

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 28 2020

DEPARTMENT OF  
WATER RESOURCES

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
75-7083	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
75-27L	Yes <input checked="" 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"/>
	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: JOHN A BENZON  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Randall Lee Schmitz and Daisy Mae Schmitz  
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 487 Hwy 93N Carmen ID 83462  
Mailing address City State ZIP
- 205-631-3088 dschmitz09@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: 6/25/2020

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):
- ☐ \$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: [Signature] 8/17/2020  
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 8/17/2020  
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 8-28-2020 Receipt No. C109189 Receipt Amt. 50.00

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 [Signature] Approved by [Signature] Processed by [Signature] Date 9-4-2020



## WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:490222

### FOR VALUE RECEIVED

**Elizabeth A. Davenport, an unmarried woman**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Randall Lee Schmitz and Daisy Mae Schmitz, husband and wife**

whose current address is

**487 Hwy. 93 N.  
Carmen, ID 83462**

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

### TRACT A

A tract of land in the Southeast Quarter Northwest Quarter, Section 12, T. 20 N., R. 21 E., B.M., Lemhi County, Idaho, more particularly described as follows, to-wit: Commencing at the Northeast Corner of the Southeast Quarter and Northwest Quarter of Section 12, T 20 N., R. 21. E. B. M., thence South 525.0 feet; thence West 155.0 feet to the point of beginning and the Northeast Corner of the tract of land; thence South 332.0 feet, more or less, to the Northerly Right-of-way line of the Williams Creek County Road; thence Northwesterly along said Right-of-way line 330.0 to a point; thence N. 60°44' West 272.8 feet; thence North 91.6 feet; thence East 545.0 feet, more or less, to the point of beginning.

### TRACT B

A tract of land in the Southeast Quarter Northwest Quarter, Section 12, T. 20 N., R. 21 E., B.M., Lemhi County, Idaho, more particularly described as follows, to-wit: Commencing at the Northeast Corner of the Southeast Quarter Northwest Quarter of Section 12, T. 20 N., R. 21 E., B.M., thence South 525.0 feet; thence West 55.0 feet to the point of beginning thence S. 332.0 feet, more or less, to a point on the Northerly Right-of-way line of the Williams Creek Road; thence West 100.0 feet; thence North 332.0 feet; thence East 100.0 feet, to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 26, 2020

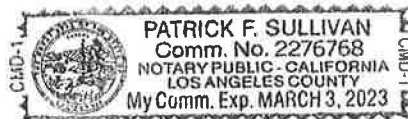
Elizabeth A. Davenport  
Elizabeth A. Davenport

State of CALIFORNIA } ss  
County of LOS ANGELES }

On this 26 day of June, 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared Elizabeth A. Davenport, 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 same.

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

Patrick F. Sullivan  
Notary Public for the State of CALIFORNIA  
Residing at: 16829 S. Western Ave  
Commission Expires: 3/03/2023 BAKERSFIELD, CA 90011





## **QUITCLAIM DEED**

ATEC ORDER NO.: 490222

**FOR VALUE RECEIVED,**

**John Andrew Benzon, II, a single person, as to a Life Estate**

do(es) hereby convey, release, remise and forever quitclaim unto

**Elizabeth A. Davenport, an unmarried woman**

whose current address is: **1649 S. Western Ave. Space #58, Gardena, CA 90247**

the following described premises:

### **TRACT A**

**A tract of land in the Southeast Quarter Northwest Quarter, Section 12, T. 20 N., R. 21 E., B.M., Lemhi County, Idaho, more particularly described as follows, to-wit: Commencing at the Northeast Corner of the Southeast Quarter and Northwest Quarter of Section 12, T 20 N., R. 21. E. B. M., thence South 525.0 feet; thence West 155.0 feet to the point of beginning and the Northeast Corner of the tract of land; thence South 332.0 feet, more or less, to the Northerly Right-of-way line of the Williams Creek County Road; thence Northwesterly along said Right-of-way line 330.0 to a point; thence N. 60°44' West 272.8 feet; thence North 91.6 feet; thence East 545.0 feet, more or less, to the point of beginning.**

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated:

John Andrew Benzon II 6-30-2020  
John Andrew Benzon, II

State of Idaho } ss  
County of Lemhi }

On this 30<sup>th</sup> day of June, 2020, before me, Heidi Semmler, a Notary Public in and for said state, personally appeared John Andrew Benzon, II, 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 same.

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

Heidi Semmler  
Heidi Semmler

Notary Public for the State of Idaho  
Residing at: Salmon  
Commission Expires: May 19, 2021

HEIDI SEMMLER  
COMMISSION #54524  
NOTARY PUBLIC  
STATE OF IDAHO



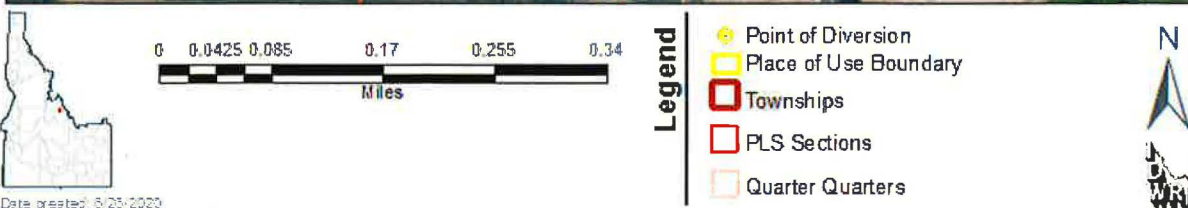
State of Idaho  
Department of Water Resources

# Water Right

75-27L

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

September 04, 2020

RANDALL LEE SCHMITZ  
DAISY MAE SCHMITZ  
487 HIGHWAY 93 N  
CARMEN ID 83462-4522

Re: Change in Ownership for Water Right No(s): 75-27L & 75-7083

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.

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) 287-4942.

Sincerely,

Jean Hersley  
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 75B