

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 17 2015

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?
37-21394	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: Oscar E. and Hodelia Garcia
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Gary and Glenna Eden
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 414 N 800 W Shoshone ID 83352
Mailing address City State ZIP
- 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: 09/04/2015
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):
 ☐ \$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: *Gary Eden* _____ Title, if applicable _____ Date 9/4/15
 Signature of new owner/claimant
 Signature: *Glenna Eden* _____ Title, if applicable _____ Date 9/4/15
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by DM Date 9-17-2015 Receipt No. S035017 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 _____ Date _____



LINCOLN COUNTY
Recorded for:
TITLEONE - TWIN FALLS
11:47:09 AM 09-04-2015
0000196627
No. Pages 1 Fee: \$10.00
BRENDA FARNWORTH
County Clerk
Deputy: cr
Electronically Recorded by Simplifile

Order Number: 15257698

Warranty Deed

For value received,

Gary J Hibbard and Donna G Hibbard, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Gary Eden and Glenna Eden, husband and wife, as community property with right of survivorship

whose current address is 414 North 800 West Shoshone, ID 83352

the grantee, the following described premises, in Lincoln County, Idaho, to wit:

TOWNSHIP 5 SOUTH, RANGE 16 EAST, OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 12: A parcel of land located in the SE $\frac{1}{4}$, said parcel being a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and more particularly described as follows:

Commencing at the East one quarter (E $\frac{1}{4}$) corner of said Section 12, from which the West one quarter (W $\frac{1}{4}$) corner of said Section 12 bears North 89°02'03" West, 5339.20 feet;
Thence North 89°02'03" West along the North boundary of the SE $\frac{1}{4}$ of said Section 12 for a distance of 1332.20 feet to the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12 and being the TRUE POINT OF BEGINNING;
Thence South 00°08'26" East along the East boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12 for a distance of 1327.91 feet to the Southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12;
Thence North 88°55'46" West along the South boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12 for a distance of 656.53 feet to the Southwest corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12;
Thence North 00°08'26" West parallel to the East boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12 for a distance of 1326.71 feet to the North boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12;
Thence South 89°02'03" East along the North boundary of the SE $\frac{1}{4}$ of said Section 12 for a distance of 656.50 feet to the TRUE POINT OF BEGINNING.

BE
NG
TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited 20.4 inches (0.408 cfs) of the Big Wood River Decreed Water Right Number 37-21394 and 9.9 shares of supplemental American Falls Water.

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 and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, 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.

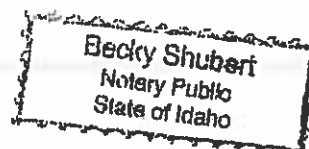
Dated: September 2, 2015

Gary J. Hibbard
Gary J Hibbard
Donna G. Hibbard
Donna G Hibbard

State of Idaho, County of Gooding, ss.

On this 4th day of September in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Gary J Hibbard and Donna G Hibbard, known or identified to me 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.

Becky Shubert
Notary Public
Residing In: Gooding, ID
My Commission Expires: 02/23/2017



LINCOLN COUNTY
Recorded for:
FIRST AMERICAN TITLE - JEROME
01:43:57 PM 08-24-2015
0000196585
No. Pages 2 Fee: \$13.00
BRENDA FARNWORTH
County Clerk
Deputy: cr
Electronically Recorded by Simplifile

528556 -J

TRUSTEE'S DEED

JUST LAW, INC., herein called Successor Trustee under the I particularly described, does hereby bargain, sell and convey, without warranty to Gary J. Hibbard and Donna G. Hibbard, husband and wife, whose business address is 269 E. Highway 26, Shoshone, ID 83352, all of the real property situated in the County of Lincoln, State of Idaho, described as follows to-wit:

TOWNSHIP 5 SOUTH, RANGE 16 EAST, OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO SECTION 12: A PARCEL OF LAND LOCATED IN THE SE $\frac{1}{4}$, SAID PARCEL BEING A PORTION OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST ONE QUARTER (E $\frac{1}{4}$) CORNER OF SAID SECTION 12, FROM WHICH THE WEST ONE QUARTER (W $\frac{1}{4}$) CORNER OF SAID SECTION 12 BEARS NORTH 89°02'03" WEST, 5339.20 FEET; THENCE NORTH 89°02'03" WEST ALONG THE NORTH BOUNDARY OF THE SE $\frac{1}{4}$ OF SAID SECTION 12 FOR A DISTANCE OF 1332.20 FEET TO THE NORTHEAST CORNER OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 12 AND BEING THE TRUE POINT OF BEGINNING: THENCE SOUTH 00°08'26" EAST ALONG THE EAST BOUNDARY OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 12 FOR A DISTANCE OF 1327.91 FEET TO THE SOUTHEAST CORNER OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 12; THENCE NORTH 88°55'46" WEST ALONG THE SOUTH BOUNDARY OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 12 FOR A DISTANCE OF 656.53 FEET TO THE SOUTHWEST CORNER OF THE E $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 12; THENCE NORTH 00°08'26" WEST PARALLEL TO THE EAST BOUNDARY OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 12 FOR A DISTANCE OF 1326.71 FEET TO THE NORTH BOUNDARY OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 12; THENCE SOUTH 89°02'03" EAST ALONG THE NORTH BOUNDARY OF THE SE $\frac{1}{4}$ OF SAID SECTION 12 FOR A DISTANCE OF 656.50 FEET TO THE TRUE POINT OF BEGINNING.

This conveyance is made pursuant to the powers conferred upon the Successor Trustee by the Deed of Trust between Oscar E. Garcia and Hodelia Garcia, husband and wife, as Grantors, Just Law, Inc., as Successor Trustee, and Walter F. Inga, an unmarried man as the Beneficiary, under the Deed of Trust recorded March 25, 2008 as Instrument No. 184702, in the records of Lincoln County, Idaho. The Beneficial interest of said Deed of Trust was subsequently assigned to Gary J. Hibbard and Donna G. Hibbard, husband and wife, recorded March 31, 2008 as Instrument No. 184720. ; and after the fulfillment of the conditions specified in said Deed of Trust authorizing the conveyance as follows:

(a) Default occurred in the obligations for which such Deed of Trust was given as security and the Beneficiary made demand upon the Successor Trustee to sell said property pursuant to the terms of said Deed of Trust. The Notice of Default was recorded as Instrument No. 196136, records of said County, Idaho, the nature of such default being set forth in said Notice of Default. Such default still existed at the time of sale.

(b) After recordation of said Notice of Default, Successor Trustee gave notice of the time and place of the sale of said property by registered or certified mail, by personal service upon the occupants of said real property, or by posting in a conspicuous place on said premises and by publishing in a newspaper of general circulation in the county in which the property is situated as more fully appears in affidavits recorded at least 20 days prior to the date of sale as Instrument No. 0000196297, records of said County, Idaho.

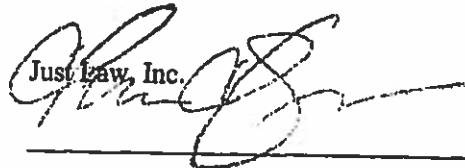
(c) The provisions, recitals and contents of the Notice of Default referred to in paragraph (a) and of the Affidavits referred to in paragraph (b) shall be and they are hereby incorporated herein and made an integral part hereof for all purposes as though set forth herein at length.

(d) All requirements of law regarding the mailing, personal service, posting, publication and recording of the Notice of Default and Notice of Sale and of all other notices have been complied with.

(e) Not less than 120 days elapsed between the giving of notice of sale by certified mail and the sale of said property.

(f) Successor Trustee, at the time and place of sale fixed by said notices, at public auction, in one parcel, struck off to Gary J. Hibbard and Donna G. Hibbard, husband and wife, being the highest bidder, the property herein described for the sum of \$32,000.00, subject however to all prior liens and encumbrances. No person or corporation offered to take any part of said property less than the whole thereof for the amount of principal, interest, advances, and costs.

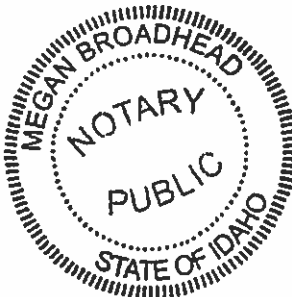
In WITNESS WHEREOF, the Successor Trustee, Just Law, Inc., has caused his name to be hereunto subscribed this 21 day of August, 2015.


Just Law, Inc.

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 19th day of August, 2015, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Charles C. Just, known to me to be the President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, whose name is subscribed to the within instrument and acknowledged to me that such corporation executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 19th day of August, 2015.




Notary Public for Idaho
Residing at Idaho Falls
Commission expires: 11/7/2018



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

September 21, 2015

GARY EDEN
GLENN EDEN
414 N 800 W
SHOSHONE ID 83352

RE: Change of Ownership for Water Right Nos. 37-21394

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: TitleOne (Order 15257698)



706 Main St.
Gooding, ID 83330
Ph. (208) 934-8477
Fx. (866) 244-0878
www.titleonecorp.com

RECEIVED

SEP 17 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

Date: 09/14/2015

Escrow No. 15257698

Dear Sirs:

Enclosed, please find Notice of Change in Water Right Ownership and copies of Trustees Deed and Warranty Deed, along with check in the amount of \$25.00 for the transfer of 20.4 inches (0.408 cfs) of Big Wood River Decreed Water Right # 37-21394

Thank you

Debbie Zatica

Escrow Assistant

(208) 934-8477

PO Box 473/ 706 Main Street

Gooding, ID 83330