

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 26 2022

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
71-2084B	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: Sherrill M. Baird
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Baird Family Trust, dated September 20, 2022
New owner(s) as listed on the conveyance document

<u>PO Box 312</u> Mailing address <u>208-774-3629</u> Telephone	<u>Stanley</u> ID <u>83278</u> City State Zip <u>smandebaird@yahoo.com</u> Email
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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: 09/21/2022
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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):
- o \$25 per *undivided* water right.
- o \$100 per *split* water right.
- o 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>Sherrill M. Baird, Sr.</u> Signature of new owner/claimant <u>Sherrill M. Baird, Sr.</u> Print name	Trustee Title, if applicable <u>20 Sept 22</u> Date
Signature: <u>Ervin E. Baird</u> Signature of new owner/claimant <u>Ervin E. Baird</u> Print name	Trustee Title, if applicable <u>20 Sept 22</u> Date

For IDWR Office Use Only:

Received by KM Date 9.26.22 Receipt No. C114068 Receipt Amt. \$ 25.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing

Name on W-9 _____ Approved by _____ Processed by dy Date 10/6/22

SCANNED

OCT 11 2022 \$ 25.00



ESTATE PROTECTION
& PLANNING PLLC

Curry D. Andrews
Macy M. White
Lesley N. Casner
Attorneys at Law
202 Idaho Street
American Falls, ID 83211
(208) 226-5138 Office
curryandrews@gmail.com
macymwhite.jd@gmail.com
lesleycasnerlaw@gmail.com

NOTICE OF OWNERSHIP CHANGE: REVOCABLE TRUST FUNDING
THE BAIRD FAMILY TRUST, dated September 20, 2022

Details Attached to Notice of Change in Water Right Ownership Form

Water Right No.	Deed/Instrument No.	Tracing Deed	Additional Notes
71-2084-B	263342	186214	Custer County

Enclosures:

Check for \$25 (\$25 per Water Right);

Certificate of Trust and Trustee Affidavit (showing Trustee authority);

Print out from IDWR website –Report & Water Maps (using map tool);

Instrument Nos. 263342 & 186214 (conveyance documents)

*For questions or additional information, please contact Estate Protection & Planning, PLLC.
202 Idaho Street, American Falls, ID 83211
(208) 226-5138*

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OCT 11 2022

Certification of Trust for the Baird Family Trust dated September 20, 2022

Pursuant to Idaho Code Ann. § 68-114, this Certification of Trust is signed by all the currently acting Trustees of the Baird Family Trust dated September 20, 2022, who declare:

1. The Grantors are Sherrill M. Baird, Sr., also known as Sherrill Mark Baird, Sr., and Ervine E. Baird, also known as Ervine Edith Baird. The trust is revocable by the Grantors, acting jointly and not separately.
2. The Trustees of the trust are Sherrill M. Baird, Sr. and Ervine E. Baird. The signature of one Trustee is sufficient to exercise the powers of the Trustee.
3. The Successor Trustees of the trust are:

Upon Incapacity or Death of Sherrill M. Baird, Sr.:

Ervine E. Baird will serve as sole Trustee. If she is unable to serve or to continue to serve for any reason, then the following will serve as successor Trustee, in the order named:

James Mitchell Baird

Upon Incapacity or Death of Ervine E. Baird:

Sherrill M. Baird, Sr. will serve as sole Trustee. If he is unable to serve or to continue to serve for any reason, then the following will serve as successor Trustee, in the order named:

Edith Marie Macklin

4. The tax identification number of the trust is the Social Security number of Sherrill M. Baird, Sr..
5. Title to assets held in the trust will be titled as:

Sherrill M. Baird, Sr. and Ervine E. Baird, Trustees of the Baird Family Trust dated September 20, 2022, and any amendments thereto.
6. An alternative description will be effective to title assets in the name of the trust or to designate the trust as a beneficiary if the description includes the name of at least one initial or successor Trustee, any reference indicating that property is being held in a fiduciary capacity, and the date of the trust.
7. Excerpts from the trust document that establish the trust, designate the Trustee, and set forth the powers of the Trustee will be provided upon request. The powers of the Trustees include

the power to acquire, sell, assign, convey, pledge, encumber, lease, borrow, manage, and deal with real and personal property interests.

8. The terms of the trust provide that a third party may rely upon this Certification of Trust as evidence of the existence of the trust and is specifically relieved of any obligation to inquire into the terms of this trust or the authority of my Trustee, or to see to the application that my Trustee makes of funds or other property received by my Trustee.
9. The trust has not been revoked, modified, or amended in any way that would cause the representations in this Certification of Trust to be incorrect.

September 20, 2022



Sherrill M. Baird, Sr., Trustee

September 20, 2022



Ervine E. Baird, Trustee

STATE OF IDAHO
COUNTY OF ~~POWER~~ ^{Custer}

)
) ss.
)

On this day, September 20, 2022, before me Danielle Permann, a notary public, personally appeared Sherrill M. Baird, Sr. and Ervine E. Baird, as Trustees, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within Certification of Trust, and acknowledged that they executed the same.

[Seal]



Danielle Permann, Notary Public
202 Idaho St.
American Falls, Idaho 83211
My commission expires: July 25, 2028

Certification of Trust for the Baird Family Trust
Page 2

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OCT 11 2022

Trustee Affidavit

Sherrill M. Baird, Sr. and Ervine E. Baird, being first duly sworn upon oath, depose and say:

1. Affiants are the Trustees of the Revocable Living Trust named below and as such have the authority to execute this Trustee Affidavit.
2. This Trustee Affidavit relates to the Baird Family Trust, dated September 20, 2022.
3. The names of the currently serving Trustees of the above-described trust are:

Sherrill M. Baird, Sr.

Ervine E. Baird

4. Selected provisions of the trust, including the pages naming the initial Trustees, creating the trust, stating the relevant trustee powers, stating the revocability of the trust, designating successor Trustees, as well as a copy of the signature pages, may be attached to this Trustee Affidavit or are available upon request.
5. Under the terms of the trust, any person may rely upon this Trustee Affidavit as evidence of the existence of the trust and is relieved of any obligation to verify that any transaction entered into by a Trustee or successor Trustee is consistent with the terms and conditions of the trust.
6. The other provisions of the trust are of a personal nature and set forth the distribution of trust property. They do not modify the powers of the Trustee.
7. The trust has not been revoked.

Dated: September 20, 2022

Trustee Affidavit for the Baird Family Trust

ESTATE PROTECTION & PLANNING, PLLC, 202 IDAHO ST., AMERICAN FALLS, IDAHO 83211 | (208) 226-5138

SCANNED
OCT 11 2022


Sherrill M. Baird, Sr., Trustee


Ervine E. Baird, Trustee

STATE OF IDAHO)
COUNTY OF ~~POWER~~ ^{Custer}) ss.
)

Subscribed and sworn to (or affirmed) before me this day, September 20, 2022 by Sherrill M. Baird, Sr. and Ervine E. Baird, as Trustees.

[Seal]




Danielle Permann, Notary Public
202 Idaho St.
American Falls, Idaho 83211
My commission expires: July 25, 2028

Trustee Affidavit for the Baird Family Trust

ESTATE PROTECTION & PLANNING, PLLC, 202 IDAHO ST., AMERICAN FALLS, IDAHO 83211 | (208) 226-5138

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OCT 11 2022

Water Right Report : 71-2084-B (Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
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Current Owner	BAIRD, SHERRILL M	PO BOX 312	STANLEY	ID	83278
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Water Right Status

Priority Date : 7/3/1956

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
STANLEY LAKE CREEK		VALLEY CREEK	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
STANLEY LAKE CREEK	11N	12E	26	0	SW	NW	NE	CUSTER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.08 CFS	
TOTAL			0.08 CFS	

Places of Use

Printable View

Place of Use Legal Description : IRRIGATION (CUSTER county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
11N	12E	25		SE	SW	0.3	
11N	12E	25		SW	SE	3.1	

Irrigation Totals

Total Acres Acre Limit

3.40

Conditions

Code Conditions

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.

PROPERTY IS ALSO KNOWN AS A PORTION OF HOMESTEAD ENTRY NO. 578

C13 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 71: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

0.25 CFS OF RIGHT NO. 71-10651 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
THE FOLLOWING RIGHTS ARE DIVIDED THROUGH POINT OF DIVERSION DESCRIBED ABOVE 71-02084A,
71-02084B, 71-07020, 71-07023, & 71-10651.

C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO
CODE.

Dates

Licensed Date :
Decreed Date : 3/16/1999
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 71
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

9/14/2022

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OCT 11 2022

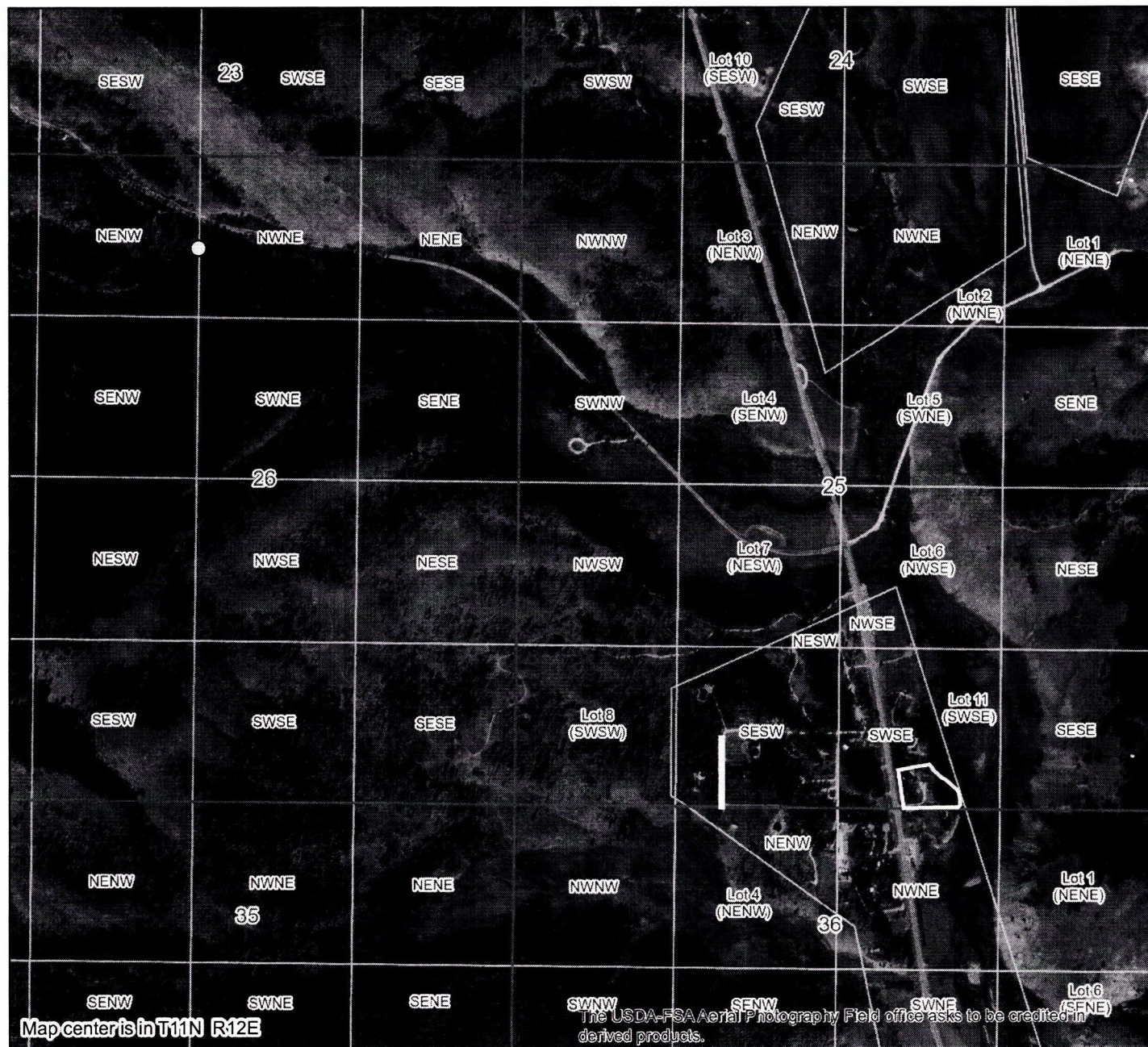
State of Idaho
Department of Water Resources

Water Right

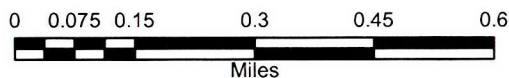
71-2084B

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 9/14/2022



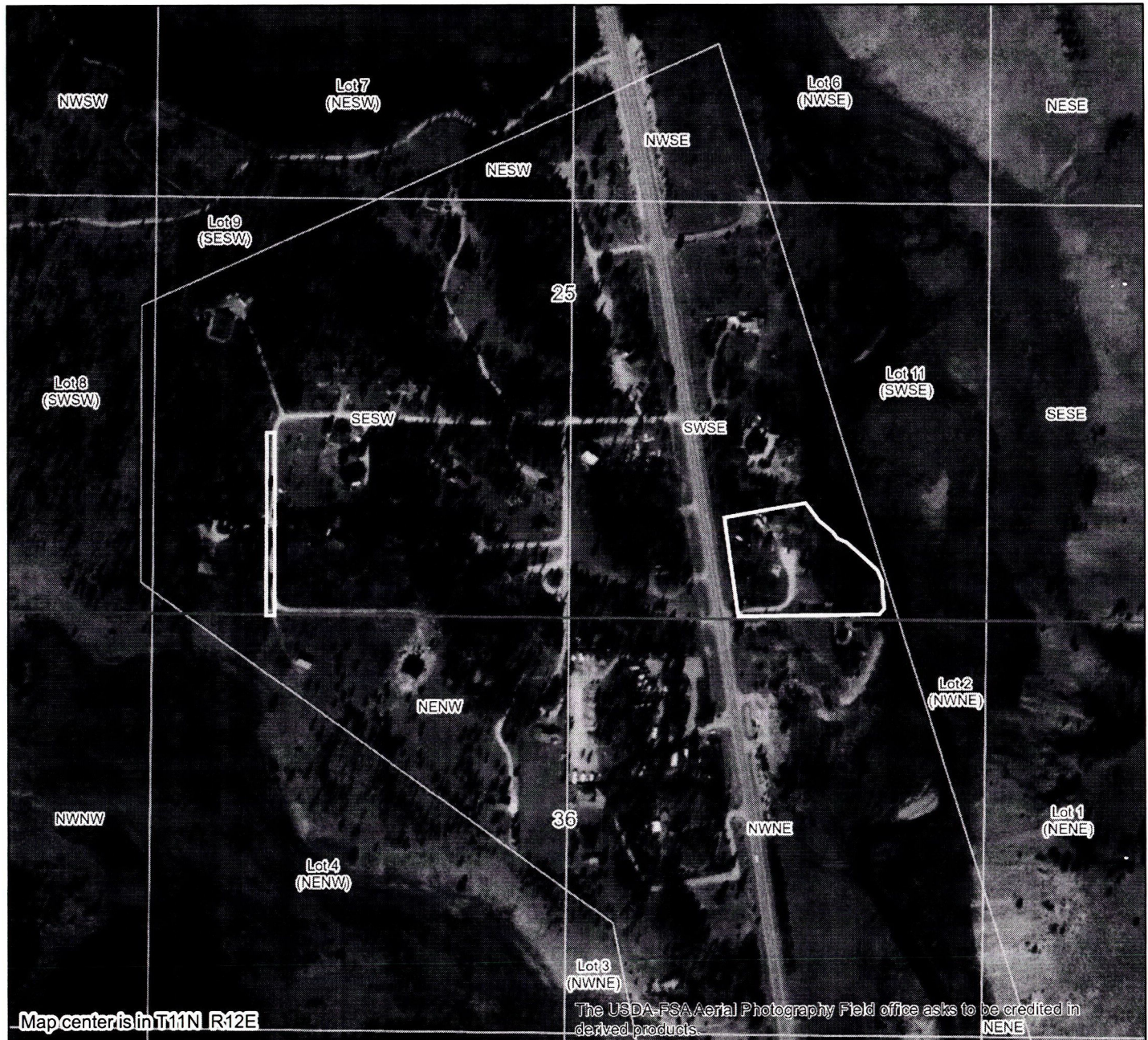
Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

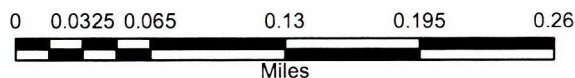


State of Idaho
Department of Water Resources
Water Right
71-2084B
IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 9/14/2022



Legend

- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews, Attorney at Law
Estate Protection & Planning, PLLC
202 Idaho St., American Falls, ID 83211
(208) 226-5138 Office

Send Tax Statements to:

Baird Family Trust
Attn: Sherrill M Baird, Sr. & Ervine E. Baird
PO Box 312
Stanley, ID 83278
(208) 774-3629

Instrument # 263342

CHALLIS, CUSTER, IDAHO
09-21-2022 10:23:05 No. of Pages: 2
Recorded for: ESTATE PROTECTION & PLANNING, PLL
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: TG

GRANTOR: SHERRILL M. BAIRD, a single man
GRANTEE: Sherrill M. Baird, Sr. and Ervine E. Baird, Trustees of the Baird Family Trust, dated
September 20, 2022
PARCEL NO: RPH011N12E8320 (Residence)

WARRANTY DEED

THE UNDERSIGNED Grantor, SHERRILL M. BAIRD, a single man, grants, bargains, sells, conveys and confirms to Sherrill M. Baird, Sr. and Ervine E. Baird, Trustees of the Baird Family Trust, dated September 20, 2022, the following property formerly conveyed under instrument no. 186214, a Warranty Deed, located in Custer County, Idaho, to whit:

Legal Description: SEE ATTACHMENT "A"

TOGETHER WITH ALL APPURTENANCES AND SUBJECT TO: TAXES, EASEMENTS, RESTRICTIONS, COVENANTS, ENCUMBRANCES AND ASSESSMENTS AS SHOWN OF RECORD.

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

DATED this 20th day of September, 2022.


SHERRILL M. BAIRD

STATE OF IDAHO)
) ss.
COUNTY OF CUSTER)

On this day personally appeared before me SHERRILL M. BAIRD, a single man, THE GRANTOR, to me known to be the individual described herein and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 20th day of September, 2022.


NOTARY PUBLIC in and for the STATE OF IDAHO,
Residing in: American Falls, Idaho
My Commission Expires: July 25, 2028
WARRANTY DEED - 1



SCANNED
OCT 11 2022

ATTACHMENT "A"
LEGAL DESCRIPTION

A fraction of H.E.S. No. 578, in Section 25, Township 11 North, Range 12 East, Boise Meridian, more particularly described as follow, to-wit:

Parcel I

Commencing at Corner No. 7 of said H.E.S. No. 578, run thence South 18°04' East along the Easterly boundary of H.E.S. No. 578 a distance of 1703.46 feet to the point of beginning, and the Northeasterly corner of the tract of land herein described; continuing thence South 18°04' East 187.52 feet; thence South 89°55' West 355.12 feet; thence North 11°31' West 169.27 feet; thence North 87°52' East 331.41 feet to the point of beginning. (Containing 1.38 acres)

Parcel II

Commencing at Corner No. 7 of said H.E.S. No. 578, run thence South 18°04' East along the Easterly boundary of H.E.S. No. 578 a distance of 1491.46 feet to the point of beginning and the Northeasterly corner of the tract of land herein described; continuing thence South 18°04' East 212.0 feet; thence South 87°52' West 331.41 feet; thence North 11°31' West 169.28 feet; thence North 80°53' East 303.07 feet to the point of beginning. (Containing 1.38 acres)

Parcel III

Commencing at Corner No. 7 of said H.E.S. No. 578, run thence South 18°04' East along the Easterly boundary of H.E.S. No. 578 a distance of 1491.46 feet; thence South 80°53' West 303.07 feet to the point of beginning, and the Northeasterly corner of the tract of land herein described; continuing thence South 80°53' West 130.0 feet to a point on the Easterly Right-of-Way line of Idaho State Highway No. 21; thence South 9°06'45" East along said Right-of-Way line 315.32 feet; thence North 89°55' East 146.0 feet; thence North 11°31' West 338.55 feet to the point of beginning. (Containing 1.03 acres)

Together with all water rights and any permits by the U.S. Forest Service which Grantor may have concerning the waterway across federal land which transports the water rights.

186214

WARRANTY DEED

For Value Received

VAL BLACK and LOIS BLACK, husband and wife, 6621 Lakeside Dr., Boise, ID 83703

the grantor s do hereby grant, bargain, sell and convey unto

SHERRILL M. BATRD, a single man,

the grantee , the following described premises, to-wit:

That real property in Custer County legally described on Exhibit A attached hereto and incorporated herein as if set forth in full.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , his heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee that the Y 270 the owners in fee simple of said premises; that said premises are free from all incumbrances except easements of record or existing on the premises, 1987 taxes, restrictions and covenants of record.

and that they will warrant and defend the same from all lawful claims whntsoever.
Dated: August 31, 1987

Val Black
Val Black

Lois Black
Lois Black

STATE OF IDAHO, COUNTY OF ADA

On this 31st day of August, 1987, before me, a notary public in and for said State, personally appeared Val Black and Lois Black, 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.

Residing at Boise, Idaho
Comm. Expires 1-7-93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of James W. K. Lee

at 00 minutes past 1:00 o'clock P.m.,
this 8th day of Sept.
1987, in my office, and duly recorded in Book
of Deeds at page

Estel M. Paul
Ex-Officio Recorder

By Kay Park Deputy.
Fees \$ 6.00
Mail to:

INSTRUMENT NO.

SCANNED
OCT 11 2022

186214

A fraction of H.E.S. No. 578, in Section 25, Township 11 North, Range 12 East, Boise Meridian, more particularly described as follows, to-wit:

Parcel I

Commencing at Corner No. 7 of said H.E.S. No. 578, run thence South 18° 04' East along the Easterly boundary of H.E.S. No. 578 a distance of 1703.46 feet to the point of beginning, and the Northeasterly corner of the tract of land herein described; continuing thence South 18° 04' East 187.52 feet; thence South 89° 55' West 355.12 feet; thence North 11° 31' West 169.27 feet; thence North 87° 52' East 331.41 feet to the point of beginning. (Containing 1.38 acres)

Parcel II

Commencing at Corner No. 7 of said H.E.S. No. 578, run thence South 18° 04' East along the Easterly boundary of H.E.S. No. 578 a distance of 1491.46 feet to the point of beginning and the Northeasterly corner of the tract of land herein described; continuing thence South 18° 04' East 212.0 feet; thence South 87° 52' West 331.41 feet; thence North 11° 31' West 169.28 feet; thence North 80° 53' East 303.07 feet to the point of beginning. (Containing 1.38 acres)

Parcel III

Commencing at Corner No. 7 of said H.E.S. No. 578, run thence South 18° 04' East along the Easterly boundary of H.E.S. No. 578 a distance of 1491.46 feet; thence South 80° 53' West 303.07 feet to the point of beginning, and the Northeasterly corner of the tract of land herein described; continuing thence South 80° 53' West 130.0 feet to a point on the Easterly Right-of-Way line of Idaho State Highway No. 21; thence South 9° 06' 45" East along said Right-of-Way line 315.32 feet; thence North 89° 55' East 146.0 feet; thence North 11° 31' West 338.55 feet to the point of beginning. (Containing 1.03 acres)

Together with all water rights and any permits by the U.S. Forest Service which Grantor may have concerning the waterway across federal land which transports the water rights.

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OCT 11 2022



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 7, 2022

BAIRD FAMILY TRUST
PO BOX 312
STANLEY ID 83278-0312

Re: Change in Ownership for Water Right No: 71-2084B

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

Debby Judd
Technical Records Specialist

Enclosures

c. Water District 71 – *via email*

SCANNED
OCT 11 2022