

\$100

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 19 2019

DEPARTMENT OF
WATER RESOURCES

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?
75-14768	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75- 14534 14354	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75- 14536 14356	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-14262	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-14352 not updated	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jack and Diane Ellis
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Daniel L Gallardo, Stephane W Gallardo
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 51 Smout Creek Rd Carmen ID 83462
Mailing address City State ZIP
208.993.3853
Telephone STEPHANE@GVNI.COM
Email stephane@gvni.com
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 12 2018
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):
☐ \$25 per undivided water right.
☐ \$100 per split water right.
☐ 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.

SUPPORT DATA
75-14262
IN FILE #

8. Signature: [Signature] Title, if applicable: _____ Date: APRIL 12 2019
Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by: [Signature] Date: 9/13/19 Receipt No. C107716 Receipt Amt. 25.
8/19/19 C107413
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing
 Name on W-9 _____ Approved by _____ Processed by [Signature] W-9 received? Yes ☐ No ☐
 Date: 9-18-19

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.: 381010

FOR VALUE RECEIVED

Diane Ellis, aka Diane M. Ellis, a widow

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

Daniel Lloyd Gallardo and Stephane Wesley Gallardo, husband and wife

whose current address is

**51 Smout Creek Road
Carmen, ID 83462**

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

**A portion of the southeast quarter northwest quarter, Section 31, T. 23 N., R. 23 E.,
Boise Meridian, Lemhi County, Idaho more particularly described as follows:**

**Commencing at the west quarter corner of said Section 31 from which the
northwest corner of said Section 31 bears N. 00° 02' 25" W., the Basis of Bearing of
this description; Thence S. 89° 58' 37" E., 1948.68 feet to the Point of Beginning;**

**Thence N. 00° 12' 50" W., 1306.06 feet to the intersection with the north line
of said southeast quarter northwest quarter, Section 31;**

**Thence S. 89° 59' 14" E., 658.65 feet to the northeast corner of said southeast
quarter northwest quarter, Section 31;**

**Thence S. 00° 12' 50" E., 1306.18 feet to the center quarter corner of said
Section 31;**

Thence N. 89° 58' 37" W., 658.65 feet to the Point of Beginning.

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: April 12, 2018

Diane Ellis

Diane Ellis

State of Idaho } ss
County of Lemhi }

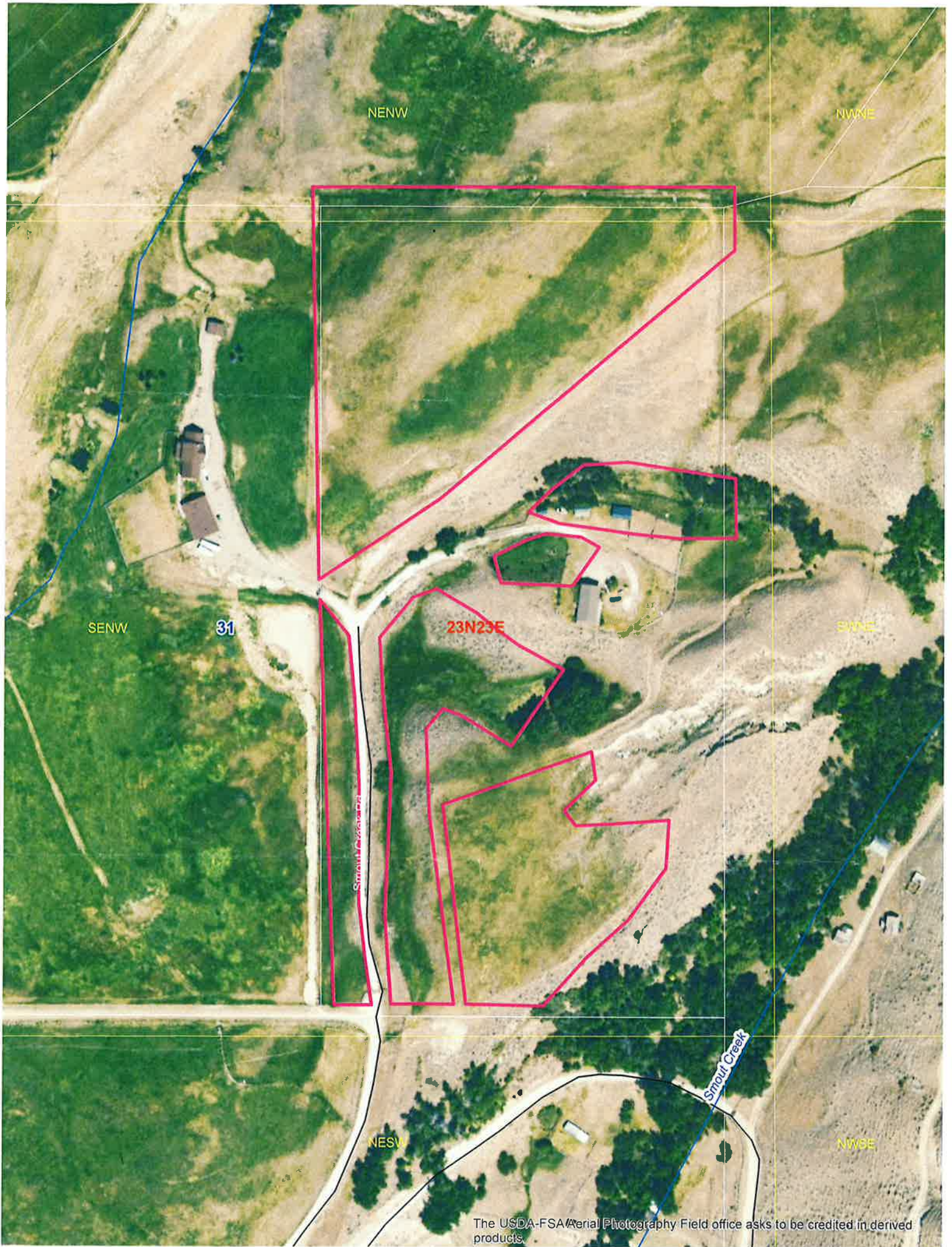
On this 12th day of April, 2018, before me, Heidi Semmler, a Notary Public in and for said state, personally appeared Diane Ellis, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

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

Heidi Semmler

Heidi Semmler
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: May 19, 2021







State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 18, 2019

DANIEL L GALLARDO
STEPHANE W GALLARDO
51 SMOUT CREEK RD
CARMEN ID 83462

Re: Change in Ownership for Water Right No(s): 75-14262, 75-14352(not updated), 75-14354, 75-14356 & 75-14768

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.

After further reviewing your request to update ownership of the above mentioned water rights, the Department realized that water right 75-14352 was disallowed in the Snake River Basin Adjudication and is no longer a valid water right. A refund of \$25 will be requested and sent to you under separate cover from the State Controller's Office. The Department apologizes for the confusion.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Water District 75D

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: September 18, 2019
RE: **Refund: ownership change- one right not valid**

Please refund \$25. Water right was disallowed in the SRBA

NAME: DANIEL L GALLARDO
STEPHANE W GALLARDO
51 SMOUT CREEK RD
CARMEN ID 8.462

RECEIPT #: C107716

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, September 18, 2019 7:52 AM
To: Financial
Subject: REFUND
Attachments: GALLARDO.doc

Please process the attached refund. Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, August 20, 2019 12:05 PM
To: 'stephane@gvni.com'
Subject: ownership change for water rights
Attachments: Gallardo ownership form_20190820120009.pdf

Daniel & Stephane,

The Department of Water Resources received your request for an ownership of water rights 75-14262, 75-14768, 75-14534 & 75-14536. During the review, I believe you may have transposed some numbers in the highlighted water rights. I believe the water rights should be **75-14352 & 75-14356**. I have attached a copy of the form for your benefit.

Please confirm that these are the correct water rights you would like updated to your names within 30 days or the Department will update the ownership of water rights 75-14262 & 75-14768 and not water rights 75-14534 & 75-14536 (since they are not appurtenant to your land) and request a refund of \$50. Please let me know if you have any questions. Thank you.

Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942

Sept 4, 2019 - I spoke with Dan Gallardo about the transposed numbers. He agreed that water rights 75-14352 & 75-14356 are the rights he would like updated. I also let him know that WR 75-14354 is also appurtenant to his property. He is sending another \$25 to cover the O/C of that right. The WR # will be added to the form he already sent in.

Jean Hersley