

No Color
Documents
In File

RECEIVED

SEP 27 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES Department of Water Resources
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
21-12511					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Nellie Bowen

1933 W 5000 N Rexburg, ID 83442

4. New Owner/Claimant(s)

Floyd B. Gardner Vishi J Gardner

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

2685 N. River Rd.

City, State and ZIP Code

St. Anthony, ID. 83445

New Telephone Number

(208) 624-0966

5. Date you acquired the property

2-4-1994

MICROFILMED

AUG 26 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Floyd B. Gardner
(include title if applicable) Utah of Gardner

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by J. Mann Date 9/27/01 Fee \$25.00
 Received by J. Mann Date 9/27/01 Receipt No C056561
 Processed by _____ AJ Date _____ WR _____ Date _____

MICROFILMED

AUG 26 2002

RECEIVED

SEP 27 2001

Department of Water Resources

NOTICE OF SALE

NOTICE IS HEREBY GIVEN that the real property described in Exhibit "A" attached hereto as been sold subject to the terms and conditions of an unrecorded contract of sale dated 2/28/94, 1994, and of Arnold Bowen and Nellie Bowen, of 3998 West Highway 33, Rexburg, Idaho, Sellers, and Floyd B. Gardner and Vishi J. Gardner, Co-Trustees of the Gardner Trust, of 14436 Rios Canyon Road, El Cajon, California, 92021, Buyers.

POSSESSION:

Under the terms of said contract Buyer is entitled to possession, use and occupancy of said property from the date of said contract so long as each and every covenant of said contract shall be faithfully performed by Buyer.

TITLE:

Title to the property remains in Seller until the entire purchase price is fully paid. (The right of Buyer to sell or convey said property or to assign, transfer, encumber or convey said contract, or any interest Buyer is said property or said contract is restricted under the terms of said contract.)

LIENS:

Buyer has no right or authority to create or permit the imposition of any lien or encumbrance upon said property.

DATED this 28 day of February, 1994.

SELLER

Arnold Bowen
ARNOLD BOWEN

Nellie Bowen
NELLIE BOWEN

BUYER

Floyd B. Gardner Co-Trustee
FLOYD B. GARDNER,
Co-Trustee, Gardner Trust

Vishi J. Gardner, Co-Trustee
VISHI J. GARDNER
Co-Trustee, Gardner Trust

Microfilm No. 430342
Day 28 19 94
At 11:41 O'clock P M
MICKIE FUNKE
FREMONT CO. RECORDER
Fee \$ 6 Deputy
Recorded At Request of Penney J. Morgan

MICROFILMED

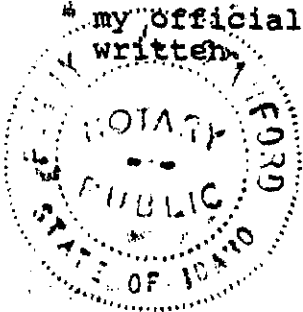
AUG 25 2002

Microfilm No. 430432
Day 10 19 94
At 11:30 O'clock A M
MICKIE FUNKE
FREMONT CO. RECORDER
Fee \$ 9 Deputy
Recorded At Request of Penney J. Morgan

STATE OF IDAHO)
) ss.
 County of Fremont)

On this 28 day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared ARNOLD BOWEN AND NELLIE BOWEN, known to me to be the persons whose names are subscribed to the within instrument and 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 in this certificate first above written.

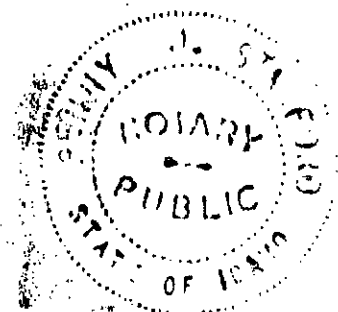


 Notary Public for Idaho
 Residing at: S. Hwy 100
 Commission Expires: 9/23/97

STATE OF IDAHO)
) ss.
 County of Fremont)

On this 28 day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared FLOYD B. GARDNER AND VISHI J. GARDNER, known to me to be the persons whose names are subscribed to the within instrument and 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 in this certificate first above written.



 Notary Public for Idaho
 Residing at: S. Hwy 100
 Commission Expires: 9/23/97

MICROFILMED

AUG 26 2002

430432

EXHIBIT "A"

REAL PROPERTY DESCRIPTION:

Township 8 North, Range 41 East, Boise Meridian, Fremont County, Idaho, Section 28: E 1/2 NE 1/4, NE 1/4 SE 1/4 and Lot 1, as per the recorded plat thereof.

MICROFILMED

AUG 26 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 21-12511

NAME AND ADDRESS: ARNOLD BOWEN
NELLIE BOWEN
3998 W HWY 33
REXBURG, ID 83440

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 09/23/1914

POINT OF DIVERSION: T08N R41E S28 LOT 01 (SWSESE) Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

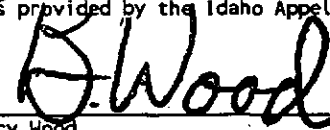
PLACE OF USE: Domestic Within Fremont County
T08N R41E S28 LOT 01 (SESE)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED
AUG 26 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 10, 2002

FLOYD GARDNER
VISHI J. GARDNER
2685 N. RIVER RD.
ST. ANTHONY ID 83445

RE: Change of Ownership for Water Right 21-12511

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is the receipt for the filing fee you paid the department for this change.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Deborah J. Gibson
Admin. Asst., Water Allocation Bureau

Enclosure

MICROFILMED

AUG 26 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 9, 2002

FLOYD GARDNER
2685 N RIVER RD
ST ANTHONY ID 83445

RE: Water Right Nos. 21-12511 and 22-10525

Dear Mr. Gardner:

The department has been advised that you may be the current owner of a portion of the above referenced water rights previously owned by Arnold and/or Nellie Bowen. Mrs. Bowen contacted the department with the above mailing address and stated that you are the current owner. A copy of both water rights' proof reports are enclosed for your information and convenience, since I was not sure of which right you currently own.

Please note that as of July 1, 1996, water right owners are required to report any change of ownership, or change of mailing address to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department, however I have enclosed a Notice of Change in Water Right Ownership for your convenience in anticipation that you would need to change the ownership information for these water rights.

If you have any questions regarding this matter, please call me at 208-327-7953 or by mail at the above-address.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

AUG 26 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 6, 2002

NELLIE BOWEN
1993 W 5000 N
REXBURG ID 83440-3204

Re: Change in Address for water rights 21-12511 and 22-10525

Dear Water Right Holder(s):

The department acknowledges your Change in Address regarding the above referenced water rights. The department has modified its records to reflect the change and enclosed is a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of ownership, or change of mailing address to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department. I am sending information to Mr. and Mrs. Floyd Gardner regarding updating the ownership of these water rights.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

MICROFILMED
AUG 26 2002

GARDNER



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

dead
Arnold Bowen
Nellie Bowen
1993 W. 5000 N.
Rexburg, ID 83440-3204

March 30, 2000

RE: Snake River Basin Adjudication (SRBA)
Water Rights #21-12511 and 22-10525

Dear Water Right Holders:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by April 14, 2000. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right number(s).

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record(s).

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

CHANGE OF OWNERSHIP
LETTER SENT *4-4-00*

Water Right Holder's Signature

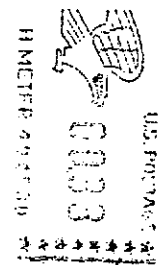
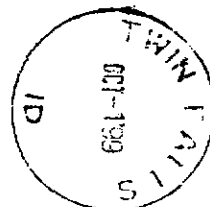
Telephone No.

MICROFILMED

APR 26 2002

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

21-12511
22-10525



MICROFILMED

AUG 26 2002

NAME AND ADDRESS:

ARNOLD, BOWEN
NELLIE BOWEN
324 BURTIA, DEER
REXBURG, ID 83440

BOWEN 998 634402001 1998 05 10/05/99
FORWARD TIME EXP RTN TO SEND
BOWEN, NELLIE ARNOLD
1998 W 5000 N
REXBURG ID 83440-3204

RETURN TO SENDER

