

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
JUN 30 2020  
Department of Water Resources  
Eastern 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-4073 <u>OK</u>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
35-8951 <u>OK</u>	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"/>
35-8951 35-4685	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: Shreiner Farms - Idaho L.L.C  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Logan Phillips McGarry Whitney McGarry  
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or

1038 E Butte Road Meram ID 83440  
Mailing address City State ZIP

208-206-3793 mcgarrylogan@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: May 22, 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: Logan McGarry Grantee 6-29-20  
Signature of new owner/claimant Title, if applicable Date

Signature: Whitney McGarry  6-29-2020  
Signature of new owner/claimant Title, if applicable Date

**For IDWR Office Use Only:**

Received by JB Date 6/30/20 Receipt No. 5046067 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 JB Processed by JB Date 9/3/20

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
535 First American Circle  
Rexburg, ID 83440

Microfile No. **431077**  
22 DAY May 2020  
At 03 O'Clock 03 PM  
KIM H. MUIR  
MADISON CO RECORDER  
Fee \$45.00  
Deputy  
Recorded at Request of  
FIRST AMERICAN TITLE - REXBURG

Space Above This Line for Recorder's Use Only

## WARRANTY DEED

File No.: **893271-RX (km)**

Date: **April 21, 2020**

For Value Received, **Schreiner Farms - Idaho, L.L.C.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Logan Phillips McGarry and Whitney Dawn McGarry, husband and wife**, hereinafter called the Grantee, whose current address is **6391 W 3800 S, Rexburg, ID 83440**, the following described premises, situated in **Madison County, Idaho**, to-wit:

**PART OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 38 EAST OF THE BOISE MERIDIAN, MADISON COUNTY, IDAHO, DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT THAT IS NORTH 72.32 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SAID SECTION 10 AND RUNNING THENCE NORTH 2584.25 FEET ALONG SAID SECTION LINE TO THE WEST QUARTER CORNER OF SAID SECTION 10; THENCE N. 89°59'43" E. 2159.03 FEET ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10 TO THE BOUNDARY OF MENAN BUTTE ESTATES, DIVISION NO. 1, MADISON COUNTY, IDAHO; THENCE ALONG SAID BOUNDARY OF MENAN BUTTE ESTATES THE FOLLOWING SIX (6) COURSES: (1) S. 25°58'58" E. 456.75 FEET; THENCE (2) S. 14°49'20" E. 386.82 FEET; THENCE S. 68°11'00" W. 624.24 FEET TO A POINT OF CURVE WITH A RADIUS OF 2570.84 FEET AND A CHORD THAT BEARS S. 54°03'02" W. 1255.43 FEET; THENCE (4) TO THE LEFT ALONG SAID CURVE 1268.25 FEET THROUGH A CENTRAL ANGLE OF 28°15'55" TO A POINT OF REVERSE CURVE WITH A RADIUS OF 7402.49 FEET AND A CHORD THAT BEARS S. 43°58'15" W. 1046.24 FEET; THENCE (5) TO THE RIGHT ALONG SAID CURVE 1047.12 FEET THROUGH A CENTRAL ANGLE OF 8°06'17" TO A POINT OF COMPOUND CURVE WITH A RADIUS OF 372.30 FEET AND A CHORD THAT BEARS S. 60°09'48" W. 156.60 FEET; THENCE (6) TO THE RIGHT ALONG SAID CURVE 157.78 FEET THROUGH A CENTRAL ANGLE OF 24°16'53" TO THE POINT OF BEGINNING.**

**Together With:**

**35-4037B for 1.12 CFS, Decree, priority of 06/25/1960 for 53 acres from a well (or as reassigned).**

**35-8951 for 1.46 CFS, License, priority of 07/29/1991 for 73 from a well (or as reassigned).**

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.

Date: 04/21/2020

Warranty Deed  
- continued

File No.: 893271-RX (km)

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: 04/21/2020

Warranty Deed  
- continued

File No.: 893271-RX (km)

Schreiner Farms - Idaho, L.L.C.

By: \_\_\_\_\_

Name: Joseph H Schreiner  
Title: Member

STATE OF

WA

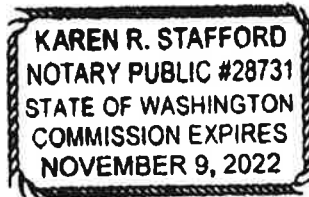
)  
ss.

COUNTY OF

Thurston

)

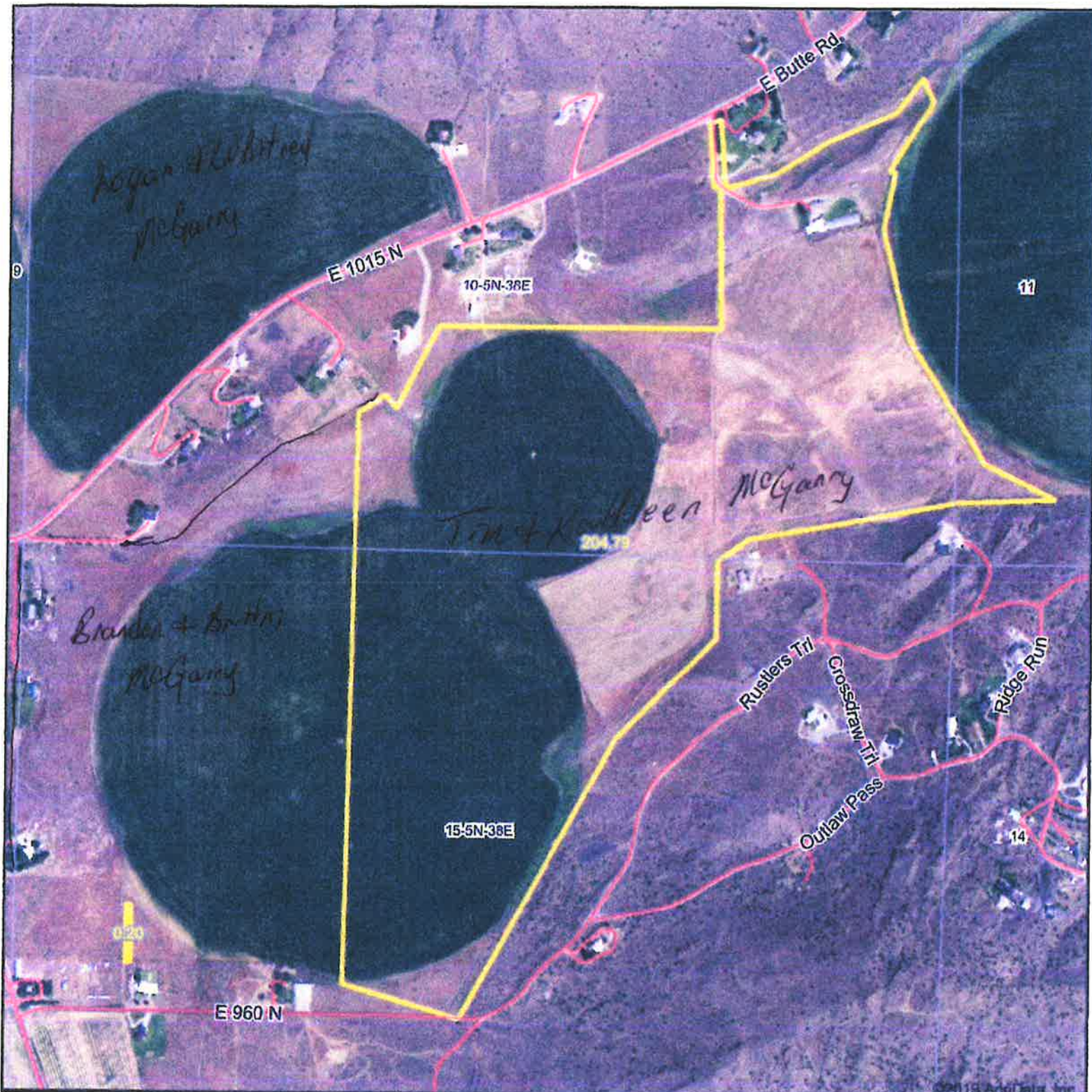
On this 19th day of May, 2020, before me, a Notary Public in and for said State, personally appeared **Joseph H Schreiner**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Schreiner Farms Idaho, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



Karen R. Stafford  
Notary Public of WA  
Residing at: Olympia  
Commission Expires: 11-09-2022



# Aerial Map - Parcel #1 with pump easement



map center: 43° 46' 16.73, -111° 58' 18.44

0ft 889ft 1778ft

**10-5N-38E**  
**Madison County**  
**Idaho**



3/27/2020

Maps Provided By  
**surety**  
CUSTOMER ONLINE MAPPING  
© Aerial Data, Inc. 2019 [www.AerialDataInc.com](http://www.AerialDataInc.com)

Borders are for illustration purposes only and are not meant to replace a survey.





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

September 03, 2020

LOGAN PHILLIPS MC GARRY  
1038 E BUTTE RD  
MENAN ID 83434-5122

Re: Change in Water Right Ownership: 35-4073B (No Split Required) and 35-8951 (Split into 35-8951 and 35-14685)

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) 497-3787.

Sincerely,

Jonie Barg  
Technical Records Specialist 1

Enclosure(s)

cc: SCHREINER FARMS IDAHO LLC  
WATER DISTRICT 120