



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

April 2, 2015

STEPHEN LEE GALLOWAY
213 S 2ND E
DOWNEY ID 83234

RE: Notice of Change in Water Right Ownership No. 29-11767 and 29-11768

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership on March 16, 2015 for the above mentioned water rights. After reviewing the request, it was determined that these water rights are not appurtenant to the land described on the warranty deed you provided.

The legal description of the property is Lot 4, 52067 acres in Section 18, Township 11 South, Range 37, EBM. Water right 29-11767 is located in Township 11S, Range 37E, Section **21**, SESE. Water right 29-11768 is located in Township 11S, Range 37E, Section **19**, NWNW.

The Department is returning Notice of Change in Water Right Ownership and the attachments. I have requested a refund which you should receive within 10 days under separate cover from the State Controller's office. If you have any questions regarding this matter, please call me at (208) 287-4942.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosures

RECEIVED

MAR 16 2015

DEPARTMENT OF
WATER RESOURCES

Form 42-248/42-1409(6) Rev 08/14

STATE OF IDAHO
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. 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?
29-11767	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-11768	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Harvey L Galloway & Marie C Galloway
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Stephen Lee Galloway
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 213 South 2nd East Donny ID 83234
Mailing address City State ZIP
- 208 905 4535 sgalloway@lander.k12.id.us
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur? NA
☐ 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: 7-14-2005 (warranty deed date)
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. \$50 total for both rights
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: Stephen Lee Galloway Title, if applicable: _____ Date: March 11, 2015
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JPD Date 3-16-15 Receipt No. 4100097 Receipt Amt. \$50⁰⁰
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 _____

WARRANTY DEED

For Value Received *Harvey Lee Galloway*
Marie C Galloway

20912747

the grantor's do hereby grant, bargain, sell and convey unto Stephen Lee Galloway

whose current address is *2081 Ware Rd.*
Downey, Idaho
83234

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

Lot 4, 52.67 acres in Section 18, Township 11 South,
Range 37, EBM (Said property is located at the Northeast corner
of Ware Road and Ray Road, South of Virginia, Idaho)

OFFICIAL RECORD BOOK # 920
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE \$ DEPUTY *171*

Marie C. Galloway
20912747 2009 JUN 10 P 1:33

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
and his heirs and assigns forever. And the said Grantor's do hereby covenant to and
with the said Grantee, that they the owner's in fee simple of said premises; that they are free
from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated:

Harvey Lee Galloway

Marie C. Galloway

STATE OF IDAHO, COUNTY OF
On this *14* day of *July*, *2005*
before me, a notary public in and for said State, personally
appeared
Harvey Lee Galloway
Marie C. Galloway

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that executed the same.

Barbara A. Bybee
Notary Public
Residing at *Downey*, Idaho
Comm. Expires *12-22-05*

BARBARA A. BYBEE
Notary Public
State of Idaho

Furnished by the AMERICAN LAND TITLE CO., Pocatello, Idaho

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/10/2015

Water Right 29-11767

Owner Type **Name and Address**
Current Owner HARVEY L GALLOWAY
 PO BOX 248
 DOWNEY, ID 83234
 (208)897-5374

Current Owner MARIE C GALLOWAY
 2081 WARE RD
 PO BOX 248
 DOWNEY, ID 83234
 (208)897-5374

Priority Date: 4/27/1971

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.020 CFS	

Source and Point(s) of Diversion

GROUND WATER SESE Sec. 21, Twp 11S, Rge 37E, BANNOCK County

Place Of Use

STOCKWATER within BANNOCK County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	37E	21																X	

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. R4433021300 STOCKWATER, 50 CATTLE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/10/2015

Water Right 29-11768

Owner Type **Name and Address**
Current Owner HARVEY L GALLOWAY
 PO BOX 248
 DOWNEY, ID 83234
 (208)897-5374

Current Owner MARIE C GALLOWAY
 2081 WARE RD
 PO BOX 248
 DOWNEY, ID 83234
 (208)897-5374

Priority Date: 4/1/1941

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion

GROUND WATER NWNW Sec. 19, Twp 11S, Rge 37E, BANNOCK County

Place Of Use

DOMESTIC within BANNOCK County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	37E	19						X											

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. R4433019502