

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 23 2019

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?
22-13345 <i>OK</i>	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: Abelardo W. Garcia and Mary Lee Garcia
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Donald D. Schwemmer and Charlene M. Schwemmer
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 2515 Rivers Edge Drive St. Anthony ID 83445
Mailing address City State ZIP
- (208) 521-1320 charlene1320@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: September 19, 2019
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] Title, if applicable _____ Date 9/19/19
Signature of new owner/claimant

Signature: [Signature] Title, if applicable _____ Date 9/19/19
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 9/23/2019 Receipt No. E045338 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 CR Date 9/24/2019

WARRANTY DEED

For Value Received Abelardo W. Garcia, a single man, and Mary Lee Garcia, a single woman, the grantors, do hereby grant, bargain, sell and convey unto Donald D. Schwemmer and Charlene M. Schwemmer, husband and wife, of 2515 Rivers Edge Drive, St. Anthony, Idaho 83445, the following described property:

That portion of Government Lots 2 and 3 of Section 6, Township 7 North, Range 41 East, Boise Meridian, Fremont County, Idaho, lying on the East side of Henry's Fork of the Snake River, more particularly described as follows: Beginning at a corner number 1, Lot 18, which is a brass cap marked SMC, Cor 1 Lot 18, Sec. 6 Township 7 North, Range 41 East, 1968 1978, said corner is S53°42'00"W 2054.78 feet of the Northeast corner of Section 6; and running thence South 88°27'02" West, a distance of 197.59 feet along restored original meander line for the right bank of Henry's Fork of the Snake River, to the true point of beginning; thence South 0°28'38" West a distance of 575.67 feet; thence South 74°45'41" West, a distance of 189.19 feet; thence North 0°28'38" East, a distance of 652.46 feet to the actual left bank of the Henry's Fork of the Snake River; thence South 86°43'23" East, a distance of 182.50 feet along the left bank of said river; thence South 0°28'38" West a distance of 16.64 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with its appurtenances and any water rights appurtenant to said property, unto the said Grantees, theirs heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 19 day of September, 2019.

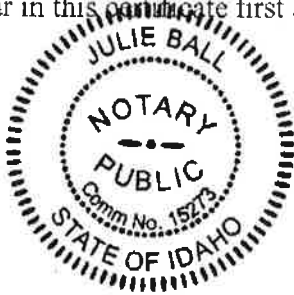
Abelardo W. Garcia
Abelardo W. Garcia

Mary Lee Garcia
Mary Lee Garcia

STATE OF IDAHO)
: ss.
County of Madison)

On this 19th day of September, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Abelardo W. Garcia, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the 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.

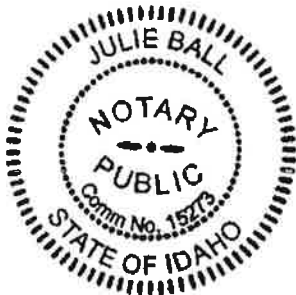


Julie Ball
Notary Public for Idaho
Residing at: Heberburg
My Commission Expires: 9/22/2019

STATE OF IDAHO)
: ss.
County of Madison)

On this 19th day of September, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Mary Lee Garcia, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that she executed the 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.



Julie Ball
Notary Public for Idaho
Residing at: Heberburg
My Commission Expires: 9/22/2019

State of Idaho
Department of Water Resources

Water Right
22-13345

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.

41E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles





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

September 24, 2019

DONALD D SCHWEMMER
CHARLENE M SCHWEMMER
2515 RIVERS EDGE DR
SAINT ANTHONY ID 83445-5533

Re: Change in Ownership for Water Right No(s): 22-13345

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) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Water District 01
Water District 100
Henry's Fork Ground Water District

FORSBERG LAW OFFICES, CHTD.

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Rexburg, Idaho 83440
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William R. Forsberg, Attorney
Troy D. Evans, Attorney
Dylan K. Anderson, Attorney
Philip A. Packer, Attorney

September 19, 2019

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

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SEP 23 2019

Department of Water Resources
Eastern Region

RE: *Notice of Change in Water Right Ownership*
Water Right No.: 22-13345

Dear Clerk,

Enclosed please find the original Notice of Change in Water Right Ownership form for Water Right No. 22-13345, together with copies of the Warranty Deed conveying the property from Abelardo W. Garcia and Mary Lee Garcia to Donald D. Schwemmer and Charlene M. Schwemmer, and a map showing the place of use and point of diversion for the right and/or claim.

I have also enclosed a check in the amount of \$25.00 for the filing fee for this change of ownership.

If you need anything further from our office, please let me know. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julie Ball".

Julie Ball, Certified Paralegal
to William Forsberg

Enclosures