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OCT 08 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES
SOUTHERN 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?
D 37-2165B	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: Edward A. Gilhuly and Karen H. Gilhuly, Trustees of the Edward and Karen Gilhuly Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert M. Gilhuly, Trustee of the Gilhuly Family 1997 Trust, Dated December 26, 1997
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 350 California Street, 22nd Floor San Francisco CA 94104
Mailing address City State ZIP
- 415-228-5400 RMG@BCLTLAW.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 2, 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):
 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.

8. Signature: *Robert M. Gilhuly* Trustee 9/29/15
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 DM Date 10-8-2015 Receipt No. S035047 Receipt 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 *gmk* Date 10-13-15

**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 # 629240
HAILEY, BLAINE, IDAHO
0-2-2015 11:16:23 AM No. of Pages: 4
Recorded for : SPECK & AANESTAD
JOLYNN DRAGE Fee: 19.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

**RECEIVED
SEP 08 2015
SPECK & AANESTAD**

78

(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, EDWARD A. GILHULY and KAREN H. GILHULY, TRUSTEES OF THE EDWARD AND KAREN GILHULY TRUST, DATED AUGUST 3, 1993 (AGrantor@), hereby grants, bargains, sells and conveys unto ROBERT M. GILHULY, TRUSTEE OF THE GILHULY FAMILY 1997 TRUST, DATED DECEMBER 26, 1997, whose address is c/o 350 California Street, 22nd floor, San Francisco, CA 94104, that certain real property situated in Blaine County, Idaho and described as follows:

Lot 1, Block 1 of ADAMS GULCH SUBDIVISION, Blaine County, Idaho, according to the official plat thereof recorded as Instrument No. 272239, records of Blaine County, Idaho..

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record.

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 20th day of August, 2015.

AGRANTOR@



**EDWARD A. GILHULY, TRUSTEE OF THE
EDWARD AND KAREN GILHULY TRUST, DATED AUGUST 3, 1993**

KAREN H. GILHULY, TRUSTEE OF THE
EDWARD AND KAREN GILHULY TRUST, DATED AUGUST 3, 1993

STATE OF _____)
) ss.
County of _____)

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

Notary Public for _____
Residing at : _____
Comm. Expires: _____

STATE OF _____)
) ss.
County of _____) /

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

Notary Public for _____
Residing at : _____
Comm. Expires: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Santa ClaraOn August 20, 2015before me, D. McDaniel, Notary Public

Date

Here Insert Name and Title of the Officer

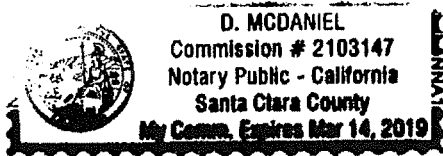
personally appeared Edward A. Gilhuly

Name(s) of Signer(s)

who proved 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

D. McDaniel

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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State of California

County of San Mateo

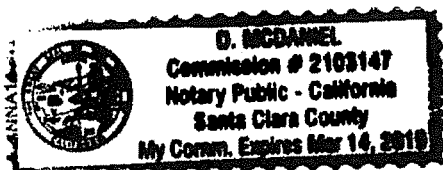
On August 20, 2015 before me, D. McDaniel, Notary Public,
Date Here, Insert Name and Title of the Officer

personally appeared Karen H. Gilhuly
Name(s) of Signer(s)

who proved 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature D. McDaniel
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____



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 13, 2015

GILHULY FAMILY 1997 TRUST
350 CALIFORNIA ST 22ND FL
SAN FRANCISCO, CA 94104

Re: Change of Ownership for Water Right/Permit No(s): 37-2165B

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 to reflect this change in ownership and has enclosed a computer-generated report 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 § 42-222 and §42-223, Idaho.

A portion of water right(s) 37-2165B was leased to the Water Supply Bank (bank) on April 22, 2015. To date, part of the right(s) appurtenant to 1.4 cubic feet per second (cfs) and 6.4 acres remain leased to the bank. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. This portion will remain in the bank until December 31, 2015 unless the right(s) are released earlier by the Idaho Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience. If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Water District No. 37
Speck & Aanestad

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

October 6, 2015

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OCT 08 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

Re: Edward A. Gilhuly and Karen H. Gilhuly;
Notice of Change in Water Right Ownership;
37-2165B

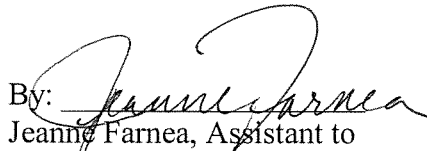
Dear Trish:

I have enclosed for filing an original and one copy of the Notice of Change in Water Right Ownership for Water Right No. 37-2165B. I have also enclosed our firm's check in the amount of \$25 to cover the filing fee. Please arrange to have the Notice filed and the copy conformed and returned to our office in the postage prepaid, self-addressed envelope I have included.

Please call if you have any questions. Thank you.

Sincerely,

SPECK & AANESTAD
A Professional Corporation

By: 
Jeanne Farnea, Assistant to
James P. Speck

Enclosure
cc: Clients w/copy