

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 08 2024

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
75-14985	Yes <input checked="" type="checkbox"/> ← No split	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Donald and Teresa Wade
 Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Nancy & Gary Makey and Bob & Linda Montgomery
 New owner(s) as listed on the conveyance document

992 W. Riverview Dr. Idaho Falls ID 83401
 Mailing address City State Zip
208-524-4515 nmakey@outlook.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: 7-29-2024

- 6. Do you own the land identified as the water right place of use? Yes No
 - o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

- 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: Gary Makey / Nancy Makey _____
 Signature of new owner/claimant Title, if applicable Date
Gary & Nancy Makey
 Print name

Signature: Bob & Linda Montgomery _____
 Signature of new owner/claimant Title, if applicable Date
Bob + Linda Montgomery Refund Requested 9/10/2024 for E050341
 Print name E050341 \$75.-

Received by JB Date 8/8/2024 For IDWR Office Use Only: Receipt No. E050285 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 9/10/2024

QUITCLAIM DEED

FOR VALUE RECEIVED,

Donald J Wade and Teresa G Wade, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Nancy Makey and Gary Makey, wife and husband and
Linda Montgomery and Bob Montgomery, wife and husband**

whose current address is:

**992 W Riverview Dr
Idaho Falls, ID 83401**

the following described premises:

Water Rights No. 75-14985

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated: 8-26-24

[Signature]
Donald J. Wade

[Signature]
Teresa G. Wade

State of Idaho } ss
County of Lemhi }

On this 26th day of August, 2024, before me, the undersigned, a Notary Public in and for said state, personally appeared Donald J. Wade, and Teresa G. Wade, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged 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.

[Signature]
the undersigned
Notary Public for the State of Idaho
Residing at: Salmon, ID
Commission Expires: 04/26/2027

NICOLE PERRY
COMMISSION # 20212172
NOTARY PUBLIC
STATE OF IDAHO



WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:667184

FOR VALUE RECEIVED

Donald J Wade and Teresa G Wade, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Nancy Makey and Gary Makey, wife and husband and
Linda Montgomery and Bob Montgomery, wife and husband**

whose current address is

**992 W Riverside Dr
Idaho Falls, ID 83401**


the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

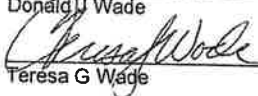
See attached Exhibit 'A'

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7-29-2024



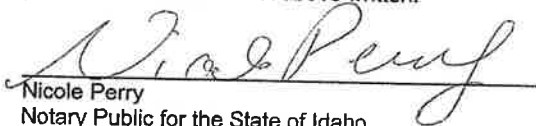
Donald J Wade


Teresa G Wade

State of Idaho } ss
County of Lemhi}

On this 29th day of July, 2024, before me, Nicole Perry, a Notary Public in and for said state, personally appeared Donald J. Wade, and Teresa G. Wade, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged that he/she/they executed the same.

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Nicole Perry
Notary Public for the State of Idaho
Residing at: Salmon, ID
Commission Expires: 04/26/2027

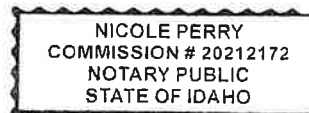


Exhibit 'A'

PARCEL A

A parcel of land located in the W1/2 Section 36, T. 24 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 36, which is a brass cap, from which the South Quarter Corner of said Section, which is an aluminum cap, bears N 89°53'29" E a distance of 2690.25 ft., the Basis of Bearing for this description, run thence N 00°08'15" W along the westerly boundary of said Section a distance of 2628.68 ft. to the West Quarter Corner of said Section, which is a brass cap, run thence N 00°24'26" E along said westerly boundary a distance of 1321.14 ft. to a BLM aluminum cap and the POINT OF BEGINNING;

Thence N 00°25'02" E along said westerly boundary a distance of 536.14 ft. to a 5/8" rebar which is on the southerly right-of-way of 4th July Creek Road;

Thence the following courses along said right-of-way:

359.71 ft. along a curve to the left having a radius of 500.00 ft. and a chord bearing N 46°48'10" E for 352.01 ft. to a 5/8" rebar; N 26°14'05" E, 142.85 ft.; 147.02 ft. along a curve to the right having a radius of 240.00 ft. and a chord bearing N 43°47'19" E for 144.74 ft.; N 61°13'16" E, 125.97 ft.;

Thence S 00°13'04" E a distance of 174.73 ft. to a 5/8" rebar;

Thence S 14°12'01" E a distance of 216.47 ft. to a 5/8" rebar;

Thence S 26°13'58" E a distance of 586.95 ft. to a 5/8" rebar;

Thence S 00°01'37" W a distance of 159.66 ft. to a 5/8" rebar;

Thence N 89°58'23" W a distance of 847.37 ft. to the POINT OF BEGINNING.

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203.30 ft. along a curve to the left having a radius of 375.00 ft. and a chord bearing N 53°04'39" E for 200.82 ft. to a 5/8" rebar and a point on the northerly boundary of said Section;

Thence N 89°41'37" E along the north boundary of said Section a distance of 1654.06 ft. to the

North Quarter Corner of said section which is a brass cap;

Thence S 00°23'46" E along said section N-S centerline a distance of 1336.74 ft. to a 5/8" rebar;

Thence N 89°58'23" W a distance of 1812.76 ft. to a 5/8" rebar and the POINT OF BEGINNING.



WARRANTY DEED

Alliance Title & Escrow, LLC Order No.: 667184

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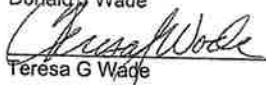
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And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7.29.2024



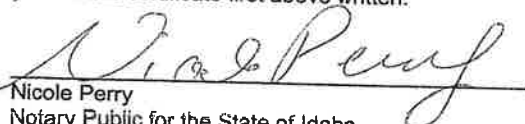
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Teresa G Wade

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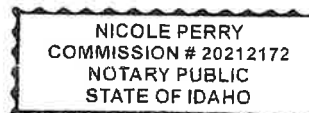


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**ALTA OWNER'S POLICY OF TITLE INSURANCE (07-01-2021)
SCHEDULE A**

ISSUED BY
Old Republic National Title Insurance Company

Issuing Agent: Alliance Title & Escrow, LLC
Issuing Office: 581 Rigby Lake Rd., Rigby, ID 83442
Issuing Office's ALTA® Registry ID:
Issuing Office File Number: 667184
Property Address: 77 Fourth of July Creek Road, North Fork, ID 83466

Name and Address of Title Insurance Company: Old Republic National Title Insurance Company
400 Second Ave. S
Minneapolis, MN 55401

File Number: 667184 **Policy Number: OY-8273549**

Amount of Insurance: \$560,000.00 **Premium: \$1,963.00**
Date of Policy: July 29, 2024 3:29PM

- 1. **The Insured is:**
Nancy Makey and Gary Makey and Linda Montgomery and Bob Montgomery
- 2. **The estate or interest in the Land insured by this policy is:**
FEE SIMPLE
- 3. **The Title is vested in:**
Nancy Makey and Gary Makey, wife and husband and Linda Montgomery and Bob Montgomery, wife and husband

- 4. **The Land is described as follows:**
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**ALTA OWNER'S POLICY OF TITLE INSURANCE (07-01-2021)
SCHEDULE B**

ISSUED BY
Old Republic National Title Insurance Company

File Number: 667184

Policy Number: OY-8273549

EXCEPTIONS FROM COVERAGE

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This policy treats any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document are excepted from coverage.

This policy does not insure against loss or damage and the Company will not pay costs, attorneys' fees, or expenses resulting from the terms and conditions of any lease or easement identified in Schedule A, and the following matters:

1. Rights or claims of parties in possession not shown by the public records.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights or easements appurtenant to water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Taxes, including any assessments collected therewith, for the year 2024 which are a lien not yet due and payable.
8. Right, title and interest of the public in and to those portions of the Land lying within roads or highways.
9. Ditch, road and public utility easements as the same may exist over said Land.
10. The right of the United States of America, acting through the U.S. Forest Service or any of its agencies, to regulate or limit the right of access to and from Fourth of July Creek Road.
11. Right-of-way for Fourth of July Creek and the rights of access thereto for maintenance of said creek.
12. Any rights, interests or easements in favor of the public which exist or are claimed to exist over any part of the Land covered by water.
13. All minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether expressed or implied.
14. Exceptions and reservations contained in the deed from the State of Idaho wherein mineral rights are reserved to the state. (47-701 Idaho Code).

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File No.: 667184

9010 ALTA Owner's Policy of Title Insurance Schedule B (07-01-2021)

AMERICAN
LAND TITLE
ASSOCIATION



Recorded: May 7, 1979
Instrument No.: [145666](#)

15. Right of way for ditches, tunnels, telephone and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
16. Easements reservations and dedications, as shown on record of survey.
Recorded: December 13, 2005
Instrument No.: [265424](#)
17. An easement for the purpose shown below and rights incidental thereto as set forth in a document:
Granted To: Lemhi County
Purpose: Right of Way for Public Use
Recorded: December 27, 2005
Instrument No.: [265618](#)
18. Easements reservations and dedications, as shown on record of survey.
Recorded: June 21, 2007
Instrument No.: [272024](#)
19. Rights, interests, or claims which may exist or arise by reason of the following fact(s) shown on a survey plat entitled Boundary Line Adjustment and Lot Split Plat
Dated: February 15, 2024
Prepared by: CivilScience
Recorded: February 23, 2024
Instrument No.: [334305](#)
Fact(s): New boundary descriptions
20. Terms, provisions, limitations and obligations, whether express or implied, contained in Quitclaim Deeds.
Purpose: ingress, egress, and utilities
Recorded: February 29, 2024
Instrument No.: [334343](#) & [334344](#)
21. An easement for the purpose shown below and rights incidental thereto as set forth in a document:
Granted To: Donald J. Wade & Teresa G. Wade, husband and wife
Purpose: Ingress and egress
Recorded: March 19, 2024
Instrument No.: [334445](#)
22. Any Loss or Claim arising out of a Non-County approved Subdivision of the Land.





WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:667184

FOR VALUE RECEIVED

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whose current address is

INITIALS: DM TGW
LM BM

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Idaho Falls, ID 83401**

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Dated: _____

Donald J Wade

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Residing at: Salmon, ID
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PARCEL A

A parcel of land located in the W1/2 Section 36, T. 24 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 36, which is a brass cap, from which the South Quarter Corner of said Section, which is an aluminum cap, bears N 89°53'29" E a distance of 2690.25 ft., the Basis of Bearing for this description, run thence N 00°08'15" W along the westerly boundary of said Section a distance of 2628.68 ft. to the West Quarter Corner of said Section, which is a brass cap, run thence N 00°24'26" E along said westerly boundary a distance of 1321.14 ft. to a BLM aluminum cap and the POINT OF BEGINNING;

Thence N 00°25'02" E along said westerly boundary a distance of 536.14 ft. to a 5/8" rebar which is on the southerly right-of-way of 4th July Creek Road;

Thence the following courses along said right-of-way:

359.71 ft. along a curve to the left having a radius of 500.00 ft. and a chord bearing N 46°48'10" E for 352.01 ft. to a 5/8" rebar; N 26°14'05" E, 142.85 ft.; 147.02 ft. along a curve to the right having a radius of 240.00 ft. and a chord bearing N 43°47'19" E for 144.74 ft.; N 61°13'16" E, 125.97 ft.;

Thence S 00°13'04" E a distance of 174.73 ft. to a 5/8" rebar;

Thence S 14°12'01" E a distance of 216.47 ft. to a 5/8" rebar;

Thence S 26°13'58" E a distance of 586.95 ft. to a 5/8" rebar;

Thence S 00°01'37" W a distance of 159.66 ft. to a 5/8" rebar;

Thence N 89°58'23" W a distance of 847.37 ft. to the POINT OF BEGINNING.

PARCEL B

A parcel of land located in the W1/2 Section 36, T. 24 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 36, which is a brass cap, from which the South Quarter Corner of said Section, which is an aluminum cap, bears N 89°53'29" E a distance of 2690.25 ft., the Basis of Bearing for this description, thence N 12°09'08" E a distance of 4039.91 ft. to a 5/8" rebar and the POINT OF BEGINNING;

Thence N 00°01'37" E, 159.66 ft. to a 5/8" rebar;

Thence N 26°13'58" W, 586.95 ft. to a 5/8" rebar;

Thence N 14°12'01" W, 216.47 ft. to a 5/8" rebar;

Thence N 00°13'04" W, 174.73 ft. to a point on the southerly right-of-way of 4th July Creek Road;

Thence the following courses along said right-of-way:

N 61°13'16" E, 125.31 ft. to a 5/8" rebar; N 68°36'34" E, 206.46 ft. to a 5/8" rebar;

203.30 ft. along a curve to the left having a radius of 375.00 ft. and a chord bearing N 53°04'39" E for

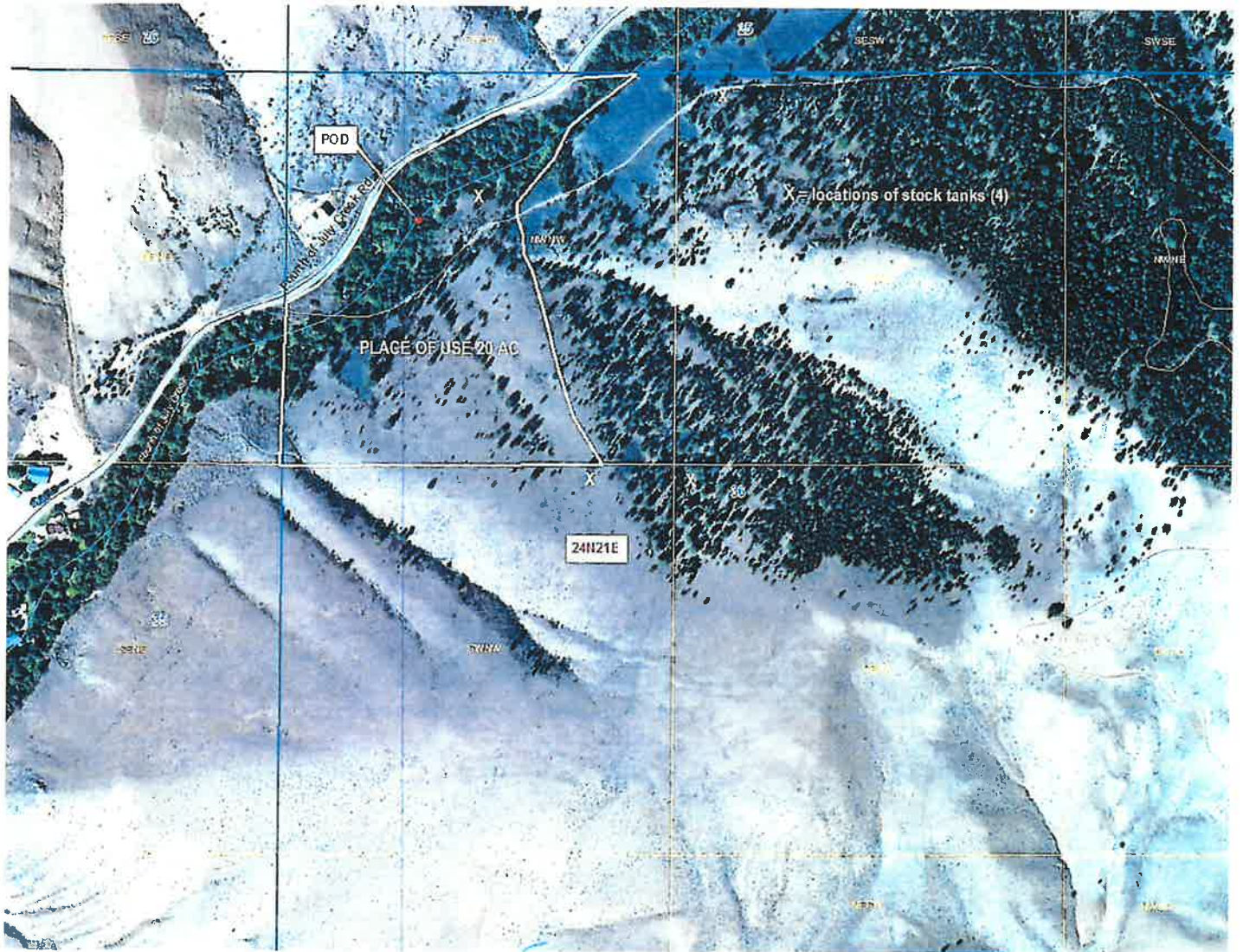
200.82 ft. to a 5/8" rebar and a point on the northerly boundary of said Section;

Thence N 89°41'37" E along the north boundary of said Section a distance of 1654.06 ft. to the

North Quarter Corner of said section which is a brass cap;

Thence S 00°23'46" E along said section N-S centerline a distance of 1336.74 ft. to a 5/8" rebar;

Thence N 89°58'23" W a distance of 1812.76 ft. to a 5/8" rebar and the POINT OF BEGINNING.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 75-14985

Season of Use/Purpose of Use Supplement

Attachment to: Application for Permit to Appropriate Water Adjudication Claim Beneficial Use Field Report
 Application for Amendment of Permit Statutory Claim

Water will be used for the following purposes:

- Amount 0.05 cfs for Stockwater purposes from 1/1 to 6/30 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.02 cfs for Stockwater purposes from 7/1 to 9/30 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.05 cfs for Stockwater purposes from 10/1 to 12/1 (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
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(cfs or acre-feet per year)
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(cfs or acre-feet per year)
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(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

LAWRENCE G. WASDEN
Attorney General

DARRELL G. EARLY
Deputy Attorney General
Chief, Natural Resources Division

ANN Y. VONDE, ISB No. 8406
Deputy Attorney General
700 W. State Street – 2nd Floor
P.O. Box 83720
Boise, Idaho 83720-0010
(208) 334-2400
Facsimile: (208) 854-8072

Attorneys for the Idaho Department of Fish and Game

**BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 75-14985 IN THE) JOINT STIPULATION AND
NAME OF DONALD AND/OR) WITHDRAWAL OF PROTEST
TERESA WADE)
_____)

Applicants, Donald and/or Teresa Wade (“Wades”) and protestant Idaho Department of Fish and Game (“IDFG”) by and through their undersigned representative and/or counsel of record, and pursuant to IDAPA 37.01.01.204, 557 and .612, hereby stipulate to a settlement of IDFG’s protest in the above-entitled matter, the terms and conditions of which are set forth herein.

Wades agree to amend their Application for Permit 75-14985 (“Application”) as follows:

Quantity	Purpose of Use	Period of Use
0.40 c.f.s.	Irrigation	04/01 to 06/30 and 10/01 to 10/31
0.20 c.f.s.	Irrigation	07/1 to 9/30
0.05 c.f.s.	Stockwater	01/01 to 06/30 and 10/01 to 12/31
0.02 c.f.s.	Stockwater	07/1 to 9/30

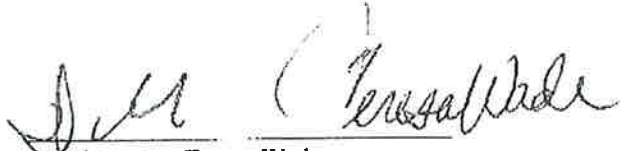
IDFG's protest to the Application shall be deemed withdrawn upon the confirmation from IDWR that the application has been amended according to this Stipulation. Provided that the Application is not subsequently amended, except as may be required by the Department to continue processing, the withdrawal of IDFG's protest shall be with prejudice.

The parties respectfully request the entry of an Order approving the stipulated settlement set forth herein; each party to bear its own costs, expenses, and attorney's fees.


IDFG's protest to the Application shall be deemed withdrawn upon the confirmation from IDWR that the application has been amended according to this Stipulation. Provided that the Application is not subsequently amended, except as may be required by the Department to continue processing, the withdrawal of IDFG's protest shall be with prejudice.

The parties respectfully request the entry of an Order approving the stipulated settlement set forth herein; each party to bear its own costs, expenses, and attorney's fees.

DATED: August 18, 2020


Donald and/or Teresa Wade
Applicant

DATED: ^{Sept} ~~August~~ 29th, 2020


Ann Y. Vonde
Deputy Attorney General
on behalf of the Idaho Department of Fish
and Game

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of August, 2020, a true and correct copy of the foregoing was filed and/or served upon the following individual(s) by the means indicated:

Idaho Department of Water Resources •
900 N Skyline Dr. Ste A
Idaho Falls ID 83402-1718

U.S. Mail, postage prepaid
Express Mail
Hand Delivery
Email:
james.cefalo@idwr.idaho.gov

Donald and/or Teresa Wade •
1538 Highway 28
Salmon ID 83467

• U.S. Mail, postage prepaid
Express Mail
Hand Delivery
• Email:
biogenicsltd@yahoo.com

By: _____

Ann Y. Vonde
Deputy Attorney General

DATED: ^{xp:} August 29th, 2020



Ann Y. Vonde
Deputy Attorney General
on behalf of the Idaho Department of Fish and Game

CERTIFICATE OF SERVICE

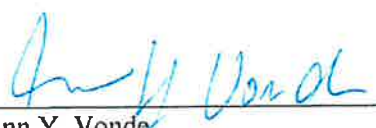
I hereby certify that on the 26th day of Sept, 2020, a true and correct copy of the foregoing was filed and/or served upon the following individual(s) by the means indicated:

Idaho Department of Water Resources
900 N Skyline Dr. Ste A
Idaho Falls ID 83402-1718

- U.S. Mail, postage prepaid
- Express Mail
- Hand Delivery
- Email:
james.cefalo@idwr.idaho.gov

Donald and/or Teresa Wade
1538 Highway 28
Salmon ID 83467

- U.S. Mail, postage prepaid
- Express Mail
- Hand Delivery
- Email:
biogenicsltd@yahoo.com

By: 
Ann Y. Vonde
Deputy Attorney General

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

1. Name of applicant(s) Donald and/or Teresa Wade Phone (208) 756-6502
Name connector (check one): [] and [] or [x] and/or
Mailing address 1538 Highway 28 City Salmon
State ID ZIP 83467 Email biogenicsltd@yahoo.com

2. Name of representative, if any _____ Phone _____
Mailing address _____ City _____
State _____ ZIP _____ Email _____

- a. [] Send all correspondence for this application to the representative and not to the applicant OR
[] Send original correspondence to the applicant and copies to the representative.
b. [] The representative may submit information for the applicant but is not authorized to sign for the applicant OR
[] The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.

3. Source of water supply Fourth of July Creek which is a tributary of Salmon River

4. Location of point(s) of diversion:

Table with 10 columns: Twp, Rge, Sec, Govt Lot, 1/4, 1/4, 1/4, County, Source, Local name or tag #. Row 1: 24N, 21E, 36, [], [], NW, NW, Lemhi, Fourth of July Creek, []

5. Water will be used for the following purposes:

Amount 0.40 cfs for Irrigation purposes from 4/1 to 6/30 (both dates inclusive)
(cfs or acre-feet per year)
Amount 0.20 cfs for Irrigation purposes from 7/1 to 9/30 (both dates inclusive)
(cfs or acre-feet per year)
Amount 0.40 cfs for Irrigation purposes from 10/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 0.45 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. Pump to ditch, redistribution to sprinklers and stock tanks.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? [] Yes [] No
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? [] Yes [] No
e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Received by _____ Receipt No. _____ Date _____

8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. 150 beek cattle, 5 horses
 - c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - d. Domestic; show number of households _____
 - e. Other; describe fully. _____

9. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	21E	36					20												20
24N	21E	36					S	S	S	S									

Total number of acres to be irrigated: 20

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? None. A domestic well will be drilled for the house.

11. a. Who owns the property at the point of diversion? Applicant
 b. Who owns the land to be irrigated or place of use? Applicant
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Stockwater use to support 150 head cattle and five horses; piping water to one or more stock tanks, utilizing sprinklers and ditch.

13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

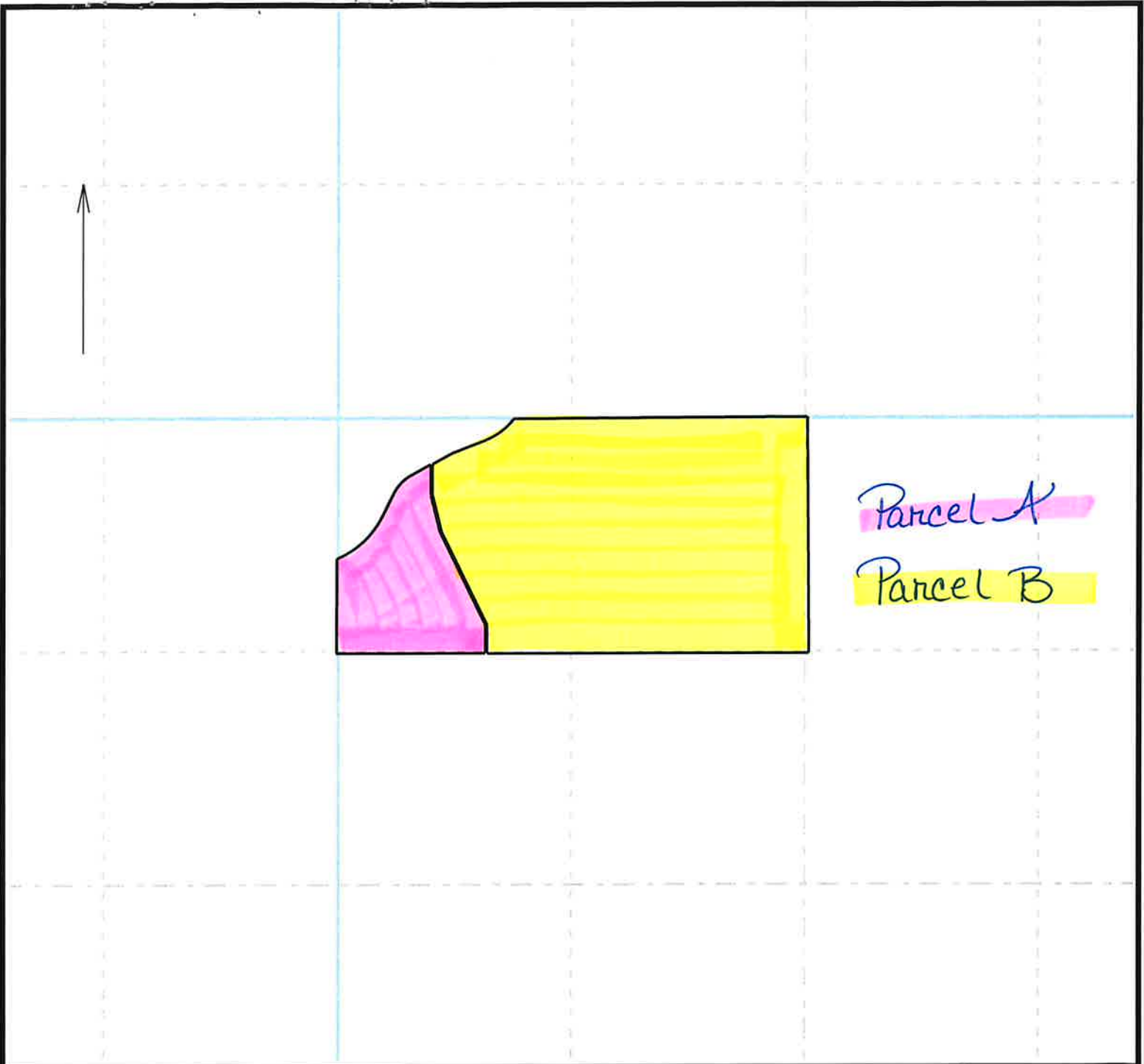
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)



Parcel A
Parcel B

8/8/2024

Scale: 1 inch = 800 feet

File:

Tract 1: 13.2997 Acres, Closure: n14.2359w 0.05 ft. (1/70747), Perimeter=3297 ft.
 Tract 2: 59.7776 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=6476 ft.

- | | |
|---|---|
| 01 /sw,36,24n,21e | 17 n26.1358w 586.95 |
| 02 /n00.0815w 2628.68 | 18 n14.1201w 216.47 |
| 03 /n00e 1321.14 | 19 n00.1304w 174.73 |
| 04 n00.2502e 536.14 | 20 n61.1316e 125.31 |
| 05 Lt, r=500.00, arc=359.71, chord=n46.4810e 352.00 | 21 n68.3634e 206.46 |
| 06 n26.1405e 142.85 | 22 Lt, r=375.00, arc=203.30, chord=n53.0439e 200.82 |
| 07 Rt, r=240.00, arc=147.02, chord=n43.4719e 144.73 | 23 n89.4137e 1654.06 |
| 08 n61.1316e 125.97 | 24 s00.2346e 1336.74 |
| 09 s00.1304e 174.73 | 25 n89.5823w 1812.76 |
| 10 s14.1201e 216.47 | |
| 11 s26.1358e 586.995 | |
| 12 s00.0137w 159.66 | |
| 13 n89.5823w 847.37 | |
| 14 @0 | |
| 15 /n12.0908e 4039.91 | |
| 16 n00.0137e 159.66 | |



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 10, 2024

BOB MONTGOMERY
LINDA MONTGOMERY
992 W RIVERVIEW DR
IDAHO FALLS ID 83401-5679

GARY MAKEY
NANCY MAKEY
992 W RIVERVIEW DR
IDAHO FALLS ID 83401-5679

Re: Change in Ownership for Water Right No(s): 75-14985

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 75F

Baily, Jonie

From: Baily, Jonie
Sent: Tuesday, September 10, 2024 1:36 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt.PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E050341
Amount: \$75.00
Payable to: GARY L MAKEY
992 W RIVERVIEW DR
IDAHO FALLS ID 83401

Reason: Ownership Change was submitted for 1 water permit. Additional information required and requested. Received the split fee then the following week received a deed for the entire permit. I talked to the application 9/10/2024 the permit should not require a split, therefore they are entitled to a refund of the \$75.00 split fee received 9/5/2024.

Let me know if you have any questions or need additional information. Have a great day!!!

 IDAHO DEPARTMENT OF
WATER RESOURCES
Jonie Baily | Technical Records Specialist
900 N Skyline Drive Ste. A, Idaho Falls, ID 83402
Phone number: (208) 525-7161
Fax number: (208) 525-7177
Email: jonie.baily@idwr.idaho.gov
Website: www.idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

August 8, 2024

GARY MAKEY
NANCY MAKEY
992 W RIVERVIEW DR
IDAHO FALLS ID 83401

BOB MONTGOMERY
LINDA MONTGOMERY
992 W RIVERVIEW DR
IDAHO FALLS ID 83401

RE: Change in Ownership Water Right No. 75-14985

Dear Sir/Madam:

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:

**** **Evidence of Ownership:** In order for the department to update ownership of a water right a copy of the 'recorded' Warranty Deed or other legal document indicating your ownership in the water right and/or property is required. Please provide evidence of ownership. The department received a copy of the Warranty Deed, however it is not signed or recorded. Please supply a copy of the signed recorded Warranty Deed.

Also, it appears this water permit will also require a split. Because a split is required an additional filing fee of \$75.00 is required. Please review the map attached. It appears a portion of the stockwater is on property not included on your legal description. If the stockwater is being divided, we will need an agreement specifying how many range cattle and horses each parcel will receive also an agreement on how the stockwater amounts are being divided. The stockwater portions have specific dates for when the stockwater can be used along with certain amounts of cfs. Please submit an agreement so that the water permit can be split. The irrigation portion of this permit appears to be solely on the property purchased.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

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 the Department if you have any questions.

Sincerely,

Jonie Baily
Technical Records Specialist

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

8/8/2024

Water Permit 75-14985

Owner Type **Name and Address**
Current Owner DONALD WADE
 1538 HIGHWAY 28
 SALMON, ID 83467-5379
 (208) 756-6502

Current Owner TERESA WADE
 1538 HIGHWAY 28
 SALMON, ID 83467-5379
 (208) 756-6502

Priority Date: 6/22/2020

Status: Active

Source
FOURTH OF JULY CREEK

Tributary
SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	06/30	0.400 CFS	
IRRIGATION	07/01	09/30	0.200 CFS	
IRRIGATION	10/01	10/31	0.400 CFS	
STOCKWATER	01/01	06/30	0.050 CFS	
STOCKWATER	07/01	09/30	0.020 CFS	
STOCKWATER	10/01	12/31	0.050 CFS	
	<u>Total Diversion</u>		0.450 CFS	

Source and Point(s) of Diversion:

FOURTH OF JULY CREEK NWNW Sec. 36, Twp 24N, Rge 21E, LEMHI County

Place Of Use:

STOCKWATER within LEMHI County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
24N	21E	36					X	X	X	X									

IRRIGATION within LEMHI County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
24N	21E	36																	20.0

POU Total Acres: 20.0

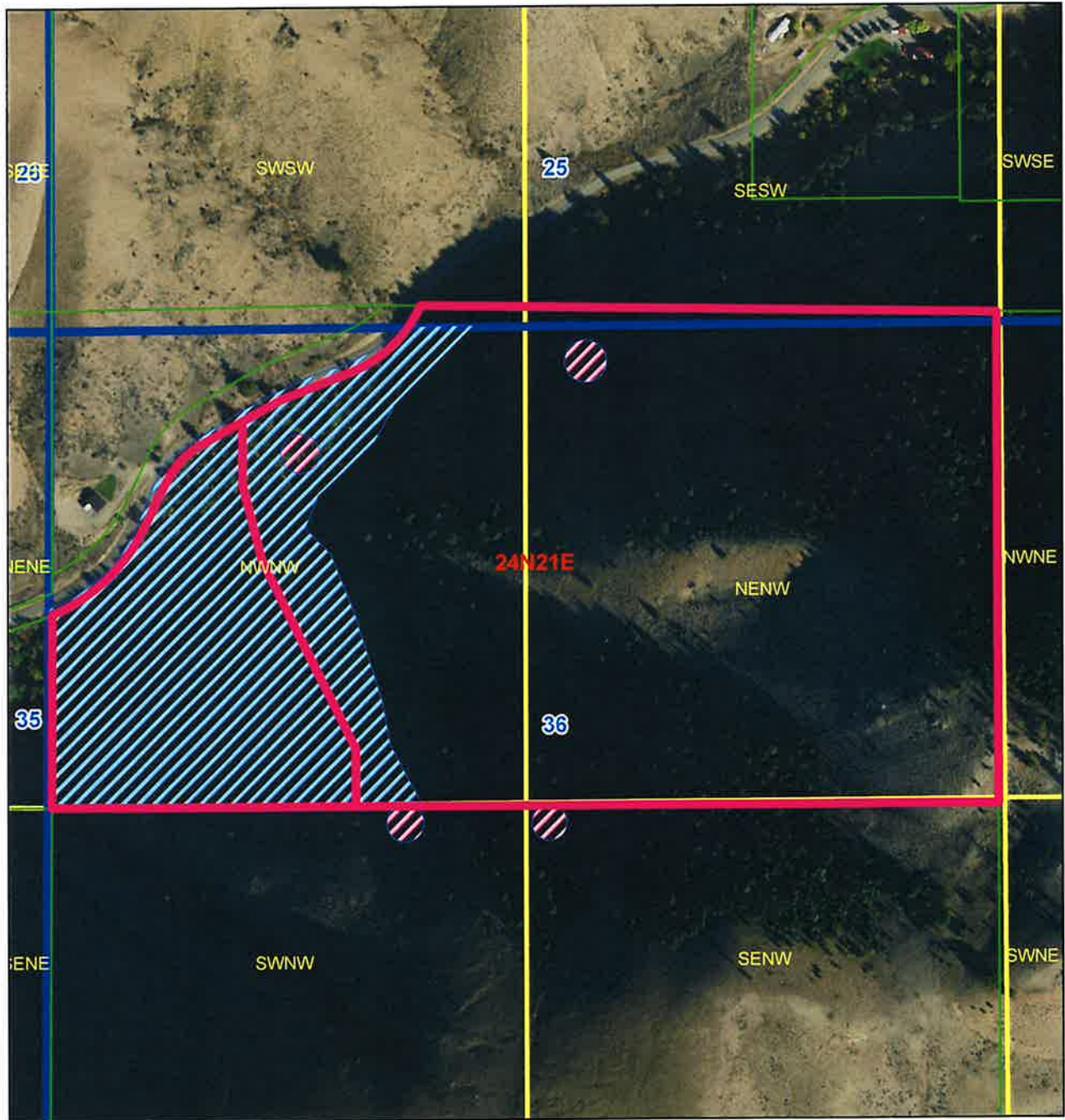
Conditions of Approval:

1. X02 Stockwater use is for 150 range cattle and 5 horses.
2. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
3. 196 The right holder shall install or construct a straight length of conduit or ditch








Proof Report

- suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
4. 197 Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
5. 198 When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.

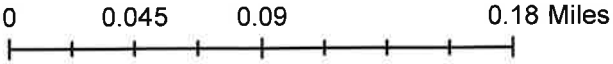
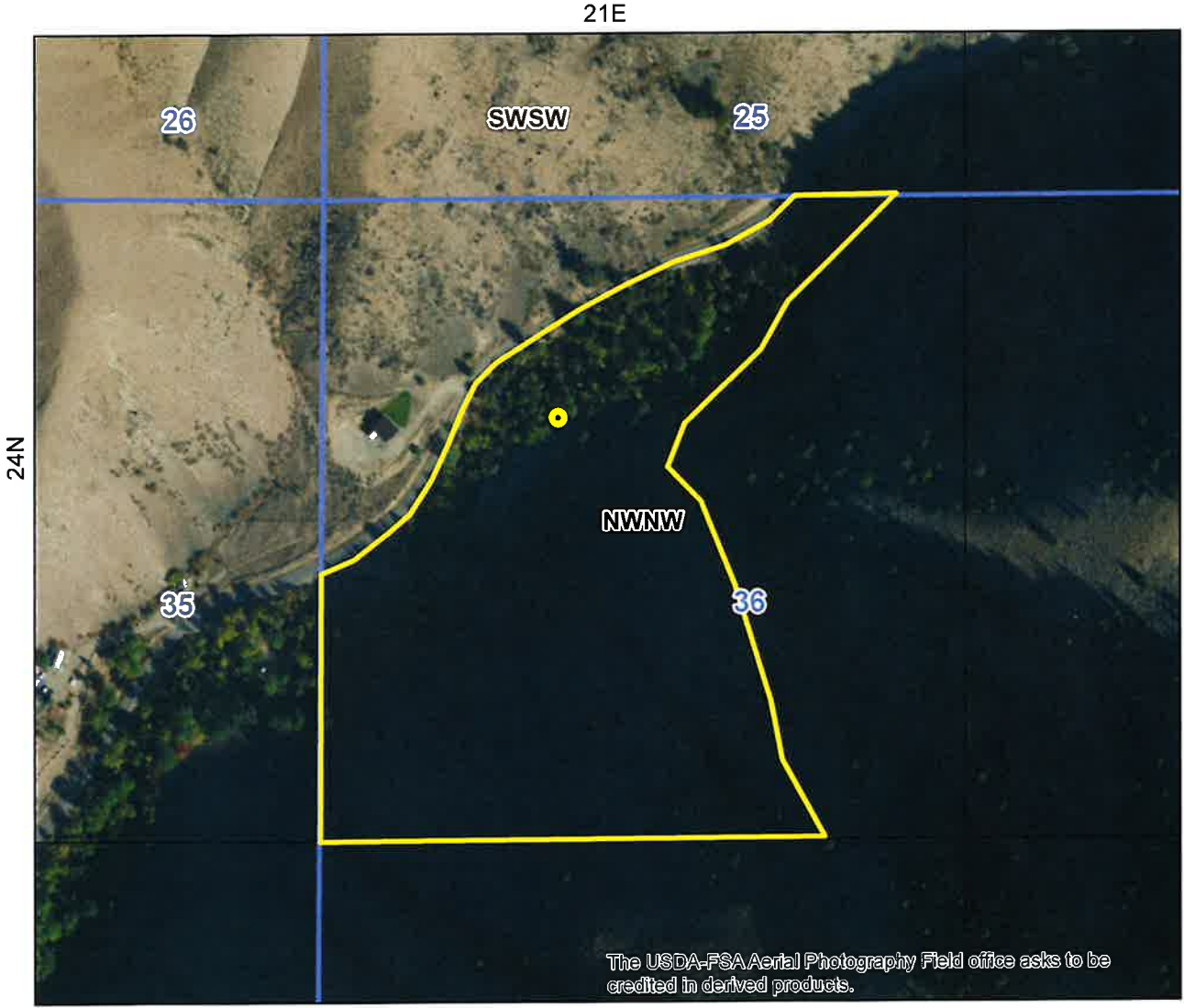
Idaho Department of Water Resources









Legend

-  Makey, Montgomery Property
-  75-14985 Stockwater POU
-  75-14985 Irrigation POU
-  Parcels
-  Township/Range
-  Sections
-  QQ

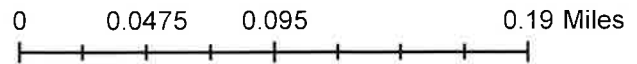
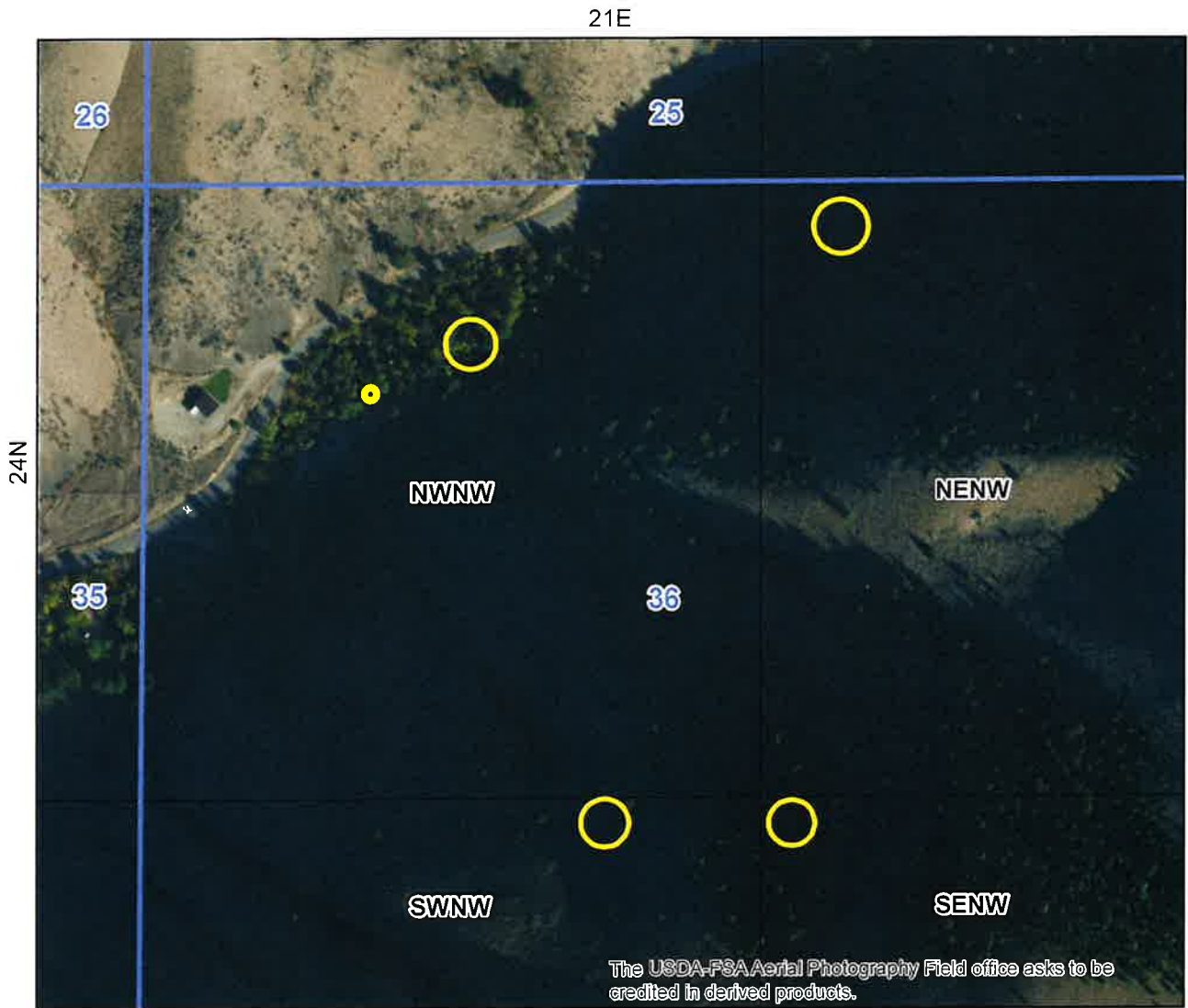
State of Idaho
Department of Water Resources
Permit to Appropriate Water
75-14985









-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  State Outline



State of Idaho
Department of Water Resources
Permit to Appropriate Water
75-14985



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  State Outline

