

DEC 02 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
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: | Lynn H. Harris and Timothy H. Harris | | |
| | Name of current water right holder/claimant | | |
| 3. New Owner(s)/Claimant(s): | Edward A. Gilhuly and Karen Gilhuly, Trustees of the Edward and Karen Gilhuly Trust | | |
| | New owner(s) as listed on the conveyance document | Name connector | ☐ and ☐ or ☐ and/or |
| 376 Mountain Home Court | Woodside | CA | 94062 |
| Mailing address | City | State | ZIP |
| (650) 851-5441 | karengilhuly@gmail.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 5, 2000

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: <u>[Signature]</u>	Trustee _____	<u>10/21/14</u>
Signature of new owner/claimant	Title, if applicable _____	Date _____
Signature: <u>[Signature]</u>	Trustee _____	<u>10/22/14</u>
Signature of new owner/claimant	Title, if applicable _____	Date _____

For IDWR Office Use Only:

Received by DM Date 12.2.2014 Receipt No. 5034428 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 DA Date 12.2.2014

Order No. 26844

INSTRUMENT # 44884
HAILEY BLAINE, IDAHO
2000-06-29 04:02:00 No. of Pages: 1
Recorded for : SAWTOOTH TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Office Recorder Deputy
Inns to WYOCORP DEF

WARRANTY DEED

FOR VALUE RECEIVED

TIMOTHY H. HARRIS and LYNNE H. HARRIS, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

THE GULCH TRUST DATED 12/1/85, David Boyle, Trustee

GRANTEE(s) whose address is: 2400 Carlton Point, Kirkland, WA 98033

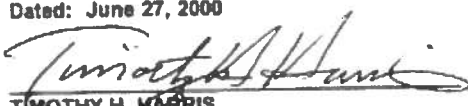
the following described real property in Blaine County, Idaho, to wit:

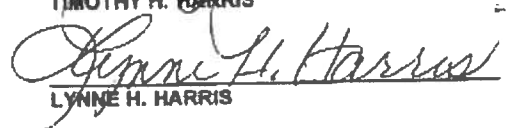
Lot 1, Block 1 of ADAMS GULCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 272239, records of Blaine County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

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

Dated: June 27, 2000


TIMOTHY H. HARRIS

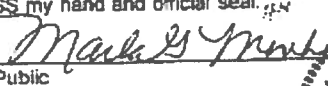

LYNNE H. HARRIS

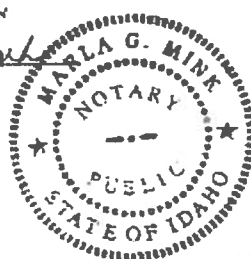
State of Idaho

County of Blaine

On this 27th day of June, in the year 2000, before me, the undersigned, personally appeared TIMOTHY H. HARRIS and LYNNE H. HARRIS, 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.

WITNESS my hand and official seal.


Notary Public
Commission Expires: 12/01/2000



RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

27257

Instrument # 442887

HAILEY BLAINE, IDAHO

2000-09-06

03:21:00 No. of Pages: 2

Recorded for: SAWTOOTH TITLE

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to WTY/CIC/CORP DEED

(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, David E. Boyle, Successor Trustee of the GULCH TRUST ("Grantor" whether one or more), hereby grants, bargains, sells and conveys unto EDWARD A. GILHULY and KAREN H. GILHULY, Trustees of the EDWARD AND KAREN GILHULY TRUST, DATED AUGUST 3, 1993, whose current address is c/o Kolberg, Kravis, Roberts, 2800 Sand Hill Road, Suite 200, Menlo Park, CA 94025, Attention: Sue Schoenthaler ("Grantee", whether one or more), that certain real property situated in Blaine County, Idaho and particularly described as follows (the "Property"):

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 the following:

1. Liens for taxes and assessments not yet due and payable;
2. Reservations and exceptions in any patents from the United States or any patent or deed from the State of Idaho;
3. Building and zoning ordinances and regulations;
4. Covenants, conditions, rights-of-way, easements and restrictions of record if any as disclosed by the records of Blaine County, Idaho; and
5. Residential Lease Agreement between Grantor, as Landlord, and Timothy H. and Lynne H. Harris, as Tenant.

TOGETHER WITH a portion of Water Right No. 37-02165 for the diversion of 0.2 cfs of Adams Gulch which has been claimed as A37-02165B in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576 (the "SRBA"), **SUBJECT TO** the final outcome of all proceedings in and the provisions, terms and conditions of the decree to be entered in the SRBA.

TO HAVE AND TO HOLD, the said 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 Property, that said 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. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor has claimed said Water Right in the SRBA and the same is free from all encumbrances except as above-described, and that the Grantor will warrant and defend the same from all lawful claims whatsoever. However, notwithstanding the description of the Water Right set forth above, Grantor does not make any representation or warranty as to the amount, volume or any other element of such Water Right.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the date set forth below.

"GRANTOR"

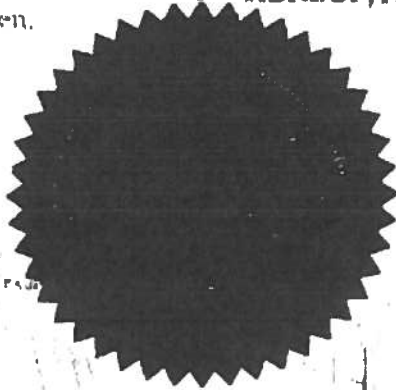
Date: 9/5/00

David E. Boyle
David E. Boyle, Successor Trustee of the GULCH TRUST

STATE OF WASHINGTON)
County of Lincoln) ss.

On this 5th day of September 2000, before me, the undersigned, a notary public in and for said state, personally appeared David E. Boyle, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he is the successor trustee of the Gulch Trust and that he executed the same as such successor trustee..

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



David E. Boyle
Notary Public for Washington
Residing at: Edmond
Comm. Expires: 01/15/2004

DEC 02 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

October 24, 2014

Trish Fawcett
Idaho Department of Water Resources
650 Addison Ave. W
Suite 50
Twin Falls, Idaho 83301

Re: *Water Right No. 37-2165B - Edward A. Gilhuly and Karen Gilhuly, Trustees of the Edward and Karen Gilhuly Trust*

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 Right signed by my clients and the current owners, Edward A. Gilhuly and Karen Gilhuly, Trustees of the Edward and Karen Gilhuly Trust. I have also enclosed my firm's check payable to the Department for the \$25 filing fee. Please note that we inadvertently checked the box for the plat map in Section 7. We do not include one since the Water Right is not split and the property in question is a subdivision lot.

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.



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

December 2, 2014

EDWARD & KAREN GILHULY TRUST
376 MOUNTAIN HOME CT
WOODSIDE CA 94062

RE: Change of Ownership for Water Right Nos. 37-2165B

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. 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,

A handwritten signature in black ink, appearing to read 'Trish Fawcett', is written over a horizontal line.

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: James P. Speck, Speck & Aanestad