

RECEIVED

JUL 25 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 13 2022

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

Department of Water Resources
Eastern 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-13619 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-10301 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-10304 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Walt Westernness

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): MARK SCHULZ

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or

1906 Diane Ct. Idaho Falls Id 83402

Mailing address

City

State

ZIP

503-954-9188

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: 5-16-22

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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):
- #TS • \$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: Mark Schulz 6-13-22

Signature of new owner/claimant

Title, if applicable

Date

Signature: _____ Title, if applicable: _____ Date: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by M. Feltus Date 6-13-22 Receipt No. E048222 Receipt Amt. 75.00

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 df Date 8/16/22

Certified true copy

TitleOne Corp.

by [Signature]

BUTTE COUNTY

Recorded for:

TitleOne - Twin Falls

02:53:12 PM 05-16-2022

0000-060327

No. Pages: 4 Fee: \$15.00

SHELLY SHAFFER

County Clerk

Deputy: KG



TitleOne

a title & escrow co.

Order Number: 22448900

Warranty Deed

For value received,

The Estate of Walter Westerness by Terry Paulsen, personal representative under probate Case No. CV12-22-0057 of Butte County Records

the grantor, does hereby grant, bargain, sell, and convey unto

Mark Schulz, an unmarried man

whose current address is 2545 N Highway 93, Arco, ID 83213

the grantee, the following described premises, in Butte 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.

Dated: May 6, 2022

The Estate of Walter Westernness

By: Terry Paulsen
Terry Paulsen, Personal Representative

State of _____, County of _____, ss.

On this _____ day of _____ in the year of _____, before me, the undersigned, a notary public in and for said state, personally appeared _____ known or identified to me to be the person whose name is subscribed to the within instrument, as the personal representative of the estate of _____ and acknowledged to me that he/she executed the same as such personal representative of the estate of _____.

Notary Public
Residing In:
My Commission Expires:
(seal)

SEE ATTACHED.

CALIFORNIA ACKNOWLEDGMENT

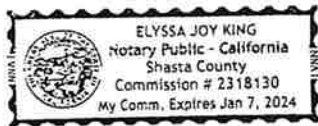
CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of SHASTAOn MAY 09, 2022 before me, ELYSSA JOY KING, Notary Public
Date Here Insert Name and Title of the Officerpersonally appeared TERRY PAULSEN
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached DocumentTitle or Type of Document: DEEDDocument Date: 5/9/22 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____☐ Partner – ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____☐ Partner – ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

TOWNSHIP 4 NORTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
BUTTE COUNTY, IDAHO

Section 25: Part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Commencing at the South $\frac{1}{4}$ corner of Section 25 from which the Southwest corner of said Section bears South 89°55'45" West, 2652.62 feet, the basis of bearings for this description; Thence South 89°55'45" West, 888.83 feet along the south line of section from said South $\frac{1}{4}$ corner; Thence North 00°04'15" West 1745.30 feet to a $\frac{1}{2}$ inch rebar with plastic cap inscribed "LS 826", said point being the southwest corner of Warranty Deed Instrument No. 029255 and the POINT OF BEGINNING;

Thence South 88°40'43" West, 308.34 feet to a point on the east line of Deed Instrument No. 036634, said point being marked by a 5/8 inch rebar with plastic cap inscribed "PLS 12222";

Thence North 01°29'49" East 327.63 feet along said east line to the corner of Quit Claim Deed Instrument No. 055543, said point being marked by a 5/8 inch rebar with plastic cap inscribed "PLS 12222";

Thence South 88°56'10" West 15.44 feet along said quit claim deed to a point being marked by a $\frac{1}{2}$ inch rebar with plastic cap inscribed "PLS 12222";

Thence North 01°16'15" East 91.08 feet to a point being marked by a P.K. Nail in a fence corner post;

Thence North 88°38'49" East 311.50 feet to a point on the westerly right-of-way of U.S. Highway 93, said point being marked by a $\frac{1}{2}$ inch rebar with plastic cap inscribed "PLS 12222";

Thence South 41°19'42" East 327.05 feet along said right-of-way to an angle iron fence corner post;

Thence South 48°31'04" West 10.80 feet to a $\frac{1}{2}$ inch rebar with plastic cap inscribed "PLS 12222";

Thence North 89°38'06" West 14.80 feet to a $\frac{1}{2}$ inch rebar with plastic cap inscribed "PLS 7380";

Thence South 41°16'40" East 9.87 feet to a $\frac{1}{2}$ inch rebar with plastic cap inscribed "PLS 12222";

Thence South 48°30'45" West 28.55 feet to an angle iron fence corner post;

Thence South 39°59'49" East 20.31 feet to a point on the northerly line of Warranty Deed Instrument No. 029255;

Thence along the boundary of said deed the following 2 courses:

- 1) South 88°55'53" West 189.91 feet to a point being marked by a $\frac{1}{2}$ inch rebar with plastic cap inscribed "PLS 12222";
- 2) South 00°09'22" East 120.44 feet to the POINT OF BEGINNING.

BUTTE COUNTY
Recorded for:
TitleOne - Twin Falls
02:52:22 PM 05-16-2022
0000-060326
No. Pages: 3 Fee: \$15.00
SHELLY SHAFFER
County Clerk
Deputy: KG



Order Number: 22449706

Warranty Deed

For value received,

The Estate of Beatrice Eileen Nelson by Nels Eugene Nelson under probate Case No. CV12-22-0064 of Bonneville County records and Nels Eugene Nelson, an unmarried man

the grantor, does hereby grant, bargain, sell, and convey unto

Mark Schulz, an unmarried man

whose current address is 2545 N Highway 93, Arco, ID 83213

the grantee, the following described premises, in Butte 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.

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Order Number: 22449706

Warranty Deed - Page 1 of 3

Dated: May 12, 2022

The Estate of Beatrice Eileen Nelson

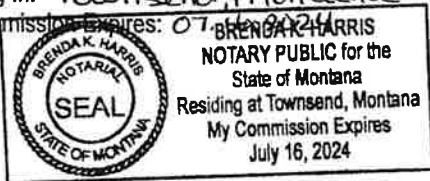
By: The ESTATE of Beatrice Eileen Nelson by Nels Eugene Nelson
Nels Eugene Nelson, Personal Representative Personal Representative

Nels Eugene Nelson
Nels Eugene Nelson

State of Montana, County of Broadwater, ss.

On this 12 day of May in the year of 2022, before me, the undersigned, a notary public in and for said state, personally appeared Nels Eugene Nelson known or identified to me to be the person whose name is subscribed to the within instrument, as the personal representative of the estate of Beatrice Eileen Nelson and acknowledged to me that he/she executed the same as such personal representative of the estate of Beatrice Eileen Nelson.

Brenda K. Harris
Notary Public
Residing In: Townsend, Montana
My Commission Expires: 07-16-2024
(seal)



State of Montana, County of Broadwater, ss.

On this 12 day of May in the year of 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Nels Eugene Nelson known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Brenda K. Harris
Notary Public
Residing In: Townsend, Montana
My Commission Expires: 07-16-2024
(seal)

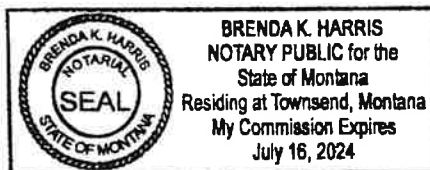


EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

TOWNSHIP 4 NORTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
BUTTE COUNTY, IDAHO

Section 25: Part of the NE¼SW¼, more particularly described as follows:

Commencing at the South ¼ corner of Section 25 from which the Southwest corner of said section bears South 89°55'45" West, 2652.62 feet, the basis of bearings for this description; Thence South 89°55'45" West, 888.83 feet along the south line of section from said South ¼ corner; Thence North 00°04'15" West 1745.30 feet to a ½ inch rebar with plastic cap inscribed "LS 826", said point being the southwest corner of Warranty Deed Instrument No. 029255 and the POINT OF BEGINNING;

Thence along the boundary of said deed the following 6 courses:

- 1) North 00°09'22" West, 120.44 feet to a point being marked by a ½ inch rebar with plastic cap inscribed "PLS 12222";
- 2) North 88°55'53" East 189.91 feet to a ½ inch rebar with plastic cap inscribed "PLS 12222", said point being the centerline of an existing gate;
- 3) South 43°40'40" East 20.50 feet to an existing angle iron fence corner post in concrete;
- 4) North 51°21'07" East 19.58 feet to an existing angle iron fence corner post in concrete;
- 5) South 41°47'10" East 150.64 feet along an existing fence line to a fence intersection being 30 feet westerly and parallel to the southwesterly right-of-way of U.S. Highway 93, said point also being on the north line of Deed Instrument No. 51903;
- 6) South 88°22'32" West 319.51 feet along the extended north line of said deed to the POINT OF BEGINNING.



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

August 17, 2022

MARK SCHULZ
1906 DIANE CT
IDAHO FALLS ID 83402-5563

Re: Change in Ownership for Water Right Nos: 34-10301, 34-10304, and 34-13619

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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 debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. Water District 34 – *via email*