

NW CORNER
NE4 SE4
SECTION 10
set 5/8" rebar
by proportion

N 89°54'48"E
1318.82'

N 89°54'48"E
1318.82'

see enlarged drawing

EAST 1/4 CORNER
SECTION 10
fnd 5/8" rebar
w/ 3" cap on top
c.p. rec. 31 Aug. 1990
Inst. no. 393140

NER

op
ug.
39 1990

N 00°01'18"E
2657.70'

S 00°02'31"E
2650.01'

S 00°06'21"E
2642.33'

W2 SE4

E2 SE4

S 89°34'49"W
1321.80'

S 89°34'49"W
1321.81'

SW CORNER
SE4 SE4
SECTION 10
set 5/8" rebar
by proportion

SE CORNER
SECTION 10
fnd 5/8" rebar
w/ 3" cap on top
c.p. rec. 31 Aug. 1990
Inst. no. 393146

1/4 CORNER
N 10
9" rebar
cap on top
ec. 31 Aug. 1990
no. 393145

SECTION BREAKDOWN - SE4

Scale 1" = 600'



SCALE 1" = 100'

PROPERTY SURVEY
for
WAYNE SCHENK



DESERT WEST

1751 OVERLAND AVE.

JOB NO: 5790-01B1

DATE: 20 JAN. 2001

Desert West Land Survey

GPS SURVEY

NW CORNER
NE4 SE4
SECTION 10
set 5/8" rebar
by proportion

N 89°54'48"E
1318.82'

PARCEL 1
6.88 ACRES+/-

set 1/2" rebar
on north bank of canal

⊕ B-2/2 CANAL

S 89°19'43"W
198.98'

canal road

S 85°04'20"W
1124.14'

canal road

no corner set

LINE	BEARING	DISTANCE
L 1	N 00°02'31"W	25.00'

CANAL OR LATERAL RIGHT OF WAY

THIS MAP SHOWS AN EXISTING IRRIGATION CANAL OR DRAIN OR IRRIGATION LATERAL. THE RIGHT OF WAY OR EASEMENT WIDTH MAY BE VARIABLE IN WIDTH. THE CANAL COMPANY OR

SE CORNER
SECTION 10

county road r.o.w.
S 00°06'21"E

S 00°06'21"E
2457.36'

N 00°02'31"W
256.87'

S 00°02'31"E
2368.14'

SW CORNER
SE4 SE4
SECTION 10

RECEIVED

APR 26 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

APR 25 2001

Department of Water Resources
Booth of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A36-11435					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Richard Schenk and/or Viola Schenk
Rt. 2, Box 473, Rupert, ID 83350
4. New Owner/Claimant(s) Wayne Schenk and/or Alice Schenk
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 390 West 100 North
- City, State and ZIP Code Rupert, ID 83350
- New Telephone Number (208) 438-5562
5. Date you acquired the property 4-20-2001

\$25 R# 5023854

MICROFILMED

MAY 08 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Wesley A. Seibert
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by [Signature] Date 4/25/01 Fee \$25
 Received by [Signature] Date 4/25/01 Receipt No. 5023854
 Processed by _____ AJ Date _____ WR _____ Date _____

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MAY 09 2001

452830

WARRANTY DEED

FOR VALUE RECEIVED, RICHARD R. SCHENK and VIOLA SCHENK, husband and wife, the Grantors, do hereby grant, bargain, sell and convey to WAYNE A. SCHENK and ALICE SCHENK, husband and wife, whose present address is 100 North 390 West, Rupert, ID 83350 the Grantees, the following described premises, located in Minidoka County, Idaho, to-wit:

Part of the NE~~X~~SE~~X~~ of Section 10 of Township 9 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the East 1/4 corner of Section 10 of T.9 S., R.23 E., B.M. said corner marked by a 5/8" rebar which shall be the Point of Beginning; thence South 00°6'21" East along the East line of Section 10 for a distance of 184.97 feet to a 5/8" rebar on the centerline of the B-2/2 Canal; thence South 89°19'43" West along the centerline of the B-2/2 Canal for a distance of 198.98 feet; thence South 85°04'20" West along the centerline of the B-2/2 Canal for a distance of 1124.14 feet to the West line of the NE~~X~~SE~~X~~; thence North 00°02'31" West along the West line of the NE~~X~~SE~~X~~ for a distance of 25.00 feet to a 1/2" rebar; thence North 00°02'31" West along the West line of the NE~~X~~SE~~X~~ for a distance of 256.87 feet to a 5/8" rebar at the NW corner of the NE~~X~~SE~~X~~; thence North 89°54'48" East along the North line of the NE~~X~~SE~~X~~ for a distance of 1318.82 feet to the Point of Beginning.

Said property contains 6.88 acres more or less and is subject to a county road right-of-way along the East side and subject to a canal right-of-way along the South side and subject to any other easements or right-of-ways, existing or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that Grantors are the owners in fee 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.

MICROFILMED

MAY 09 2001

DATED this 8 day of March, 2001.

Richard Schenk
Richard Schenk

Viola Schenk
Viola Schenk by Richard Schenk

STATE OF IDAHO)
) ss.
County of Minidoka)

On this 8 day of March, 2001, before me the undersigned Notary Public in and for said State, personally appeared Richard R. Schenk individually and as Conservator of the Estate of Viola Schenk, an incapacitated person, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same individually and as Conservator of the Estate of Viola Schenk, an incapacitated person.

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

(SEAL)

WILLIAM T. GOODMAN
NOTARY PUBLIC
STATE OF IDAHO

William T. Goodman
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/24/04

MICROFILMED
MAY 09 2001

Instrument # 452830
MINIDOKA COUNTY, RUPERT, IDAHO
2001-04-20 11:51:19 No. of Pages: 2
Recorded for : GOODMAN & BOLLAR
DUANE SMITH Fee: 6.00
Ex-Officio Recorder Deputy Li

NW CORNER
NE4 SE4
SECTION 10
set 5/8" rebar
by proportion

N 89°54'48"E
1318.82'

N 89°54'48"E
1318.82'

see enlarged drawing

EAST 1/4 CORNER
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fnd 5/8" rebar
w/ 3" cap on top
c.p. rec. 31 Aug. 1990
Inst. no. 393140

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ug. 39

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set 5/8" rebar
c.p. on top
rec. 31 Aug. 1990
no. 393145

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by proportion

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w/ 3" cap on top
c.p. rec. 31 Aug. 1990
Inst. no. 393146

SECTION BREAKDOWN - SE4

Scale 1" = 600'



SCALE 1" = 100'

PROPERTY SURVEY
for
WAYNE SCHENK



DESERT WE.

1751 OVERLAND AVE.

JOB NO: 5790-0181

DATE: 20 JAN. 2001

© Desert West Land Survey

GPS SURVEY

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NE 4 SE 4
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6.88 ACRES +/-

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on north bank of canal

canal road

canal road

no corner set

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LINE	BEARING	DISTANCE
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SW CORNER
SE 4 SE 4

SE CORNER
SECTION 10

N 02°31'W
256.87'

S 00°02'31"E
2368.14'

120'

county road

S 00°06'21"E

S 00°06'21"E

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-11435

NOV 26 AM 11:27
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: VIOLA SCHENK
RICHARD SCHENK
RT 2 BOX 473
RUPET ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1934

POINT OF DIVERSION: T09S R23E S10 NENESE Within MINIDOKA County

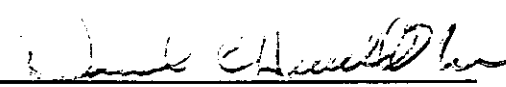
PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within MINIDOKA County
T09S R23E S10 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: NOV 26 1996


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

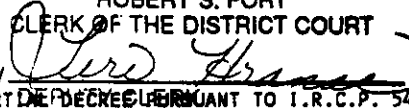
RULE 54(b) CERTIFICATE

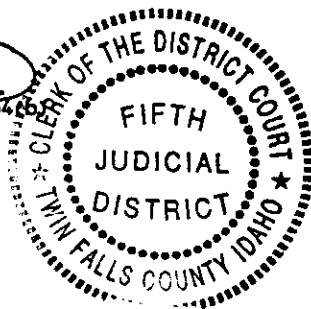
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

State of Idaho
County of Twin Falls ss.

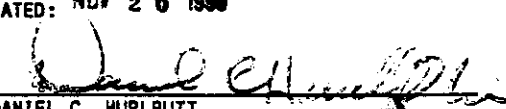
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-11435



DATED: NOV 26 1996


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

MAY 22 1997
MICROFILMED
MAY 09 2001

PAGE 1
NOV-7-1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

April 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WAYNE A SCHENK
ALICE SCHENK
390 W 100 N
RUPERT ID 83350

RE: Change of Ownership for Water Right 36-11435

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

JP Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
MAY 09 2001

WILLIAM T. GOODMAN
ALAN GOODMAN
RICK BOLLAR
NICOLE L. ARBOGAST

LAW OFFICE
Goodman and Bollar

CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350-0020

AREA CODE 208
TELEPHONE NO.
436-4774
FAX
(208) 436-4837

April 24, 2001

RECEIVED

APR 26 2001

Department of Water Resources

Idaho Department of Water Resources
Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Water Right No. A360-11435

Gentlemen:

We enclose the following:

1. Notice of Change of Water Right Owners
2. Copy of recorded Warranty Deed
3. Copy of Survey of real property transferred
4. Check for \$25.00 filing fee

Please file these documents and make the change of ownership as requested.

Very truly yours,

GOODMAN & BOLLAR



William T. Goodman

WTG:KH
Encl.

RECEIVED

APR 25 2001

Department of Water Resources
Southern Region

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MAY 09 2001