

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 30 2021
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 #6 of the instructions.

Splits:

45-14544

45-14543

45-14542

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
45-13794	Yes ☒	Yes ☐		Yes ☐	Yes ☐
45-4027	Yes ☒	Yes ☐		Yes ☐	Yes ☐
45-2512	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Schenk Land & Cattle L.P.

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): M. Zane W. Gillette and Stacy Gillette

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/or

550 West 1450 South

Oakley

Id

83346

Mailing address

City

State

ZIP

208-300-3000

zane9229@gmail.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: July 26, 2021

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):

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.

SUPPORT DATA

IN FILE # 45-2512

8. Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

7-26-21

Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

7-26-21

For IDWR Office Use Only:

Received by SG

Date 7/30/21

Receipt No. 5038738

Receipt Amt. \$300.00

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 KA

Date 12-15-2021



Order Number: 21409378

Warranty Deed

For value received,

Schenk Land & Cattle L.P., an Idaho limited partnership

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

Zane M. Gillette and Stacy Gillette, husband and wife, as community property with right of survivorship

whose current address is 550 West 1450 South Oakley ID 83346

the grantee, the following described premises, in Cassia County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances including a portion of IDWR Water right numbers 45-13794, 45-4027 and 45-2512 totaling 0.05 cfs, 15.2 af for the irrigation of 5 acres 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 page intentionally left blank.

Dated: July 26, 2021

Schenk Land & Cattle L.P.

BY: Robert Schenk Feedlot, Inc.,
an Idaho corporation, General Partner

BY: Dallan R. Schenk
Dallan R. Schenk, President

State of Idaho, County of Cassia, ss.

On this 26th day of July in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Dallan R. Schenk known or identified to me to be the President of the partners in the partnership of Schenk Land & Cattle L.P. and Robert Schenk Feedlot, Inc. and the partner(s) who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

Megan L. Martinez Notary Public
Residing at Burley, ID
My Commission Expires: 5/27/2026
(seal)

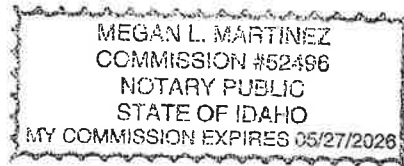


EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, STATE OF IDAHO

Section 5: Part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Center Corner of Section 5, said corner marked by a 5/8 inch rebar with a 2 inch aluminum cap on top; Thence North 00°09'39" West along the west line of the NE $\frac{1}{4}$ for a distance of 326.26 feet to a ½ inch rebar which shall be the POINT OF BEGINNING;

Thence North 00°09'39" West along said section line for a distance of 579.39 feet to a ½ inch rebar;

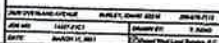
Thence along a non-tangent curve to the left for a distance of 1322.84 feet to a ½ inch rebar, said curve having a radius of 1411.00 feet, a delta angle of 53°42'56", and a long chord bearing of South 45°10'41" East for a distance of 1274.92 feet;

Thence South 01°08'48" West for a distance of 25.00 feet to the south line of the NE $\frac{1}{4}$;

Thence North 88°51'12" West along said ¼ section line for a distance of 751.44 feet to a ½ inch rebar;

Thence North 00°09'39" West for a distance of 326.26 feet to a ½ inch rebar;

Thence North 88°51'12" West for a distance of 150.00 feet to the POINT OF BEGINNING.





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 Gary Spackman

December 15, 2021

ZANE M AND STACY GILLETTE
550 W 1450 S
OAKLEY ID 83346-8739

Re: Change in Water Right Ownership: 45-2512 (Split into 45-2512 and **45-14542**), 45-4027 (Split into 45-4027 and **45-14543**), and 45-13794 (Split into 45-13794 and **45-14544**),

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 736-3033.

Sincerely,

Kent Aasa
Water Resource Agent, Senior

Enclosure(s)

c: SCHENK LAND & CATTLE LP
TitleOne Burley File Number 21409378
Water District 140

Aasa, Kent

From: Zane Gillette <zane9229@gmail.com>
Sent: Monday, November 1, 2021 5:26 PM
To: Aasa, Kent
Cc: Stacy Gillette
Subject: Re: Water Right Change of Ownership Question

Kent the correct initial is M for Zane M Gillette.

Thanks
Zane Gillette

On Oct 29, 2021, at 11:20 AM, Aasa, Kent <Kent.Aasa@idwr.idaho.gov> wrote:

Zane,

I am beginning to process the ownership change for water rights 45-13794, 45-4027, and 45-2512 and I have a question about your middle initial: The Ownership Change form shows the new owners as Zane W. Gillette and Stacy Gillette, but the Warranty Deed shows *Zane M Gillette* and Stacy Gillette.

I want to make sure I get your correct middle initial on the new water rights.
Please let me know if I should use "W" or "M".

Respectfully,

Kent Aasa
Water Resource Agent
Southern Region
(208) 736-3033



RECEIVED
JUL 30 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

211 West 13th Street
Burley, ID 83318
Ph. (208) 881-0497
Fx. (866)623-1347
www.titleonecorp.com

Idaho Department of Water Resources
650 Addison Ave West, Ste 500
Twin Falls, ID 83301-5858

Date: July 26, 2021

Re: Escrow No. 21409378

In connection with the above referenced transaction, I am enclosing the following:

- Check No. 36511 in the amount of \$300.00
- Notice of Change in Water Right Ownership
- Copy of Recorded Warranty Deed
- Copy of Survey

Your business is greatly appreciated. If you have any questions, please do not hesitate to contact me.

Sincerely,

Terri L. Smith
(208) 878-3524
tsmith@titleonecorp.com