

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 07 2019

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?
36-8195	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: Eldon Garner / Marie Garner
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Michael W Hilliard and Veronica A Hilliard
New owner(s) as listed on the conveyance document
- Name connector ☒ and ☒ or ☒ and/or
- 24 E 100 S Rupert ID 83350
Mailing address City State ZIP
- 406-876-2929 bubba.wade45@hotmail.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: 12-21-2017

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). *pdf located on idwr website*
- ☒ 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.

8. Signature: [Signature] 5-9-19
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 5-9-19
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 6-7-2019 Receipt No. 5037370 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 AI Date 6/14/19

*AHN: Allison Inouye - 208-736-3033 allison.inouye@idwr.idaho.gov

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
417 N. Overland Ave.
Burley, ID 83318

Instrument # 543546
MINIDOKA COUNTY, RUPERT, IDAHO
12-22-2017 11:41:09 AM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BURLEY
TONYA PAGE Fee: \$16.00
Ex-Officio Recorder Deputy Susan Aston
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

PERSONAL REPRESENTATIVE DEED

File No.: **660632RU (tm)**

Date: **December 21, 2017**

For Value Received, **Jerry D Garner personal representative of the Estate of Eldon I. Garner and Grace Marie Garner, both deceased**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Michael W Hilliard and Veronica A Hilliard, husband and wife as community property with right of survivorship**, hereinafter called the Grantee, whose current address is **24 East 100 South, Rupert, ID 83350**, the following described premises, situated in **Minidoka County, Idaho**, to-wit:

Lots 12 and 13 of the Wiley Craven Subdivision, according to the official plat thereof, now on file in the office of the County Recorder, Minidoka County, Idaho, recorded March 4, 1959 in Book 8 of Miscellaneous, Page 231, Minidoka County records.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

This Deed is executed pursuant to Letters Testamentary recorded DEC. 22, 2017 as Instrument No. 543543 records of Minidoka County, Idaho.

Date: 12/21/2017

Warranty Deed
- continued

File No.: 660632RU (tm)

Estates of Eldon I. Garner and Grace Marie
Garner, both deceased

Jerry D. Garner
Jerry D. Garner, Personal Representative

STATE OF Idaho)
SS.
COUNTY OF Minidoka)

On this 22 day of **December, 2017**, before me, a Notary Public in and for said State, personally appeared **Jerry D Garner**, known or identified to me to be the person(s) whose name(s) **is** subscribed to the within instrument as Personal Representative of the Estate of **Eldon I Garner and Grace Marie Garner, both deceased**, and acknowledged to me that he executed the same as such Personal Representative.

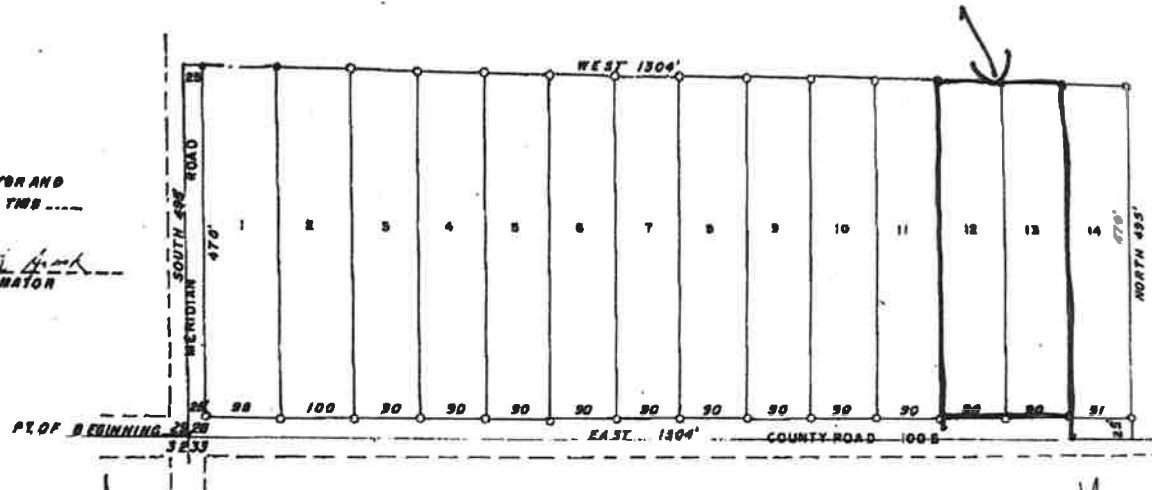


Kortney Ward
Notary Public of Idaho
Residing at: Heyburn, ID
Commission Expires: July 17, 2019

APPROVED AND ACCEPTED BY THE MAYOR AND
CITY COUNCIL OF THE CITY OF RUPERT THIS ---
DAY OF JAN, 1959

[Signature]
CITY CLERK

[Signature]
MAYOR



Accepted & Approved

PLAT OF

WILEY CRAVEN SUBDIVISION
PART SW⁴SW⁴ SEC. 28, T9S, R24E, B.M.

SCALE 1" = 100'

STATE OF IDAHO
COUNTY OF MINIDOKA

KNOW ALL MEN BY THESE PRESENTS: THAT WILEY CRAVEN AND MAYME CRAVEN, HIS WIFE, ARE THE OWNERS OF THE FOLLOWING DESCRIBED LAND TO-WIT: BEGINNING AT THE SW COR. SW 1/4 SW 1/4 SEC. 28, T9S, R24E, B.M.; THENCE EAST 1304 FT.; THENCE NORTH 470 FT.; THENCE WEST 1304 FT.; THENCE SOUTH 470 FT. TO THE POINT OF BEGINNING. AND SAID PERSONS DO HEREBY CERTIFY AND DECLARE THAT THEY HAVE LAID OUT AND PLATTED AS "WILEY CRAVEN SUBDIVISION," AS SHOWN BY THIS PLAT, THE LAND ABOVE DESCRIBED, AND DO FURTHER CERTIFY AND DECLARE THAT IN CONSIDERATION OF THE FILING OF SAID PLAT BY THE COUNTY RECORDER IN AND FOR MINIDOKA COUNTY, IDAHO AND THE ACCEPTANCE BY THE PUBLIC OF THE STREETS AS SHOWN ON SAID PLAT, DO HEREBY AND BY THESE PRESENTS GRANT, DONATE, AND DEDICATE TO THE PUBLIC IN PER SIMPLE, SUCH PORTIONS OF THE PLOTTED PREMISES AS ARE SET APART FOR STREETS FOR PUBLIC USE FOR EVER.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS 20th DAY OF JANUARY, 1959

STATE OF IDAHO
COUNTY OF MINIDOKA

ON THE 20th DAY OF JANUARY PERSONALLY APPEARED WILEY CRAVEN AND MAYME CRAVEN, HIS WIFE, KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE ABOVE INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME

IN WITNESS WHEREOF I HAVE HERUNTO SET MY HAND AND AFFIXED MY SEAL THIS 22nd DAY OF JANUARY, 1959

[Signature]
NOTARY PUBLIC

I, RAY D. ARMSTRONG, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF IDAHO, DO CERTIFY THAT THE ACCOMPANYING PLAT OF "WILEY CRAVEN SUBDIVISION", SITUATED ON THE LAND DESCRIBED ABOVE IS STRICTLY CONFORMANT TO THE FIELD NOTES OF THE SURVEY THEREOF MADE BY ROBERT T. PITTARD, JR. DEC. 20, 1958

[Signature]
R.D. Armstrong, P.E.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20th DAY OF JAN, 1959

[Signature]
NOTARY PUBLIC



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

June 14, 2019

MICHAEL W HILLIARD
VERONICA A HILLIARD
24 E 100 S
RUPERT ID 83350-9728

Re: Change in Ownership for Water Right No(s): 36-8195

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) 293-9903.

Sincerely,

Allison Inouye
Water Resource Agent

Enclosure(s)