

RECEIVED

NOV 09 2018

DEPT OF WATER RESOURCES

SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

ORIGINAL RECEIVED
DEC 05 2018DEPARTMENT OF
WATER RESOURCES

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?
37-12121	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: The Theresa Sue Castellano Management Trust & The Benjamin David Wood Management Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): The Thomas T. & Elizabeth C. Tierney Family Trust dated 2-2-1990

New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

PO Box 10151

Ketchum

ID

83340

Mailing address

City

State

ZIP

(949) 870-2016

manfredthemagnificent@gmail.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: October 27, 2015

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.

8. Signature: [Signature]

Signature of new owner/claimant

Trustee

Title, if applicable

10-22-1018
Date

Signature: [Signature]

Signature of new owner/claimant

Trustee

Title, if applicable

10/26/18
Date

For IDWR Office Use Only:

Received by [Signature]Date 11-15-2018Receipt No. 5037035Receipt 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 [Signature]Date 12/10/18

**Instrument # 630752**

HAILEY, BLAINE, IDAHO
10-29-2015 9:10:08 AM No. of Pages: 3
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: \$16.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

WARRANTY DEED

For Value Received

Theresa Sue Castellano, as Trustee of The Theresa Sue Castellano Management Trust and Benjamin David Wood, as Trustee of The Benjamin David Wood Management Trust,

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Thomas T. Tierney and Elizabeth C. Tierney, Trustees of The Thomas T. and Elizabeth C. Tierney Family Trust dated 2-2-1990

the Grantee, whose current address is: 23111 Maravilla Lane, Coto de Caza, CA 92679-3911

the following described premises, to-wit:

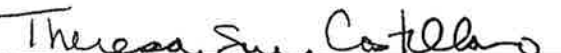
Lots 1 and 2 of GIMLET SUBDIVISION NO. 9, according to the official plat thereof, recorded as Instrument No. 162841, Records of Blaine County, Idaho.

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their 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 and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated this 27 day of October, 2015.

The Theresa Sue Castellano Management Trust


By: Theresa Sue Castellano, Trustee

The Benjamin David Wood Management Trust


By: Benjamin David Wood, Trustee

STATE OF Idaho

)

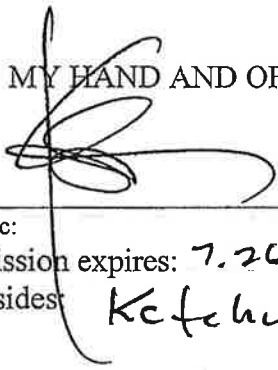
) ss.

COUNTY OF Blaine

)

On this 27 day of October, 2015, before me, the undersigned, a Notary Public, in and for said State, personally appeared **Benjamin David Wood**, known to me, to be the Trustee of the **Benjamin David Wood Management Trust** and the Trustee(s) who subscribed the said Trust name to the foregoing instrument, acknowledged to me that he/she/they executed the same in said Trust name, and that said Trust executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.



Notary Public:

My commission expires: 7.26.2017

Notary Resides: Ketchum, Id.



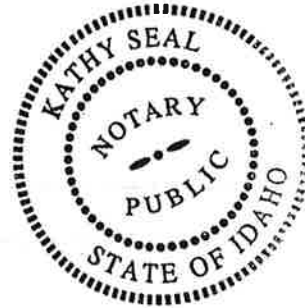
State of Idaho
County of Blaine

On this 27 day of October, 2015, before me, the undersigned, a Notary Public, in and for said State, personally appeared Theresa Sue Castellano, known to me, and/or identified to me on the basis of satisfactory evidence, to be the Trustee's of The Theresa Sue Castellano Management Trust the Trust that executed the within instrument and acknowledged to me that he/she/they executed the same on behalf of said Trust.

WITNESS MY HAND AND OFFICIAL SEAL.



Notary Public
Residing at: Blaine County, Idaho
My Commission Expires: 7.26-2017





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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

December 10, 2018

THE THOMAS T & ELIZABETH C TIERNEY FAMILY TRUST
PO BOX 10151
KETCHUM ID 83340-8151

Re: Change in Ownership for Water Right No(s): 37-12121

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) 287-4915.

Sincerely,

Scott Storms
Senior Water Agent

Enclosure(s)

c: JAMES P SPECK
Water District 37

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
(retired)

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE NORTH
P. O. BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208)726-4421
FACSIMILE
(208)726-0752

RECEIVED

NOV 09 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

November 7, 2018

Fawcett Trish
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls ID 83301-5858

RECEIVED

DEC 05 2018

DEPARTMENT OF
WATER RESOURCES

Re: Notice of Change of Water Right Ownership - No. 37-12121

Dear Trish:

Enclosed you will find the original and a copy of the above-referenced Notice of Change in Water Right Ownership for signed by Thomas T. Tierney and Elizabeth C. Tierney, as Trustees of the Thomas T. Tierney and Elizabeth C. Tierney Family Trust dated 2-2-1990. The Tierneys are new clients and we recently discovered that they had not changed the ownership of this water right when they purchased the property over three years ago. This filing is to correct that oversight and update the Department's records.

Please receipt date stamp the copy of the Notice and return it to me in the postage prepaid self-addressed envelope we have included for that purpose. Kindly call me right away if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

Enclosures

cc: Thomas T. and Elizabeth Tierney (w/enclosure)