

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
13-2223 OP	Yes ☐		Yes ☐		Yes ☐
13-2256 OP	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Carl & Wanda Mortenson

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Janis GARNER BUTTARS

New owner(s) as listed on the conveyance document

Name connector

☐ and

☐ or

☒ and/or

233 W. 100 N.

Mailing address

CLIFTON

City

ID

State

83228

ZIP

208-747-3421

Telephone

bbusybhbhb@gmail.com

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. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature: Janis Garner Butters

Signature of new owner/claimant

Title, if applicable

Date

12/9/2013

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

SUPPORT DATA

For IDWR Office Use Only:

Received by: JTB

Date: 12/9/2013

Receipt No. E039359

Receipt Amt. \$50. -

Approved by: JTB

Processed by: JTB

Date: 1/16/2013

IN FILE # 13-2223

WARRANTY DEED

For Value Received

CARL A. MORTENSEN and WANDA P. MORTENSEN, Husband and Wife,
the grantors, do hereby grant, bargain, sell and convey unto

GARY T. GARNER and NOLA S. GARNER, Husband and Wife,

whose current address is

4165 Clover Lane
Salt Lake City, Utah 84101

the grantees, the following described premises, in Franklin County Idaho, to wit:

See Exhibit "A" attached hereto and incorporated herein
by reference thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that they are free
from all incumbrances

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

Dated: August 10, 1979

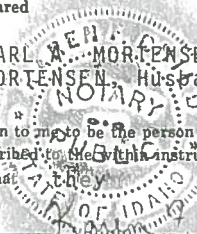
Carl A. Mortensen

Wanda P. Mortensen

STATE OF IDAHO, COUNTY OF Franklin
On this 10th day of August, 1979,
before me, a notary public in and for said State, personally
appeared

CARL A. MORTENSEN and WANDA P.
MORTENSEN, Husband and Wife,

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.



Notary Public
, Idaho

Residing at Preston
Comm. Expires Lifetime

Recorded at the request of

Nola S. Garner

— a.m. FEB 14 1983 1:50 p.m.

MICHAEL D. KUNZ, RECORDER
By Shirley J. Smith Deputy
FRANKLIN COUNTY, IDAHO

EXHIBIT "A"

161788 2-2

Township 14 South, Range 38 East of the Boise Meridian, Franklin County, Idaho

Section 22: Commencing at a point 1825 feet North and 1248 feet East of the Southwest corner of Section 22, and running thence North 43°18' West 237 feet; thence North 30° East 501 feet; thence South 7°51'30" East 867 feet; thence North 24°30' West 24 feet; thence North 43°18' West 288 feet to the point of beginning.

Sections 21

and 22: Commencing at a point 724 feet North of the Southwest corner of Section 22; and running thence North 45°40' East 96 feet; thence North 71°17' East 960 feet, more or less, to the West line of a Village Street; thence North 15°38' West 105 feet, more or less, to the North line of a village street; thence North 74°39' East 651.2 feet; thence North 42°24' West 1264.5 feet, more or less, to a point South 42°24' East 444 feet from a point S 75° E 385 feet from the Northeast corner of the Southeast Quarter of Section 21; thence Southwesterly in a straight line to the Northwest corner of the Southeast Quarter of the Southeast Quarter of Section 21; thence South 80 rods; thence East 520 feet; thence North 32° East 300 feet; thence North 6°30' East 260 feet; thence North 80°51' East 385 feet; thence North 58°25' East 274 feet, more or less, to the point of beginning.

Commencing at the Southeast corner of Section 21, and running thence North 89°52' West 800 feet; thence North 32° East 300 feet; thence North 6°30' East 260 feet; thence North 80°51' East 385 feet; thence North 58°25' East 274 feet; thence North 71°17' East 1042.5 feet; thence South 15°20' East 452 feet; thence South 62°31' West 168 feet; thence South 4°42' West 544.5 feet; thence North 89°52' West 915 feet to the place of beginning.

Section 27: NW¼NW¼. EXCEPTING THEREFROM: Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 22, and running thence North 57.2 feet; thence South 89°41' West 452.5 feet; thence South 2°23' East 130.12 feet; thence North 89°41' East 446.9 feet; thence North 72.8 feet to the point of beginning.

Section 28: E½NE¼. EXCEPTING THEREFROM: Beginning at the East Quarter Corner of Section 28, and running thence North 1155 feet; thence West 660 feet; thence South 655 feet to the South side of Clifton Basin Road; thence Southwesterly along said road to a point 300 feet North of the Southwest corner of the Southeast Quarter of the Northeast Quarter of Section 28; thence South 300 feet; thence East 1320 feet to the point of beginning.

ALSO EXCEPT: Commencing at the Southwest corner of the NE¼NE¼ of said Section 28, thence North 26°50' East 370 feet; thence North 36°40' East 76 feet; thence North 52°50' East 454 feet; thence South 24°19' East 17.5 feet to the TRUE POINT OF BEGINNING; and running thence North 65°41' East 68 feet; thence South 24°19' East 100 feet; thence South 65°41' West 100 feet; thence North 24°19' West 100 feet; thence North 65°41' East 32 feet to the place of beginning.

TOGETHER WITH Seven and one-fourth (7 1/4) shares of water stock in Clifton Irrigation Company, and Well License No. G-29358.

200603

a.m. DEC 28 2006 p.m.

GIFT DEED

V. ELLIOTT LARSEN, RECORD
By Nola S. Garner Def
FRANKLIN COUNTY, IDAHO

AS A GIFT, NOLA S. GARNER, a widow, of P. O. Box 66, Clifton, Idaho 83328, ("Grantor"), does hereby give, confirm and convey unto her daughter, JANIS GARNER BUTTARS, a married person, as her sole and separate property, and with the income (including the rents, issues and profits), and the increase, to remain her sole and separate property, of P. O. Box 107, Clifton, Idaho 83228, ("Grantee"), an undivided One and 9347/1000 (1.9347%) interest in and to the following described real property located in Franklin County, State of Idaho, to-wit:

TRACT "D" KNOWN IN THE FAMILY AS PARCEL FIVE AND PARCEL SIX:

Twp. 14 S., Rge. 38 E., Boise Mer.:

Sec. 22: Commencing at a point 1825 feet North and 1248 feet East of the Southwest corner of Sec. 22, and running thence N43°18'W 237 feet; thence N30° E 501 feet; thence S07°51'30"E 867 feet; thence N24°30'W 24 feet; thence N43°18'W 288 feet to the point of beginning.

Secs. 21
and 22: Commencing at a point 724 feet North of the Southwest corner of Sec. 22; and running thence N45°40'E 96 feet; thence N71°17'E 960 feet, more or less, to the West line of a Village Street; thence N15°38' W 105 feet, more or less, to the North line of a village street; thence N74°39'E 651.2 feet; thence N42°24'W 1264.5 feet, more or less, to a point S42°24'E 444 feet from a point S75°E 385 feet from the Northeast corner of the SE¼ of Sec. 21; thence Southwesterly in a straight line to the Northwest corner of the SE¼SE¼ of Sec. 21; thence South 80 rods; thence East 520 feet; thence N32°E 300 feet; thence N06°30'E 260 feet; thence N80°51'E 385 feet; thence N58°25'E 274 feet, more or less to the point of beginning.

Commencing at the Southeast corner of Sec. 21, and running thence N89°52'W 800 feet; thence N32°E 300 feet; thence N06°30'E 260 feet; thence N80°51'E 385 feet; thence N58°25'E 274 feet; thence N71°17'E 1042.5 feet; thence S15°20'E 452 feet; thence S62°31'W 168 feet; thence S04°42'W 544.5 feet; thence N89°52'W 915 feet to the place of beginning.

SAVING AND EXCEPTING from Sec. 22, the following:

Commencing at a point 724 feet North of the Southwest corner of Sec. 22, Twp. 14 S., Rge. 38 E., Boise Mer., Franklin County, Idaho; and running thence N 45°40' E 96 feet; thence North 71°17' E 960 feet, more or less, to the West line of a City Street; thence N 15°38' W 85 feet, more or less, to the South line of a City Street, which is the TRUE POINT OF BEGINNING; thence S 15°38' E along the

West line of a City Street to the end point on the last segment of the new Boundary Line between the Gary T. Garner and Nola S. Garner property on the North and the then Karl D. and Barbara H. Reeder Family Trust property on the South, established by Boundary Line Agreement and Quitclaim Deed, recorded on March 8, 2004, as Instrument #225377, records of Franklin County, Idaho, which is marked by a 5/8" rebar and cap; thence S 74°50'37" W 235.95 feet along a fence line, which is the last segment of the new Boundary Line running in the opposite direction from the end point of the last segment to the beginning point of the last segment; and thence Northwesterly in a straight line to a point S 74°22' W 400 feet from the TRUE POINT OF BEGINNING; thence N 74°22' E 400 feet to the TRUE POINT OF BEGINNING.

BUT INCLUDING IN THIS CONVEYANCE an easement for a non-exclusive private road 60 feet in width along the Southern boundary of the property excepted herefrom (which is 235.95 feet in length on the Southern line thereof) for the benefit of property in Tract "D" conveyed herein to which the easement is appurtenant.

Sec. 27: NW¼NW¼

EXCEPTING FROM SEC. 22 AND SEC. 27: Commencing at the Southeast corner of the SW¼SW¼ of Sec. 22, and running thence North 57.2 feet; thence S89°41'W 452.5 feet; thence S02°23'E 130.12 feet; thence N89°41'E 446.9 feet; thence North 72.8 feet to the point of beginning.

Sec. 28: E½NE¼. EXCEPTING THEREFROM: Beginning at the East Quarter Corner of Sec. 28, and running thence North 1155 feet; thence West 660 feet; thence South 655 feet to the South side of Clifton Basin Road; thence Southwesterly along said road to a point 300 feet North of the Southwest corner of the SE¼NE¼ of Sec. 28; thence South 300 feet; thence East 1320 feet to the point of beginning.

ALSO EXCEPT: Commencing at the Southwest corner of the NE¼NE¼ of said Sec. 28, and running thence North 26°50'E 370 feet; thence N36°40'E 76 feet; thence N52°50'E 454 feet; thence S24°19'E 17.5 feet to the TRUE POINT OF BEGINNING, and running thence N35°41'E 68 feet; thence S24°19'E 100 feet; thence S65°41'W 100 feet; thence N24°19'W 100 Feet; thence N65°41'E 32 feet to the place of beginning.

TOGETHER WITH a like percentage in Seven and one-fourth (7¼) shares of the water stock in Clifton Irrigation Company, and Well License No. G-29358.

Parcel Six:

Twp. 14 S., Rge. 38 E., Boise Mer.:

Sec. 21: Commencing at a point N75°E 385 feet from the Northeast corner of the SE¼ of Sec. 21, and running thence S42°24'E 444 feet; thence S62°W 75 rods, more or less, in a straight line to the Clifton Creek Ditch; thence following said Clifton Creek Ditch Northerly to a point 70 rods, more or less, S75°W of the point of beginning; thence N75°E 70 rods, more or less, to the point of beginning. Subject to the existing right-of-ways, EXCEPTING THEREFROM HOWEVER, Commencing at a point N75°E 385 feet and S42°24'E 444 feet from the NE¼ of said Sec. 21, being the TRUE POINT OF BEGINNING: Thence S62°W 208.75 feet; thence N42°24'W 208.7 feet; thence N62°E 208.75 feet; thence S42°24'E 208.7 feet to the true point of beginning.

Together with a like percentage of all mineral rights this property is presently entitled to, along with improvements and appurtenances.

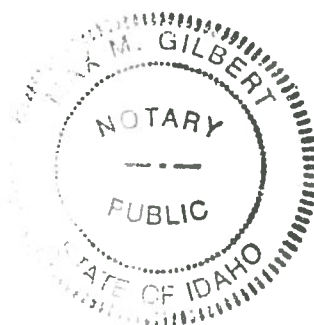
DATED This 28th day of December, 2006.


NOLA S. GARNER

Acknowledgment

STATE OF IDAHO,)
)
) ss.
County of Franklin.)

On this 28 day of December, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Nola S. Garner**, a widow, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.




Notary Public for Idaho
Residing at Preston
My Commission Expires: 3-6-2012

1-3
236289

Nola S. Garner
____ a.m. DEC 28 2006 p.m. 1:1

GIFT DEED

V. ELLIOTT LARSEN, RECORDER
By [Signature] Deput
FRANKLIN COUNTY, IDAHO

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Recorded at the request of

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ALSO EXCEPT: Commencing at the Southwest corner of the NE¼NE¼ of said Sec. 28, and running thence North 26°50'E 370 feet; thence N36°40'E 76 feet; thence N52°50'E 454 feet; thence S24°19'E 17.5 feet to the TRUE POINT OF BEGINNING, and running thence N35°41'E 68 feet; thence S24°19'E 100 feet; thence S65°41'W 100 feet; thence N24°19'W 100 Feet; thence N65°41'E 32 feet to the place of beginning.

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3-3
236289

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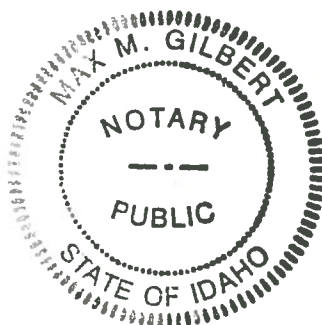
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NOLA S. GARNER

Acknowledgment

STATE OF IDAHO,)
)
County of Franklin.)
ss.

On this 28 day of December, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Nola S. Garner**, a widow, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.




Notary Public for Idaho
Residing at Preston
My Commission Expires: 3-6-2012

238035 1-3

GIFT DEED

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Recorded at the request of

Nola Garner

SAVING AND EXCEPTING from Sec. 22, the following:

10:08
a.m. JUN 11 2007 p.m.

/s/ ELLIOTT LARSEN, RECORDER
by Shauna Gaddes Deputy
FRANKLIN COUNTY, IDAHO

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238035 3-3

Parcel Six:

Twp. 14 S., Rge. 38 E., Boise Mer.:

Sec. 21: Commencing at a point N75°E 385 feet from the Northeast corner of the SE¼ of Sec. 21, and running thence S42°24'E 444 feet; thence S62°W 75 rods, more or less, in a straight line to the Clifton Creek Ditch; thence following said Clifton Creek Ditch Northerly to a point 70 rods, more or less, S75°W of the point of beginning; thence N75°E 70 rods, more or less, to the point of beginning. Subject to the existing right-of-ways, EXCEPTING THEREFROM HOWEVER, Commencing at a point N75°E 385 feet and S42°24'E 444 feet from the NE¼ of said Sec. 21, being the TRUE POINT OF BEGINNING: Thence S62°W 208.75 feet; thence N42°24'W 208.7 feet; thence N62°E 208.75 feet; thence S42°24'E 208.7 feet to the true point of beginning.

Together with a like percentage of all mineral rights this property is presently entitled to, along with improvements and appurtenances.

DATED This 2nd day of January, 2007.


NOLA S. GARNER

Acknowledgment

STATE OF IDAHO,)
ss.
County of Franklin.)

On this 11th day of ~~January~~ ^{June}, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Nola S. Garner, a widow, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.





Notary Public for Idaho
Residing at PRESTON, ID
My Commission Expires: 11-16-12

STATE OF IDAHO
CERTIFICATION OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF HEALTH POLICY AND VITAL STATISTICS
CERTIFICATE OF DEATH

Date Filed **DECEMBER 12, 2005**

State File No. **2005-09526**

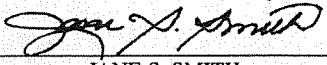
DECEDENT - LEGAL NAME GARY T. GARNER			
SEX MALE	SOCIAL SECURITY NUMBER [REDACTED]	AGE 74 YEARS	DATE OF BIRTH DECEMBER 15, 1930
BIRTHPLACE TETON, IDAHO		PLACE OF RESIDENCE CLIFTON, IDAHO	
MARITAL STATUS AT TIME OF DEATH MARRIED		NAME OF SURVIVING SPOUSE (if wife, maiden name) NOLA SMART	WAS DECEDENT EVER IN U.S. ARMED FORCES? YES
FATHER - NAME FRANCIS MARION GARNER			BIRTHPLACE IDAHO
MOTHER - MAIDEN NAME ARVILLA CLOE TERRY			BIRTHPLACE IDAHO
METHOD OF DISPOSITION BURIAL		FUNERAL SERVICE LICENSEE DOUGLAS S. WEBB	
NAME AND ADDRESS OF FUNERAL FACILITY WEBB FUNERAL HOME, PRESTON, IDAHO			
DATE OF DEATH DEC. 01, 2005	TIME OF DEATH 5:48 P.M.	CITY, TOWN OR LOCATION OF DEATH CLIFTON, IDAHO	COUNTY OF DEATH FRANKLIN
CAUSE OF DEATH (underlying cause last) a. STROKE			Approximate Interval Between Onset and Death 2 WEEKS
b. ATHEROSCLEROTIC VASCULAR DISEASE			YEARS
c. DUE TO (or as a consequence of):			
d. DUE TO (or as a consequence of):			
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE STATED			WAS AN AUTOPSY PERFORMED? NO
MANNER OF DEATH NATURAL		NAME OF CERTIFIER LYNN PERRINS ESKELSON, M.D.	TITLE PHYSICIAN
CORONER SUBSEQUENT CERTIFICATION IF NECESSARY			
EXTERNAL CAUSES ONLY			
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?
LOCATION WHERE INJURY OCCURRED			
DESCRIPTION OF HOW INJURY OCCURRED			

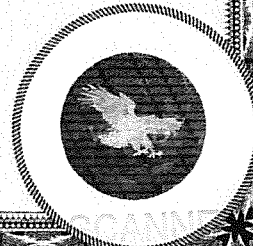
SUPPLEMENTAL INFORMATION ADDED 12/19/2005

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF HEALTH POLICY AND VITAL STATISTICS.

DATE ISSUED: **DECEMBER 19, 2005**

This copy not valid unless prepared on engraved border displaying state seal and signature of the Registrar.


JANE S. SMITH
STATE REGISTRAR



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

JAN 17 2006

260303

QUIT CLAIM DEED

Recorded at the request of
Janis Butters
Time 4:30 Amount \$ 10.00

DEC 13 2013

SHAUNA T. GEDDES, RECORDER
By [Signature] Deputy
Franklin County, Idaho

Nola S. Garner (a widow),

Grantor of Clifton, County of Franklin, State of Idaho, hereby Quit Claims to:

Janis Garner Butters and Ryan Keith Butters and Nola Smart Garner

Grantee(s) of Clifton, County of Franklin, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described water rights in Franklin County, State of Idaho:

Butters
P.O. Box 107/233 W. 100N.
Clifton ID. 83228

WATER RIGHT # 13-2223

WATER RIGHT # 13-2256

Witness, the hand of said grantor, this Dec 13, 2013, 2013

[Signature: Nola S. Garner]
Nola S. Garner

State of ID)
County of Franklin)ss:

On December 13, 2013, personally appeared before me **Nola S. Garner**, who duly acknowledged to me that SHE executed the same.

Residing: PRESTON, ID
Expires: 11-18-16



[Signature: Shauna T. Geddes]
Notary Public