



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

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

December 21, 2012

GARY T GILDNER
96 BLACK TAIL VIEW
GRANGEVILLE ID 83530

RE: Ownership Change Water Right No. 86-10764

Dear Interested Parties:

The Department of Water Resources received a request for a Notice of Change in Water Right Ownership on December 17, 2012. After reviewing the request, it was determined this water right is not appurtenant to your property. Water right 86-10764 is for property located in Township 30N, Range 03E, Section 26 in the SWSE. Your property is located in Township 30N, Range 03E, Section 26 in portions of the NESW, NWSE and SESW. Since the legal description does not match the water right, this request cannot be completed.

We are returning the Notice and its attachments. 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 I

Enclosures

96 Black Tail View
Grangeville, ID 83530-5097
208.983.1663

14 December 2012

Mr. Ken Noblock
Northern Regional Office
Idaho Department of Water Resources
7600 North Mineral Drive
Suite 100
Coeur d'Alene, Idaho 83815

RECEIVED

DEC 17 2012

IDWR / NORTH

Re: *Water Right Change of Ownership*
Water Right/Claim No. 85-10764
Foster to Gildner

Dear Ken Noblock:

Enclosed please find the executed Notice of Change in Water Right Ownership, together with a check in the amount of \$25.00. Supporting documentation is also attached: (1) Warranty Deed from Joseph W. Foster and Jane Foster to Gary Gildner and Elizabeth Sloan, executed 24 July 1992, filed of record in Idaho County, #364442, on 31 July 1992, and also attached; Quit Claim Deed from Elizabeth Sloan to Gary Gildner, executed 25 March 2002, filed of record in Idaho County, #422090, on 25 April 2002, regarding the same property.

The street address for this property was changed by the US Postal Service in approximately 2005, from Rt. 2, Box 219, Grangeville, Idaho, to 96 Black Tail View, Grangeville, Idaho.

Thank you for sending me the Notice of Claim and for speaking with me this week. If I haven't provided the sufficient documents, if you need more information or additional documentation, please do not hesitate to contact me or phone me at the above number.

Again, thanks.

Sincerely,



Michele T. Gildner

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 17 2012

IDWR / NORTH

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?
85-10764	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

JOSEPH W. FOSTER

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

GARY T. GILDNER

Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and

☐ or

☐ and/or

96 BLACK TAIL VIEW

Mailing address

GRANGEVILLE

City

State

ZIP

ID

83530

208.983.1663

Telephone

michelegildner@gmail.com

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

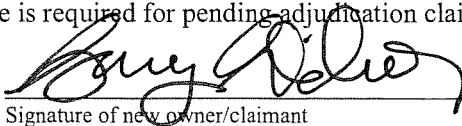
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: JULY 24, 1992

6. 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.

7. Signature:



Signature of new owner/claimant

Title, if applicable

12/14/12

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

12/17/2012

Receipt No.

N029600

Receipt Amt.

25.00

Approved by

Processed by

Date

364142

WARRANTY DEED

COMPUTER ()
INDEXED ()
TRACTED ()
FILMED ()
ASSESSOR ()

This indenture, made on this 24th day of July, 1992, by and between JOSEPH W. FOSTER and JANE E. FOSTER, husband and wife, as Grantors, and GARY T. GILDNER and ELIZABETH M. SLOAN, husband and wife, as Grantees, whose address is Rt. 2, Box 219, Grangeville, Id. 83530.

WITNESSETH:

That the said Grantors, for good and valuable consideration to them in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, and by these presents do grant, bargain, sell, convey and confirm unto said Grantees, their heirs and assigns forever, all the following described property, to wit:

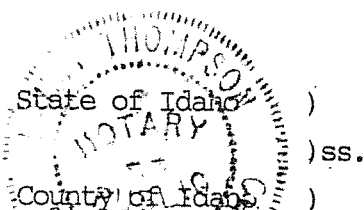
Township 30 North, Range 3 East, B.M. Idaho County, Idaho
Section 26: A parcel lying in the E $\frac{1}{2}$ SW $\frac{1}{4}$ which is more particularly described as follows:
Beginning at the South $\frac{1}{4}$ Corner of said Section 26,
thence S.88°09'58"W., 776.884 feet along the South line
of said Section 26 to a property corner monument,
thence N.8°10'25"W., 1,470.911 feet to the Real Point of
Beginning, a found property corner monument;
thence N.74°32'51"E., 863.96 feet to a property corner
thence S.69°58'57"E., 341.20 feet to a property corner,
thence S.13°47'56"E., 132.09 feet to a property corner,
thence S.64°54'23"W., 179.29 feet to a property corner,
thence S.62°07'47"W., 366.37 feet to a property corner,
thence N.78°59'44"W., 692.65 feet to a property corner
thence N.08°10'25"W., 131.30 feet to the Real Point of
Beginning, containing 8.1 acres, more or less.

Together With, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profit thereof, and all estate, right, title and interest in and to the said property as well as in law as in Equity of the Grantors.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantors, will and shall WARRANT AND FOREVER DEFEND IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Joseph W. Foster
JOSEPH W. FOSTER

Jane E. Foster
JANE E. FOSTER



On this 24 day of July, 1992, before me a notary public for the said county and state, personally appeared JOSEPH W. FOSTER and JANE E. FOSTER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged to me that they executed the same.

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

Harold Thompson
Notary Public for the State of Idaho
Residing at Grangeville, therein

Filed and recorded at the request of INLAND TITLE CO.
at 9:50 o'clock A M this 31 day of July 1992
By Edith L. Anderson
Deputy

ROSE E. GEHRING
Ex-Officio Auditor and Recorder
Blaine County, Idaho
Fee \$ 6.00

422090

COMPUTER []
INDEXED []
SCANNED []

QUITCLAIM DEED

THIS INDENTURE Made this 25th day of March, 2002, between **ELIZABETH M. SLOAN**, party of the first part, and **GARY GILDNER**, party of the second part, who has stated his current address to be: Rt. 2 Box 219 Grangeville, ID 83530

WITNESSETH, That

The party of the first part, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable considerations, to her in hand paid by the party of the second part, receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the party of the second part, and to her heirs and assigns, all of her right, title and interest now held or hereafter acquired in and to the following described real property, situate in the County of Idaho, State of Idaho, to-wit:

Attached as Exhibit A

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD All and singular the said premises unto the party of the second part, and to her heirs and assigns forever.

STATE of IDAHO
County of Idaho
Recorded at request of Gary Gildner
at 2:35 P m on 4-25-02
ROSE E. GEHRING
By [Signature] Recorder
Fees \$ 4.00 Deputy [Signature]

10/2
Rt 2 Box 219
Grangeville, Id
83530

1

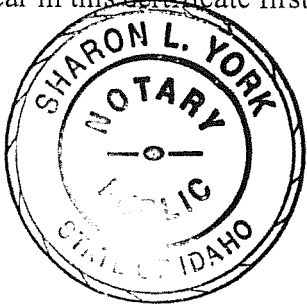
1 IN WITNESS WHEREOF the party of the first part has hereunto set her hand and seal the
2 day and year hereinabove first written.

3 Elizabeth Sloan
4 ELIZABETH M. SLOAN

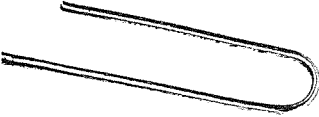
5
6
7 STATE OF IDAHO)
8 Clarendon) ss.
9 County of Nez Perce)

10 On this 27th day of March, 2002, before me, the undersigned, a Notary Public in and for
11 said state, personally appeared Elizabeth M. Sloan, known or identified to me to be the person whose
12 name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



20 Sharon L. York
21 Notary Public for the State of Idaho
22 Residing at Clarendon therein.
23 My commission expires 12/17/04
24
25
26



Township 30 North, Range 3 East, B.M. Idaho County, Idaho

Section 26: A parcel lying in the $E\frac{1}{2}SW\frac{1}{4}$ which is more particularly described as follows:

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Beginning, a found property corner monument;
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thence N.08°10'25"W., 131.30 feet to the Real Point of
Beginning, containing 8.1 acres, more or less.



EXHIBIT

A

Idaho Department of Water Resources Receipt

Receipt ID: N029600

Payment Amount \$25.00 Date Received 12/17/2012 2:34 PM Region NORTHERN
Payment Type Check Check Number 3047
Payer GILDNER, GARY
Comments OWNER CHANGE RE 85-10764

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	65140	0229	21		1155



Signature Line (Department Representative)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 85-10764

WATER RIGHT NUMBER: 85-10764

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSEPH W FOSTER RT 2 BOX 219 GRANGEVILLE, ID 83530 (208)983-1461

Priority Date: 10/15/1983

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

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

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 26, Twp 30N, Rge 03E, B.M.
IDAHO County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
30N	03E	26																X	

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
30N	03E	26																X	

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 85-10764

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. PARCEL NO. RP30N03E268550 STOCKWATER, 3 HORSES
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 12/29/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank: