

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

AUG 20 2020

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?
35-11059	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Gary Schild - Robert D. Schild
Name of current water right holder/claimant

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

HARRY D. HAMILTON
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

98 E 100 N

Blackfoot

ID

83221

Mailing address

City

State

ZIP

307-260-7002

N/A

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: August 10 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):
 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.

8. Signature:

Harry Hamilton
Signature of new owner/claimant

Owner

Title, if applicable

8-17-2020

Date

Signature:

[Signature]
Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JB

Date 8/20/20

Receipt No. 5046203

Receipt Amt. \$25. -

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 8/20/20

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 721067

BINGHAM COUNTY, IDAHO
2020-08-10 12:03:24 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **912468-B (jcm)**

Date: **August 10, 2020**

For Value Received, **Jeffrey Schild, Personal Representative of the Estate of Robert D. Schild, deceased, Case No. CV-06-20-0501 and Kelly D Schild, a single person and Shawn D. Schild, a married man as his sole and separate property and Jeffrey D. Schild, a single person,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Harry Hamilton, an unmarried man,** hereinafter called the Grantee, whose current address is **486 West Highway 39, Blackfoot, ID 83221,** the following described premises, situated in **Bingham County, Idaho,** to-wit:

**A PORTION OF THE S½SW¼ OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 35 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS:
BEGINNING AT A POINT 1186 FEET EAST OF THE SW CORNER OF SAID SECTION 32; THENCE EAST 174 FEET; THENCE NORTH 677.5 FEET; THENCE WEST 189 FEET; THENCE SOUTHERLY 677.5 FEET TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM: HIGHWAY RIGHT OF WAY**

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.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

E-RECORDED simplifile

ID: 791067
County: Bingham
Date: 8-10-2020 Time: 12:05pm

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **912468-B (jcm)**

Date: **August 10, 2020**

For Value Received, **Jeffrey Schild, Personal Representative of the Estate of Robert D. Schild, deceased, Case No. CV-06-20-0501 and Kelly D Schild, a single person and Shawn D. Schild, a married man as his sole and separate property and Jeffrey D. Schild, a single person,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Harry Hamilton, an unmarried man,** hereinafter called the Grantee, whose current address is **486 West Highway 39, Blackfoot, ID 83221,** the following described premises, situated in **Bingham County, Idaho,** to-wit:

**A PORTION OF THE S $\frac{1}{2}$ SW $\frac{1}{4}$ OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 35 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS:
BEGINNING AT A POINT 1186 FEET EAST OF THE SW CORNER OF SAID SECTION 32; THENCE EAST 174 FEET; THENCE NORTH 677.5 FEET; THENCE WEST 189 FEET; THENCE SOUTHERLY 677.5 FEET TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM: HIGHWAY RIGHT OF WAY**

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: **08/10/2020**

Warranty Deed
- continued

File No.: **912468-B (jcm)**

Jeffrey Schild, Personal Representative of the
Estate of Robert D. Schild, aka Robert Schild,
deceased, Case No. CV-06-20-0501

Jeffrey Schild Personal Representative
Jeffrey Schild, Personal Representative

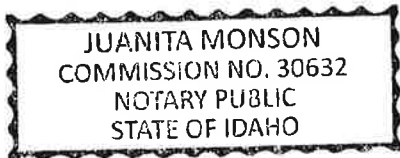
Kelly D Schild
Kelly D Schild

Shawn D. Schild
Shawn D. Schild

Jeffrey D. Schild
Jeffrey D. Schild

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this **Tenth day of August, 2020**, before me, a Notary Public in and for said State, personally appeared **Jeffrey Schild**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Personal Representative of the Estate of **Robert D. Schild**, and acknowledged to me that he executed the same as such Personal Representative.



Juanita Monson
Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 01/14/2025

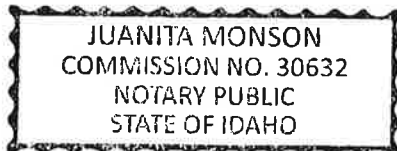
STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this Tenth day of August, 2020, before me, a Notary Public in and for said State, personally appeared **Kelly D. Schild**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

Date: 08/10/2020

Warranty Deed
- continued

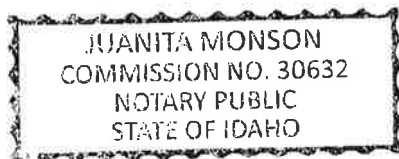
File No.: 912468-B (jcm)

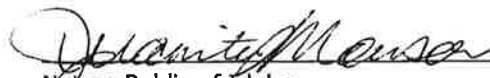



Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 01/14/2025

STATE OF Idaho)
SS.
COUNTY OF Bingham)

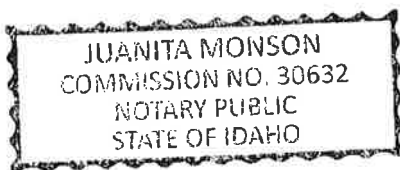
On this Tenth day of August, 2020, before me, a Notary Public in and for said State, personally appeared **Shawn D. Schild**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

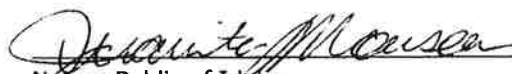



Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 01/14/2025

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this Tenth day of August, 2020, before me, a Notary Public in and for said State, personally appeared **Jeffrey D. Schild**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.




Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 01/14/2025

IDAHO Department of Water Resources



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

7/8/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-11059

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GAY SCHILD
Current Owner	ROBERT D SCHILD PO BOX 478 BLACKFOOT, ID 83221 2087851155

Priority Date: 06/01/1946

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.06 CFS	

Location of Point(s) of Diversion:

GROUND WATER | SESWSW | Sec. 32 | Township 02S | Range 35E | BINGHAM County

Place(s) of use:

Place of Use Legal Description: STOCKWATER BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	35E	32		SWSW										

Place of Use Legal Description: DOMESTIC BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	35E	32		SWSW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP 0339200 STOCKWATER, 4 HORSES

Dates:

Licensed Date:

Decreed Date: 11/28/1997

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: EXC

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



+

Enter Last Name or RP

Q

14

Owner: SCHILD JEFFERY D SCHILD KELLY D

Mailing Address: 719 W PACIFIC 719 W PACIFIC

Property Address: 486 W HWY 39
BLACKFOOT ID 83221-0000

RP Num: RP0339200

Legal Desc: T2S R35E SEC 32 T-3300

Instr Num: 714896 D 2020-02-11

T Num: T-3300

Assessed Acres: 2.00

Market Value: \$156,707.00

Tax Value: \$81,907.00

Zoom to

200ft

-112.389 43.198 Degrees



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

Brad Little
Governor

Gary Spackman
Director

August 20, 2020

HARRY D HAMILTON
98 E 100 N
BLACKFOOT ID 83221-5808

Re: Change in Ownership for Water Right No(s): 35-11059

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: Water District 120
Bingham Ground Water District