

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 06 2020

DEPT. OF WATER RESOURCES
SOUTHERN 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?
37-8218	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Robert E. Gardner, Cloyd W. Gardner & Ruth Helen Gardner
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): C.W. & R.H. Gardner Family Limited Partnership
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 1200 Hailey ID 83333
Mailing address City State ZIP
208-788-2568 rkgardner@svskylan.net
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: April, 2020
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: Robert E. Gardner Robert E. Gardner, General Partner 4-22-20
Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 5-6-2020 Receipt No. S037914 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 _____ Processed by DM Date 5/27/2020

James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340

WATER RIGHTS QUITCLAIM DEED

IN WITNESS WHEREOF, Grantor has executed this Water Rights Quitclaim Deed this 22 day of April, 2020.

Robert E. Gardner
ROBERT E. GARDNER

This record was acknowledged before me on 4-22, 2020, by ROBERT E. GARDNER.

KATHI PECK
COMMISSION NO. 120763
NOTARY PUBLIC
STATE OF IDAHO

Kathi L Peck
Name: KATHI L PECK
Notary Public for Idaho
Residing at Carey ID
My commission expires 9/17/2025

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340**

(Space above line for Recorder's use)

**PERSONAL REPRESENTATIVE'S DEED
FOR WATER RIGHT 37-8218**

THIS DEED, made by ROBERT E. GARDNER, as personal representative of the ESTATE OF CLOYD WILLIAM "ANDY" GARDNER, Deceased ("Grantor"), to C.W. & R.H. GARDNER FAMILY LIMITED PARTNERSHIP, an Idaho limited partnership ("Grantee"), whose address is P.O. Box 1200, Hailey, Idaho 83333-1200.

WHEREAS, Grantor is the qualified personal representative of said Estate, filed as Case No. SP 03-3011, in Blaine County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee all the Estate's interest in and to Water Right No. 37-8218.

EXECUTED this 28 day of April, 2020.

GRANTOR:



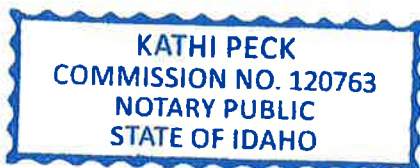
ROBERT E. GARDNER

Personal Representative of the Estate of Cloyd William "Andy"
Gardner, Deceased

STATE OF IDAHO)
 : ss
COUNTY OF BLAINE)

On this 28 day of April, 2020, before me, the undersigned, a notary public in and for said state, personally appeared, ROBERT E. GARDNER, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Cloyd William "Andy" Gardner, Deceased, and acknowledged to me that he executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Kathi L. Peck
NOTARY PUBLIC FOR IDAHO
Residing at: Carey ID
My Commission Expires: 9/17/2025

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340**

(Space above line for Recorder's use)

**PERSONAL REPRESENTATIVE'S DEED
FOR WATER RIGHT 37-8218**

THIS DEED, made by ROBERT E. GARDNER, as personal representative of the ESTATE OF RUTH HELEN GARDNER, Deceased ("Grantor"), to C.W. & R.H. GARDNER FAMILY LIMITED PARTNERSHIP, an Idaho limited partnership ("Grantee"), whose address is P.O. Box 1200, Hailey, Idaho 83333-1200.

WHEREAS, Grantor is the qualified personal representative of said Estate, filed as Case No. SP 99-1998, in Blaine County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee all the Estate's interest in and to Water Right No. 37-8218.

EXECUTED this 28 day of April, 2020.

GRANTOR:

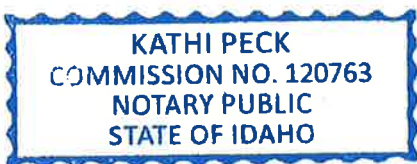


ROBERT E. GARDNER
Personal Representative of the Estate of Ruth Helen Gardner,
Deceased

STATE OF IDAHO)
 : ss
COUNTY OF BLAINE)

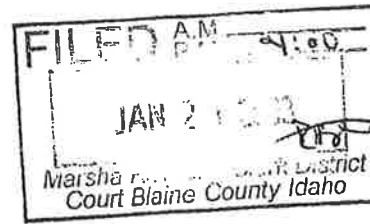
On this 28 day of April, 2020, before me, the undersigned, a notary public in and for said state, personally appeared, ROBERT E. GARDNER, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Ruth Helen Gardner, Deceased, and acknowledged to me that he executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Kathi L. Peck
NOTARY PUBLIC FOR IDAHO
Residing at: Carey ID
My Commission Expires: 9/17/2025

THOMAS G. WALKER (ISB No. 1856)
BROOKE A. O'NEIL (ISB No. 6424)
COSH, HUMPHREY, GREENER & WELSH, P.A.
Counselors and Attorneys at Law
815 West Washington Street
The Carnegie Building
Boise, Idaho 83702
Telephone: (208) 344-7811
Facsimile: (208) 338-3290
E-Mail: tgwalker@chgw.com



Attorneys for Applicant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF

CLOYD WILLIAM "ANDY"
GARDNER,

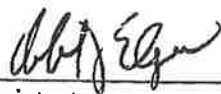
Deceased.

Case No. SP-03-3011

LETTERS TESTAMENTARY

1. ROBERT E. GARDNER was appointed and qualified as Personal Representative of the above-named decedent by the Court, with all authority pertaining thereto.
2. Administration of the estate is unsupervised.
3. These Letters are issued to evidence the appointment, qualification, and authority of said Personal Representative.

WITNESS my signature and the Seal of this Court, this 25th day of January


Magistrate

LETTERS TESTAMENTARY

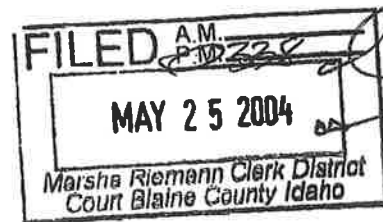
H:\g\gardner, Cloyd\cloyd estate\Letters testamentary.DOC

STATE OF IDAHO } ss
County of Blaine

I do hereby certify that the foregoing is a full, true and correct copy of the original thereof, on file in my office.

IN WITNESS THEREOF, I have hereunto set my hand and affixed by official seal this 20th day of April 2020

JOLYNN DRAGE *Jolynn Drage*
Clerk District Court Deputy



Thomas G. Walker (ISB No. 1856)
COSHO, HUMPHREY, GREENER & WELSH, P.A.
Carnegie Library Building
815 West Washington Street
Boise, Idaho 83702
Telephone: (208) 344-7811
Firm Facsimile: (208) 338-3290
Desktop Facsimile: (208) 955-2012
E-mail: tgw@chgw.com

Attorneys for Robert E. Gardner

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

MAGISTRATE'S DIVISION

★ ★ ★ ★ ★

In The Matter Of The Estate Of:

RUTH HELEN GARDNER,

Deceased. *Idaho Code* § 15-3-602

Case No. SP 99-1998

LETTERS TESTAMENTARY

1. Robert E. Gardner was appointed and qualified as Personal Representative of the estate of the above-named decedent by the Court, with all authority pertaining thereto.
2. Administration of the estate is unsupervised.
3. These Letters are issued to evidence the appointment, qualification, and authority of the said Personal Representative.

WITNESS my signature and the Seal of this Court, this 21 day of May 2004.


Magistrate

STATE OF IDAHO } ss
County of Blaine

I do hereby certify that the foregoing is a full, true and correct copy of the original thereof, on file in my office.

IN WITNESS THEREOF, I have hereunto set my hand and affixed by official seal this 20th day of April 2020

JOLYNN DRAGE

Clerk District Court

[Signature]
Deputy



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 27, 2020

C W & R H GARDNER FAMILY LIMITED PARTNERSHIP
PO BOX 1200
HAILEY ID 83333-1201

Re: Change in Ownership for Water Right No(s): 37-8218

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) 293-9908.

Sincerely,

A handwritten signature in blue ink that reads "Denise Maline".

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: James P Speck, attorney
Water District 37