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Documents
In File

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

RECEIVED

JAN 16 2001 29

DEPARTMENT 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
84-10566					

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)

TOBIN / SCHWENNE

4. New Owner/Claimant(s)

Shearer Lumber Products

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

Rt 1 Box 22

City, State and ZIP Code

Granger, IL

MICROFILMED
20 83530

New Telephone Number

(208) 983-0012

SEP. 25 2001

5. Date you acquired the property

6/00

FAX... 208-983-1962

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)
(include title if applicable)

John Bennett
General Manager

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.

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For Office Use Only

Received by JM Date 1.16.01 Fee \$25.00
 Receipted by JBARRON Date 3.7.01 Receipt No. C052598
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED

MAR 21 2001

Department of Water Resources

184445

WARRANTY DEED

RECEPTION ☒
INDEXED ☒
FILMED ☒
DELIVERED ☒
MAILED ☒

FOR VALUE RECEIVED, the Grantors, **JAMES J. TOBIN** and **ETHEL E. TOBIN**, husband and wife, and **WAYNE D. SCHWENNE** and **JEANETTE SCHWENNE**, husband and wife, do hereby grant, bargain, sell and convey unto Shearer Lumber Products, a Division of BENNETT LUMBER PRODUCTS, INC., an Idaho corporation, the Grantee, whose address is: Route 1, Box 2L, Grangeville, ID 83530, the following described premises situate in Clearwater County, State of Idaho, to wit:

Township 37 North, Range 3 East, Boise Meridian.

Section 27: Southeast Quarter of the Southeast Quarter.

Section 34: East Half of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, its successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that the premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever except general taxes and assessments for the year 2000, lack of access to and from said land and easements, reservations, restrictions and rights-of-way of record or in use.

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SEP 25 2001

DATED this 11th day of June, 2000.

James J. Tobin
JAMES J. TOBIN

Ethel E. Tobin
ETHEL E. TOBIN

Wayne D. Schwenne
WAYNE D. SCHWENNE

Jeanette Schwenne
JEANETTE SCHWENNE

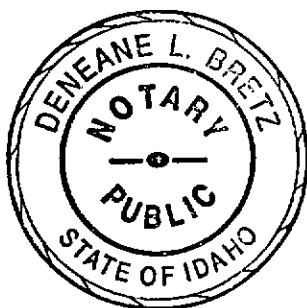
STATE OF IDAHO)

: ss.

County of Clearwater)

On this 11th day of June, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **JAMES J. TOBIN** and **ETHEL E. TOBIN**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Deneane L. Bretz
Notary Public in and for the State of Idaho,
residing at Ordino therein.
My Commission Expires: 5/10/2005

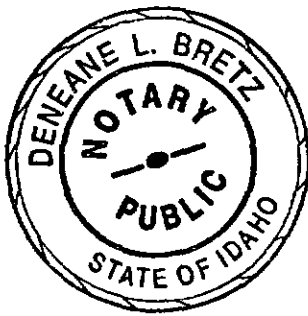
STATE OF IDAHO)

: ss.

County of Clearwater)

On this 16th day of June, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **WAYNE D. SCHWENNE** and **JEANETTE SCHWENNE**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Deneane L. Bretz
Notary Public in and for the State of Idaho,
residing at Orfino therein.
My Commission Expires: 5/10/2005

Filed on June 16 at the request of CLEARWATER LAND TITLE
at 2¹⁵ o'clock P.M, this 16 day of June, 2000
Rolun Christensen By: Alisa Hardy
Ex-Officio Auditor-Recorder
Clearwater County, Idaho
Fee: 9.00

Return:

CLEARWATER LAND TITLE

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 84-10566

NAME AND ADDRESS: ETHEL E TOBIN
JAMES J TOBIN
JEANETTE SCHWENNE
WAYNE D SCHWENNE
RT 2 BOX 64
GENESEE, ID 83832

SOURCE: SPRINGS TRIBUTARY: CEDAR CREEK
UNNAMED STREAM CEDAR CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1961

POINT OF DIVERSION: T37N R03E S27 SESE Within Clearwater County
S34 NWNENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS

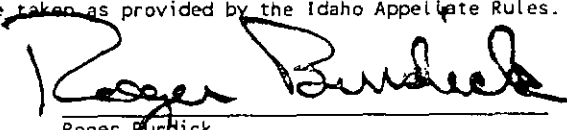
PLACE OF USE: Stockwater Within Clearwater County
T37N R03E S27 SESE
S34 NENE

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.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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SEP 25 2001

1-800-451-4129



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 12, 2001

SHEARER LUMBER PRODUCTS
RT 1 BOX 2L
GRANGEVILLE ID 83530

RE: Change of Ownership for Water Right 84-10566

Dear Water Right Holder(s):

The department acknowledges receipt of your Notice of Change of Water Right Ownership for the above referenced water right. The department has modified its records to reflect the change and enclosed is a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of ownership, or change of mailing address 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,

for Jeff Peppersack, Manager
Water Right Permits Section

JP/dg
Enclosure

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SEP 25 2001



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 13, 2001

SHEARER LUMBER PRODUCTS
JOHN BENNETT, GENERAL MANAGER
RT 1 BOX 2L
GRANGEVILLE ID 83530

RE: Change of Ownership for Water Right 84-10566

Dear Mr. Bennett:

We have received the \$25.00 filing fee for the above referenced ownership change. Also received was a warranty deed and attached legal description of property. Unfortunately, the legal description with the deed does **not** match the legal description of the partial decree (copy enclosed). Both the deed and attached legal description are enclosed for your records.

Please furnish our office with the correct support documentation so that we may complete your request for this ownership change.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

Enclosures

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SEP 25 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 6, 2001

SHEARER LUMBER PRODUCTS
RT 1 BOX 2L
GRANGEVILLE ID 83530

RE: Change in Ownership of Water Right 84-10566

Dear Interested Party:

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

Our review of your notice indicates that additional information is required before we 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

☒ **Signature** (Please print or type name of signer for legibility)

☒ **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

☒ **Legal Description of Property**

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

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 \$25.00.

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SEP 25 2001

Because the Department cannot process the ownership change without proper documentation or fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees within 30 days we will return your notice and all attachments and your notice will not be processed. I have enclosed a copy of the Notice of Change in Water Right Ownership form and instruction page with several areas highlighted. Please read these highlighted areas as they specifically pertain to required information and fees.

Please note that water right owners are required to report any change in water right 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. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written in a cursive style.

Kari Lynn Townsend
Secretary

KLT:k

Enclosure(s)

MICROFILMED

SEP 25 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

January 9, 2001

KARL J. DREHER
DIRECTOR

RECEIVED

JAN 16 2001

Department of Water Resources

Shearer Lumber
Bennett Lumber Products, Inc.
Rt. 1, Box 2L
Grangeville, ID 83530

RE: Snake River Basin Adjudication (SRBA)
Water Right #84-10566

Dear Water Right Holder:

We have been advised you are the current owner of the property and water right shown above. Before we can modify our records to reflect your ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use.

Also enclosed is the Partial Decree the former owner sent us. Please retain the partial decree for your records.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures

Partial Decree of #84-10566
Form 42-248/42-1409(6)

C: J. Schwenne

MICROFILMED

SEP 25 2001