

RECEIVED

OCT 19 2011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN REGION

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?
PD 65-22628	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Harney Family Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): D. Paul Gilbert
Name of each new owner as listed on the conveyance document
Elisa Gilbert
New owner continued ☒ and ☐ or ☐ and/or
9825 N. Highway 52
Mailing address
Horseshoe Bend ID 83629
City State ZIP
(208) 584-3807 dana.gilbert@us.army.mil
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 17, 2011
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: D. Paul Gilbert Title, if applicable 10-17-11
Signature of new owner/claimant Date
Signature: Elisa Gilbert Title, if applicable 10-17-11
Signature of new owner/claimant Date

For IDWR Office Use Only:

Received by gmr Date 10-19-11 Receipt No. W039695 Receipt Amt. 25
Approved by gmr Processed by gmr Date 10-19-11



775 S. Rivershore Lane, Suite 120 / Eagle
Idaho 83616 / (208) 938-8075

Instrument # 283719

EMMETT, GEM, IDAHO
2011-09-15 01:25:57 PM No. of Pages: 3
Recorded for: PIONEER TITLE COMPANY OF GEM C
SHELLY GANNON Fee: \$16.00
Ex-Officio Recorder Deputy dwright
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

329557 AA.

103057 BH

WARRANTY DEED

For Value Received

Harney Family Trust dated March 13, 2009

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

D. Paul Gilbert and Elisa Gilbert, Husband and Wife

hereinafter referred to as Grantee, whose current address is 9825 N. Highway 52, Horseshoe Bend, ID
83629

the following described premises, to-wit:

See Attached Exhibit "A"

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free
from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made,
suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications,
easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and
assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that
Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

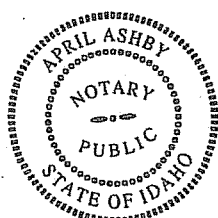
Dated: September 13, 2011

The Harney Family Trust

Janice A. Ruiz - Trustee
Janice A. Ruiz, Trustee

STATE OF Idaho, County of Ada, ss.

On this 14th day of September, in the year of 2011, before me April Ashby, a notary public
personally appeared Janice A. Ruiz, known or identified to me to be the person whose name is
subscribed to the within instrument as Trustee and acknowledged to me that she executed the same as
such Trustee.



April Ashby

April Ashby
Notary Public of Idaho
Residing at Kuna, ID
Commission expires: January 24, 2012^{ad}

File No.: 103057

EXHIBIT A

TRACT I:

That portion of Government Lots 1 and 2, Section 15, Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho, described as follows:

Commencing at the Northeast corner of the Northeast quarter of the Southeast quarter of said Section 15; thence South 00°10'58" West, 1397.47 feet along the East line of said Northeast quarter of the Southeast quarter and the East line of Government Lot 1 of said Section 15 to a point on the South right of way line of State Highway 52 marked by a found 5/8" iron pin; thence South 89°39'20" West, 1278.99 feet along said South right of way line to the Real Point of Beginning marked by a set 1/2" iron pin with plastic cap PLS 6552; thence South 00°10'23" East, 773.10 feet to a point on the North line of the Montour Valley Acquisition; thence North 89°32'23" West, 19.84 feet to a found 2" iron pipe with brass cap stamped "AP2" on the North line of the Montour Valley acquisition; thence South 79°28'38" West, 258.67 feet along said North line; thence North 00°10'23" West, 818.53 feet to a point on said South right of way line marked by a set 1/2" iron pin with plastic cap PLS 6552; thence North 89°39'20" East, 274.30 feet along said South right of way line to the Real Point of Beginning.

Except the following described tract of land.

That portion of Government Lot 1 of Section 15, Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho, described as follows:

Beginning at a point on the West boundary of Government Lot 1 of Section 15, Township 7 North, Range 1 East, Boise Meridian where said West boundary intersects the South boundary of State Highway 52 and being the Northwest corner of Instrument No. 138443, records of Gem County, Idaho; thence South 89°56'06" East, 24.60 feet along the South boundary of said State Highway 52 to the Northeast corner of that certain parcel of land described in Instrument No. 121796, records of Gem County, Idaho; thence South 00°14'11" West, 773.10 feet along the East line of said Instrument No. 121796, to the Northerly boundary of the "Montour Valley Acquisition"; thence North 89°07'48" West, 19.84 feet along said Northerly boundary to an angle point therein referred to as "AP2" thence South 79°53'12" West, 7.5 feet along said Northerly boundary to a point on said West boundary of Government Lot 1; thence North 00°26'55" East, 774.21 feet along the West line of said Instrument No. 138443 and the West line of said Government Lot 1 to the Point of Beginning.

TRACT II:

All that portion of land within the strip of land conveyed to the Canyon Canal Company per deed recorded July 10, 1905 in Book B of Deeds at Page 317, Instrument No. 4557, records of Gem County, Idaho, lying within the boundaries of the above described real property.

File No.: 103057

Except any portion lying within the Montour Valley Acquisition Boundary.

OF A PORTION OF GOVERNMENT LOTS 1 AND 2 OF
SECTION 15, TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN
GEM COUNTY, IDAHO

STATE OF IDAHO } ss.
COUNTY OF GEM }

Recorded at the request of
Tri County Surveying, Inc.
Time: 10:51 AM
Date: November 3, 1997
Instr. No.: 208814
Recorded as a Survey

Susan K. Howard, Clerk
Ex-officio Recorder

Judy E. Bigham
Deputy
Fee: \$5.00

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY IS
THE NORTH RIGHT-OF-WAY LINE OF STATE
HIGHWAY 52 Ls. N 89°39'29" E

SURVEY FOR:

DONNA THORNTON
1532 MICHAEL STREET
EMMETT, ID 83617
PHONE: (208) 365-6983

LEGEND:

- ④ FOUND BRASS CAP MONUMENT
- ④ FOUND 5/8" IRON PIN
- ④ FOUND 1/2" IRON PIN
- FOUND BLM ACQUISITION BOUNDARY MONUMENT
- SET 1/2" IRON PIN W/PLASTIC CAP PLS 6552
- ④ FOUND STATE HIGHWAY R/W MON.
- x- BARBED WIRE FENCE
- () RECORD DATA PER DEED

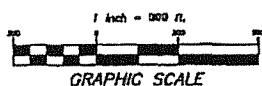
NOTE:

TRI COUNTY SURVEYING, INC. ASSUMES NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NONCOMPLIANCE WITH COUNTY PLANNING AND ZONING ORDINANCE RESTRICTIONS AS THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.



TRI COUNTY SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
P.O. Box 974
703 N. WASHINGTON AVE.
Emmett, Idaho 83617
Phone: (208) 365-7470

INDEX No. 711-15-2-0-0 OCTOBER 1999
JOB No. 99116



RECORD OF SURVEY

OF A PORTION OF GOVERNMENT LOT 1 OF SECTION 15,
TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN,
GEM COUNTY, IDAHO

1/4 COR.
15 14
C.R. No. 187534

BASIS OF BEARINGS:

THE BASIS OF BEARING FOR THIS SURVEY IS THE
NAD83 IDAHO COORDINATE SYSTEM, WEST ZONE, PER
O.P.S. OBSERVATIONS TO CONTROL STATION
"MONTOUR". THE RESULTING GRID BEARING ON THE
EAST LINE OF GOVERNMENT LOT 1 OF SECTION 15,
TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN
IS N00°35'34"E.

LEGEND:

- ⊙ FOUND MONTOUR VALLEY ACQUISITION BRASS CAP MONUMENT
- ⊙ FOUND BRASS CAP HIGHWAY RIGHT-OF-WAY MONUMENT
- ⊙ FOUND 5/8" IRON PIN PER R of S No. 208814
- ⊙ FOUND 1/2" IRON PIN PER R of S No. 208814
- ⊙ FOUND ALUMINUM CAPPED 5/8" IRON PIN
- ⊙ SET 1/2" IRON PIN W/PLASTIC CAP PLS 6552
- ⊙ FOUND 5/8" IRON PIN PER DEED No. 210569
- X-X- FENCE LINE

Instrument # 273977

EMMETT, GEM, IDAHO

9-16-2009 10:20:49 No. of Pages: 1

Recorded for: TRI COUNTY SURVEYING INC

SHELLY GANNON

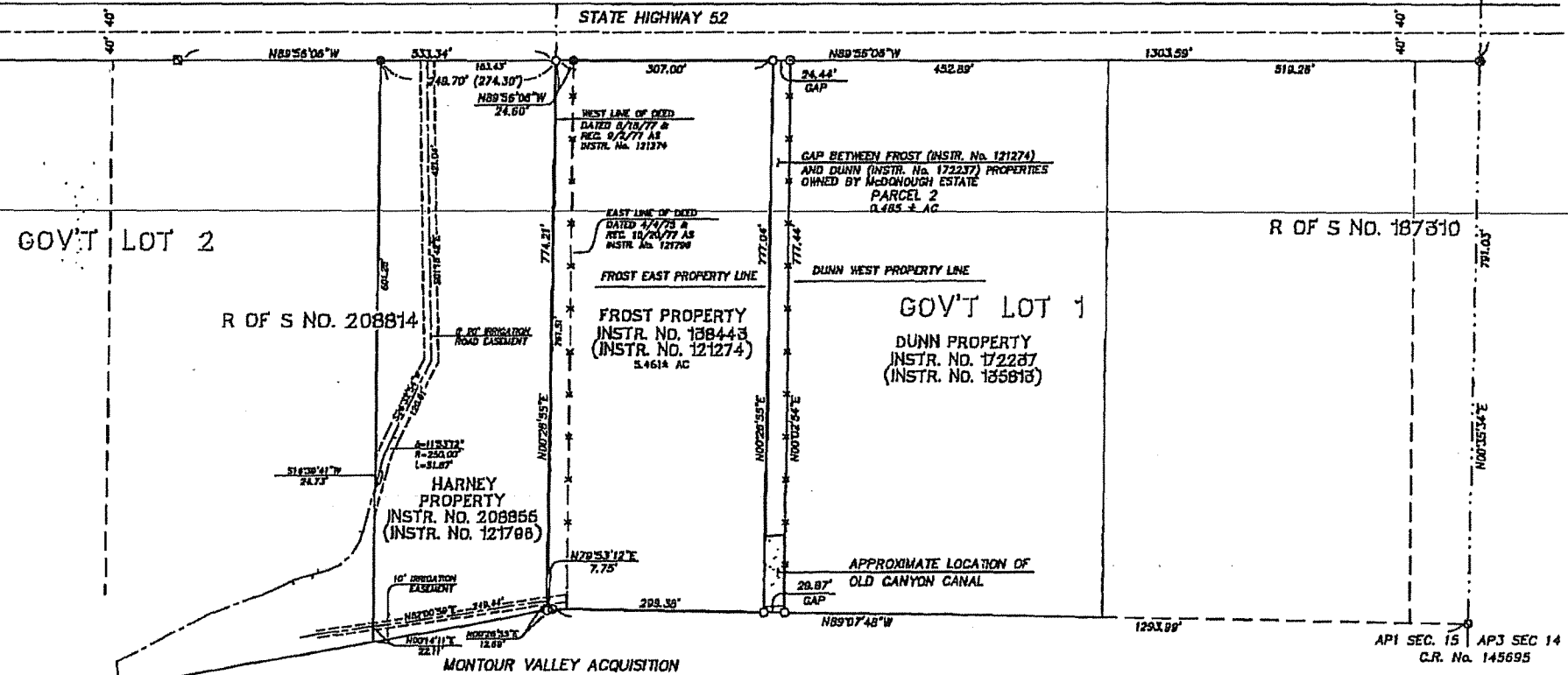
Ex-Officio Recorder Deputy

Index to: RECORD OF SURVEY

Fee: 5.00

Judy Evans

N00°35'34"E
1397.48'



NOTE:

1. Tri County Surveying, Inc. assumes no liability for present or future compliance or non-compliance with county planning and zoning ordinance restrictions as they pertain to building permits and the issuance thereof.
2. There is a clear conflict between the points indicated by deeds of record and the fences, which may or may not mark the boundaries of the involved ownerships. Nothing about this survey is intended to indicate the opinion of this surveyor about the legal conclusion of ownership.

SURVEY FOR:

SHARON BRUNO
1078 JUNIPER ST.
N. KEIZER, OR 97303
PHONE: (503) 393-4621



TRI COUNTY SURVEYING, INC.

PROFESSIONAL LAND SURVEYORS
510 So. Washington Ave., P.O. Box 974
Emmett, Idaho 83617-0974
Phone: (208) 385-7470

MAY 2009
INDEX No. 711-15-2-0-0 JOB No. 09-028

