

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 18 2014

DEPARTMENT OF
WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
75-7588	Yes ☒		Yes ☐		Yes ☐
75-14736	Yes ☒		Yes ☐		Yes ☐
75-14721 (not changed)	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Bill Gattung &/or William G & Lois C. Gattung Revocable Trust

3. New Owner(s)/Claimant(s):

Gene Gattung

New owner continued

Name connector

☐ and

☐ or

☐ and/or

18273 W Quail Ln

Mailing address

Post Falls

Id

83854

City

State

ZIP

208-818-0900

rhinestone_mom@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:

6. 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.

SUPPORT DATA

IN FILE # 75-7588

7. Signature:

Signature of new owner/claimant

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

9/18/2014

Receipt No.

E040252

Receipt Amt.

\$375 -

Approved by

Processed by

ganh

Date

10-18-14

TRUSTEE'S DEED OF DISTRIBUTION

THIS INDENTURE, made this 24 day of July, 2014, by and between JANA L. GATTUNG, in her capacity as Trustee of THE WILLIAM G. AND LOIS C. GATTUNG REVOCABLE TRUST under the Restated Declaration of Trust dated May 24, 2001, the Grantor, and GENE GATTUNG, a married man taking title as his sole and separate property, whose address is 18273 W. Quail Lane, Post Falls, ID 83854, the Grantee,

WITNESSETH:

That the Grantor, for and in consideration of the mutual terms, covenants and conditions of that certain Restated Declaration of Trust of THE WILLIAM G. AND LOIS C. GATTUNG REVOCABLE TRUST dated May 24, 2001, does by these presents grant, convey, and assign unto the Grantee, free of the trust, all of the following described real estate situated in the County of Lemhi, State of Idaho, to-wit:

See the Legal Description labeled "Blue Division (Gene) a.k.a Parcel 'D'" attached hereto.

TOGETHER WITH all minerals, mineral rights, water, water rights, ditches and ditch rights, appurtenant or otherwise related thereto, whether represented by decree, license, permit or otherwise, to be allocated in accordance with the law, and all improvements, buildings, and fixtures situated on said property.

AND TOGETHER WITH AND SUBJECT TO: Those certain easements set forth in that certain Declaration of Easements recorded by the Grantor on July 24, 2014, in the official records of the County of Lemhi, State of Idaho, as instrument # 296963.

AND TOGETHER WITH AND SUBJECT TO: Those certain existing easements of record (to be used for the irrigation of and general access to the above-described property, and all other properties described in the above- described Declaration of Easements) described as follows: (1) a 50-foot wide ingress and egress easement to access and maintain an existing irrigation headgate on the Gene Gattung Property, as described in the Quitclaim Deed recorded in the official records of Lemhi County on August 30, 2011 as Instrument No. 287209; (2) an irrigation access

and maintenance easement on the Gene Gattung Property as shown on the Record of Survey recorded in the official records of Lemhi County for the Gattung Estate on July 20, 2011 as Instrument #286408; (3) a 20-foot wide ingress and egress easement on the Joie Malpass Property to access Rainbow Ditch, as described in the Quitclaim Deed recorded in the official records of Lemhi County on July 20, 2011 as Instrument No. 286409; (4) the Williams Creek Remote on the Joie Malpass Property, as shown in the Record of Survey recorded in the official records of Lemhi County, Survey Book 6, Page 64, as Instrument No. 217986.

AND TOGETHER WITH AND SUBJECT TO: all other common law or statutory easements, claims of easement, and rights-of-way that may already exist or that may arise upon the Grantor's distribution of the properties described in the above-described Declaration of Easements, which easements and rights-of-way shall be perpetual, shall be non-exclusive, shall run with the land, and shall inure to the benefit of all present and future owners of any portion of the properties described in the above-described Declaration of Easements.

AND SUBJECT TO: All other existing liens, encumbrances, covenants, restrictions, and reservations of record; all applicable building and zoning ordinances, use regulations and restrictions; all encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey, inspection of the premises or environmental assessment; and all accruing taxes and assessments.

TO HAVE AND TO HOLD, all and singular the said premises, together with their appurtenances, unto the said Grantee and to the Grantee's successors and assigns forever. In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

THE WILLIAM G. AND LOIS C. GATTUNG REVOCABLE TRUST

By: Jana L. Gattung, TTE
Jana L. Gattung, Trustee

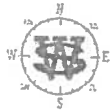
STATE OF IDAHO)
) ss.
County of Lemhi)

Sue Dickens ON THIS 24 day of July, 2014, before me
~~Jana L. Gattung~~ a Notary Public in and for said State, personally
appeared, JANA L. GATTUNG, Trustee of THE WILLIAM G. AND LOIS C.
GATTUNG REVOCABLE TRUST, 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 that capacity.

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



Sue Dickens
Notary Public for Idaho
Residing at: Salmon, Id.
My Commission Expires: 6/30/2016



WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

402 Van Dreff Street

Salmon, Idaho 83467



Phone: (208)-756-3070

July 14, 2014

BLUE DIVISION (GENE) - A.K.A. PARCEL "D"

A parcel of land located in the Section 7, T. 20 N., R. 22 E., and the E1/2 of Section 12, T. 20 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the E1/4 Corner of said Section 12, from which the SE Corner of said section bears S 00°28'48"E a distance of 2648.75 ft., the Basis Of Bearing of this description, run thence S 88°59'15" W a distance of 1299.81 ft. to a point on the easterly boundary of Record Of Survey (R.O.S.) Inst. No. 286408;

Thence the following courses along said boundary

S 00°06'00" E 334.96 ft.; S 00°35'10" E 553.82 ft. to a point on the southerly boundary of R.O.S. Inst. No. 281738 and the POINT OF BEGINNING.

Thence the following courses along said boundary:

N 81°11'55" E 352.70 ft.; N 65°44'55" E 56.90 ft.;
N 60°10'56" E 14.01 ft.; N 57°37'58" E 215.50 ft.;
N 42°25'41" E 15.43 ft.;

Thence S 83°58'50" E a distance of 2202.62 ft. to a point on the westerly boundary of Government Lot 19;

Thence the following courses along said Lot 19:

S 53°47'41" W 286.90 ft.; S 64°49'26" W 39.48 ft.;
S 00°22'23" E 310.47 ft. to a point on the westerly bank of the Salmon River;

Thence the following courses along said bank:

S 52°12'13" W 230.99 ft.; S 55°24'13" W 392.49 ft.;
S 68°07'13" W 281.95 ft.; S 88°32'13" W 454.04 ft.;
S 00°28'48" E 15.57 ft.; N 72°58'21" W 105.88 ft.;
N 69°04'25" W 115.74 ft.; N 80°09'52" W 93.49 ft.;
S 89°18'07" W 77.09 ft.; S 82°31'58" W 57.83 ft.;
S 59°45'26" W 39.17 ft.; S 88°12'42" W 30.09 ft.;
N 70°34'09" W 50.84 ft.; N 75°29'49" W 82.53 ft.;
N 88°49'49" W 46.07 ft.; S 83°55'47" W 44.43 ft.;
S 74°12'25" W 51.77 ft.; S 63°23'05" W 144.51 ft.;
S 49°46'47" W 110.73 ft.; S 24°50'22" W 132.18 ft.;
S 51°08'10" W 34.73 ft.; S 33°50'01" W 41.58 ft.;
S 22°43'23" W 96.72 ft.; S 17°35'54" W 153.57 ft.;
S 10°28'19" W 139.59 ft.; S 00°28'19" E 82.98 ft.;

S 05°58'45" W 49.41 ft. to a point on the southerly boundary of said section 12;

Thence S 89°17'08" W along said boundary a distance of 103.49 ft. to the easterly boundary of R.O.S. Inst. No. 286408;

Thence N 00°10'11" W along said boundary a distance of 1753.40 ft. to the POINT OF BEGINNING.

Parcel contains 62.9 acres (more or less)





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 14, 2015

GENE GATTUNG
18273 W QUAIL LN
POST FALLS ID 83854

Re: Change in Water Right Ownership: Water Right No. 75-14736 (Split into 75-14736 and **75-14808, 75-14809 and 75-14810**) and 75-7588 (Split into 75-7588 and 75-14812)

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

Water Right 75-14721 is a parent right of 75-14736 and 75-14737. It was not divided or updated. A refund of \$100 has been requested and will be sent to the Gattung Family Trust under separate cover from the State Controller's Office.

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.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure