



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 29, 2019

CLINT ZENNER
1435 GRAY EAGLE RD
GENESEE ID 83832-9619

RE: Change in Ownership Water Right No(s): 86-10578,

Dear Interested Parties:

On August 24, 2018, the Department requested additional fees from you. As of the date of this letter, the Department has not received the additional fees.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$25 has been requested and will be mailed to Zenner Family Farms under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 762-2813.

Sincerely,

Natalie Steading
Tech Records Specialist 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

August 24, 2018

CLINT ZENNER
ALECIA ZENNER
1435 GRAY EAGLE RD
GENESEE ID 83832-9619

RE: Water Right No(s): 86-10578

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice)

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

☐ Filing Fee of \$25 per water right

☒ Filing Fee of \$100 per water right for changes resulting from division of a water right (please see comments below)

☐ Signature

☐ Notarized Signature for Assignment of Permit

☐ Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

☐ Evidence of Security Interest: copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question

☐ Security Interest Expiration Date

☐ Legal Description of Property

☐ Plat of Property or Survey Map usually on file with the county

☐ USDA Farm Service Agency (formerly ASCS) Aerial Photo with irrigated acres outlined and point(s) of diversion clearly marked

☐ Description of Portion of Water Right resulting from division of water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the

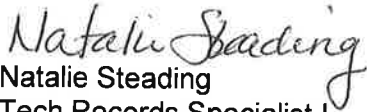
division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be a total of \$100. As \$25 has already been paid, the Department requires the remaining \$75 in order to process the Notice.

Because the Department cannot process the Notice without proper fees, we will hold any action on your Notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 762-2813 or at Natalie.steading@idwr.idaho.gov.

Sincerely,


Natalie Steading
Tech Records Specialist I

Enclosure(s)

RECEIVED

AUG 23 2018

IDWR / NORTH

STATE OF IDAHO
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?
86-10578	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:

Mark & Mikilann Zenner

Name of current water right holder/claimant

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

Clint & Alecia Zenner

New owner(s) as listed on the conveyance document

Name connector

☒ and ☐ or ☐ and/or

1435 Gray Eagle Rd.

Genesee

ID

83832

Mailing address

City

State

ZIP

208-285-0155

aleciazf@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:

8/1/18

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 of new owner/claimant

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by NS Date 8-23-18 Receipt No. N033709 Receipt Amt. \$2500Active 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 _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the Water Right and Adjudication Search link at www.idwr.idaho.gov.

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at www.idwr.idaho.gov, or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.
6. If you are unsure about the status of your water right in the Water Supply Bank, go to:
www.idwr.idaho.gov/apps/ExtSearch/WSBSearch/WSBSearch.aspx, input your water right number and click "Search." If you find your water right is in the Water Supply Bank and you want to release it so you can use it, you can download the Request to Release form from the forms portion of our website: www.idwr.idaho.gov. Your water right may not be available for immediate release if rented by another water user.

7. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

If the water right is leased to the Water Supply Bank and there is more than one owner, a Lessor Designation form must be completed to specify who the designated lessor will be. Each of the owners must sign the Lessor Designation form.

An IRS Form W-9 is required for all ownership changes pertaining to water rights leased to the Water Supply Bank. Refer to instructions in section 6 above to determine if the water right undergoing an ownership change is leased to the Water Supply Bank. An IRS W9 form can be downloaded from the Department's website: www.idwr.idaho.gov.

8. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you. Ownership changes for water rights leased to the Water Supply Bank should be sent to the State Office.**

IDWR Northern Region
7600 N Mineral Dr, Ste 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Eastern Region
900 N Skyline Dr, Ste A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

10/025
2-8

Instrument # 859809

NEZ PERCE COUNTY

7-31-2018 02:36:01 PM No. of Pages: 2

Recorded for : ALLIANCE TITLE

PATTY WEEKS

Ex-Officio Recorder Deputy *Cindy A. Deamps* Fee: 15.00

Index to: WRNTY/DCO

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:401025

FOR VALUE RECEIVED

Mark Zenner and Mikilann Zenner, husband and wife

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

Alecia Zenner and Clinton Zenner, wife and husband *cz*

whose current address is *ant*

**1435 Gray Eagle Road
Genesee, ID 83832**

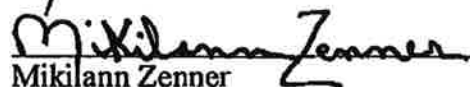
the grantee(s), the following described premises, in Nez Perce County, Idaho, TO WIT:

A parcel of land located in the Southwest Quarter of Section 16, and the Northwest Quarter of Section 21, Township 37 North, Range 4 West of the Boise Meridian, Latah and Nez Perce County, Idaho described as follows:

**Commencing at the Northeast corner of the Northwest Quarter of Section 21;
thence along the North line thereof,
North 89°08'55" West, 109.21 feet to the Point of Beginning; thence
South 19°48'40" West, 31.21 feet; thence
South 06°47'12" West, 306.79 feet; thence
South 31°39'00" West, 475.21 feet; thence
North 09°09'45" West, 604.91 feet; thence
North 01°24'04" East, 85.90 feet; thence
North 35°31'34" East, 480.73 feet; thence
North 28°53'06" East, 159.54 feet; thence
North 19°13'38" East, 485.76 feet; thence
South 60°33'52" East, 28.49 feet; thence
South 03°07'53" West, 592.25 feet; thence
South 19°48'40" West, 349.42 feet to the Point of Beginning.**

Dated: July 27, 2018


Mark Zenner


Mikilann Zenner

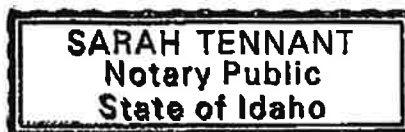
State of Idaho } ss
County of Nez Perce }

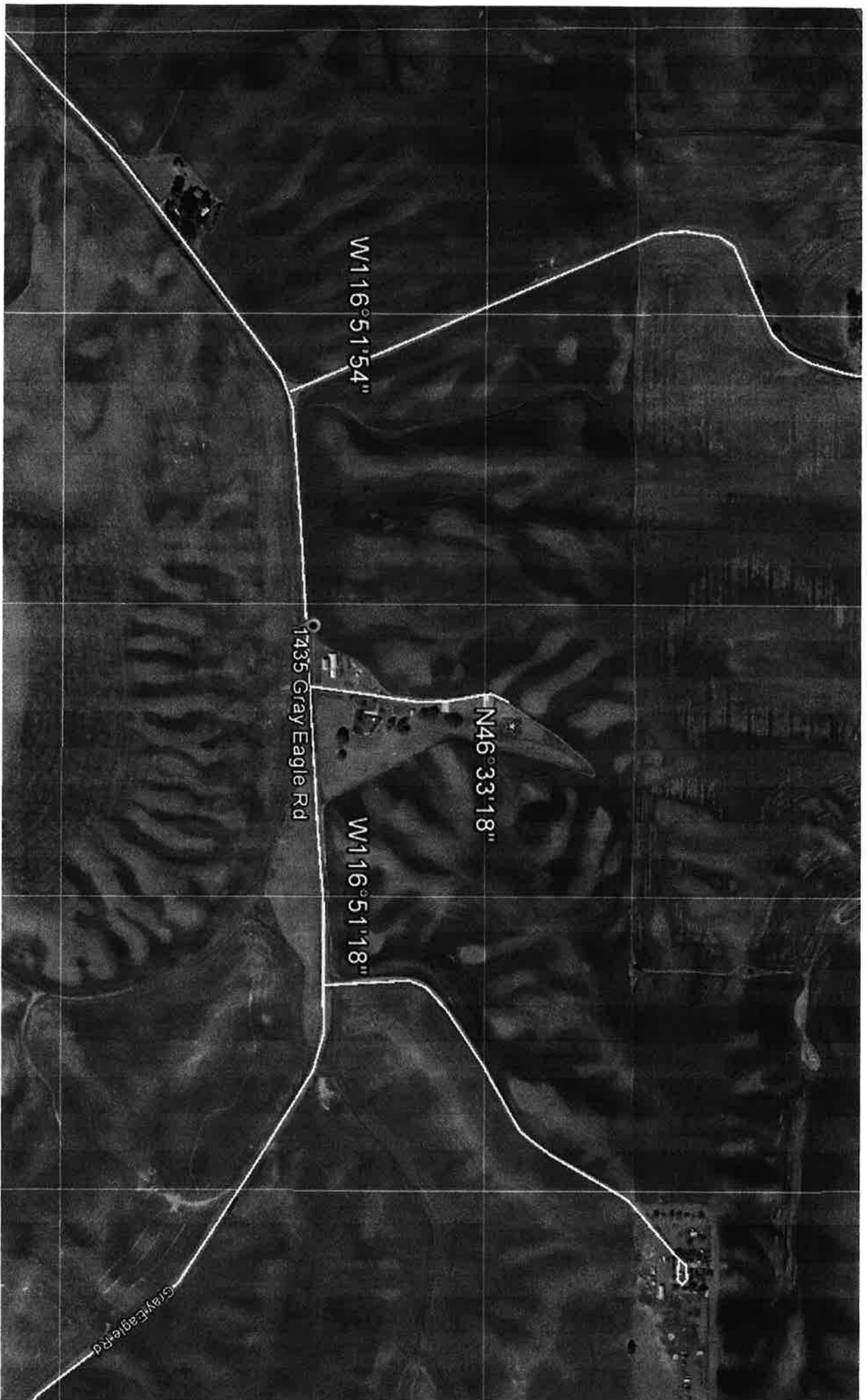
On this 27 day of July, 2018, before me, Sarah Tennant, a Notary Public in and for said state, personally appeared Mark Zenner and Mikilann Zenner, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

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

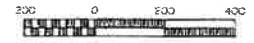

Sarah Tennant

Notary Public for the State of Idaho
Residing at: Lewiston
Commission Expires: 04/13/2024





Boundary Line Adjustment Located in the
SE 1/4 SW 1/4 of Section 16 and in the
NE 1/4 NW 1/4 of Section 21
T37N, R4W, Boise Meridian
Latah & Nez Perce Counties, Idaho



ORIGINAL SCALE : 1" = 200 FEET
CARD FILE - Jones, N.A. 9074 (New Period) only

- Set 500 x 300 long rebar at bottom cap L5 13112
- Provide Property Corner as Described
- Calculate Position - Nothing Found or Set
- Four Sector or 1/4 Secs or Corner
- Measures
- Records Per R05 20204
- General Land Office Original Survey Record
- Subject Property Boundary Line
- Existing Property Boundary Line per Gls Deeds 207617
- Section Line
- Section Subdivisor 1 to 6

The Basis of Bearings for this survey is the Idaho Coordinate System, West Zone, NAD 83, as shown between the south quarter corner and the found southwest corner of Section 16, said bearing being S 89°08'35" E.

1. QLC Original Survey by John B. Dand, August 1870
2. Gift Deed, Instrument Number 287417, Latah County Records
3. Record of Survey, Instrument Number 592904, Latah County Records
PLS 9905, July 2012 (Instrument Number Q205139,
Nez Perce County Records)

2. The north-south survey line is located on the reference line evidence located north of the county road and points to the W1/4 corner of Section 16.

This map correctly represents a survey made by me or under my direction in
conformance with the Survey Recording Act and at the request of Mark Zer
January, 2018.



April 1, 2006 - Lake Polovinka Land Survey

STATE OF IDAHO, COUNTY OF NEZ PERCE
RECORDED AT THE REQUEST OF _____

AT _____ THIS _____ DAY OF _____.

RECORDED

DEPUTY



RTM ROCK CONSULTING INC

Let's compare:

- **Team Surveying**
- **Sales Planning**
- **Business**

Figure 1. Schematic diagram of the experimental setup.

DATE	STATE	COUNTY	PROJECT	DRAWN BY
JANUARY 2018	ID	NEZ PERCE	BORY LINE ADJUSTMENT	LD/THH