



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 11, 2006

KELLY FULFER
BRENDA FULFER
2350 W MCMILLAN RD
MERIDIAN ID 83642

RE: Water Right No. 63-31631
Change in Ownership

Dear Mr. & Mrs. Fulfer:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

~~X~~ ~~Filing Fee of \$25 per water right permit~~

X Notarized Signature for Assignment of Permit

Because this water right is still in the permit stage, an Assignment of Permit will be required to complete the ownership change. Enclosed is an assignment form for your use. Please note that there is a \$25 filing fee required, and that the fee you submitted with the change in ownership will be applied to the Assignment of Permit upon receipt. We are returning the paperwork that you sent as we only require the completed assignment form and filing fee to process the change.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have questions, please contact Kari Lynn Townsend at 208-287-4952.

Sincerely,

Kandice L. McDermott
Records Analyst

/klm
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

DEC 05 2005

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
(Permit) 63-31631	63-31724 (AJ)				

*Permit 63-31724-1000
2.9.06*

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

Warranty Deed
 B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

③ Name and Address of Former Owner/Claimant(s)

Gabiola Land Company LLC
920 E. Antilles St Meridian, ID 83642

④ New Owner/Claimant(s)

Kelly & Brenda Fulfer
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

2350 W. McMillen Rd.

City, State and ZIP Code

Meridian, ID 83642

New Telephone Number

780 888-9819

Date you acquired the property

October 21, 2005

Superseded

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

⑦

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Brenda Fulfer
Brenda Fulfer

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee 25
 Received by CAJ Date 12-16-05 Receipt No. W033658
 Processed by _____ AJ Date _____ WR _____ Date _____

263042
SRM/HH



A Pioneer Company

PIONEER TITLE COMPANY

OF ADA COUNTY

8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

ADA COUNTY RECORD J. DAVID NAVARRO
BOISE IDAHO 10/21/05 1:29 PM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Pioneer

AMOUNT 6.00 2



105158491

WARRANTY DEED

For Value Received

Gabiola Land Company, LLC, an Idaho limited liability company

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Kelly Fulfer and Brenda Fulfer, Husband and Wife

hereinafter referred to as Grantee, whose current address is 2350 W. McMillan Road, Meridian, Idaho 83642

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his 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 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.

Dated: October 19, 2005

Gabiola Land Company, LLC

By: Albert M. Gabiola

Albert M. Gabiola, Member-Manager

STATE OF Idaho, County of Ada, ss

On this 21st day of October, in the year of 2005, before me the undersigned, a notary public, personally appeared Albert M. Gabiola, known or identified to be one of the member(s)/manager(s) in a limited liability company, of Gabiola Land Company, LLC and the member(s)/manager(s) who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said limited liability company name.



Susan J. Merritt
Notary Public of Idaho

EXHIBIT A

The North half of the Northwest quarter of Section 24, Township 2 North, Range 1 East, Boise-Meridian, Ada County, State of Idaho

COMPL 2
KF
Bf

11/02/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 18, 2005

Water right number: 63-31724

GABIOLA LAND CO LLC
920 E ANTILLES CT
MERIDIAN ID 83642
Telephone Number: (208)887-1812

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-29-05

SIGNATURE:

Kelly Fulfer / Brenda Fulfer

Please print your name:

Kelly Fulfer / Brenda Fulfer

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

November 2, 2005

Kelly and Brenda Fulfer
2350 W. McMillan
Meridian ID 83642

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RECEIVED

DEC 05 2005

WATER RESOURCES
WESTERN REGION

Dear Waterusers:

This office has received the **Notice of Change of Water Right Ownership** submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).**

_____ **There is no existing water right in our records either under the former owner's name or for the legal description given.** If, after contacting the former owner, you find more information concerning a water right, such as a water right number, please contact us.

_____ **Legal description of property.** Please complete showing the legal description by ¼ ¼ (40-acre tract), Section, Township and Range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat.

_____ **It appears you received your water from an irrigation district, ditch company, municipality or community water company.** If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

_____ **Name and address of former owner (seller).** This will clarify the original owner of the water right.

_____ **Name, address and phone number of new owner (purchaser).**

_____ **This change in ownership appears to result in a splitting of the water right.** A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by ¼ ¼ with the number of acres in each ¼ ¼ (if applicable) and the point of diversion by ¼ ¼, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion. **Enclosed is a computer copy of this right for your review.**

_____ **Proof of ownership is needed.** This proof should be a copy of the **warranty deed** in your name which includes a description of this property by ¼ ¼, Section, Township and Range.

_____ **Signature of new owner (purchaser) is needed on this form.**

_____ **Other:**

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return

it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LG: lg

Enclosures

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NOV 01 2005

WATER RESOURCES
WESTERN REGION

October 31, 2005

RECEIVED

DEC 05 2005

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
Western Region
2734 Airport Way
Boise, ID 83705

RE: Water Right No. 63-31724 and Permit to Appropriate Water No. 63-31631

Dear Sir or Madam:

This letter is to notify you that the Gabiola Land Company, LLC has sold the property described as N1/2NW1/4, Section 24, T2N, R1E, Ada County effective October 21, 2005. The new owners are:

Kelly and Brenda Fulfer
2350 W McMillan Road
Meridian, Idaho 83642

The sale included appurtenant Water Right No. 63-31724 and Permit to Appropriate Water No. 63-31631. It is requested of you that these rights be transferred to the new owners.

Please let me know if you will need any additional information from me. Thank you for your consideration

Sincerely yours,



Albert M. Gabiola
Member Manager

cc: Kelly and Brenda Fulfer w/enclosures

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

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DEC 05 2005

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 07 2005

DEPARTMENT OF
WATER RESOURCES

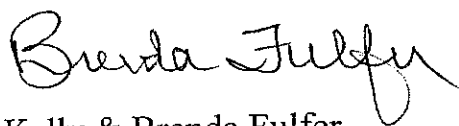
RE: Kelly & Brenda Fulfer Water Right No. 63-31724 and Permit to
Appropriate Water Right No. 63-3163

Research items necessary for processing of ownership change requested:

1. Legal description of property: NW $\frac{1}{2}$ NW1/4 Section 24 Township
2N Range 1E. Ada County Parcel # S1424210000. Idaho State
Parcel # 02N01E240000. ~~Parcel Map also enclosed.~~
2. Warranty Deed: Copy Enclosed.
3. Signatures Needed: On Form

Thank you for your consideration.

Sincerely,



Kelly & Brenda Fulfer