

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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, 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
37-480 C					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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) are 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) Gary Gutches (deceased)
Judy
4. New Owner/Claimant(s) William C. Whitaker II or Rae Dean Whitaker
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address P.O. Box 51
- City, State and ZIP Code Hailey Idaho 83333
- New Telephone Number (208) 788-0284
5. Date you acquired the property 8/3/1992

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) William C. Whtal #
(include title if applicable) _____

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

Gary W. Gutches and Judith Gutches, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

William C. Whitaker II, a single man

GRANTEE(s) whose address is: P. O. Box 51, Hailey, ID 83333

the following described real property in Blaine County, Idaho, to wit:

Lot 4, Block 1 of BEVERSTOCK ACRES SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 157404, records of Blaine County, Idaho.

Conveying without warranty, all water and water rights including but not limited to the following:

Water Right #370480, Priority Date June 15, 1891, Twenty One (21) Inches

BLAINE CO. REQUEST

OF Sawtooth Title Co., Inc.

1992 AUG -3 P 1:14

343303

MARY GREEN, CLERK
FEES \$ 3.00 mp

Deed

Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their 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 Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 27, 1992

Gary W. Gutches
Gary W. Gutches

Judith Gutches
Judith Gutches

State of Idaho

County of Blaine

On this July 30, 1992, before me, a notary public in and for said State, personally appeared Gary W. Gutches and Judith Gutches personally 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.

WITNESS my hand and official seal.

Wanda L. Kinghorn
Notary Public
Residing at Hailey
Commission Expires: 1-8-96





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 12, 2006

WILLIAM AND RAE DEAN WHITAKER
PO BOX 51
HAILEY ID 83333

Re: SRBA Claim #37-480C

Dear Mr. And Mrs. Whitaker,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copy of the computer record of the claim noting the change in claimants. Review this record and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Office Specialist

Enc.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00480C

Date Received: 10/26/1988

Receipt No: M001761

Received By: RW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY GUTCHES 208-788-4692
Address: 148 GANNETT RD.
BELLEVUE, ID 83333

AND/OR

Name: JUDY GUTCHES 208-788-4692
Address: 148 GANNETT RD.
BELLEVUE, ID 83333

2. Date of Priority: JUN 15, 1891

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	36	SW	NW			BLAINE

5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.580		

7. Total Quantity Appropriated is:
0.580 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 20 AFA Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	7	NE	NW		IRR	2.0
			NW	NW		IRR	2.0
			SW	NW		IRR	2.0
			SE	NW		IRR	3.0
						Section Acres	9.0
						Total Acres	9.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
DOM/IRR WELL @ P/U.

14. Remarks:
CLAIM IS SPLIT FROM A37-00480

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Larry Hutchins Date: 10-26-88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of Oct 19 88

John Paul Carlson
Notary Public

Seal

Residing at Blaine ID
My Commission Expires 8/2/94

TIN

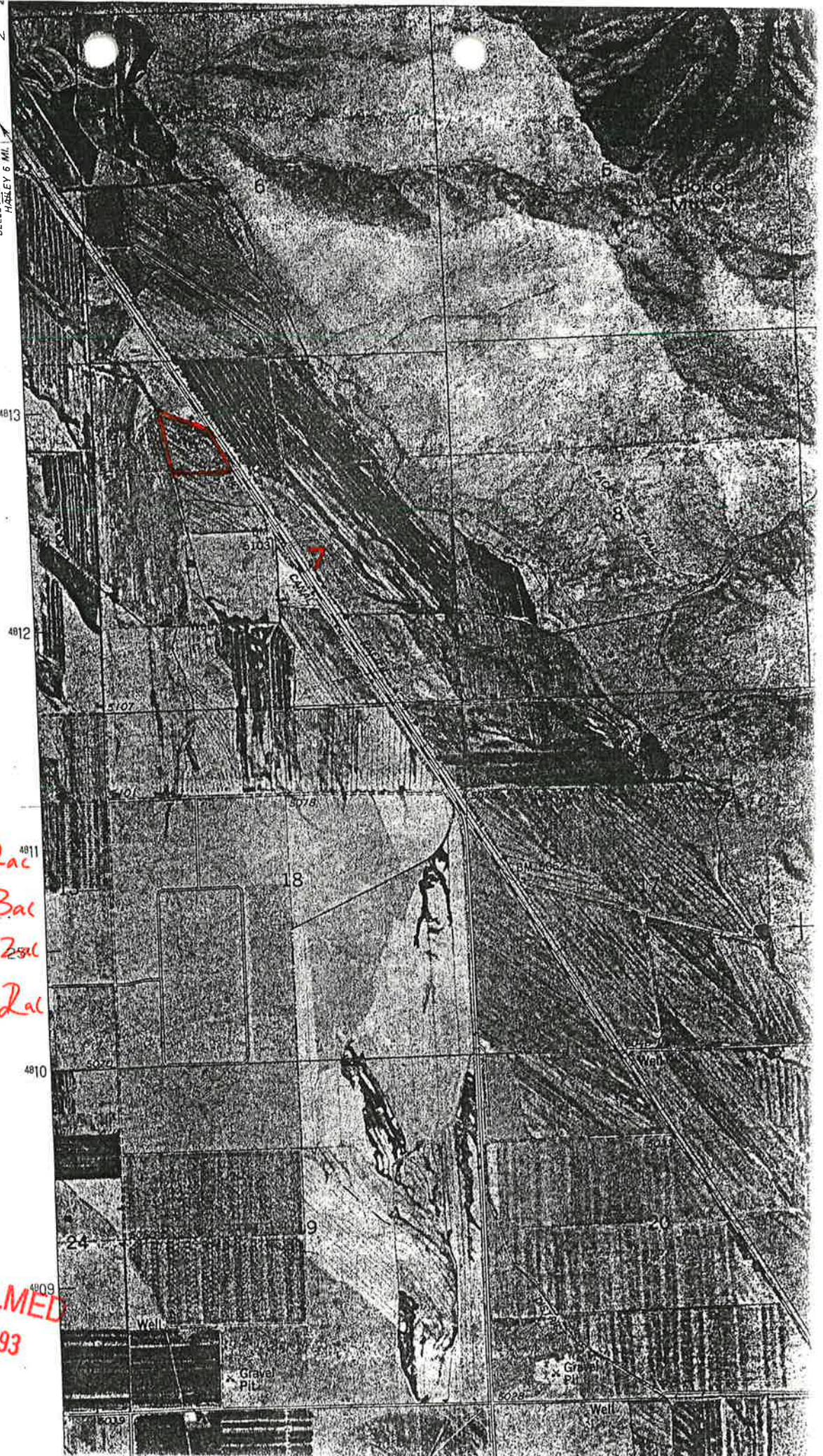
T1N

BELLEVE 0.5 MI
HARLEY 6 MI

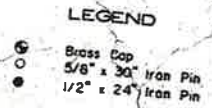
IN 19E S7

NE NW-2ac
SE NW-3ac
NW NW-2ac
SW NW-2ac

MICROFILMED
FEB 22 1993



A photograph of a ruler with markings from 200 to 400, labeled '1974' at the top. The ruler is marked in increments of 100, with '200', '300', and '400' clearly visible. The year '1974' is printed at the top of the ruler. The ruler is placed on a surface, and the markings are clearly visible.



ENGINEERS INC
10000

MICROFILMED
FEB 22 1993

37-480C

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

☒ No account number on mail

☐ Account number illegible

Addressee's Name

Gary Gutches Judy Gutches

Old Address (Include apartment or suite number)

City, State, and ZIP Code

148 Gannett Rd
Bellevue ID 83333

New Address (Include apartment or suite number)

City, State, and ZIP Code

P.O. Box 685
Bellevue ID 83313

This card is furnished: ☒ For address correction, as requested (your mailpiece was forwarded).

☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address

☐ No such street

☐ No such number

☐ Refused

☐ Attempted, not known

☐ Unclaimed

PS Form **3547**, June 1995

SCANNED

APR 11 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-480C V1

WATER RIGHT NUMBER: 37-480C V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM C WHITAKER II PO BOX 51 HAILEY, ID 83333 (208)788-0284
Current Owner	RAE DEAN WHITAKER PO BOX 51 HAILEY, ID 83333
Original Owner	GARY GUTCHES 148 GANNETT RD BELLEVUE, ID 83333 (208)788-4692
Original Owner	JUDY GUTCHES 148 GANNETT RD BELLEVUE, ID 83333 (208)788-4692

Priority Date: 06/15/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.580 CFS	
	<u>Total Diversion:</u>	0.580 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	L3 (NE1/4SW1/4NW1/4)	Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	19E	7					3.1	3.2	.7	1.3									8.3
								L1	L2										

Total Acres: 8.3

Conditions of Approval:

1. P21 This right is a split from former right 37-480.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-480C V1

3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient 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.

Remarks:

Comments:

Water Supply Bank:

11/30/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-480C

NAME AND ADDRESS: GARY GUTCHES
148 GANNETT RD
BELLEVUE ID 83333

JUDY GUTCHES
148 GANNETT RD
BELLEVUE ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.580 CFS

PRIORITY DATE: 06/15/1891

POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.580 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R19E S07	NENW	3.10	T01N R19E S07 Lot 1 NWNW	3.20
T01N R19E S07 Lot 2 SWNW		0.70	T01N R19E S07	SENW 1.30

8.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

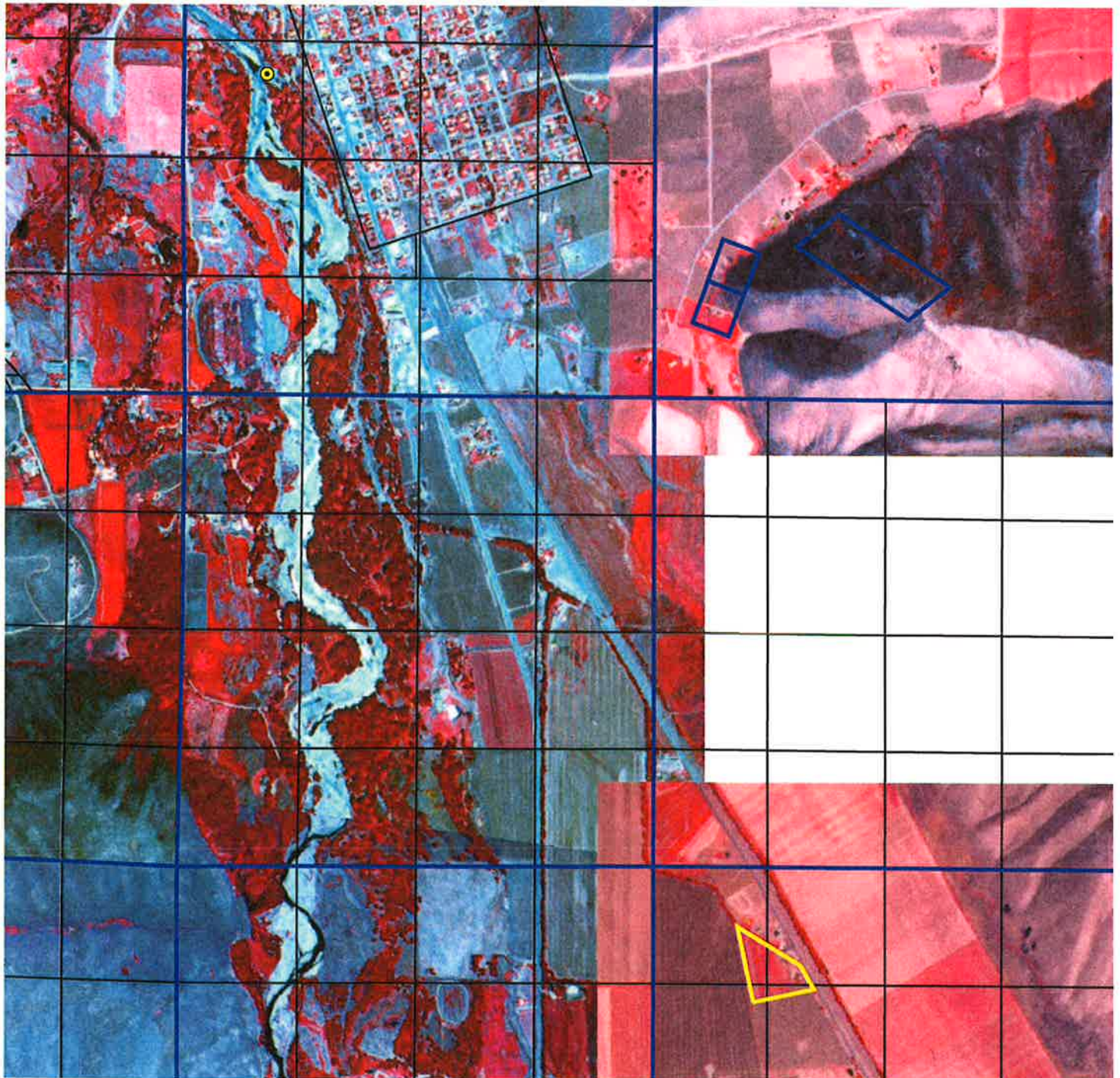
This right is a split from former right 37-480.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Idaho Department of Water Resources

Right(s): 37-480C

Recommended Place of Use
TWP 01N RNG 19E S07
Prepared November 30, 2006



660 0 660 1320 Feet

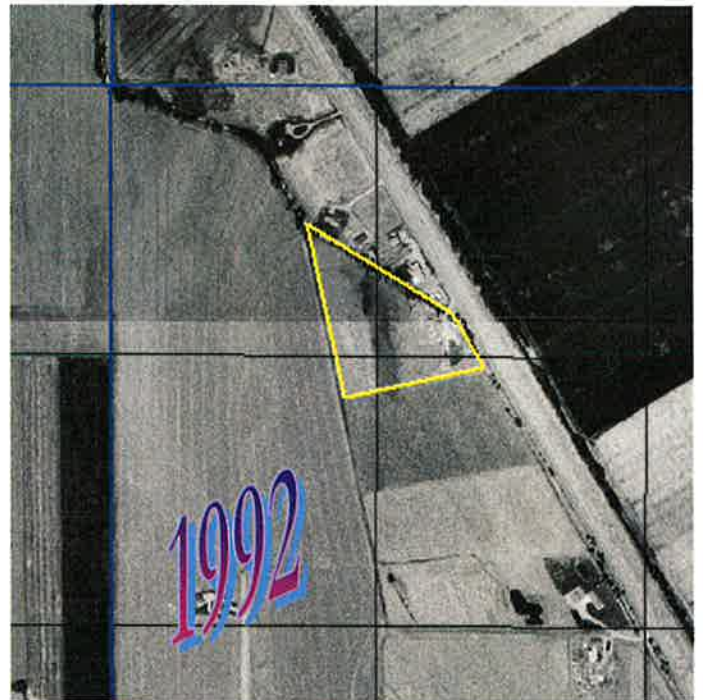


-  Recommended Point of Diversion
-  Recommended Place of Use
-  Quarter Section Lines
-  PLSS Section Lines

GIS Place of Use Presentation
1987 NAPP Aerial Photography

Prepared by Amanda Kriwox

37-480C



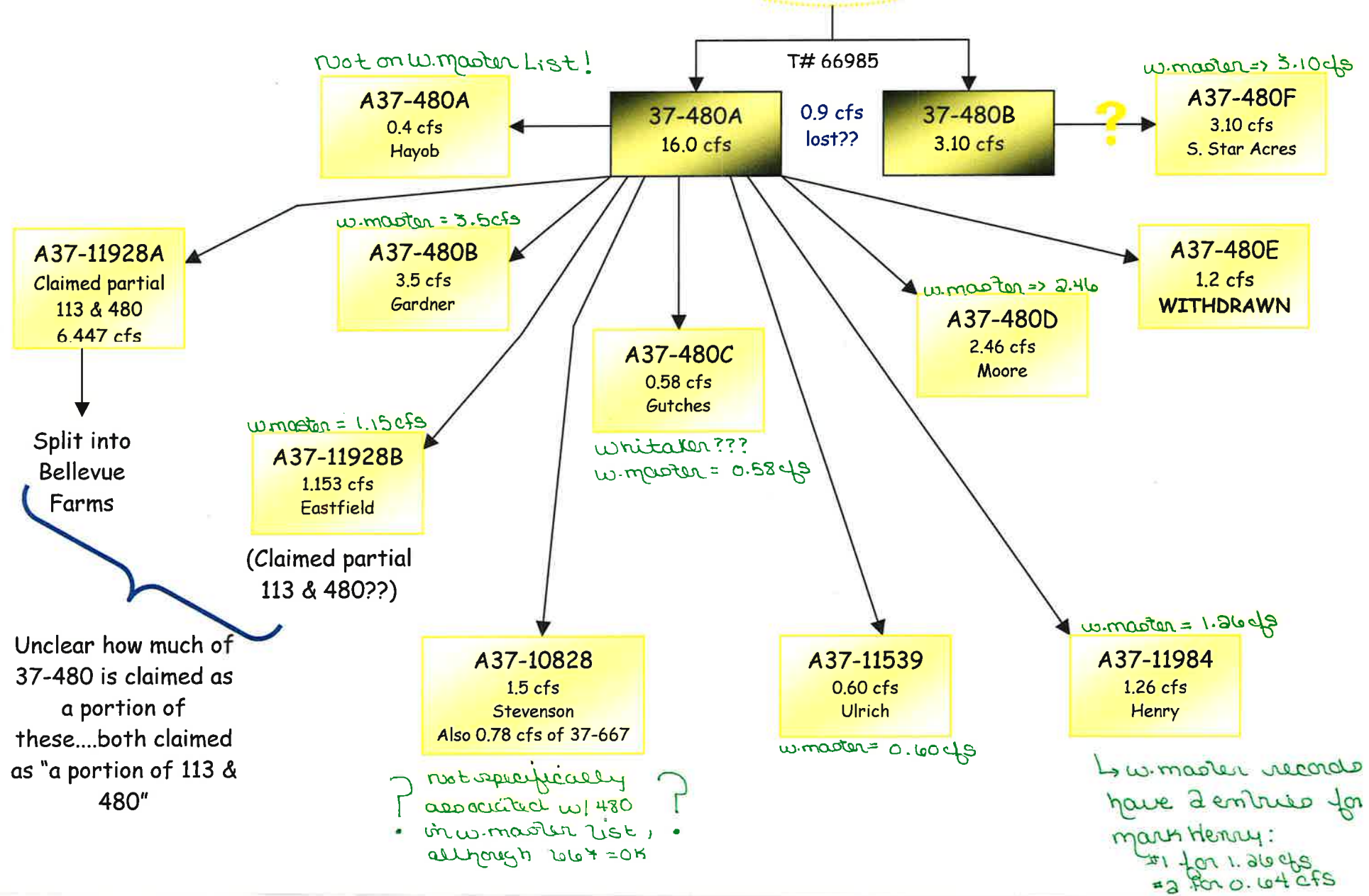
Appears to be a new owner per Blaine Co tax lot information: William Whitaker

B37 watermaster records indicate claimed rate is being delivered.

Claim for 9 acres and 0.58 cfs...@ 3" per acre

not located on any part of
37-480 decreed POU... acc. transfer?

37-480



37-480
Frost Decree: Annie I. Miller
Big Wood River 1000" (20 cfs)
POU: 520 acres...**1N 18E S01** NE $\frac{1}{4}$, NENW, NWSE, NESE...**S12** NENE...**1N 19E S7**
NWSW, NESW, SWSW...**S18** NWNW, NENW

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