

RECEIVED

MAR 18 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH

WATER 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. 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?
81-10226	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: Spencer
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Gazda/Nall Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- POB 1173 SeeleyLake MT 59868
Mailing address City State Zip
406-880-4386 rgazda@hotmail.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: 12/22/2021
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: Randall J Gazda Trustee 3/9/2022
Signature of new owner/claimant Title, if applicable Date
Randall J Gazda
Print name

Signature: Jessica A Nall Trustee 3/9/2022
Signature of new owner/claimant Title, if applicable Date
JESSICA A NALL
Print name

For IDWR Office Use Only:

Received by CS Date 03/14/2022 Receipt No. W050200 Receipt Amt. \$25⁰⁰
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 NS Date 3/26/24

WARRANTY DEED

GRANTORS, CRAIG L. SPENCER, joined by his wife, JANE SPENCER, of 1627 Mountain View Rd., Grangeville, ID 83530, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to GRANTEE, RANDALL J. GAZDA and TERESA A. NALL, Trustees of the GAZDA/NALL LIVING TRUST, of 160 Grandview Court 1173, Seeley Lake, MT 59868, and the Grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and incorporated herein by this reference.

TOGETHER WITH, all improvements, water, water rights, ditches, ditch rights, easements, hereditaments, and appurtenances thereto.

SUBJECT TO:

- 1) General taxes for the year 2021, which are a lien, first half now due and payable, but not delinquent until December 20, 2021.
- 2) Restrictions as evidenced in Warranty Deed, including the terms and provisions thereof, by and between CLEVE W. NEWLAND and IRMA M. NEWLAND, husband and wife, and JAY D. BROOKS, first parties, and STATE OF IDAHO, second party, recorded May 21, 1958, under Instrument No. 194273, Book 91 page 615, records of Idaho County, Idaho.
- 3) National Wild and Scenic Rivers System Recreation River and Easement, including the terms and provisions thereof, by and between JOHN W. SPENCER and CARMELITA G. SPENCER, husband and wife, and THE UNITED STATES OF AMERICA, recorded August 20, 1980, under Instrument No. 287062, records of Idaho County, Idaho.
- 4) Right of Way Easement, including the terms and provisions thereof, by and between JOHN W. SPENCER and CARMELITA M. SPENCER and IDAHO COUNTY LIGHT & POWER COOPERATIVE ASSOCIATION, INC., a corporation, recorded June 18, 1985, under Instrument No. 320325, records of Idaho County, Idaho.
- 5) Decision and Order, Petition to Annex Territory and Amend Boundaries of Kidder Harris Highway District, including the terms and provisions thereof,

recorded August 2, 2001, under Instrument No. 418063, records of Idaho County, Idaho.

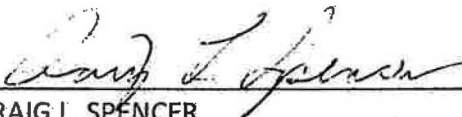
- 6) Matters as shown on Survey No. S-3069, recorded March 28, 2012, under Instrument No: 483378, records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, his heirs and assigns, forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that it is free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, EXCEPT General taxes, easements, reservations, restrictions, and rights of way of record or in use.

Except as otherwise expressly provided in this instrument, Grantors hereby declare, pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event Grantors shall have permitted or suffered, at any time prior to the making of this instrument, any person or entity to possess, use, or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of Grantors, it was not the intent of Grantors, by permitting or suffering such possession, use, or occupation to thereby define property boundaries or ownership thereof.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine, and the neuter.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals.

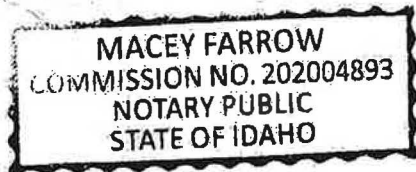

CRAIG L. SPENCER

Jane Spencer
JANE SPENCER

STATE OF IDAHO)
 ss
County of Idaho)

On this 21 day of December, 2021, before me, a Notary Public in and for said County and State, personally appeared CRAIG L. SPENCER, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he freely executed the same.

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

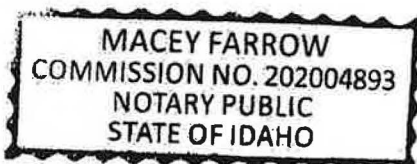


Macey Farrow
Notary Public for the State of Idaho,
Residing at Cottonwood, therein.
My commission expires 12/11/2024.

STATE OF IDAHO)
 ss
County of Idaho)

On this 21 day of December, 2021, before me, a Notary Public in and for said County and State, personally appeared JANE SPENCER, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she freely executed the same.

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



Macey Farrow
Notary Public for the State of Idaho,
Residing at Cottonwood, therein.
My commission expires 12/11/2024.

SCHEDULE C

Township 32 North, Range 7 East, Boise Meridian, Idaho County

Section 5: This parcel consists of a portion of Government Lot 7 in the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5, and is more particularly described as follows:

Commencing at the Southwest corner of said Government Lot 7 (the South 1/4 corner of said Section 5), a found aluminum cap monument;

thence N 00°00'00" E, along the West boundary of said Government Lot 7 a distance of 1379.24 feet to the Northwest corner of said Lot 7, a found aluminum cap monument;

thence S 89°22'35" E, along the North boundary of said Government Lot 7 a distance of 1322.99 feet to the True Point of Beginning a 5/8 x30 inch rebar set with a plastic cap stamped L.S. 3627;

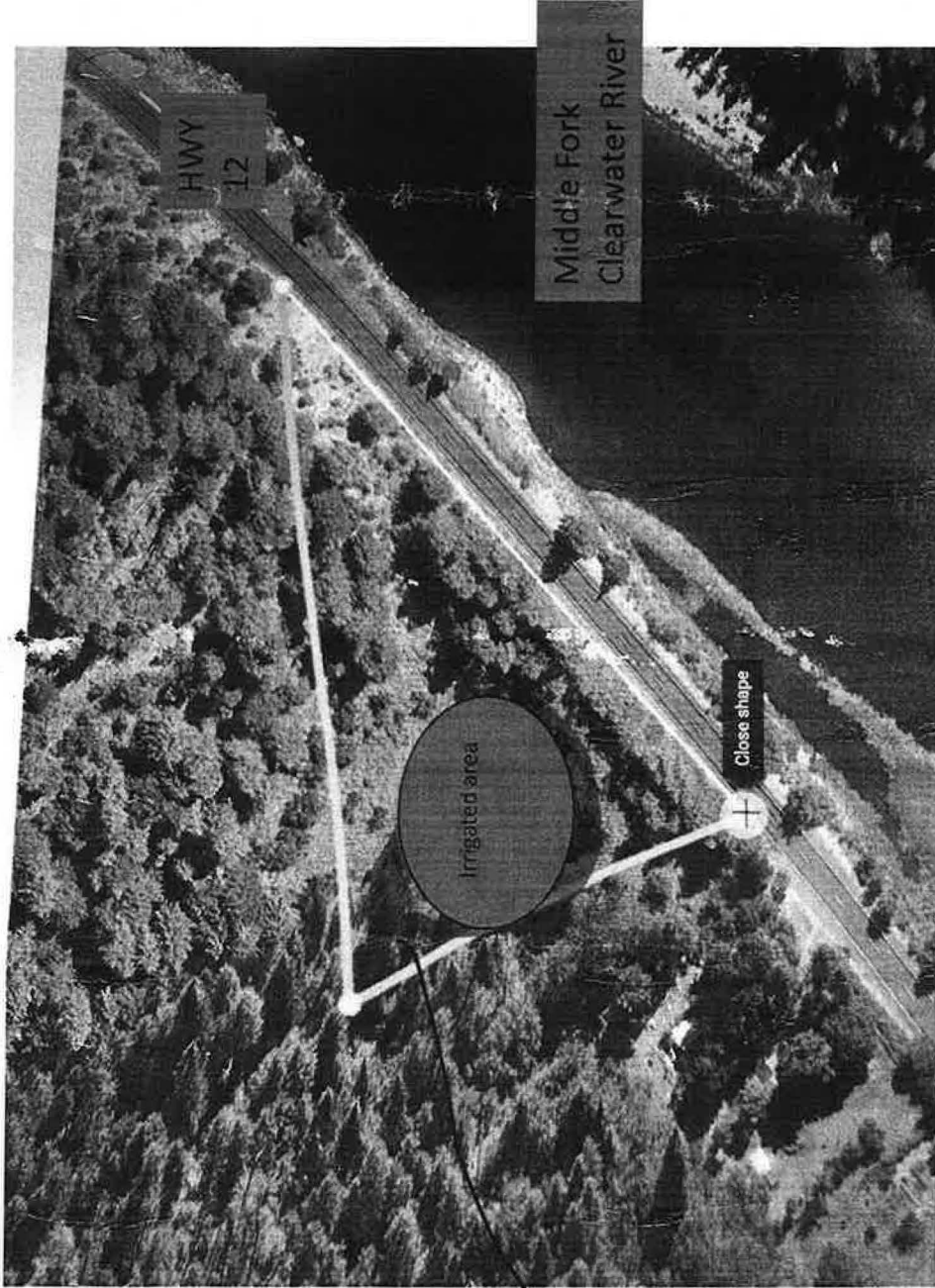
thence S 89°22'35" E, along said North boundary a distance of 480.87 feet to a point on the northwesterly Right of Way boundary for State Highway 12, witnessed by a 5/8 x30 inch rebar set with a plastic cap stamped L.S. 3627 which bears S 89°22'35" E, a distance of 30.60 feet;

thence southwesterly along said Right of Way following the arc of a curve to the right having a central angle of 05°08'06", a radius of 5679.58 feet and a long chord which bears S 49°48'51" W, a distance of 508.84 feet to a point witnessed by a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627 which bears S 15°26'10" E a distance of 22.02 feet;

thence N 15°26'10" W, a distance of 346.05 feet to the True Point of Beginning.

LESS Highway Right of Way as described in Warranty Deed to the State of Idaho, recorded May 21, 1958, under Instrument No. 194273 in Book 91 page 615, records of Idaho County, Idaho.

(end)



Approximate
spring location
81-10226

Gazda/Nall Trust ownership from Spencer

* I only have a B/W printer if you need this in color, I can email



IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

March 26, 2024

GAZDA NALL TRUST
PO BOX 1173
SEELEY LAKE MT 59868-1173

Re: Change in Ownership for Water Right No(s): 81-10226

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) 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.

In addition to completing the Notice of Change, you will need to submit the enclosed Transfer to correct the location of the water right to your property as the current location appears to be in error. Please contact Department staff for assistance with the Transfer process.

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) 762-2800.

Sincerely,

Natalie Steading
Tech Records Specialist 1

Enclosure(s)