

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED ✓
APR 13 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
37-8463	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
37-11767	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
37-12103	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
Split #: 37-23228	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: Robert E. Gardner and Kathryn A. Gardner
Name of current water right holder/claimant Family Trust, Dated April 11, 1994
3. New Owner(s)/Claimant(s): Robert E. Gardner and Kathryn A. Gardner, Trustees of The Robert And Kathryn Gardner
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: March 5, 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 Trustee Apr 7, 2020
Signature of new owner/claimant Title, if applicable Date
Signature: Kathryn A. Gardner Trustee April 7, 2020
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SM Date 4-13-2020 Receipt No. SO37868 Receipt Amt. \$150-
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 CS/AM Date 5-22-2020

SUPPORT DATA
IN FILE # 37-8463

Instrument # 667805

HAILEY, BLAINE, IDAHO
03-16-2020 3:32:10 PM No. of Pages: 3
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

**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)

QUITCLAIM DEED

ROBERT E. GARDNER and KATHRYN A. GARDNER, husband and wife ("Grantors"), do hereby convey, release, remise and forever quitclaim to ROBERT E. GARDNER and KATHRYN A. GARDNER, Trustees of THE ROBERT AND KATHRYN GARDNER FAMILY TRUST, dated April 11, 1994, whose address is P.O. Box 1200, Hailey, Idaho 83333-1200 ("Grantee"), all of Grantor's right, title and interest in and to that certain real property situated in Blaine County, Idaho and described in Exhibit A attached hereto and incorporated herein by this reference

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed this 5th day of March, 2020.

GRANTORS:

Date: 3/5/20

Robert E. Gardner
ROBERT E. GARDNER

Date: 3-5-2020

Kathryn A. Gardner
KATHRYN A. GARDNER

STATE OF IDAHO)
) ss.
County of Blaine)

This record was acknowledged before me on March 5, 2020, by ROBERT E. GARDNER.

WITNESS my hand and official seal.



STATE OF IDAHO)
) ss.
County of Blaine)

This record was acknowledged before me on March 5, 2020, by KATHRYN A. GARDNER.

WITNESS my hand and official seal.

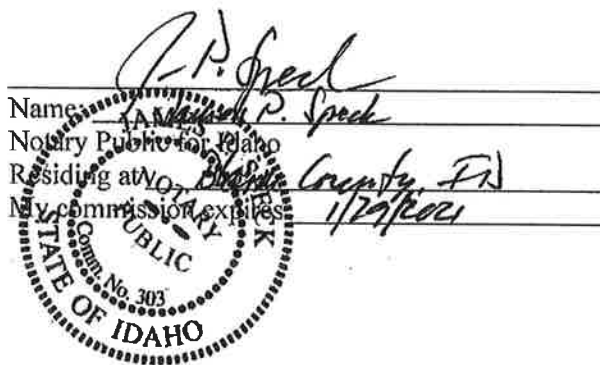


EXHIBIT A

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 13: NE $\frac{1}{4}$ NW $\frac{1}{4}$

AND

~~2815~~ ^{2357/12/11} That portion of SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 1S, R. 19 E.B.M. Lying NE of U.P.R.R.
Contains 14 acres more or less. Cancels T.L. 186.

6001 T 1S, R 19E, Sec 13 NWNW TL 185
All that portion of the NW NW Sec 13 formerly described as TL 185 excepting the
OSLRR right of way.
Cancels TL 185 Contains 39.3 Acres

187 All of the W1/2SE1/4NW1/4 Section 13, T1S, R19E.
Contains 20 acres.

⁶⁶⁸⁵ COMMENCING at a point on the West section line of Section 13,
Township 1 South, Range 19 East, Boise Meridian, 429 feet
South from the Northwest corner of said Section 13; thence
East 330 feet to a point; THENCE South parallel with said
West section line of Section 13, 330 feet to a point;
Thence West 330 feet to the said West section line of
Section 13; Thence North 330 feet along said West section line
to the place of beginning; containing two and one-half
(2.500) acres, more or less. All situated in the NW $\frac{1}{4}$ of
Section 13, Township 1 South, Range 19 East, Boise
Meridian. Except a spring arising on said above described
parcel of land shall be reserved by the party of the first
part, together with all rights of ingress and egress to said
spring for the purpose of spring maintenance.

Contains 2.5 acres #213151 From State of Idaho

~~2816~~ ^{2357/12/11} That portion of NE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 14, T. 1S, R. 19 E.B.M. Lying NE of U. P.R.R.
Contains 9.46 acres more or less.

Shown on the Blaine County Assessor roll as Parcel No. RP01S19013132B



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 22, 2020

ROBERT & KATHRYN GARDNER FAMILY TRUST
ROBERT E GARDNER, TRUSTEE
KATHRYN A GARDNER, TRUSTEE
PO BOX 1200
HAILEY ID 83333-1201

Re: Change in Water Right Ownership: 37-8463, 37-11767
Change in Water Right Ownership: 37-12103 (Split into 37-12103 and 37-23228)

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

The ownership has also been updated on water right no(s). 37-8463 & 37-11767 and computer-generated reports are enclosed 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,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)