

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

✓ RECEIVED

AUG 28 2023

DEPT OF WATER RESOURCES
SOUTHERN 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. 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?
36-14904	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: Douglas M. Jacobson and Leann Jacobson, husband and wife
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): William Giltner and Susanne Giltner, husband and wife
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 607 Yingst Rd. Jerome ID 83338
Mailing address City State Zip
- 208-969-9585 Evan@sawtoothlaw.com
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: 3/4/2022
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
☐ 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):
☐ \$25 per *undivided* water right.
☐ \$100 per *split* water right.
☐ 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: William Giltner 8/16/23
Signature of new owner/claimant Title, if applicable Date
William Giltner
Print name

Signature: Susanne Giltner 8/16/23
Signature of new owner/claimant Title, if applicable Date
Susanne Giltner
Print name

Received by SG Date 8/28/2023 For IDWR Office Use Only: Receipt No. 5039915 Receipt Amt. \$25.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by [Signature] Date 9-7-2023

SCANNED
SEP 18 2023

EXHIBIT B



Order Number: 21439000

Instrument # 2221089

JEROME COUNTY, JEROME, IDAHO
03-04-2022 09:36:09 AM No. of Pages: 3
Recorded for: TITLEONE - TWIN FALLS
MICHELLE EMERSON Fee: \$15.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

Warranty Deed

For Value Received,

Douglas M. Jacobson and Leann Jacobson, husband and wife, the Grantor, does hereby grant, bargain sell and convey unto, **William Giltner and Susanne Giltner, husband and wife, as community property with right of survivorship**, whose current address is **607 Yingst Rd, Jerome, ID 83338**, the Grantee, the following described premises, in **Jerome County, Idaho**, To Wit:

See Exhibit A, attached hereto and incorporated herein.

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 Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of this page intentionally left blank.

Order Number: 21439000

Warranty Deed (4-09) - Page 1 of 3

SCANNED
SEP 18 2023

Dated: 03/02/2022

Douglas M. Jacobson
Douglas M. Jacobson

Leann Jacobson
Leann Jacobson

State of Idaho, County of Jerome, ss.

On this 3rd day of March in the year of 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Douglas M. Jacobson and Leann Jacobson, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Alyssa Olsen
Notary Public
Residing In: Twin Falls, ID
My Commission Expires: 11/20/2028
(seal)

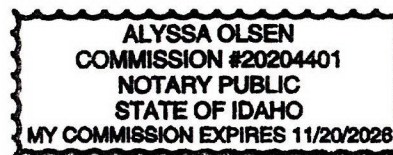


EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

**TOWNSHIP 8 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

Section 35: Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

**Beginning at the Northwest corner of the NW $\frac{1}{4}$ of said Section 35;
Thence running East along the North line of said Section, 466.67 feet, more or less;
Thence South parallel to the West line of said Section, 466.67 feet, more or less;
Thence West parallel to the North line of said Section, 466.67 feet, more or less;
Thence North along the West line of said Section, 466.67 feet, more or less, to THE POINT OF BEGINNING.**

SAVE AND EXCEPT that portion deeded to the State of Idaho for a public highway by deed recorded June 21, 1951 as Instrument No. 113399, records of Jerome County, Idaho

EXHIBIT C

RECEIVED
JUL 17 1997
Department of Water Resources
Adjudication Bureau

1997 JUL 15 PM 10:17
DISTRICT COURT
TWIN FALLS COUNTY
FILED

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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 36-14904
_____	)	

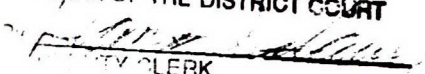
On May 22, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-14904 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED July 15, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT

CLERK

ORDER OF PARTIAL DECREE
6/25/97



SCANNED
SEP 18 2023

EXHIBIT D

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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-14904

JUL 15 PM 12:17
DISTRICT COURT -
TWIN FALLS, IDAHO
FILED _____

NAME & ADDRESS: NORTH SIDE CANAL COMPANY LTD
921 NORTH LINCOLN
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 03/15/1950

POINT OF DIVERSION: T08S R17E S35 NWNW Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within JEROME County
T08S R17E S35 NWNW

DOMESTIC Within JEROME County
T08S R17E S35 NWNW

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.

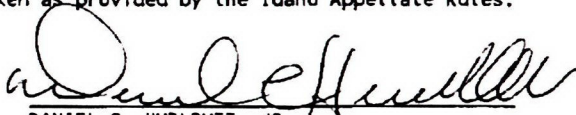
DATED: JUL 15 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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.

DATED: JUL 15 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-14904

PAGE 1
JUN-10-1997

State of Idaho
Department of Water Resources

Water Right

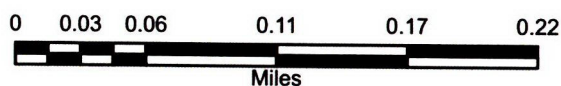
36-14904

DOMESTIC

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: 8/7/2023



Legend

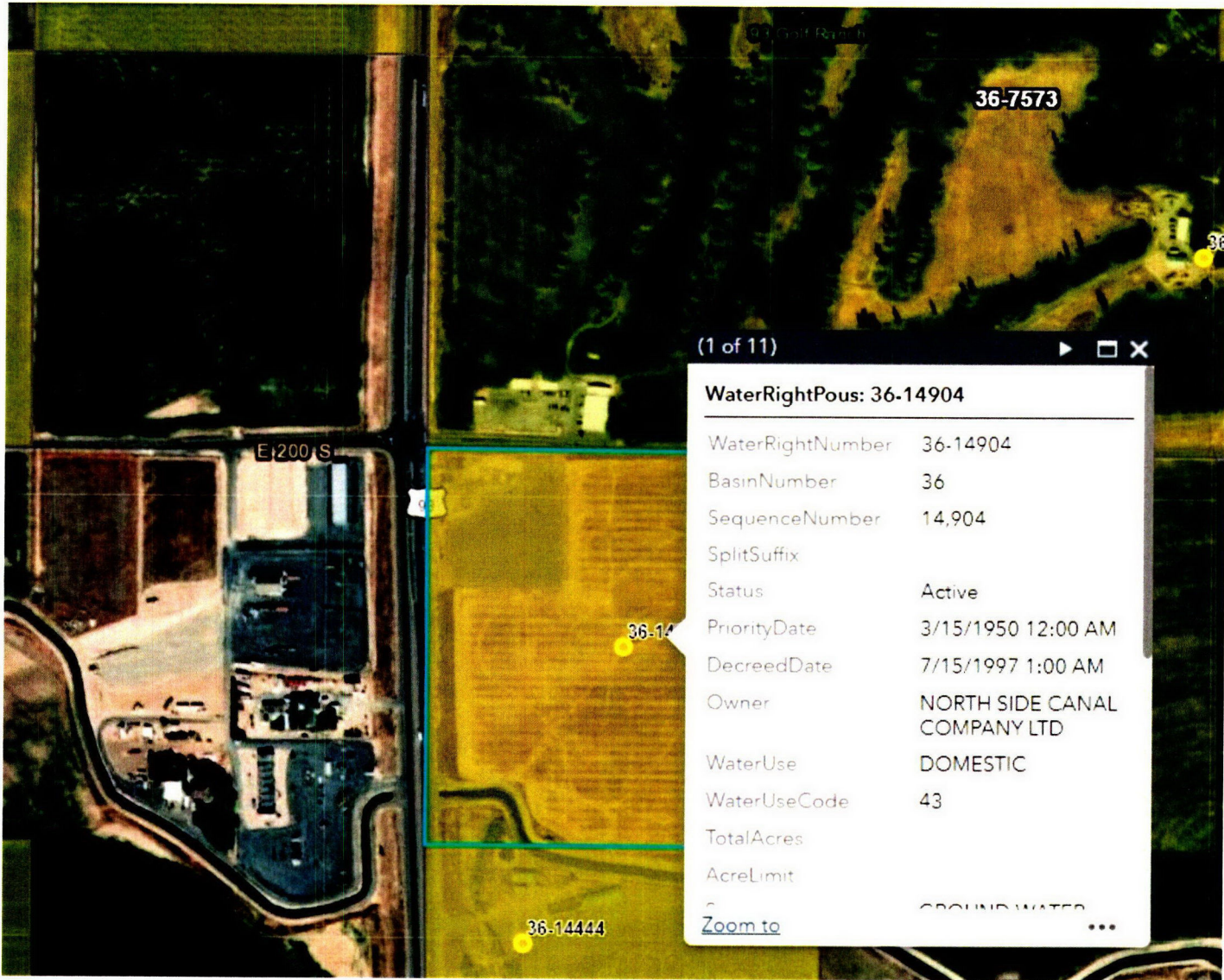
- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion

SCANNED
SEP 18 2023



STOCKWATER





Boise Office

1101 W. River St.
Suite 110
Boise, Idaho 83702
Tel. (208) 629-7447

Challis Office

1301 E. Main Ave.
P.O. Box 36
Challis, Idaho 83226
Tel. (208) 879-4488

Twin Falls Office

213 Canyon Crest Drive
Suite 200
Twin Falls, Idaho 83301
Tel. (208) 969-9585

Fax (all offices)
(208) 629-7559



SAWTOOTH LAW

OFFICES, PLLC

Tuesday, August 22, 2023

David P. Claiborne

S. Bryce Farris

Evan T. Roth

Daniel V. Steenson

Andrew J. Waldera

Kelsea E. Donahue

Brian A. Faria

Thomas M. Larsen

Patxi Larrocea-Phillips

John A. Richards

Katie L. Vandenberg-Van Vliet

James R. Bennetts (retired)

RECEIVED

AUG 28 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
ATTN: Southern Region
650 Addison Ave. W., Ste. 500
Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033

RE: Notice of Change in Water Right Ownership – Water Right 36-14904

To Whom it May Concern,

Please be advised this office represents William Giltner and Susanne Giltner (herein “**Giltner**”). This letter is being delivered in addition to the completed Idaho Department of Water Resources (“**IDWR**”) Notice of Change in Water Right Ownership for water right 36-14904 (the “**Water Right**”), which is attached hereto as Exhibit A (“**Notice**”).

In March of 2022, the Giltner’s purchased real property in Jerome County, Idaho (herein “**Property**”) from Douglas M. Jacobson, and Leann Jacobson (herein “**Jacobson**”). The Property is more particularly described in Jerome County Instrument # 2221089 and is attached hereto as Exhibit B (herein “**Warranty Deed**”). As you can see, the Warranty Deed conveys ownership interest in the Property from the Jacobson’s to the Giltner’s. It is our understanding that the Water Right is appurtenant to the Property. The partial decree for the Water Right is attached hereto as Exhibit C.

In addition to the Notice and the Warranty Deed, please find aerial photographs which show the place of use and point of diversion for the Water Right (“**Water Right Photographs**”). Said photographs are attached hereto, and incorporated into the Notice, as Exhibit D. Finally, please find a check in the amount of twenty-five dollars (\$25.00) for the filing fee of the Notice (“**Filing Fee**”).

www.sawtoothlaw.com

Attorneys licensed in Idaho, Montana, Oregon and Washington

SCANNED

SEP 18 2023

If there are any issues and/or questions associated with the delivered Notice, the Warranty Deed, the Water Right Photograph, and/or the Filing Fee please contact me immediately by phone at (208) 969-9585, or by email at evan@sawtoothlaw.com.

Very Truly Yours,



Evan T. Roth

EXHIBIT A



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 07, 2023

WILLIAM C GILTNER
607 YINGST RD
JEROME ID 83338-6020

SUSANNE GILTNER
607 YINGST RD
JEROME ID 83338-6020

Re: Change in Ownership for Water Right No: 36-14904

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.

Additionally, John A Rosholt is listed as the attorney of record on this water right. If this is no longer the case, the attorney can be removed by contacting the Department through written correspondence indicating that the attorney is no longer associated with this water right.

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Bill Mills
Water Resource Agent, Senior

Enclosure

C: SAWTOOTH LAW OFFICE, PLLC

SCANNED

SEP 18 2023