

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 30 2016
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?
22-2201A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-10624 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-10964 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: B & B Farms
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Stan Schwendiman, David Schwendiman
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☐ and/or
- 12241 E 3749 N Newdale ID 83436
Mailing address City State ZIP
- 208-313-7140 _____
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: _____
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 # 22-2201A

8. Signature: Stan Schwendiman _____ 05/23/16
Signature of new owner/claimant Title, if applicable Date
- Signature: David Schwendiman _____ 5/23/16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 6/30/2016 Receipt No. E042238 Receipt Amt. \$75 -

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 JB Date 8/24/2016

Microfile No. 402341
24 DAY May 2016
At 04 O'Clock 36 PM
KIM H. MUIR
MADISON CO RECORDER
Fee \$22.00
Deputy
Recorded at Request of
ALLIANCE TITLE - REXBURG OFFICE

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:305605

FOR VALUE RECEIVED

Lana Rae Jensen, as General Personal Representative of the Estate of Byron Grant Jensen and B & B Farms Limited Partnership and Bradley B. Jensen and JoAnn S. Jensen husband and wife and Lana L. Jensen an unmarried woman

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

Stan Schwendiman and Jody Schwendiman husband and wife and David Schwendiman and Melaine Schwendiman husband and wife

whose current address is

12241 E 3749 N
Newdale, ID 83436

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

See attached Exhibit 'A'

Together with all and singular the tenements, hereditaments, appurtenances, easements, rights, appurtenant water rights, rights of way, improvements, irrigation facilities, pumps, pivots, mainlines, and potato storages located thereon, thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, profits thereof; and all estate, right, title, and interest in and to the said premises, as well in law as in equity.

***Subject to Mortgage & Agreement with AXA Equitable Life Insurance Company, recorded December 29, 2014 as Instrument Nos. 392776 & 392777.*

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: May 23, 2016

The Estate of Byron Grant Jensen

Lana Rae Jensen P.R.
Lana Rae Jensen, General PR

B & B Farms Limited Partnership

Bradley B. Jensen, GP
Bradley B. Jensen, Sole Remaining General Partner

Bradley B. Jensen
Bradley B. Jensen

JoAnn S. Jensen
JoAnn S. Jensen

Lana L. Jensen
Lana L. Jensen

State of IDAHO } ss
County of JEFFERSON)

On this 23 day of MAY, 2016, before me, EMILY A. GEISLER, a Notary Public in and for said state, personally appeared BRADLEY B. JENSEN and JOANN S. JENSEN and LANA L. JENSEN, 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.

Emily A. Geisler
Notary Public for the State of IDAHO
Residing at: Rigby
Commission Expires: 01/29/2021

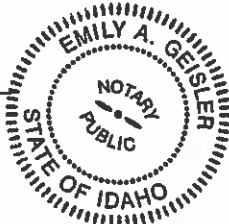


State of ID } ss.
County of JEFFERSON)

On this 23 day of MAY in the year 2016, before me, EMILY A. GEISLER a Notary Public in and for said state, personally appeared BRADLEY B. JENSEN known or identified to me to be the general partner(s) that executed the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.

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

Emily A. Geisler
Notary Public for the State of IDAHO
Residing at: Rigby
Commission Expires: 01/29/2021



State of IDAHO } ss.
County of JEFFERSON)

On this 23 day of MAY in the year 2016 before me, EMILY A. GEISLER a Notary Public in and for said state, personally appeared LANA RAE JENSEN known or identified to me to be the person whose name is subscribed to the foregoing instrument as Personal Representative of the estate of BYRON GRANT JENSEN and acknowledged to me that she executed the same as Personal Representative.

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

Emily A. Geisler
Notary Public for the State of ID
Residing at: Rigby
Commission Expires: 01/29/2021

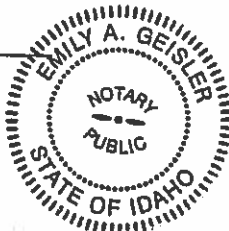


Exhibit 'A'**Tract 1:**

Commencing at the Northwest corner of Lot 3 in Section 2, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho, and running thence South 0°02' East a distance of 1710.3 feet, more or less, to its intersection with the West side of the county road; thence South 32°15' East along the West side of the said county road approximately 1,403 feet to a point 2,896 feet South of the North section line of said Section 2; thence South 32°15' East along the West side of said county road approximately 80.2 feet to an angle point in the said county road; thence South 0°10' East along said West side of county road 735 feet, more or less, to an angle in said county road; thence South 39°08' East along the South and West side of said county road 671.2 feet; thence Northeasterly to the bottom of a North-South draw to a point approximately 400 feet North of the South section line of Section 2, Township and Range aforesaid; thence along bottom of the draw Southeasterly to an existing farm access road, thence West along said farm road 217 feet more or less to the East right of way of the County road; thence South along said county road 258 feet, more or less, to a point that is 575 feet, more or less, North of the East-West center section line of Section 11 and 12, Township 5 North, Range 40 East, Boise Meridian; thence East parallel with said section center line 3,440 feet, more or less, to the East right of way line of the Union Pacific railroad; thence following the East line of said railroad right of way in a Northeasterly direction to a point which is the intersection of said East line of said right of way with the South line of the North Half Southeast Quarter of Section 1, Township and Range aforesaid, thence West across that said right of way to the West line thereof and continuing Northeasterly along the West line of said right of way to a point of intersection of the West railroad right of way line and the North section line of said Section 1, Township and Range aforesaid; thence Westerly along the North line of Section 1 and 2 which line is the First Standard Parallel North, a distance of approximately 8,910 feet to the place of beginning.

Less and excepting therefrom railroad and county road right of ways.

Tract 2:

A parcel of land located in Section 11, 12, 13 and 14, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho, described as follows: Commencing at a point which is South 30°38'00" East 19.40 feet and East 769.50 feet from the Northwest corner of Section 14, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho, and running thence South 2960.65 feet to the Northwesterly right of way line of the Union Pacific Railroad (said right of way being 50 feet perpendicular to centerline of track); thence Northeasterly along said right of way 3,913 feet, more or less, thence Northwesterly at a right angle to said right of way 75 feet, more or less; thence Northeasterly parallel to said right of way 250 feet, more or less, to the South line of Section 11, Township 5 North, Range 40 East, Boise Meridian; thence continuing along the Westerly line of said right of way in a Northeasterly and Easterly direction and on a curve to the right 1,056 feet, more or less, to a point on the West side of the county road approximately 895 feet West of the East line of said Section 11; thence Southerly along the West line of said county road 175 feet, more or less, crossing the Union Pacific Company's Railroad right of way to the Southerly and Easterly line and thence continuing Southerly along said county road 230 feet, more or less, to the North line of Section 14, Township and Range aforesaid, at a point approximately 840 feet West of the Northeast corner of Section 14; thence Easterly across said county road to the East side of said county road; thence South 18°11' East along the East side of said county road 2757.5 feet; thence South along said county road 2809 feet, more or less, point being South 88°46' East 33 feet from the Southwest corner of Section 13, Township 5 North, Range 40 East, Boise Meridian; thence South 88°46' East along the Section line between Sections 13 and 24, 2,595 feet, more or less to the South Quarter corner of said

Section 13; thence North along the North and South Quarter line of Sections 13 and 12, 7,930 feet, more or less, to the center of said Section 12, thence West to the East line of the Union Pacific Railroad, and thence Northeasterly along said right of way line to a point that is 575 feet, more or less, North of the East-West center Section line of Sections 11 and 12, Township 5 North, Range 40 East, Boise Meridian; thence West parallel with said section center line across the Union Pacific railroad right of way and continuing West 3,440 feet, more or less to the East right of way of the county road; thence North along said right of way 258 feet, more or less, to the middle of an existing farm access road; thence East along said farm road 217 feet, more or less, to the middle of a draw in Section 11; thence Northwesterly following the bottom of the draw to a point approximately 400 feet North of the South section line of Section 2, Township 5 North, Range 40 East; thence Southwesterly following a Southwesterly draw to the West side of the county road in Section 11, Township and Range aforesaid; thence South 23°10' West 258.6 feet; thence South 14°45' West 251.9 feet; thence South 0°44' East 262.8 feet; thence South 2°48' West 240.9 feet; thence South 7°50' West 200 feet; thence South 11°29' West 286.6 feet; thence South 10°17' West 154.2 feet; thence South 7°08' West 260 feet; thence South 12°50' West 200.8 feet; thence South 19°00' West 153 feet; thence South 9°07' West 100 feet; thence South 2°23' East 247.1 feet; thence South 28°50' East 484.5 feet; thence South 2°57' East 261 feet; thence South 17°20' East 370.3 feet; thence South 26°14' East 130.8 feet; thence South 23°56' East 200.6 feet; thence South 19°05' East 200 feet; thence due South 1021.6 feet; thence West parallel to the South line of Section 11, Township and range aforesaid 1889.5 feet to the point of beginning.

Also including therewith a tract of land in the Southwest Quarter of Section 11, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho, described as follows: Commencing at a point 2659 feet East of the Southwest corner of the Southwest Quarter of Section 11, Township 5 North, Range 40 East, Boise Meridian, which point is approximately at the Southeast corner of the Southwest Quarter of said Section 11; running thence North along the center line of said Section 11 a distance of approximately 730 feet to the East rim of a certain hollow extending Southwestward through said Section 11; thence following the rim of said hollow approximately South 23° West 260 feet; thence South approximately 9°10' East 120 feet; thence South approximately 22°20' West 420 feet, more or less, to the South line of said Southwest Quarter of Section 11 aforesaid; thence East along said Section line 240 feet, more or less, to the point of beginning.

Less and excepting therefrom a tract of land in the North half of Section 14, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho, described as follows: Commencing at a point on the North railroad right of way line perpendicular to and 75 feet from the center line of the tract at Station 874+71, which point is also located 1408.9 feet South and 2251.7 feet East of the Northwest corner of Section 14, Township 5 North, Range 40 East, Boise Meridian, and running thence North 46°03' West 125 feet; thence North 43°57' East, parallel to the railroad tracks a distance of 668 feet; thence South 46°03' East 10 feet; thence North 43°57' East 20 feet; thence North 46°03' West 10 feet; thence North 43°57' East parallel to the railroad tracks a distance of 182 feet, more or less, to a point which is 4 feet North of the grain bins; thence South 46°03' East, 150 feet; thence South 43°57' West along the railroad right of way a distance of 606.6 feet; thence North 46°03' West 25 feet; thence South 43°57' West approximately 263.4 feet to the point of beginning.

Also less and excepting therefrom a tract of land in the Northwest Quarter Northeast Quarter of Section 14, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho, described as follows: Commencing at a point on the North right of way line of the Union Pacific railroad belt line, perpendicular to and 75 feet from the center line of the tracks at station 874+71, which point is also located 1408.9 feet South and 2251.7 feet East of the Northwest corner of said Section 14, Township and Range aforesaid and continuing thence North 46°03' West 125 feet; thence North 43°57' East, perpendicular to and 225 feet from the center line of

said tracks a distance of 1420 feet to the true point of beginning, thence running South 46°03' East 150 feet to said right of way line; thence North 43°57' East parallel to the railroad tracks a distance of 150 feet; thence North 46°03' West 150 feet; thence South 43°57' West 150 feet to the point of beginning.

Also less and excepting therefrom Tax #1, in the Southeast Quarter Southeast Quarter of Section 11, Township 5 North, Range 40 East, Boise Meridian, at Walker siding, Madison County, Idaho, described as follows: Beginning at a point noted at corner number one of a survey and identical with a point which constitutes the intersection of the East boundary line of the public road which bears North 19°56' West and the North boundary of the railroad right of way which bears South 87°49' East and further located with reference to section corners as Sections corners of Section 10 11, 14 and 15 bears South 88°2' West 4405 feet; thence North 19°56' West 70 feet to corner number two; thence South 87°49' East 187.5 feet to corner number three; thence South 66 feet to the North boundary of railroad right of way or corner number four; thence North 87°49' West 165 feet to corner number one or the point of beginning.

Also less and excepting therefrom a Tract of land in the Southeast Quarter Southeast Quarter of Section 11, Township 5 North, range 40 East, Boise Meridian, Madison County, Idaho, described as follows: The property described is measured from a reference point which is North 19°56' West 70 feet from the intersection of the East boundary line of a public road and the North boundary of the railroad right of way, which reference point is approximately North 88°2' East 4,405 feet from the Southwest corner of Section 11, Township 5 North, Range 40 East, Boise Meridian: Commencing at a point North 76°01' East 160.4 feet from the reference point, and running thence South 89°39' East 200 feet; thence South 2°11' West 110 feet, more or less, to the North boundary of the railroad right of way; thence North 87°49' West along the North boundary of the railroad right of way 166 feet, more or less, thence North 2°15' West 55 feet; thence North 87°49' West 34 feet; thence Northerly 33 feet, more or less, to the point of beginning.

Also less and excepting therefrom railroad right of way.

Also excepting therefrom property described as follows: A parcel of land situated in Madison County, Idaho, Township 5 North, Range 40 East, Boise Meridian, Sections 11 and 14, more particularly described as follows: Beginning at the Northwest corner of Section 14, Township 5 North, Range 40 East, Boise Meridian, thence South 89°08'33" East along the North line of Section 14 for a distance of 3382.31 feet; thence South 00°00'00" East for a distance of 124.01 feet to the true point of beginning, said point also being on a curve right that is 125 feet distant from the centerline of the main track of the Eastern Idaho Railroad, Delta = 23°06'37", Radius 1557.69', Arc Length = 628.29, Tangent = 318.48' thence North 58°56'39" East for a Chord Distance of 624.04 feet to the end of said curve, thence North 70°29'30" East for a distance of 466.80 feet; thence South 02°49'09" East for a distance of 143.50 feet to a point on a Curve left that is 50 feet distant from the Centerline of the main track of the Eastern Idaho Railroad, Delta = 02°19'59", Radius = 1482.69', Arc Length = 60.37, Tangent = 30.19', thence South 86°00'52" West for a Chord distance of 60.37 feet to the end of said Curve; thence South 88°00'00" West for a distance of 20.56 feet to the beginning of a Curve Left which is 8.5 feet distant from the Centerline of a spur track, Delta = 13°30'00", Radius = 1249.94', Arc Length = 294.51, Tangent = 147.94' thence South 81°15'00" West for a Chord Distance of 293.83 feet to the end of said Curve, thence South 74°30'00" West for a distance of 34.64 feet to a point on a Curve that is 8.5 feet distant from the Centerline of said spur track, Delta = 24°30'00", Radius = 870.00', Arc Length = 372.02, Tangent = 188.90', thence South 62°15'00" West for a Chord Distance of 369.19 feet to the end of said Curve; thence South 50°00'00" West for a distance of 32.73 feet to a point on a Curve left that is 50 feet distant from the Centerline of the Main Track of the Eastern Idaho Railroad, Delta = 08°36'08", Radius = 1482.69', Arc Length = 222.61, Tangent = 111.51', thence South 51°41'26" West for a Chord Distance of 222.40 feet to the end of said Curve; thence North 42°37'08" West for a distance of 75.00 feet to the true point of beginning.



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

August 26, 2016

Stan & Jody Schwendiman
David & Melanie Schwendiman
12241 E 3749 N
Newdale ID 83436

RE: Change of Ownership for Water Right No(s). 22-2201A, 22-10624 & 22-10964

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

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.

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,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Madison Ground Water District