

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 23 2020
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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-16466	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16936	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Allison Family Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Craig E. Shultz and Nicole S. Shultz
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 2445 8975E Hagerman Idaho 83332
Mailing address City State ZIP
- 570 406 8013 nshultz 221@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: 5/28/2018
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.

SUPPORT DATA

IN FILE # 36-16466

8. Signature: Craig E. Shultz 1/20/2020
Signature of new owner/claimant Title, if applicable Date

Signature: Nicole S. Shultz 1/20/2020
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SC Date 1/23/20 Receipt No. 5037719 Receipt Amt. 650.00

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 BW Date 2/5/2020

RECORDING REQUESTED BY
First American Title Company

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

Instrument # 261930
GOODING COUNTY, GOODING, IDAHO
05-30-2018 13:21:15 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JM
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **679434GO (smb)**

Date: **May 23, 2018**

For Value Received, **Giles F. Allison and Joyce H. Allison, as Trustees of the Allison Family Trust initially created August 23, 1985 and Giles Fulton Allison, as sole member/manager of GFA Farm LLC, an Idaho limited liability company which was administratively dissolved on June 28, 2017,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Craig E. Shultz and Nicole S. Shultz, husband and wife as community property with right of survivorship,** hereinafter called the Grantee, whose current address is **17876 US Highway 30, Hagerman, ID 83332,** the following described premises, situated in **Gooding County, Idaho,** to-wit:

PARCEL NO. 1.:

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN GOODING COUNTY, IDAHO

Section 2: Part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the Southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section;
Thence Northwesterly along said right-of-way 839.6 feet more or less, to a point opposite of Station No. 236+81 of Project F 2361 (18);
Thence South 79° East (also of record as North 79° East), 224.7 feet more or less to the East boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 829.0 feet more or less along the East boundary line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING.

EXCEPT therefrom the following tract:

Beginning at the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section;
Thence East along the South line of said tract 1320 feet;
Thence North 592.83 feet;
Thence West 587.19 feet;
Thence South 85°35' West, 246.03 feet;
Thence North 64°48' West, 103.4 feet;
Thence South 88°22' West, 534.8 feet to the Easterly right-of-way of U.S. Highway No. 30, as now constructed;
Thence Southeasterly along said right-of-way 647.0 feet more or less to THE POINT OF BEGINNING.

PARCEL NO. 2.:

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN GOODING COUNTY, IDAHO

**Section 2: A parcel of land located in the SE $\frac{1}{4}$, more particularly described as follows:
Commencing at the Southeast corner of said Section 2;**

Thence North 00°06'13" West along the East boundary of the SE $\frac{1}{4}$ of Section 2 for a distance of 1,318.47 feet to the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2;

Thence North 89°53'32" West along the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2 for a distance of 1,280.73 feet to a point on an existing fence line and being THE TRUE POINT OF BEGINNING;

Thence South 00°33'52" East along the existing fence line for a distance of 46.43 feet to a point on the arc of the Easterly right-of-way boundary of Highway U.S. 30;

Thence Northwesterly along the arc of the Easterly right-of-way boundary of Highway U.S. 30 for a distance of 552.01 feet to the point of curve to a spiral curve, said arc having a radius of 3,869.72 feet and a long chord bearing and distance of North 12°50'12" West, 551.54 feet;

Thence along the arc of the spiral curve and parallel with the centerline of Highway U.S. 30 for a distance of 117.84 feet, said arc having a long chord bearing and distance of North 17°40'15" West, 117.84 feet;

Thence North 88°28'28" East for a distance of 167.20 feet;

Thence along the existing fence line on the following courses:

South 00°49'47" West, 160.83 feet;

South 11°54'00" West, 59.39 feet;

South 00°57'26" East, 85.00 feet;

South 00°45'18" East, 263.02 feet;

South 00°33'52" East, 41.15 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 3:

Together with a road right-of-way for ingress and egress along the West line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and running a distance of approximately 829 feet North from the Southwest corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ and also a road right-of-way 25 feet in width and running parallel to the South boundary line of said property, described in Deed as set forth in microfilmed Instrument No. 29869, records of Gooding County, State of Idaho, a distance of approximately 475 feet East from the West line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, as set forth in microfilmed Instrument No. 28712, records of Gooding County, State of Idaho

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.

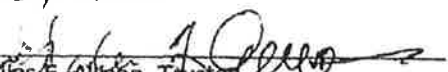
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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: 05/23/2018

Warranty Deed
- continued

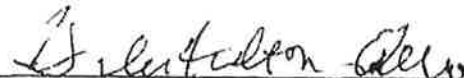
File No.: 67943460 (smb)

Giles F. Allison and Joyce H. Allison, as Trustees
of the Allison Family Trust initially created
August 23, 1985


Giles F. Allison, Trustee


Joyce H. Allison, Trustee

GFA Farm LLC, an Idaho limited liability company

By: 
Name: Giles Fulton Allison
Title: Member/Manager

STATE OF California)
SS.
COUNTY OF Orange)

On this _____ day of May, 2018, before me, a Notary Public in and for said State, personally appeared **Giles Fulton Allison**, 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 **GFA Farm LLC, an Idaho limited liability company**, 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.

Notary Public of California
Residing at: _____
Commission Expires: _____

STATE OF California)
SS.
COUNTY OF _____)

On this _____ day of May, 2018, before me, a Notary Public in and for said State, personally appeared **Giles F. Allison and Joyce H. Allison**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustees of the **The Allison Family Trust initially created August 23, 1985**, and acknowledged to me that they executed the same as such Trustees.

Notary Public of California
Residing at: _____
Commission Expires: _____

** see attached Ack now ledgment*

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

On May 24, 2018

Date

before me,

Mary DiRuscio, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Giles F. Allison and Joyce H. Allison

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

Mary DiRuscio
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Warranty Deed

Document Date: May 23, 2018

Number of Pages: Three

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____



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

Brad Little
Governor

Gary Spackman
Director

February 05, 2020

CRAIG E and NICOLE S SHULTZ
2445 S 975 E
HAGERMAN ID 83332-5094

Re: Change in Ownership for Water Right No(s): 36-16433 and 36-16936

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) 293-9904.

Sincerely,

Benny Walker
Senior Water Resource Agent

Enclosure(s)
Cc: Water district 36A

RECEIVED
JAN 23 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

DATE: 1/20/2020

TO: Carrie Hahn/IDWR

FROM: Craig E. Shultz
Nicole S. Shultz

RE: Attached correspondence dated 1/7/2020

Dear Ms. Hahn,

Thank you for contacting us about this issue. We purchased this property simultaneously with the two adjoining parcels on 5/28/2018. Unbeknownst to us, the seller, the agents, and the title company, the Hagerman P&Z had changed the addresses. For this reason, the property was erroneously listed as 17876 Highway 30 Hagerman. The correct addresses for the 3 lots are respectively 2445, 2449 and 2551/ S 975 E Hagerman. The parcel which forms the narrow point of the triangle depicted on the attached map is 2551. Our mailing address, and the parcel on which our home is situated is 2445.

We are returning the form to you, filled out as best we know how, along with the \$25.00 filing fee. Please let us know if there are any further questions.

Sincerely,





State of Idaho

DEPARTMENT OF WATER RESOURCES

ID Dept. of Water Resources • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5851
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 7, 2020

CRAIG E SHULTZ
2445 S 975 E
HAGERMAN ID 83332

RE: Change of Ownership -36-16466, 36-16936

Dear Water User:

The Department has been notified that you *may* be the current owner of the property to which the enclosed water rights are appurtenant. Please review the rights. In order for you to be listed as the current owner on the water right, please complete the enclosed Notice of Change in Water Right Ownership Form. Please completed it per the instructions, include the required fees and documentation and return everything to the Department. Once it is received, the changes will be made to our records and you will be sent confirmation that the change has been completed.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Carrie Hahn
Clerk

Enclosures