

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 21 2018
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?
34-13931	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>34-13931</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-13931 34-14677	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Robert W. Silacci

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Jerry + Sandra Gollender

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

4168 W 4200 N

Mackay

Id. 83251

Mailing address

City

State

ZIP

208-588-3161

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: 1994

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: Jerry Gollender

Sandra Gollender

5-16-18

E044034 \$100 - 5/21/18 JB

SUPPORT DATA
IN FILE # 34-13931

Crows Nest Subdivision Water Right Splits

Block	Lot	Current Owner	Lot Size (acres)	Allocated Acres	Calculated Rate	Calculated Volume	Water Right
1	1	Wright	6.4	5.1	0.102	17.9	34-14620
1	2	Silacci	7.2	6.0	0.120	21.0	34-13931
1	3	Atkins	6.2	5.1	0.102	17.8	34-14621
1	4	Silacci	5.6	4.6	0.092	16.1	34-13931
1	5	Hihn	5.5	4.6	0.092	16.1	34-14296
1	6	Silacci	5.5	4.6	0.092	16.1	34-13931
1	7	Gustin	6.9	5.7	0.114	20.0	34-13913
1	8	Good	8.2	6.7	0.134	23.4	34-14622
1	9	Tracy	5.0	4.2	0.084	14.7	34-13932
1	10	Fairey	4.9	4.1	0.082	14.4	34-14516
1	11	Martin	4.9	4.1	0.082	14.4	34-14623
1	12	Martin	7.1	6.0	0.120	21.0	
1	13	Martin	7.2	6.0	0.120	21.0	
1	14	Silacci	5.5	4.6	0.092	16.1	34-13931
1	15	Hickerson	5.6	4.6	0.092	16.1	34-13914
1	16	Hickerson	5.6	4.6	0.092	16.1	35-2425D
1	17	Hickerson	7.0	5.8	0.116	20.3	
1	18	Silacci	7.1	5.7	0.114	20.0	34-13931
1	19	Gerrish	6.2	5.2	0.104	18.2	34-2425F
2	1	Bohne	5.7	5.0	0.100	17.5	34-13880
2	2	Houfburg	5.7	4.8	0.096	16.8	34-14624
2	3	Larson	5.5	4.7	0.094	16.4	34-14625
2	4	Stone	5.7	4.7	0.094	16.4	34-14626
2	5	Silacci	5.8	4.8	0.096	16.8	34-13931
2	6	Anderson	5.6	4.7	0.094	16.4	34-13854
Totals:			151.6	126.0	2.52	441	

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/23/2018

WATER RIGHT NO. 34-13931

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT W SILACCI 820 PARK ROW #680 SALINAS, CA 93901-2406 8318096596

Priority Date: 12/17/1961

Basis: Decreed

Status: Active

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

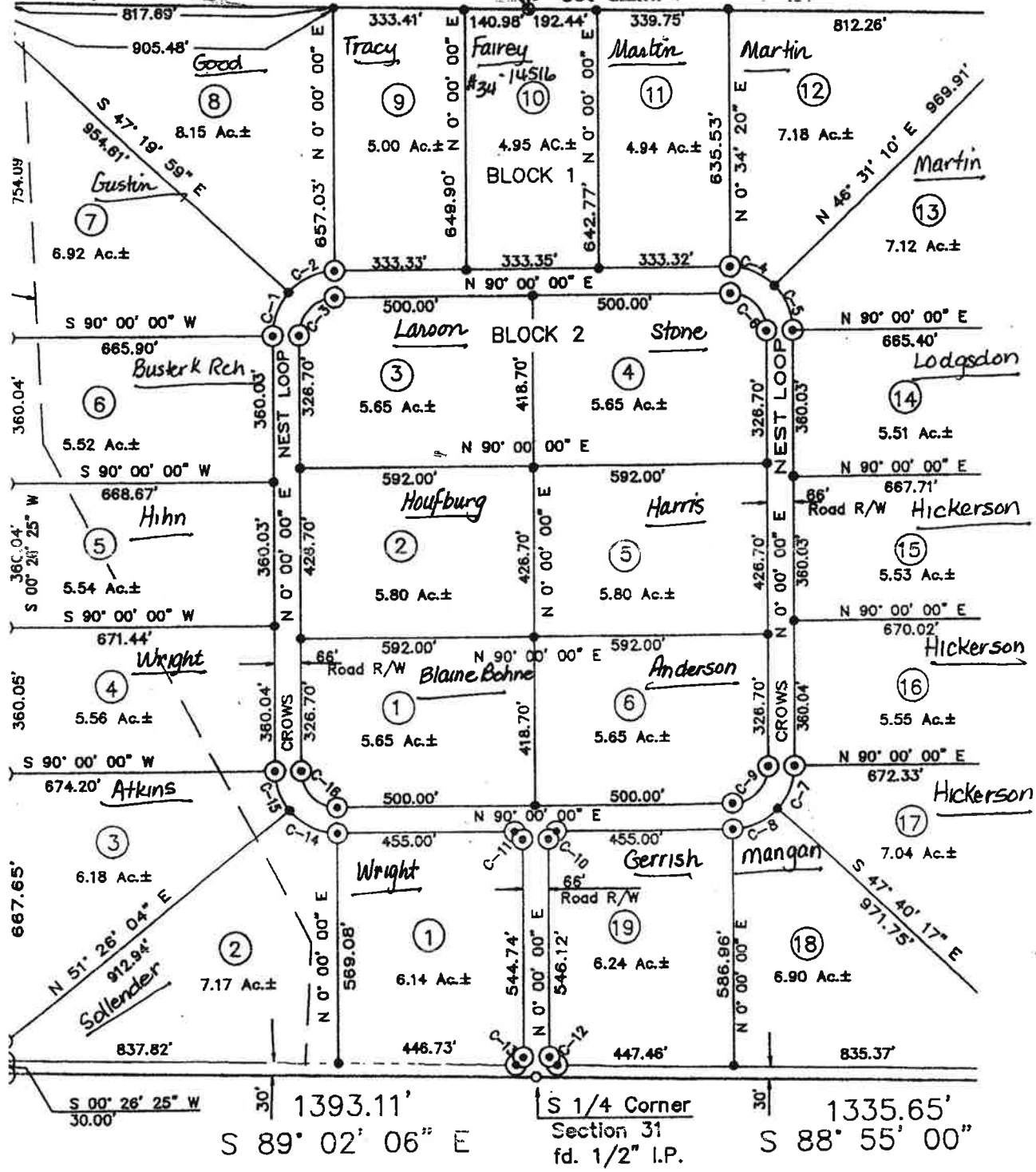
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.51 CFS	90 AFA
Total Diversion			0.51 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNESW|Sec. 31|Township 07N|Range 25E|CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County



206833

CLARK COUNTY, IDAHO

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

ROGER E. CRIST, ESQ.
ATTORNEY AT LAW
POST OFFICE BOX 2326
KETCHUM, ID 83340

Blaine, Custer, Idaho
12:00 P.M.
July 15, 1994
Edna M. Park, Clerk
Carol M. Park
\$ 12.00 Deputy

(Space above this line for Recorder's use)

FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF
THE CROWS NEST SUBDIVISION

*1991

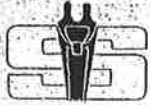
The Master Declaration of Covenants, Conditions and Restrictions as to the use of the Real Property Embraced Within The Crows Nest Subdivision Located in Custer County, Idaho dated October 17, 1994, and recorded on October 21, 1991, as Instrument No. 0200438 in the records of Custer County, Idaho, is hereby amended to add the following:

Robert Silacci, as one of the General Partners of the developer of said Crows Nest Subdivision, holds title in his name to certain agricultural irrigation water rights legally described in Exhibit A, attached hereto. Said ownership is in trust for the benefit of all of the owners of Lots in said Subdivision. The owner of a Lot in said Subdivision shall have the right to transfer a portion of said water into said Lot owner's name for use on said Lot. The extent of the water right to be transferred shall be a pro rata share of said water right based upon the schedule attached hereto as Exhibit B. Such owner who seeks to transfer a portion of said water right shall obtain all necessary governmental approvals for such transfer and shall pay all costs and expenses associated therewith.

All other terms and provisions of said Master Declaration not inconsistent herewith shall remain in full force and effect.

DATED this 10 day of June, 1994.

FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF THE CROWS NEST SUBDIVISION - 1



Order No. 97007917
This form furnished by
Blaine County Title Associates

WARRANTY DEED

0212947

For Value Received LOST RIVER DEVELOPMENT COMPANY, an Idaho partnership

the Grantor hereby grants, bargains, sells, conveys and warrants unto JERRY B. SOLLENDER and SANDRA R. SOLLENDER, husband and wife

R.

the Grantee whose current address is: 945 W. CROWLEY STREET, IDAHO FALLS ID 83402

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.

212947
Blaine County Reg. of
Blaine County
Title
Time 9:15 A.M.
3-3-1997
Ethel L. Pugh
C. W. Murphy
90

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 23, 1997

LOST RIVER DEVELOPMENT COMPANY, an
Idaho partnership

(Partnership Name)
By Robert Silacchi
ROBERT SILACCHI, GENERAL PARTNER

By _____

State of

SS.

County of

On this _____ day of January, 1997, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT SILACCHI

known to me, or identified to me on the basis of satisfactory evidence, to be GENERAL PARTNER of the Partnership that executed the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Notary Public
Residing at:
Commission Expires:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

212747

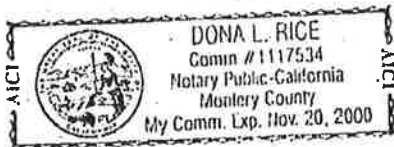
State of California

County of Monterey

On January 28, 1997 before me, Dona L. Rice, Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Robert Silacci
NAME(S) OF SIGNER(S)

☒ personally known to me - **OR** - ☐ 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.



WITNESS my hand and official seal.

Dona L. Rice
SIGNATURE OF NOTARY

LEGAL DESCRIPTION

212947

EXHIBIT "A"

Order Number: 97007917

LOT 2 OF BLOCK 1, CROWS NEST ESTATES ACCORDING TO THE OFFICIAL PLAT
THEREOF, FILED FOR RECORD AS INSTRUMENT NO. 200401, RECORDS OF
CUSTER COUNTY, IDAHO.

- Pidn: RP001120010010 Property Detail
- Owner: WRIGHT, AUDREY L
- Mail Addr: PO BOX 364
- Mail Addr: MACKAY, ID 83251
- St Addr: 4158 W 4200 N
- Location: BLK 1 LOT 1 CROWS NEST ESTATES
- Tax Roll Acreage: 6.1400
- Tax Code Area: 90000

1/1

- Pidn: RP001120010021 Property Detail
- Owner: SOLLENDER, JERRY B & SOLLENDER, SA
- Mail Addr: 4168 W 4200 N
- Mail Addr: MACKAY, ID 83251
- St Addr: 4168 W 4200 N
- Location: BLK 1 LOT 2 CROWS NEST ESTATES
- Tax Roll Acreage: 7.1700
- Tax Code Area: 90000

1/2

- Pidn: RP001120010030 Property Detail
- Owner: ATKINS, RODNEY A & ATKINS, MICHAEL
- Mail Addr: 103 LARGO LN APT #1
- Mail Addr: MINOT AFB, ND 58704
- Location: BLK 1 LOT 3 CROWS NEST ESTATES
- Tax Roll Acreage: 6.1800
- Tax Code Area: 90000

1/3

- Pidn: RP001120010040 Property Detail
- Owner: WRIGHT, MICHAEL V & WRIGHT, KATHIE
- Mail Addr: 885 WEST BEACON LIGHT ROAD
- Mail Addr: EAGLE, ID 83616
- Location: BLK 1 LOT 4 CROWS NEST ESTATES
- Tax Roll Acreage: 5.5600
- Tax Code Area: 90000

1/4

- Pidn: RP001120010060 Property Detail
- Owner: BUSTER K RANCH LLC & BUTLER, BRUCE
- Mail Addr: PO BOX 19736
- Mail Addr: FOUNTAIN HILL, AZ 85268
- Location: BLK 1 LOT 6 CROWS NEST ESTATES
- Tax Roll Acreage: 5.5200
- Tax Code Area: 90000

1/6

EXHIBIT B

BLOCK 1

Lots:

- 1 = 5.1" Wright
 - 2 = 6.0" Soltender
 - 3 = 5.1" Atkins
 - 4 = 4.6" Wright
 - 5 = 4.6" High
 - 6 = 4.6" Buster K. Ranch
 - 7 = 5.7" Guotin
 - 8 = 6.7" Good
 - 9 = 4.2" Tracy
 - 10 = 4.1" FATKEY
 - ✓ 11 = 4.1" MARTEN
 - ✓ 12 = 6.0" MARTEN
 - ✓ 13 = 6.0" MARTEN
 - 14 = 4.6" Logsdon
 - 15 = 4.6" Hickerson
 - 16 = 4.6" Hickerson
 - 17 = 5.8" Hickerson
 - 18 = 5.7" Mangar
 - 19 = 5.2" Gerrish
- 14.1" ÷ 50 = .28 cfs

BLOCK 2

Lots:

- 1 = 5.0" Bohne. Blaine
- 2 = 4.8" Houfburg
- 3 = 4.7" Larson
- 4 = 4.7" Stone
- 5 = 4.8" Harris
- 6 = 4.7" Anderson



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 12, 2018

Jerry Sollender
Sandra Sollender
4168 W 4200 N
Mackay ID 83251

RE: Change of Ownership for Water Rights 34-13931 (Split into 34-13931 & 34-14677)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

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 deliberately abandoned or 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.

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,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Robert Silacci
Big Lost River Ground Water District