

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 09 2025

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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?
36-85A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-85B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Marilyn J Miller Richard H. Waite
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): 321 BWRM, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

PO Box 1164
Mailing address

Sun Valley ID 83353
City State Zip

208-539-1207
Telephone

bzwaite@yahoo.com
Email

4. If the water rights and/or adjudication claims were split, how did the division occur? N/A
☐ 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: _____
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):
- ☐ \$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.

SUPPORT DATA

IN FILE # 36-85A

8. Signature: BZ Waite Managing Partner 4/9/25
Signature of new owner/claimant Title, if applicable Date

Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date

Print name

Received by SG Date 4-9-2025 Receipt No. 5040602 Receipt Amt. \$50 -

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 DM Date 5-13-2025

Instrument # 273667

GOODING, GOODING, IDAHO

6-29-2021 10:24:11 AM No. of Pages: 2

Recorded for : POPPLEWELL LAW FIRM, PLLC

DENISE M. GILL

Fee: 15.00

Ex-Officio Recorder Deputy

GRANT DEED

Dick Waite Family Limited Partnership, an Idaho limited partnership, for consideration paid, grants to 321 BWRM, LLC, an Idaho limited liability company, whose address is P.O. Box 1164, Sun Valley, ID 83353, the following described real estate located in Gooding County, Idaho:

Refer to the legal descriptions set forth on the Exhibit "A" attached hereto and incorporated herein by reference;

Subject to: any encumbrances of record, reservations, restrictions and easements of record; and taxes for the current year and subsequent years;

with those covenants specified under I.C. § 55-612, restrained by the terms hereof.

WITNESS its hand and seal the 23rd day of June, 2021.

DICK WAITE FAMILY LIMITED PARTNERSHIP,
an Idaho limited partnership

By: _____

Betty Zane "BZ" Waite
BETTY ZANE "BZ" WAITE, General Partner

ACKNOWLEDGMENT

STATE OF IDAHO)

) ss.

COUNTY OF TWIN FALLS)

This record was acknowledged before me on June 23, 2021 by Betty Zane "BZ" Waite, as the General Partner of the Dick Waite Family Limited Partnership.

(SEAL)



Joseph D. Popplewell
NOTARY PUBLIC

My commission expires: 08/09/23

EXHIBIT "A"

Legal Description No. 1: A tract of land, Block A-83, Hagerman Townsite, Gooding County, Idaho, described as follows: Beginning at the southwest corner of said Block A-83; Thence, North 230.00 feet; Thence, East 80.2 feet; Thence, South 230.00 feet to the south line of said Block A-83; Thence, West 80.2 feet to the point of beginning; AND A tract of land in Block A-84, Hagerman Townsite, Gooding County, Idaho, described as follows: Beginning at the southeast corner of said Block A-84; Thence, North 230.00 feet; Thence, West 198.8 feet to the easterly bank of the Sands Irrigation Ditch; Thence, S. 32° - 35' W., 81.88 feet along said easterly bank; Thence, East 143.1 feet; Thence, South 161.0 feet to the south line of Block A-84; Thence, East 99.8 feet to the point of beginning; Acreage in above tracts - 1.14 acres.

Legal Description No. 2: Township 7 South, Range 13 East of the Boise Meridian, Section 14: Part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, also being Part of A-82, A-83 and A-84, adjacent to the town of Hagerman, according to the plat thereof on file in the office of the County Recorder of Gooding County, Idaho, described as follows: Beginning at the North quarter corner of said Section 14; Thence, S. 0°04'37" W., 1926.38 feet along the centerline of said Section 14 and the centerline of State Street of said Townsite to its intersection with the centerline of Valley Street; Thence, N. 89°55'23" W., 869.41 feet along the centerline of Valley Street; Thence, N. 0°04'37" E., 25.00 feet to a point on the Southerly boundary of said Lot A-83 and the True Point of Beginning; Thence, N. 0°04'37" E., 230.00 feet; Thence, N. 89°55'23" W., 260.71 feet to the Northwesternly boundary of said Lot A-84; Thence, N. 26°31'16" E., 402.64 feet to the Northwest corner of said Lot A-83; Thence, S. 89°29'41" E., 412.31 feet along the northerly boundaries of said Lots A-83 and A-82 to the center of the Bell Ditch; Thence, S. 18°14'37" W., 618.24 feet to the Southerly boundary of said Lot A-83; Thence, N. 89°55'23" W., 138.13 feet along the Southerly boundary of said Lot A-83 to the True Point of Beginning; IN THE COUNTY OF GOODING, STATE OF IDAHO.

EVAN T. ROTH
[Idaho State Bar No. 9033]
MATTHEW A. STURZEN
[Idaho State Bar No. 10984]
SAWTOOTH LAW OFFICES, PLLC
236 River Vista Place, Ste. 301
Twin Falls, Idaho 83301
Telephone: (208) 969-9585
Facsimile: (208) 629-7559
E-mail: evan@sawtoothlaw.com
matt@sawtoothlaw.com

Attorneys for Petitioner

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF GOODING
(MAGISTRATE DIVISION)

IN THE MATTER OF:
THE ESTATE OF RICHARD H. WAITE,
Deceased.

Case No. CV24-21-00118

LETTERS TESTAMENTARY

1. Betty Zane Waite is duly appointed and qualified as the successor general personal representative of the estate of the above-named decedent on this day, by the Magistrate with all authority pertaining thereto.

2. Administration of the estate is unsupervised.

3. These Letters are issued to evidence the appointment, qualification, and authority of said personal representative.

WITNESS my signature and seal of this court this _____.

DATED: _____

8/20/2021 03:24 PM

Magistrate



Steven D. Peterson, ISB# 3563
John C. Peterson, ISB# 6796
PETERSON LAW OFFICE, PLLC
161 5th Ave. South, Ste 310
P.O. Box 5827
Twin Falls, Idaho 83303-5827
Telephone: (208) 733-5500
Fax: (208) 733-5553

DISTRICT COURT
TWIN FALLS CO. IDAHO

2013 MAR 19 PM 4:38

CLERK

DEPUTY

Attorney for ADMINISTRATOR

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

* * * * *

IN THE MATTER OF THE ESTATE OF	)	Case No: <u>CV-2013-1110</u>
MARILYN WAITE,	)	
Deceased.	)	LETTERS OF ADMINISTRATION
	)	
	)	
	)	
	)	

* * * * *

BETTY ZANE WAITE is hereby appointed Administrator of the Estate of
MARILYN WAITE, deceased.

WITNESS: Magistrate of the District Court, County of Twin Falls, State of
Idaho, with the seal of the Court affixed this 19 day of March, 2013.

Calvin H. Campbell
Magistrate

LETTERS OF ADMINISTRATION - Page 1

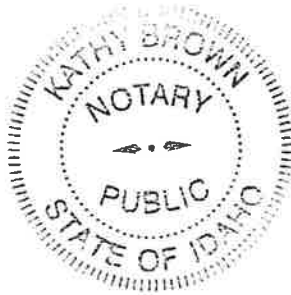
State of Idaho 3-19-13
County of Twin Falls, Idaho
I hereby certify the foregoing to be a full, true
and correct copy of the original on file in the
above entitled action. 1112
KRISTINA GLASCOCK
CLERK OF THE DISTRICT COURT
By Jana Graham
COURT SERVICES

STATE OF IDAHO)
) ss.
County of Twin Falls)

I, BETTY ZANE WAITE, hereby accept the duties of Administrator of the ESTATE OF MARILYN WAITE, deceased, and do solemnly swear that I will perform, according to law, the duties of Administrator of the ESTATE OF MARILYN WAITE, deceased.

Betty Zane (BZ) Waite
BETTY ZANE WAITE

SUBSCRIBED AND SWORN to before me this 14 day of March,
2013.



Kathy Brown
NOTARY PUBLIC
Residence: Twin Falls, ID
Comm. Expires: 5-15-14



0005109739



STATE OF IDAHO
Office of the secretary of state, Phil McGrane
ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0005109739

Date Filed: 2/10/2023 10:07:14 AM

Entity Name and Mailing Address:											
Entity Name:	321 BWRM, LLC										
The file number of this entity on the records of the Idaho Secretary of State is:	0004222767										
Address	PO BOX 1164 SUN VALLEY, ID 83353-1164										
Entity Details:											
Entity Status	Active-Existing										
This entity is organized under the laws of:	IDAHO										
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:											
The registered agent on record is:											
Registered Agent	Randall R. McBride Registered Agent Physical Address 538 MESA GRANDE LOOP JEROME, ID 83338 Mailing Address 538 MESA GRANDE LOOP JEROME, ID 83338-3001										
The name and street address of the new registered agent and office in Idaho is:											
Registered Agent	Registered Agent Betty Z. Waite Physical Address: 1141 WOODSIDE BLVD. HAILEY, ID 83333 Mailing Address: PO BOX 1164 SUN VALLEY, ID 83353-1164										
☒ I affirm that the registered agent appointed has consented to serve as registered agent for this entity.											
Limited Liability Company Managers and Members											
<table border="1"><thead><tr><th>Name</th><th>Title</th><th>Business Address</th></tr></thead><tbody><tr><td>Betty Z. Waite</td><td>Manager</td><td>PO BOX 1164 SUN VALLEY, ID 83353-1164</td></tr><tr><td>Randall R. McBride</td><td>Manager</td><td>538 MESA GRANDE LOOP JEROME, ID 83338</td></tr></tbody></table>			Name	Title	Business Address	Betty Z. Waite	Manager	PO BOX 1164 SUN VALLEY, ID 83353-1164	Randall R. McBride	Manager	538 MESA GRANDE LOOP JEROME, ID 83338
Name	Title	Business Address									
Betty Z. Waite	Manager	PO BOX 1164 SUN VALLEY, ID 83353-1164									
Randall R. McBride	Manager	538 MESA GRANDE LOOP JEROME, ID 83338									
The annual report must be signed by an authorized signer of the entity.											
Job Title: Manager											
Betty Z. Waite		02/10/2023									
Sign Here		Date									

B0778-0020 02/10/2023 10:07 AM Received by Office of the Idaho Secretary of State



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

May 13, 2025

321 BWRM LLC
PO BOX 1164
SUN VALLEY ID 83353-1164

Re: Change in Ownership for Water Right No(s): 36-85A & 36-85B

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. *You will notice that attorney Patrick Brown has been copied on this letter because he is listed as the attorney of record on water right 36-85B. If necessary, the Department can remove Mr. Brown as attorney from the water right record with written authorization from either you or Mr. Brown.*

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) 293-9908.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Patrick Brown, attorney (36-85B)
Water District 36A

April 5, 2025

RECEIVED

APR 09 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Denise Maline
Administrative Assistant
Idaho Department of Water Resources
650 Addison Avenue West Suite 500
Twin Falls, ID 83301

RE: Water right #36-85A; Water right #36-85B

Dear Denise:

My name is BZ Waite and I am responding to your letter dated January 21, 2025 concerning water rights. I am enclosing documentation to clear up the ownership of these water rights.

Water right #36-85A currently in the name of Marilyn J. Miller. Marilyn Miller, sister of BZ Waite, passed away December 14, 2012. I am/was the executor of her estate. The estate lawyer was instructed to transfer this water right to me and, unfortunately, that did not happen even though all correspondence and payment of dues has been addressed to me since the time of her death.

Water right #36-85B currently in the name of Richard (Dick) H. Waite. Richard Waite, my father, passed away December 20, 2020. I am/was the executor of his estate. These water rights were never placed in my name as well. Again, all correspondence comes in my name.

I have attached the Letters of Testamentary for both estates naming myself as executor. In June of 2021, an LLC was formed for the property where these water rights exist. I have attached a copy of the Grant Deed putting this land into the 321 BWRM, LLC.

I have also attached another Notice of Change in Water Right Ownership page listing more water rights that were in my father's name which need to be transferred to my name. All these water rights were passed down to me through the Estate of Richard H. Waite. Please refer to the Letters of Testamentary naming me as the executor of this estate. Let me know if additional documentation is needed for these rights.

I apologize for this taking so long to complete. I had asked the estate attorney to take care of this matter and am just finding out that none of this was done.

Sincerely,

A handwritten signature in black ink, appearing to read "BZ Waite". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

BZ Waite



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

January 21, 2025

321 BWRM LLC
PO BOX 1164
SUN VALLEY ID 83353-1164

2nd Request

Re: Current Ownership for Water Right No(s). 36-85A

Dear Property Owner(s):

The Department is working to clean up water right records and has discovered that the ownership may need to be updated for the water right(s) referenced above. The water right reference above is currently in the name of Marilyn J Miller, however after further research, it was discovered that you may be the current owner of the property associated with this water right. Enclosed is additional information for your review.

In order to update our records to reflect your ownership of this water right, you will need to file the enclosed Notice of Change in Water Right Ownership. Please complete the form and return to this office with all of the required information *within sixty (60) days of the date of this letter*.

Thank you in advance for your cooperation. If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858

BOISE ID RPDG 837

31 DEC 2024 PM 11

FIRST CLASS



US POSTAGE IMPIPITNEY BOWES

ZIP 83301
02 7H
0006196983

\$ 000.690
DEC 30 2024

RECEIVED

JAN 16 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

December 31' 2024

MARILYN J MILLER
2593 E 3700 N
TWIN FALLS ID 83301

UTFK1: 9332220239

83301-0144
83301-5858

NIXIE 980 FE 1 0001/13/25

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 83301585825 *1336-09143-31-45

36A

Water District 36A Annual Meeting Notice

36-85A (this mailing)

Per tax parcel info: 321 BWRM LLC, PO Box 1164, Sun Valley ID 83353-1164

Ownership change request sent 1-21-2025 **2nd request**

47-7905

Per tax parcel info: Brenda Staley, 2593 E 3700 N, Twin Falls ID 83301-0144

Ownership change request sent 1-21-2025 ***2nd new owner since 2023***

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858

BOISE ID 837

26 DEC 2023 PM 1:11

FIRST-CLASS



US POSTAGE IMPITNEY BOWES



ZIP 83301 \$ 000.63⁰
02 7H
0001280685 DEC 22 2023

MARILYN J MILLER
2593 E 3700 N
TWIN FALLS ID 83301

RECEIVED

JAN 05 2024

DEPT OF WATER RESOURCES
SOUTHERN REGION

NIXIE 980 DE 1 0001/01/24

RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD

BC: 83301585825 *1336-08697-27-02

83301-014293
83301-5858

Water District 36A Annual Meeting Notice

36-85A

Ownership change information previously sent November, 2023

DM



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

November 9, 2023

321 BWRM LLC
PO BOX 1164
SUN VALLEY ID 83353-1164

Re: Current Ownership for Water Right No(s). 36-85A

Dear Property Owner(s):

The Department is working to clean up water right records and has discovered that the ownership may need to be updated for the water right(s) referenced above. The water right reference above is currently in the name of Marilyn J Miller, however after further research, it was discovered that the ownership may need to be updated for the water right(s) associated with the property referenced above. Enclosed is additional information for your review.

In order to update our records to reflect your ownership of this water right, you will need to file the enclosed Notice of Change in Water Right Ownership. Please complete the form and return to this office with all of the required information within sixty (60) days of the date of this letter.

Thank you in advance for your cooperation. If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858



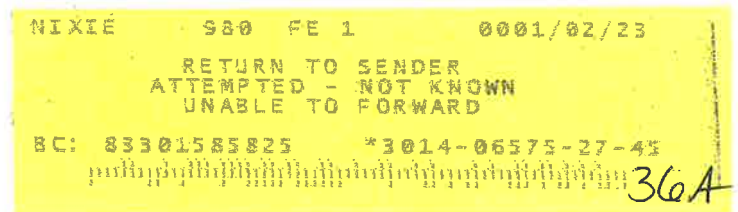
RECEIVED

JAN 06 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION

MARILYN J MILLER
2593 E 3700 N
TWIN FALLS ID 83301

ANK
03301585825



Water District 36A Annual Meeting Notice

36-85A

Marilyn J Miller has 3 water rights in her name in which the ownership needs updated

36-85A: per tax parcel info: 321 BWRM LLC, PO Box 1164, Sun Valley, ID 83353-1164

47-7905: per tax parcel info: John Valdivia, 2593 E 3700 N, Twin Falls, ID 83301-0144

✓ 71-10121: per tax parcel info: Mark D Kelly, 105 Aleut Ln, Hailey, ID 83333-5501
o/c rec'd 12/2023

Ownership change request sent to all parties listed above 11-9-2023 DM