

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 13 2017

Notice of Change in Water Right Ownership

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- 8653 8563	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-22334	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Timothy Flaherty & Tracy Flaherty
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): 86 Gimlet Road LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 83 Church Street Alpine NJ 07620
Mailing address City State ZIP
- (201) 784 -1323 vzoellner@me.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: September 6, 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).
☒ 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.

SUPPORT DATA

IN FILE # 37-8563

8. Signature: Victoria E. Zoellner Member 9/6/2017
 Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by JM Date 10-13-2017 Receipt No. 5036404 Receipt Amt. \$50-
 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 _____ Date _____

Instrument # 646277

HAILEY, BLAINE, IDAHO

09-06-2017 2:31:29 PM No. of Pages: 4

Recorded for: BLAINE COUNTY TITLE

JOLYNN DRAGE Fee: \$15.00

Ex-Officio Recorder Deputy: GWB

Electronically Recorded by Simplifile

**WARRANTY DEED**

FOR VALUE RECEIVED

Timothy Flaherty and Tracy Flaherty, husband and wife

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

86 Gimlet Rd LLC, an Idaho Limited Liability Company

GRANTEE(S) whose current address is: 86 Church Street, Alpine, NJ 07620

the following described premises, to-wit:

Lot 2B, Block 1, of GIMLET TERRACE SUBDIVISION : LOT 2B, according to the official plat thereof, recorded as Instrument No. 546535, Records of Blaine County, Idaho.

Together with the following water rights appurtenant to the property:

Water Right 37-8563

Water Right 37-22334

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject to and those made, suffered or done by the Grantee; and subject to all existing patent reservations; restrictions in railroad deeds of record; easements and rights of way established and of record; protective covenants of record; zoning ordinances and applicable building codes, use restrictions, ordinances, laws and regulations of any governmental unit; general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable; and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated this 15th day of September, 2017.

A handwritten signature of Timothy Flaherty in black ink, written over a horizontal line.

Timothy Flaherty

A handwritten signature of Tracy Flaherty in black ink, written over a horizontal line.

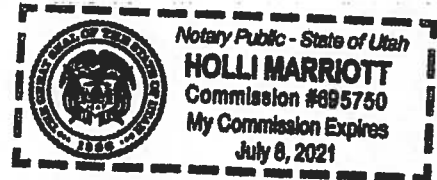
Tracy Flaherty

State of UT
County of SUMMIT

On this 1st day of September, 2017, before me, the undersigned, a Notary Public, in and for said State, personally appeared Timothy Flaherty and ~~Tracy Flaherty~~ known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Holli Marriott
Notary Public Holli Marriott
Residing at: Park City County, SUMMIT
My Commission Expires: 7/8/21





WARRANTY DEED

FOR VALUE RECEIVED

Timothy Flaherty and Tracy Flaherty, husband and wife

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86 Gimlet Rd LLC, an Idaho Limited Liability Company

GRANTEE(S) whose current address is: 86 Church Street, Alpine, NJ 07620

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Together with the following water rights appurtenant to the property:

Water Right 37-8563

Water Right 37-22334

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject to and those made, suffered or done by the Grantee; and subject to all existing patent reservations; restrictions in railroad deeds of record; easements and rights of way established and of record; protective covenants of record; zoning ordinances and applicable building codes, use restrictions, ordinances, laws and regulations of any governmental unit; general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable; and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated this 5th day of September, 2017.

Timothy Flaherty

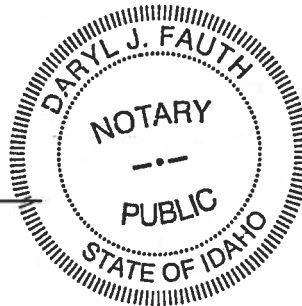
Tracy Flaherty
Tracy Flaherty

State of Idaho
County of Blaine

On this 5th day of September, 2017, before me, the undersigned, a Notary Public, in and for said State, personally appeared TIMOTHY FLAHERTY AND Tracy Flaherty, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

[Signature]
Notary Public
Residing at: Blaine County Idaho
My Commission Expires: 9/24/18





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 19, 2017

86 GIMLET ROAD LLC
83 CHURCH ST
ALPINE NJ 07620

RE: Change of Ownership for Water Right Nos. 37-8564 and 37-22334

Dear Water Right Holder(s):

The Department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jim Bitzenburg
Senior Water Right Agent

Cc: Jim Speck

Enclosure(s)

RECEIVED

OCT 13 2017

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
doug@speckandaanestad.com

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

October 10, 2017

Ms. Trish Fawcett
Idaho Department of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301

***RE: 86 Gimlet Road LLC - Notice of Change in Water Right Ownership
Water Right Claim Nos. 37-8653 and 37-22334***

Dear Trish:

Enclosed you will find the *original* and one (1) copy of a Notice of Change in Water Right Ownership form for the above-referenced Water Rights. I have also enclosed my firm's check in the amount of \$50.00 for the required filing fee. If it meets with your approval, please process and receipt date-stamp the copy of the Notice and return it to me in the enclosed self-addressed, postage-paid envelope.

If you have questions, please contact me. Thank you for your assistance.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

Enclosures

cc: Kevin Lakey w/ copy of form
Galena Ground Water District, w/copy of form via email only to galenagwd@gmail.com