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JUN 13 2018

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

MAY 04 2018

WATER RESOURCES
WESTERN REGION

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?
2-10458	Yes ☒	Yes ☐		Yes ☐	Yes ☐
2-10504	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Van Hall
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Barry A. Schenk
New owner(s) as listed on the conveyance document
- Mailing address: 1843 Wooddale Ct. City: Concord State: Ca ZIP: 94521
- Telephone: 925-619-6694 Email: Preferred Gutter@yahoo.com
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: March 23, 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.
8. Signature: [Signature] Title, if applicable: Owner Date: 5-1-2018
- Signature: _____ Title, if applicable: _____ Date: _____

For IDWR Office Use Only:

Received by: [Signature] Date: 5/4/18 Receipt No. W046304 Receipt Amt. \$100⁰⁰

Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing

Name on W-9: [Signature] Approved by: _____ Processed by: [Signature] W-9 received? Yes ☐ No ☒ Date: 6-18-18

Order Number: 18306726

AT-784756

~~Lot~~ 17

Warranty Deed

For value received,

Farris Smotherman and Barbara Smotherman, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Barry Andrew Schenk, a single man

whose current address is 1843 Woodsdale Ct Concord, CA 94521

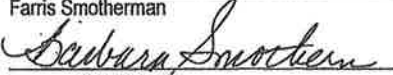
the grantee, the following described premises, in Gwyhee County, Idaho, to wit:

See attached Exhibit "A"

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

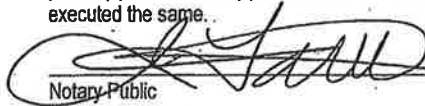
Dated: February 13, 2018


Farris Smotherman


Barbara Smotherman

State of Idaho, County of Canyon, ss.

On this 13th day of February in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Farris Smotherman and Barbara Smotherman, 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 the same.


Notary Public

Residing In:

My Commission Expires:
(seal)

Residing in Wilder, Idaho
Commission Expires: 4/5/2019



EXHIBIT "A"

384356

Lot 17 in Block 1 of Hidden Valley Estates Subdivision, Owyhee County, Idaho, according to the plat thereof recorded February 16, 1995 as Instrument No. 214934, records of said County.

295152



GOING BEYOND

5680 E. Franklin Rd., Ste. 250
Nampa, ID 83687

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

RECORDED FOR PIONEER TITLE COMPANY/OWYHEE
ANGELA BARKELL Fee: \$15.00
Ex-Officio Recorder Deputy: map
Index To: DEED
Electronically Recorded by Simplifile

Lot #
16

File No. 646993 MJ/TG

WARRANTY DEED

For Value Received Richard L. Hoffman, Trustor of THE RICHARD L. HOFFMAN LIVING TRUST, dated May 8, 1996, hereby amend my Declaration of Trust entitled THE RICHARD L. HOFFMAN LIVING TRUST dated May 8, 1996

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Barry Schenk, an unmarried man

hereinafter referred to as Grantee, whose current address is 1843 Woodsdale Ct Concord, CA 94521

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: March 23, 2018

Richard L. Hoffman, Trustor of THE RICHARD L. HOFFMAN LIVING TRUST, dated May 8, 1996, hereby amend my Declaration of Trust entitled THE RICHARD L. HOFFMAN LIVING TRUST dated May 8, 1996

By: Richard L. Hoffman Trustor
Richard L. Hoffman, Trustor

See Attached For Official Notary

295611

EXHIBIT A

Lot 16, Block 1, HIDDEN VALLEY ESTATES SUBDIVISION, Owyhee County, Idaho, according to the plat thereof recorded February 16, 1995 as Instrument No. 214934, records of said County.

ACKNOWLEDGMENT

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 SAN DIEGO

On March 23, 2018 before me, SAMUEL SHERMAN, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared Richard L. Hoffman
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.

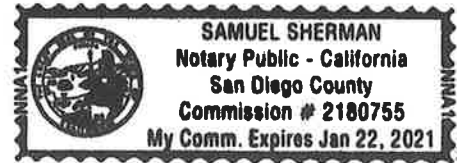
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)





X
Lot 16

Lot 17

Riverfront Dr

Aerial

K
←



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

June 18, 2018

BARRY A SCHENK
1843 WOODSDALE CT
CONCORD CA 94521-1140

Re: Change in Water Right Ownership: 2-10458 (Split into 2-10458 and **2-10564**)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: VANCE VAN HALL

Hersley, Jean

From: Hersley, Jean
Sent: Friday, June 15, 2018 2:15 PM
To: 'preferredgutter@yahoo.com'
Subject: Request for Change of Ownership Water Right 2-10458

Mr. Schenk,

The Department of Water Resources is in the process of reviewing your request to update the ownership of a portion of water right 2-10458. After reviewing your request, it was determined additional information is needed to complete the request.

The deed that conveyed land from Farris Smotherman and Barbara Smotherman to Barry Andrew Schenk references an Exhibit "A". This exhibit was not included with the documents provided and is needed to complete the ownership change. You can provide the exhibit "A" by responding to this email or mailing to: IDWR, PO Box 83720, Boise, ID, 83720-0098.

The Department cannot process the ownership change without proper information. We will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days the Department return the Notice of Change in Water Right Ownership and documents unprocessed.

If you have any questions, please contact me at the number below. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*