

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 28 2021

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.

*split #s*

| Water Right/Claim No. | Split?                                  | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 37-23345              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 37-23346              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 37-23347              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| <i>37-8859</i>        | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Dallas & Candice Smith  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Karin Schellenberg  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 4535 E Arborvitae Dr Boise ID 83716  
Mailing address City State Zip
- 530-848-6111 Kangwim@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: 4-1-2021
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.

SUPPORT DATA

IN FILE # 37-368B

8. Signature: Karin A. Schellenberg Title, if applicable: Karin Schellenberg Date: 7-25-2021  
 Signature of new owner/claimant

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

Print name

SG9/2/2021

Date

7/28/21

For IDWR Office Use Only:

5038808Receipt No. 5038732\$225.00Receipt Amt. \$100.00Active 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 JBDate 9-8-2021

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
301 Main Street  
Gooding, ID 83330

**CAMAS COUNTY**  
**RECORDED FOR:**  
Deputy Clerk  
**01:23:47 PM 04-01-2021**  
**2021-090256**  
No. PAGES: 2 FEE: \$15.00  
**KATHERINE RABLIN**  
**COUNTY CLERK**  
**DEPUTY: KR**

Space Above This Line for Recorder's Use Only

## **WARRANTY DEED**

File No.: **961571GO (lr)**

Date: **March 12, 2021**

For Value Received, **Dallas Smith and Candice Smith, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Karin Ann Schellenberg, a single woman**, hereinafter called the Grantee, whose current address is **4535 E Arboret Dr., Boise, ID 83716**, the following described premises, situated in **Camas County, Idaho**, to-wit:

**LOT 1 IN THE WINDMILLS AT SOLDIER MOUNTAIN SUBDIVISION, CAMAS COUNTY, IDAHO AS THE SAME IS PLATTED IN THE OFFICIAL PLAT THEREOF, NOW OF RECORD IN THE OFFICE OF THE RECORDER OF SAID COUNTY.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

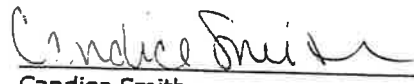
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 03/12/2021

Warranty Deed  
- continued

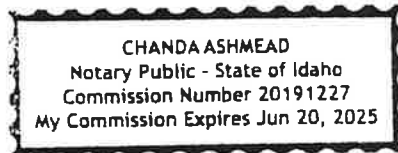
File No.: 96157160 (lr)

  
Dallas Smith

  
Candice Smith

STATE OF Idaho )  
COUNTY OF Camas )  
SS.

On this 17<sup>th</sup> day of March, 2021, before me, a Notary Public in and for said State, personally appeared **Dallas Smith and Candice Smith**, 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.



  
Notary Public for the State of Idaho  
Residing at: Camas County  
My Commission Expires: June 20, 2025

A PLAT SHOWING  
**THE WINDMILLS AT SOLDIER MOUNTAIN SUBDIVISION**  
 WHEREIN TRACT 7, AS SHOWN ON THE RECORD OF SURVEY OF SMOKEY DOME LLC TRACTS, IS SUBDIVDED AS SHOWN  
 LOCATED WITHIN SECTION 23, T.1 N., R.13 E., B.M., CAMAS COUNTY, IDAHO

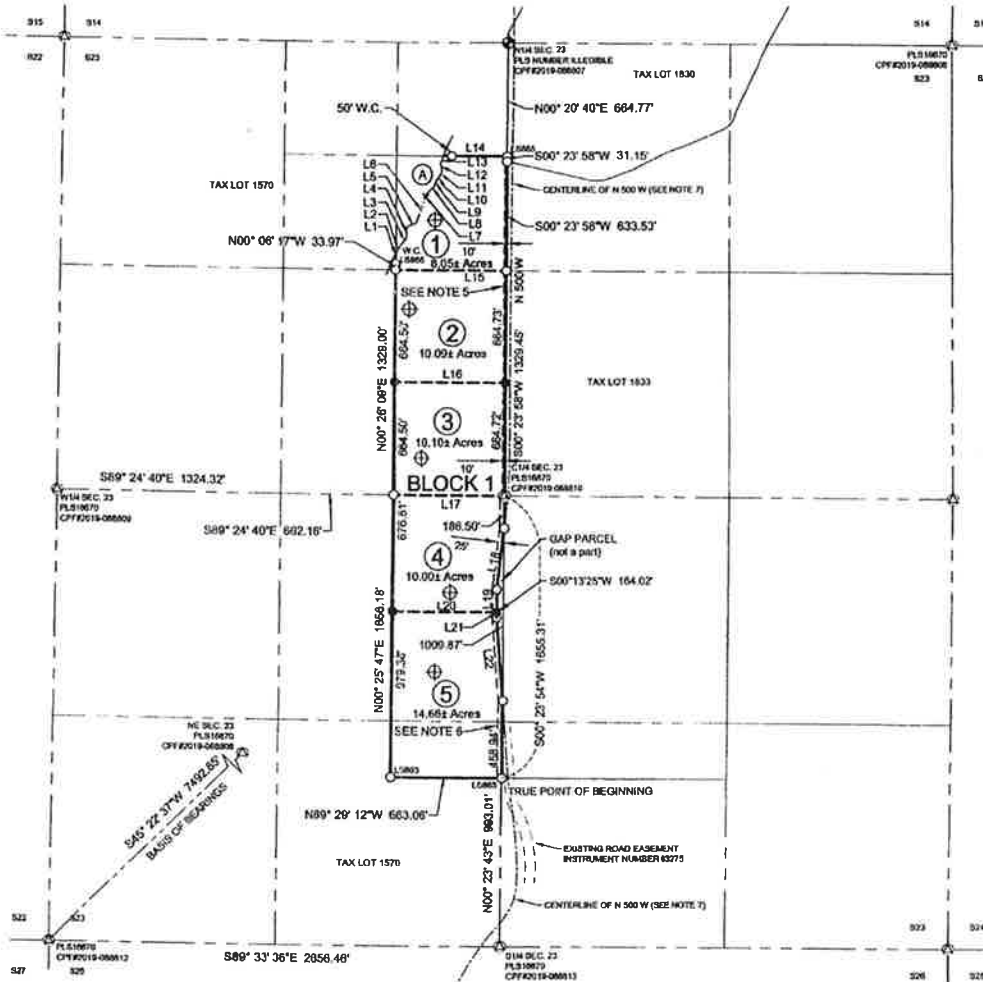
JANUARY 2021



SCALE: 1" = 500'

| Line Table |        |               |
|------------|--------|---------------|
| Line #     | Length | Direction     |
| L1         | 80.86  | N00° 26' 09"E |
| L2         | 48.74  | N28° 26' 15"E |
| L3         | 80.59  | N39° 26' 58"E |
| L4         | 87.57  | N02° 58' 34"E |
| L5         | 58.06  | N70° 34' 11"E |
| L6         | 78.41  | N22° 34' 57"E |
| L7         | 104.77 | N16° 18' 33"E |
| L8         | 66.02  | N48° 24' 59"E |
| L9         | 39.51  | N22° 40' 51"E |
| L10        | 39.30  | N35° 24' 33"E |
| L11        | 28.85  | N20° 02' 53"E |
| L12        | 36.17  | N14° 40' 38"W |
| L13        | 49.65  | N22° 52' 47"E |
| L14        | 379.48 | S49° 28' 05"E |
| L15        | 851.32 | N89° 27' 01"W |
| L16        | 861.74 | S89° 25' 50"E |
| L17        | 862.16 | S89° 24' 40"E |
| L18        | 358.93 | S06° 36' 12"W |
| L19        | 131.84 | S00° 13' 25"W |
| L20        | 623.93 | N89° 34' 13"W |
| L21        | 32.38  | S00° 13' 25"W |
| L22        | 490.57 | S04° 06' 11"E |

| LOT AREAS |          |        |
|-----------|----------|--------|
| LOT       | Sq. Ft.  | Ac.    |
| 1         | 350,564± | 8.05±  |
| 2         | 439,657± | 10.09± |
| 3         | 439,838± | 10.10± |
| 4         | 435,602± | 10.00± |
| 5         | 638,788± | 14.86± |



**LEGEND**

- Subdivision Boundary
- Lot Line
- Adjoiner's Lot Line
- Centerline of N 500 W (see note 7)
- 1/4 & 1/16 Section Lines
- Section Line
- Centerline of the West Fork of Threemile Creek
- Existing Easement Line, type and width as Shown
- Proposed Easement Line, type and width as Shown
- Found Brass Cap in Concrete
- Found Aluminum Cap on 5/8" Rebar
- Found 5/8" Rebar, P.L.S. 16670 unless otherwise shown
- Set 5/8" Rebar, P.L.S. 16670
- Approved Septic Locations (see note 5)
- Lot Number (see Table for Areas)
- W.C. Witness Corner

**SURVEY NARRATIVE & NOTES**

- The purpose of this map is to subdivide Tract 7, into Lots 1-5, Block 1, The Windmills at Soldier Mountain Subdivision, as shown herein, being based on the Record of Survey of Smokey Dome LLC Tracts, recorded as Instrument Number 2019-088525, records of Camas County, Idaho, and show the monuments found and set during the boundary retracement of said Tract 7. Refer to said Record of Survey for additional boundary and section breakdown information, Notes, Easements, documents used or referenced during the course of the above referenced Record of Survey establishing Tract 7, and Corner of Perpetuation & Filing information.
- A water boundary exists along the West Fork of Threemile Creek, indicated with an (A) on the map, and will shift, relit and/or accrete, with the West fork of Threemile Creek through time.
- This survey does not purport to reflect any of the following which may be applicable to subject real property: natural hazards, encumbrances, encroachments, wetlands, building setbacks, restrictive covenants, subdivision restrictions, zoning or any other land-use regulations.
- Septic Locations shown herein have been approved by the South Central Public Health District. If an alternative location is preferred, it will have to be approved by the Health District. Wells are to be located a minimum of 100' away from a septic drainfield.
- A 10' Public Access and Public Utility Easement, created hereon, shall exist along the Easterly Property boundary of Lots 1-3, Block 1, The Windmills at Soldier Mountain Subdivision, being parallel to said easterly boundary.
- A 25' Public Access and Public Utility Easement, created hereon, shall exist along the Easterly Property boundary of Lots 4-5, Block 1, The Windmills at Soldier Mountain Subdivision, being parallel to said easterly boundary.
- N 500 W runs along the eastern boundary of the subdivision. There is a probable 50' Prescriptive Easement over the roadway. The portion of this probable easement falling within this subdivision is encompassed in the 10' access and utility easement on the eastern boundary of Lots 1-3 and the 25' access and utility easement on the eastern boundary of Lots 4-5.

**CERTIFICATE OF SURVEYOR**

I hereby certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true and accurate representation of a survey done under my direct supervision.



MARK E. PHILLIPS, P.L.S. 16670

THE WINDMILLS AT SOLDIER MOUNTAIN SUBDIVISION  
 GALENA ENGINEERING, INC.  
 HAILEY, IDAHO  
 SHEET 1 OF 2  
 Job No. 7814

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

1/13/2021  
 Date  
South Central Public Health District



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858  
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

September 08, 2021

KARIN SCHELLENBERG  
4535 E ARBORVITAE DR  
BOISE ID 83716-7075

Re: Change in Water Right Ownership: 37-409B (Split into 37-409B and 37-23346), 37-368B (Split into 37-368B and 37-23345), 37-2076B (Split into 37-2076B and 37-23347); Name added as 'Current Owner' to right 37-8859

Dear Karin:

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) 293-9909.

Sincerely,

Jim Bitzenburg  
Senior Water Resource Agent

Enclosure(s)

CC: WD-37B; Dallas and Candice Smith

August 30, 2021

RECEIVED

SEP 02 2021

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Karin Schellenberg  
4535 E Arborvitae Drive  
Boise, ID 83716

RE: Water Right No (s): 37-368B, 37-409B, 37-2076B, and ADDING 37-8859

Dear Mr. Bitzenburg,

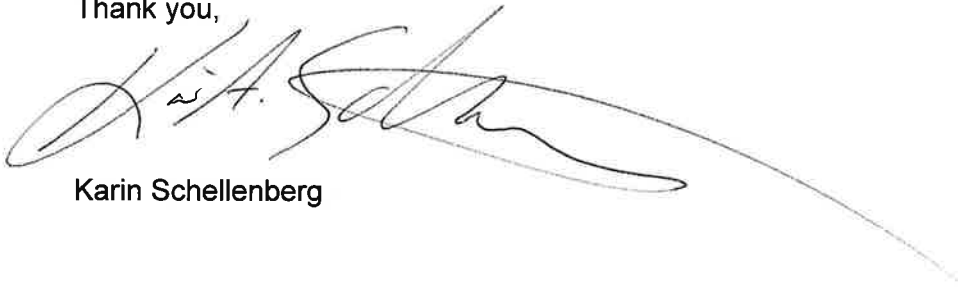
Thank you for speaking with me today and clarifying the letter recently sent (copy enclosed). Please find a check enclosed for \$225 covering the additional fees requested.

In addition, please add Water Right No: 37-8859 to my list of water rights.

If there is anything else I need to do, please feel free to reach out to me at 530-848-6111 or email [kanswim@gmail.com](mailto:kanswim@gmail.com).

I look forward to receiving written confirmation for my records.

Thank you,

A handwritten signature in black ink, appearing to read 'K. Schellenberg', with a long horizontal flourish extending to the right.

Karin Schellenberg



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

August 25, 2021

KARIN SCHELLENBERG  
4535 E ARBORVITAE DR  
BOISE ID 83716

RE: Water Right No(s): 37-368B, 37-409B, & 37-2076B Change in Ownership

Dear Ms. Schellenberg:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

☒ Filing Fee of \$25.00 per water right for changes that do not need to be split.

☐ Filing Fee of \$100.00 per water right for changes that need to be split.

☐ Additional information and corrections to Notice.

During our review of the Notice and documentation you submitted, it appears that water right 37-8859 is also appurtenant to Lot 1 of the Windmills at Soldier Mountain Subdivision. This right has a 'flow-through' component across several of the parcels in the Subdivision, so, instead of splitting the right, we are adding the names of the land owners with ground appurtenant to the right as current owners. This will incur a fee of \$25.00. The other rights you have listed on the Notice are all splits of rights, which have a fee of \$100.00 per right, so the total fee due is \$325.00. You paid \$100.00 with the Notice, so there is a deficiency of \$225.00.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the additional filing fee for your notice will be \$225.00, in order to process the change for the four rights.

Because the Department cannot process the Notice without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees and corrections within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that water right holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 293-9909.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Bitzenburg", with a long, sweeping horizontal stroke extending to the right.

Jim Bitzenburg  
Senior Water Resource Agent

Enclosure(s)