

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 27 2016

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?
37-4375	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-22241	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kathryn Allred Gardner and Mary Ellen Drashner
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Drashner-Bench, LLC and Gardner-Bench, LLC
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- c/o Kathryn Gardner, P.O. Box 1200 Halley ID 83333
Mailing address City State ZIP
- (208) 788-2568 ranchrobort@cox.net RK GARDNER@SVSKYLAN.NET
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: _____
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 # 37-4375

8. Signature: Kathryn Gardner Manager 12-30-15
Signature of new owner/claimant Title, if applicable Date
- Signature: M. Michelle Ruzscho Manager 12/30/15
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 1-27-2016 Receipt No. 5035228 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 _____

RECORDING REQUESTED BY AND
WHEN RECORDED, MAIL TO:

James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340

Instrument # 632445

HAILEY, BLAINE, IDAHO
1-15-2016 12:12:49 PM No. of Pages: 1
Recorded for : SPECK & AANESTAD
JOLYNN DRAGE Fee: 10.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

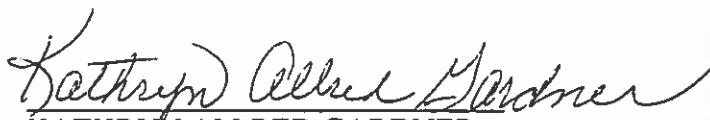
415

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QUITCLAIM DEED

FOR VALUE RECEIVED, KATHRYN ALLRED GARDNER ("Grantor"), does hereby convey, release, remise and forever quitclaim unto GARDNER-BENCH, LLC, an Idaho limited liability company, whose address is c/o Kathryn Gardner, P. O. Box 1200, Hailey, Idaho, 83333 ("Grantee"), all of her right, title and interest in and to Water Rights Nos. 37-4375 and 37-22241.

DATED this 8th day of January, 2016.

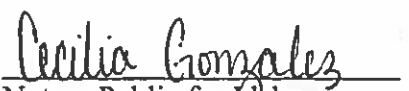

KATHRYN ALLRED GARDNER

STATE Of IDAHO)
) ss.
County of Blaine)

On this 8th day of January, 2016, before me, the undersigned, a notary public in and for said state, personally appeared KATHRYN ALLRED GARDNER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.




Notary Public for Idaho
Residing at: Hailey Wells Fargo
Comm. Expires: April 1, 2021

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

James P. Speck, Esq.
SPECK & AANESTAD
P. O. Box 987
Ketchum, Idaho 83340

Instrument # 632444

HAILEY, BLAINE, IDAHO
1-15-2016 12:11:10 PM No. of Pages: 2
Recorded for : SPECK & AANESTAD
JOLYNN DRAGE Fee: 13.00
Ex-Officio Recorder Deputy
Index to: PERS REP/PERS REP AMENDED DEED

AB

(space above line for Recorder's use)

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made and executed by MARY MICHELLE RUZICKA, personal representative of the Estate of Mary Ellen Drashner, deceased ("Grantor") to DRASHNER-BENCH, LLC, an Idaho limited liability company, whose address is P.O. Box 987, Ketchum, Idaho 83340 ("Grantee");

WHEREAS, Grantor is the personal representative of said estate, filed as Case No. CV-IE- 1521037, in Ada County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee all of decedent's right, title and interest in and to Water Right Nos. 37-4375 and 37-22241.

EXECUTED this 30th day of December, 2015.

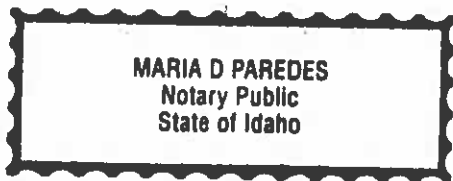
Dated: 12/30/15

M. Michelle Ruzicka
MARY MICHELLE RUZICKA, Personal
Representative of the Estate of Mary Ellen
Drashner, deceased

STATE OF Idaho)
County of Baine) ss.

On this 30th day of December, 2015, before me the undersigned Notary Public in and for said State, personally appeared MARY MICHELLE RUZICKA, Personal Representative of the Estate of Mary Ellen Drashner, deceased, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her capacity as personal representative.

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



Maria Paredes
Notary Public for US Bank
Residing at : Bellevue
Comm. Expires: 11/19/2020



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

February 2, 2016

DRASHNER BENCH LLC
GARDNER BENCH LLC
C/O KATHRYN GARDNER
PO BOX 1200
HAILEY ID 83333

RE: Change of Ownership for Water Right Nos. 37-4375 and 37-22241

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,

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: James P. Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340

RECEIVED

JAN 27 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

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

January 25, 2016

Trish Fawcett
Idaho Department of Water Resources
650 Addison Ave. W, Suite 500
Twin Falls, Idaho 83301

Re: Notice of Change in Water Right Ownership - Water Right Nos. 37-4375 & 37-22241

Dear Trish:

Enclosed you will find the original and one copy of a Notice of Change in Water Right Ownership for the above-referenced Water Rights signed by my clients. I have also enclosed my firm's check payable to the Department for the \$50 filing fee.

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

Thank you.

Sincerely,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

Enclosures
cc: Client w/encl.