

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
SEP 17 2020
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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?
36-16489 <i>6</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Curtis Merrill
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): dustin DeMello and Kimberly DeMello
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1972 East 3400 South Wendell ID 83355
Mailing address City State ZIP
- _____
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: 9-14-2020
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):
 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: [Signature] Title, if applicable: _____ Date: 9/14/2020
 Signature: [Signature] Title, if applicable: _____ Date: 9/14/2020

For IDWR Office Use Only:

Received by SC Date 9/17/20 Receipt No. 5038143 Receipt Amt. \$25.00
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing
 Name on W-9 _____ Approved by _____ Processed by DM Date 9-23-2020

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:

First American Title Company
301 Main Street
Gooding, ID 83330

Instrument # 269866

GOODING COUNTY, GOODING, IDAHO
09-15-2020 10:12:44 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: LR
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **900932GO (lr)**

Date: **September 14, 2020**

For Value Received, **Curtis L. Merrill and Paula Merrill, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Dustin DeMello and Kimberly DeMello, husband and wife**, hereinafter called the Grantee, whose current address is **1972 East 3400 South, Wendell, ID 83355**, the following described premises, situated in **Gooding County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

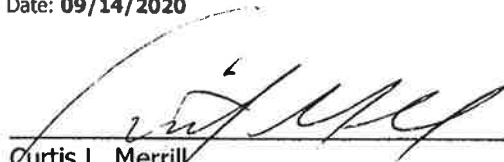
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

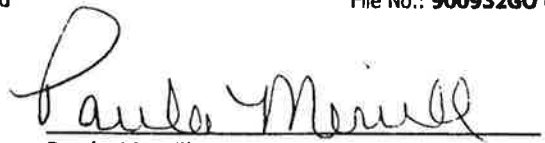
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 09/14/2020

Warranty Deed
- continued

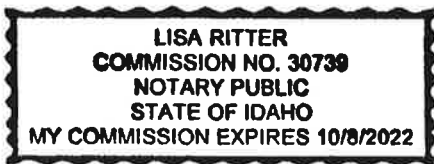
File No.: 900932GO (1r)


Curtis L. Merrill


Paula Merrill

STATE OF Idaho)
COUNTY OF Gooding)
SS.

On this 14 day of **September, 2020**, before me, a Notary Public in and for said State, personally appeared **Curtis L. Merrill and Paula Merrill**, 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 for the State of Idaho
Residing at: Gooding, ID
My Commission Expires: 10/8/2022

EXHIBIT A

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

SECTION 21: A PARCEL OF LAND LOCATED IN THE SW¹/₄SE¹/₄ BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE SOUTHEAST CORNER OF SW¹/₄SE¹/₄ SECTION 21 AND BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 635 FEET ALONG THE EAST BOUNDARY OF THE SW¹/₄SE¹/₄;
THENCE WEST 355 FEET PARALLEL TO THE SOUTH BOUNDARY OF THE SW¹/₄SE¹/₄;
THENCE SOUTH 635 FEET PARALLEL TO THE EAST BOUNDARY OF THE SW¹/₄SE¹/₄;
THENCE EAST 355 FEET ALONG THE SOUTH BOUNDARY OF THE SW¹/₄SE¹/₄ TO THE TRUE POINT OF BEGINNING.**

AFTER RECORDING MAIL TO:

Dustin DeMello and Kimberly DeMello
1972 East 3400 South
Wendell, ID 83355

Instrument # 269869
GOODING COUNTY, GOODING, IDAHO
09-15-2020 10:12:54 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: LR
Electronically Recorded by Simplifile

WARRANTY DEED

File No.: 925727GO (lr)

Date: **September 14, 2020**

For Value Received, **Curtis Merrill, a married man as his sole and separate property**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Dustin DeMello and Kimberly DeMello, husband and wife**, hereinafter referred to as Grantee, whose current address is **1972 East 3400 South, Wendell, ID 83355**, the following described premises, situated in **Gooding County, Idaho**, to wit:

LEGAL DESCRIPTION: Real property in the County of Gooding, State of Idaho, described as follows:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

SECTION 21: SW $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM A PARCEL OF LAND LOCATED IN A PORTION OF THE SW $\frac{1}{4}$ SE $\frac{1}{4}$ BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 21 AND BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°04'33" EAST, 536.50 FEET ALONG THE WEST BOUNDARY OF THE SW $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE SOUTH 89°55'27" EAST, 661.85 FEET;

THENCE ALONG A CURVE RIGHT,

DELTA: 65°15'54"

RADIUS: 90.00'

ARC LENGTH: 102.52'

CHORD DISTANCE: 97.06'

CHORD BEARING; S57°17'30"E

THENCE SOUTH 24°39'33" EAST, 92.47 FEET;

THENCE ALONG A CURVE RIGHT,

DELTA: 23°05'33"

RADIUS: 100.00'

ARC LENGTH: 40.30'

CHORD DISTANCE: 40.03'

CHORD BEARING: S13°06'47"E

THENCE SOUTH 01°34'00" EAST, 360.76 FEET TO THE SOUTH BOUNDARY OF THE SW $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE NORTH 89°57'56" WEST, 801.76 FEET ALONG THE SOUTH BOUNDARY OF THE SW¹/₄SE¹/₄ TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM A PARCEL OF LAND LOCATED IN THE SW¹/₄SE¹/₄ BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 21:
THENCE NORTH 00°04'33" EAST, 994.50 FEET, ALONG THE WEST BOUNDARY OF THE SW¹/₄SE¹/₄, TO THE TRUE POINT OF BEGINNING.
THENCE NORTH 00°04'33" EAST, 325.14 FEET, ALONG THE WEST BOUNDARY OF THE SW¹/₄SE¹/₄ TO THE NORTHWEST CORNER THEREOF;
THENCE SOUTH 89°59'21" EAST, 581.5 FEET, ALONG THE NORTH BOUNDARY OF THE SW¹/₄SE¹/₄
THENCE SOUTH 00°04'33" WEST, 492.31 FEET;
THENCE NORTH 73°56'29" WEST 604.73 FEET TO THE TRUE POINT OF BEGINNING.
EXCEPTING THEREFROM: THE WEST 50 FEET OF THE BEFORE DESCRIBED PARCEL.**

ALSO EXCEPTING THEREFROM A PARCEL OF LAND LOCATED IN THE SW¹/₄SE¹/₄ BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 21:
THENCE NORTH 00°04'33" EAST, 536.50 FEET, ALONG THE WEST BOUNDARY OF THE SW¹/₄SE¹/₄, TO THE TRUE POINT OF BEGINNING.
THENCE NORTH 00°04'33" EAST, 458.00 FEET, ALONG THE WEST BOUNDARY OF THE SW¹/₄SE¹/₄;
THENCE SOUTH 73°56'29" EAST, 604.73 FEET.
THENCE SOUTH 00°04'33" WEST, 291.49 FEET.
THENCE NORTH 89°55'27" WEST, 581.35 FEET TO THE REAL POINT OF BEGINNING.
EXCEPTING THEREFROM: THE WEST 50 FEET TO THE BEFORE DESCRIBED PARCEL.**

ALSO EXCEPTING THEREFROM A PARCEL OF LAND FOR COUNTY ROAD RIGHTS OF WAY PURPOSES BEING-GENERALLY DESCRIBED AS A STRIP OF LAND ADJACENT TO AND ALONG THE WEST BOUNDARY OF A PORTION OF THE SW¹/₄SE¹/₄, SECTION 21, TOWNSHIP 8 SOUTH, RANGE 15 EAST, BOISE MERIDIAN IN GOODING COUNTY, IDAHO AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THE WEST FIFTY (50) FEET OF THE NORTH 783.18 FEET OF THE SW¹/₄SE¹/₄, SECTION 21, TOWNSHIP 8 SOUTH, RANGE 15 EAST BOISE MERIDIAN EXCEPT THE WEST TWENTY FIVE (25) FEET OF THE WEST FIFTY (50) FEET THEREOF FROM PROJECT STATION 105+36.50 TO PROJECT STATION 113+19.68.

(BASIS OF BEARINGS: THE NORTH-SOUTH QUARTER LINE FROM THE SOUTH QUARTER CORNER OF SECTION 21 TO THE NORTH QUARTER CORNER OF SECTION 21 ALL IN T. 8 S., R. 15 E., B.M., GOODING COUNTY, IDAHO, SAID NORTH-SOUTH CENTERLINE BEING ON A BEARING OF NORTH 0°39'23" EAST) (REFERENCE REITSMA PARCEL WARRANTY DEED SAID

APN: **RP08S15E218403**

Warranty Deed
- continued

File No.: **925727GO (lr)**
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LAND BEING NORTH 0°04'33" EAST)

ALSO EXCEPTING THEREFROM A PARCEL OF LAND LOCATED IN THE SW¹/₄SE¹/₄ BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE SOUTHEAST CORNER OF SW¹/₄SE¹/₄ SECTION 21 AND BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 635 FEET ALONG THE EAST BOUNDARY OF THE SW¹/₄SE¹/₄;
THENCE WEST 355 FEET PARALLEL TO THE SOUTH BOUNDARY OF THE SW¹/₄SE¹/₄;
THENCE SOUTH 635 FEET PARALLEL TO THE EAST BOUNDARY OF THE SW¹/₄SE¹/₄;
THENCE EAST 355 FEET ALONG THE SOUTH BOUNDARY OF THE SW¹/₄SE¹/₄ TO THE TRUE POINT OF BEGINNING. .**

APN: **RP08S15E218403**

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

APN: RP08S15E218403

Warranty Deed
- continued

File No.: 925727GO (lr)

Date: 09/14/2020


Curtis Merrill

STATE OF Idaho)
COUNTY OF Gooding)
SS.

On this 14 day of **September, 2020**, before me, a Notary Public in and for said State, personally appeared **Curtis Merrill**, 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.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for the State of Idaho
Residing at: Gooding, ID
My Commission Expires:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 23, 2020

DUSTIN DE MELLO
KIMBERLY DE MELLO
1972 E 3400 S
WENDELL ID 83355-3549

Re: Change in Ownership for Water Right No(s): 36-16486

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: First American Title Company, Gooding (File #900932 / 925727)
Water District 130



First American Title Company
301 Main Street, Gooding, ID 83330
Phone (208)934-4427 Fax (208)934-4741

RECEIVED
SEP 17 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave. W, Ste 500
Twin Falls, ID 83301-5858

September 15, 2020
File No.: 900932GO (lr)

Attn: Water Right Transfer
Phone: 208-736-3033 Fax: 208-736-3037

Property: **1972 East 3400 South, Wendell, ID 83355**

Parcel No.: **RP08S15E218850A**

Legal Description of Property in question:

Our Check No. **11741** in the amount of **\$25.00**, representing **Payment of the Water Right Transfer Fee..**

The land referred to herein is described in the Legal Description attached hereto as Exhibit A.

Prior vested owner of property: **Curtis L. Merrill and Paula Merrill, husband and wife**

TO WHOM IT MAY CONCERN:

Please be advised that the above referenced property has been sold and title is now vested as follows:

Dustin DeMello and Kimberly DeMello, husband and wife

as per copy of 269866 & 269869 recorded Warranty Deed attached hereto. Please change your records accordingly and bill the new owners at:

Mailing Address: **1972 East 3400 South, Wendell, ID 83355**

Sincerely,

Lisa Ritter, Escrow Officer

jc/lr

Exhibit "A"

Real property in the County of Gooding, State of Idaho, described as follows:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

SECTION 21: A PARCEL OF LAND LOCATED IN THE SW¹/₄SE¹/₄ BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE SOUTHEAST CORNER OF SW¹/₄SE¹/₄ SECTION 21 AND BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 635 FEET ALONG THE EAST BOUNDARY OF THE SW¹/₄SE¹/₄;
THENCE WEST 355 FEET PARALLEL TO THE SOUTH BOUNDARY OF THE SW¹/₄SE¹/₄;
THENCE SOUTH 635 FEET PARALLEL TO THE EAST BOUNDARY OF THE SW¹/₄SE¹/₄;
THENCE EAST 355 FEET ALONG THE SOUTH BOUNDARY OF THE SW¹/₄SE¹/₄ TO THE TRUE POINT OF BEGINNING.**