

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 17 2016

Department of Water Resources
Eastern 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?
35-135180*	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: JACK PENNELL KATHLEEN R FINDLEY PENNELL
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): RAYMOND E & ELISABETH P. GARONER
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☒ or ☐ and/or
- Mailing address: 3155 W 1500 S City: ABERDEEN State: ID ZIP: 83210
- Telephone: 208-254-7396 Email: RAY65NDVA@YAHOO.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: May 16, 2016
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] Title, if applicable: _____ Date: 17/8/16
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: [Signature] Date: 2-17-16 Receipt No. E042368 Receipt Amt. \$25.07

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: [Signature] Processed by: [Signature] Date: 8/31/2016

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IDAHO FALLS

In Re SRBA)
)
Case No. 39576)
)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 35-13518

NAME AND ADDRESS: JACK PENNELL
KATHLEEN R FINDLEY PENNELL
361 34 - 1/2 RD
PALISADE, CO 81526

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1983

POINT OF DIVERSION: T05S R30E S23 NENW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Stockwater Within Bingham County
Same as Domestic

Domestic Within Bingham County
T05S R30E S23 NENW

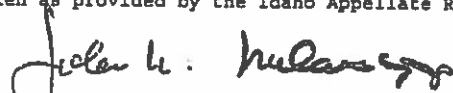
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

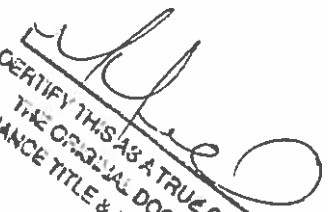
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication


CERTIFY THIS AS A TRUE COPY OF
THE ORIGINAL DOCUMENT
ALLIANCE TITLE & ESCROW CORP.

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:310198

FOR VALUE RECEIVED

Kathleen R. Findley-Pennell, a married person

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


E. P. G.

Raymond E. Gardner and Elisabeth P. Gardner, husband and wife

whose current address is

**3155 West 1500 South
Aberdeen, ID 83210**

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

Parcel I:

A portion of the Northeast Quarter Northwest Quarter of Section 23, Township 5 South, Range 30 East, Boise Meridian, Bingham County, Idaho, described as:

**Beginning at the NW corner of Section 23, thence East 1900 feet to the Point of Beginning, thence
East 465 feet; thence
South 465 feet; thence
West 465 feet; thence
North 465 feet to the Point of Beginning.**

EXCEPTING THEREFROM: Part of the North Half of Section 23, Township 5 South, Range 30 East, Boise Meridian, Bingham County, Idaho, described as follows:

**Commencing at the NW corner of Section 23; thence South 90°00'00" East a distance of 1900.00 feet along the Section line; thence
South 00°00'00" West a distance of 238.29 feet to the Point of Beginning; thence
South 45°00'00" East a distance of 320.62 feet; thence
North 90°00'00" West a distance of 226.71 feet; thence
North 00°00'00" East a distance of 226.71 feet to the Point of Beginning.**

Parcel II:

Part of the North Half of Section 23, Township 5 South, Range 30 East, Boise Meridian, Bingham County, Idaho, described as follows:

Commencing at the NW corner of Section 23; thence
South 90°00'00" East a distance of 2365.00 feet along the Section line to the Point of
Beginning; thence
South 90°00'00" East a distance of 55.00 feet continuing along said Section line;
thence
South 00°00'00" West a distance of 470.00 feet; thence
North 90°00'00" West a distance of 55.00 feet; thence
North 00°00'00" East a distance of 470.00 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: May 16, 2016

Kathleen R. Findley Pennell
Kathleen R. Findley-Pennell

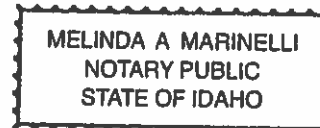
Marvin Leo Fehringer
Marvin Leo Fehringer

State of Idaho } ss
County of Bannock }

On this 16th day of May, 2016, before me, Melinda A. Marinelli, a Notary Public in and for said
state, personally appeared Kathleen R. Findley-Pennell and Marvin Leo Fehringer known or
identified to me to be the person(s) whose name(s) are subscribed to the within Instrument and
acknowledged to me that 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.

Melinda A. Marinelli
Melinda A. Marinelli
Notary Public for the State of Idaho
Residing at: Pocatello
Commission Expires: 3/3/2017





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 2, 2016

Raymond E Gardner
Elisabeth Garnder
3155 W 1500 S
Aberdeen ID 83210

RE: Change of Ownership for Water Right No(s). 35-13518

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. 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 deliberately abandoned or 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,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 120
Aberdeen American Falls Ground Water District