? N/A
☐ 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: 5/22/2015
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: [Signature] Christopher Steven Kelsey as Trustee of the
Signature of new owner/claimant Separate Property Trust, Dated 3/23/2002 Date 5/20/2015
Signature: [Signature] Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 6/1/15 Receipt No. WM3145 Receipt Amt. \$75⁰⁰
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 X Approved by [Signature] Processed by [Signature] Date 6/24/15

SUPPORT DATA

IN FILE # 65-1131A

WATER RIGHT NO. 65-1131A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELLIS C VOGEL
Current Owner	KATHERINE S VOGEL 1033 LILAC LN EMMETT, ID 83617 (208)365-2873
Original Owner	KENNETH E DROULARD EMPLOYEE PENSION 1512 12TH AVE RD NAMPA, ID 83651 (208)466-2661
Original Owner	J G FAY C/O MRS VIRGINIA FAY PAYNTER 1024 SUMMERWIND PL NAMPA, ID 83651

Priority Date: 10/05/1875

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.26 CFS	
Total Diversion			0.26 CFS	

Location of Point(s) of Diversion:

PAYETTE RIVER NWNW Lt 3 Sec. 07 Township 06N Range 01W GEM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	02W	11	8	NESE 4	7	NWSE 9								

Total Acres: 13

Conditions of Approval:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
1. C18 ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 06/28/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

WATER RIGHT NO. 65-12721

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELLIS C VOGEL
Current Owner	KATHERINE S VOGEL 1033 LILAC LN EMMETT, ID 83617 (208)365-2873
Original Owner	KENNETH E DROULARD EMPLOYEE PENSION 1512 12TH AVE RD NAMPA, ID 83651 (208)466-2661

Priority Date: 07/19/1984

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
WILDLIFE STORAGE	01/01	12/31		6 AFA
RECREATION STORAGE	01/01	12/31		6 AFA
DIVERSION TO STORAGE	01/01	12/31	0.6 CFS	
Total Diversion			0.6 CFS	

Location of Point(s) of Diversion:

PAYETTE RIVER NWNW Lt 3 Sec. 07 Township 06N Range 01W GEM County

Place(s) of use:

Place of Use Legal Description: WILDLIFE STORAGE GEM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	02W	11	8	NESE		7	NWSE							

Place of Use Legal Description: RECREATION STORAGE GEM County

<u>Townshi</u>	<u>Rang</u>	<u>Sectio</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Trac</u>	<u>Acres</u>	<u>Lo</u>	<u>Trac</u>	<u>Acres</u>
<u>p</u>	<u>e</u>	<u>n</u>	<u>t</u>		<u>s</u>	<u>t</u>		<u>s</u>	<u>t</u>	<u>t</u>	<u>s</u>	<u>t</u>	<u>t</u>	<u>s</u>
06N	02W	11	8	NES E		7	NWS E							

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
2. C18 ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. STORAGE USE FOR GAMEBIRD, WATERFOWL & FISH HABITAT.
4. F01 WATER IS DELIVERED THROUGH SMITH DITCH.

Dates:

Licensed Date:

Decreed Date: 07/26/2002

Permit Proof Due Date: 1/1/1986

Permit Proof Made Date: 11/7/1985

Permit Approved Date: 12/12/1984

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 07/19/1984

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

WATER RIGHT NO. 65-22350

Owner Type **Name and Address**
Current Owner KATHERINE S VOGEL
1033 LILAC LN
EMMETT, ID 83617
(208)365-2873

Priority Date: 03/09/2001
Basis: License
Status: Active

Source **Tributary**
PAYETTE RIVER SNAKE RIVER

Beneficial Use **From** **To** **Diversion Rate** **Volume**
IRRIGATION 03/01 11/15 0.11 CFS
Total Diversion 0.11 CFS

Location of Point(s) of Diversion:

PAYETTE RIVER NWNW Lt 3 Sec. 07 Township 06N Range 01W GEM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

<u>Townshi</u> <u>p</u>	<u>Rang</u> <u>e</u>	<u>Section</u> <u>n</u>	<u>Lo</u> <u>t</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	02W	11	8	SENE	0.9									
			8	NESE	2.6									

Total Acres: 3.5

Conditions of Approval:

1. X22 When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
The right holder shall maintain a measuring device and lockable controlling works of a
2. R43 type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
Use of water under this right will be regulated by a watermaster with responsibility for
3. R05 the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake
4. 103 River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
5. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Dates:

Licensed Date: 03/13/2013

Decreed Date:

Permit Proof Due Date: 5/1/2006

Permit Proof Made Date: 4/20/2006

Permit Approved Date: 5/15/2001

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 03/09/2001

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre: 0.03

Generic Max Volume per Acre: 4.5



Instrument # 301744

EMMETT, GEM, IDAHO
2015-05-22 12:01:40 PM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE AND ESCRO
SHELLY TILTON Fee: \$13.00
Ex-Officio Recorder Deputy SStewart
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

AFTER RECORDING MAIL TO:

Chris Kelsey
PO Box 310
Cardiff, CA 92007

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

WARRANTY DEED

File No.: **4102-2443067 (KY)**

Date: **May 18, 2015**

For Value Received, **Katherine S. Vogel, as separate property**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Christopher Steven Kelsey, as Trustee of the Christopher Steven Kelsey 2002 Separate Property Trust, Dated March 23, 2002**, hereinafter referred to as Grantee, whose current address is **PO Box 310, Cardiff, CA 92007**, the following described premises, situated in **Gem County, Idaho**, to wit:

LEGAL DESCRIPTION: Real property in the County of Gem, State of Idaho, described as follows:

All of Lots 7 and 8, in Section 11, Township 6 North, Range 2 West of the Boise-Meridian, Gem County, Idaho.

SAVE AND EXCEPT the East 27 rods of said Lot 8, AND

ALSO EXCEPTING all land located South of the Oregon Shortline Railroad right of way.

APN: RP06N02W111785

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto 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 Grantor 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 premises, and that Grantor will warrant and defend the same from all claims whatsoever.

APN:

Warranty Deed
- continued

File No.: 4102-2443067 (KY)

Date: 05/18/2015

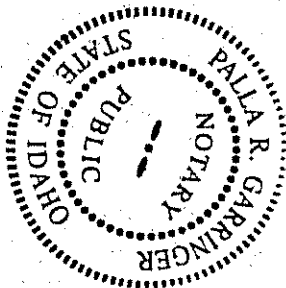
Katherine S. Vogel
Katherine S. Vogel

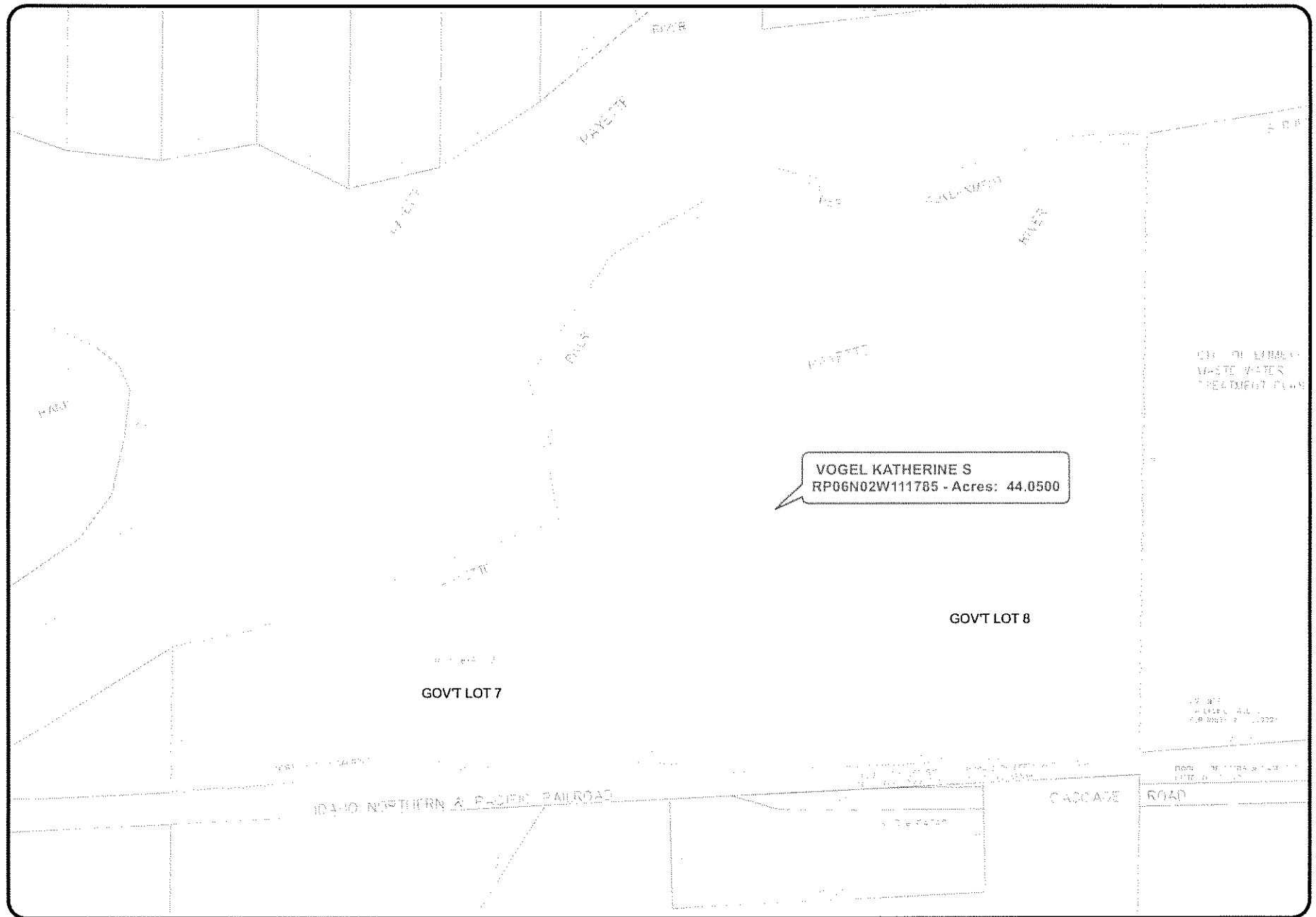
STATE OF Idaho)
COUNTY OF Ada)
SS. Gen

On this 21st day of **May, 2015**, before me, a Notary Public in and for said State, personally appeared **Katherine S. Vogel**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Palla R. Garringer
Notary Public for the State of Idaho
Residing at Emmett, ID
My Commission Expires: 12/04/2020





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State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 24, 2015

CHRISTOPHER STEVEN KELSEY 2002 SEPARATE PROPERTY TRUST
PO BOX 310
CARDIFF CA 92007

RE: Notice of Ownership Change in Water Right No's:

65-1131A, 65-22350 & 65-12721

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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 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.

Please 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. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience and cooperation. Please call me if you have any questions concerning the enclosed information.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures