

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

MAY 23 2022

DEPT OF WATER RESOURCES
SOUTHERN 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
47-2047	Yes ☐	Yes ☐	47-12269	Yes ☐	Yes ☐
47-2153	Yes ☐	Yes ☐	47-12277	Yes ☐	Yes ☐
47-2285	Yes ☐	Yes ☐	47-12292A	Yes ☐	Yes ☐
47-12242	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-12257	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Evard, L.L.C.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Hurtado Land & Livestock, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 2306 E. 3600 S Wendell ID 83355
Mailing address City State Zip
208-539-3799 hurtadodairy@yahoo.com
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: April 29, 2022
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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):
 o \$25 per undivided water right.
 o \$100 per split water right.
 o 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: Jesus Hurtado Title, if applicable _____ Date _____
 Signature of new owner/claimant
Jesus Hurtado
 Print name

SUPPORT DATA

IN FILE # 47-2047

Signature: _____ Title, if applicable _____ Date _____
 Signature of new owner/claimant

 Print name

Received by SG Date 5/23/22 For IDWR Office Use Only: Receipt No. 5039247 Receipt Amt. \$200.00
 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 _____ Processed by DM Date 6-14-2022

TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE - BURLEY
02:22:10 PM 04-29-2022
2022008362
NO. PAGES 5 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: AR
Electronically Recorded by Simplifile

WHEN RECORDED MAIL TO:

Erik J. Bolinder
Exceed Legal PLLC
421 S. 8th Street
Boise, Idaho 83702

Evan T. Roth
Sawtooth Law Offices, PLLC
213 Canyon Crest Dr. Ste. 200
Twin Falls, ID 83301

22449266

SPECIAL WARRANTY DEED

For and in consideration of _____ and other good and valuable consideration, Evard, L.L.C., an Idaho limited liability company ("Grantor") whose address of record is 134 E. Highway 81, Burley, Idaho 83318, hereby grants and conveys to Hurtado Land & Livestock, LLC, an Idaho limited liability company ("Grantee") whose address of record is 2306 East 3600 South, Wendell, Idaho 83355, the real property located in Twin Falls county, Idaho, legally described as:

See legal description set forth in Exhibit A attached and incorporated by this reference (the "Property").

together with all right, title and interest of Grantor in and to all improvements located on the Property; all easements, if any, benefiting the Property; and all rights, benefits, privileges and appurtenances pertaining to the Property ("Appurtenances").

SUBJECT TO current real property taxes; the Permitted Exceptions as set forth on Exhibit B attached hereto and incorporated by this reference; all zoning ordinances and regulations and any other laws, ordinances or governmental regulations restricting or regulating the use, occupancy or enjoyment of the Property; and all matters visible upon or about the Property or that would be disclosed by an accurate survey of the Property.

TO HAVE AND TO HOLD the Property and its Appurtenances unto said Grantee and its successors and assigns forever, and Grantor and Grantor's heirs shall and will warrant and, by these presents, forever defend the described property in the quiet and peaceable possession of Grantee, Grantee's heirs, and assigns against Grantor and Grantor's heirs and against all and every person and persons whomever, lawfully claiming the same.

[Signature Page Follows]

Dated this 29th day of April, 2022.

GRANTOR:

Evard, L.L.C., an Idaho limited liability company

By: 
Monte Quast, Manager

ACKNOWLEDGEMENT

STATE OF IDAHO)
)ss
County of Cassia)

On this 29th day of April, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Monte Quast, known or identified to me to be the authorized Manager of Evard, L.L.C., an Idaho limited liability company (the "Company"), and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of the Company.

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




NOTARY PUBLIC for Idaho
Residing at: Fourways, Idaho
Commission Expires: 8/13/2024

EXHIBIT A
LEGAL DESCRIPTION OF REAL PROPERTY

PARCEL NO. 1:
TOWNSHIP 12 SOUTH, RANGE 16 EAST, BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 35: NW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 2:
TOWNSHIP 13 SOUTH, RANGE 16 EAST, BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 1: Lots 1, 2, 3 and 4; S $\frac{1}{2}$ N $\frac{1}{2}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

PARCEL NO. 3:
TOWNSHIP 13 SOUTH, RANGE 16 EAST, BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 2: Lots 1, 2 and 3; S $\frac{1}{2}$ N $\frac{1}{2}$; S $\frac{1}{2}$

PARCEL NO. 4:
TOWNSHIP 13 SOUTH, RANGE 16 EAST, BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 11: E $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$

PARCEL NO. 5:
TOWNSHIP 13 SOUTH, RANGE 16 EAST, BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 12: N $\frac{1}{2}$ S $\frac{1}{2}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ SAVE AND EXCEPT the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 6:
TOWNSHIP 13 SOUTH, RANGE 17 EAST, BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 6: Part of the N $\frac{1}{2}$ SW $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southwest corner of said Section 6 from which the West One Quarter (W $\frac{1}{4}$) corner of Section 6 bears North 00°00'35" West - 2639.11 feet; Thence North 00°00'35" West along the West boundary of the SW $\frac{1}{4}$ of Section 6 for a distance of 1319.56 feet to the Southwest corner of Government Lot 6; Thence South 89°55'30" East along the South boundary of Government Lot 6 for a distance of 675.00 feet to the True Point of Beginning;
Thence North 00°00'35" West parallel with the West boundary of the SW $\frac{1}{4}$ of Section 6 for a distance of 989.32 feet;
Thence South 89°54'18" East for a distance of 2095.42 feet to a point on the East boundary of the SW $\frac{1}{4}$ of Section 6;
Thence South 00°02'12" West along the East boundary of the SW $\frac{1}{4}$ of Section 6 for a distance of 988.59 feet to the Southeast corner of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 6;
Thence North 89°55'30" West along the South boundary of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 6 for a distance of 2094.61 feet to the True Point of Beginning.

EASEMENT NO. 1:

A 30.0 foot wide access and utility easement for the benefit of Parcel No. 6 as disclosed in Corporate Warranty Deed by and between Jones Corporation and Evard, L.L.C., an Idaho limited liability company, recorded December 27, 2017 as Instrument No. 2012-025219, Re-recorded January 8, 2013 as Instrument No. 2013-000440 and Re-recorded February 5, 2013 as Instrument No. 2013-002792, records of Twin Falls County, Idaho for the purpose of ingress, egress and utilities, said 30.0 foot wide easement being on, over, under and across a 30.0 foot wide strip of land that is centered on the following described line:

Commencing at the Southwest corner of said Section 6 from which the West One Quarter ($W\frac{1}{4}$) corner of Section 6 bears North $00^{\circ}00'35''$ West-2639.11 feet; Thence North $00^{\circ}00'35''$ West along the West boundary of the $SW\frac{1}{4}$ of Section 6 for a distance of 1319.56 feet to the Southwest corner of Government Lot 6; Thence North $00^{\circ}00'35''$ West along the West boundary for a distance of 565.67 feet to the TRUE POINT OF BEGINNING:

Thence South $84^{\circ}00'33''$ East for a distance of 92.02 feet;

Thence South $84^{\circ}27'14''$ East for a distance of 70.25 feet to the point of curvature of a curve left;

Thence Southeasterly along the arc of the curve left for a distance of 95.91 feet, said arc having a radius of 8324.44 feet and a chord bearing and distance of South $85^{\circ}27'16''$ East 95.91 feet;

Thence South $87^{\circ}04'03''$ East for a distance of 80.82 feet;

Thence South $87^{\circ}39'10''$ East for a distance of 189.69 feet to the point of curvature of a curve right;

Thence Southeasterly along the arc of the curve right for a distance of 148.14 feet to a point on the East boundary and being the terminus of said easement, said arc having a radius of 2173.73 feet and a chord bearing and distance of South $85^{\circ}48'42''$ East-148.11 feet.

The side line boundaries of the before described easement shall be lengthened or shortened as necessary to intersect the East and West boundaries of the before described parcel.

EXHIBIT B
PERMITTED EXCEPTIONS

Those certain Permitted Exceptions provided in Schedule B, Part II of that certain Commitment for Title Insurance from Stewart Title Guaranty Company, Commitment No. 22449266, dated as of April 29, 2022, incorporated herein by reference.



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 14, 2022

HURTADO LAND & LIVESTOCK LLC
2306 E 3600 S
WENDELL ID 83355-3405

Re: Change in Ownership for Water Right No(s): 47-2047, 47-2153, 47-2285, 47-12242, 47-12257, 47-12269, 47-12277 and 47-12292A

Dear Water Right Holder(s):

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

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) 293-9908.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: TitleOne, Burley, Idaho (File #22449266)