

RECEIVED ✓

AUG 19 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-11848	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-11850	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-22967	Yes ☐	Yes ☐		Yes ☐	Yes ☐
*Not processed	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Carlita F. Severe-McIver

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Shanniece L. Cortez

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

3620 Woodside Blvd

Hailey

ID

83333

Mailing address

City

State

ZIP

208-721-2189

Telephone

Scortez20427@gmail.com

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:

8/1/18

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.

8. Signature:

Signature of new owner/claimant

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

8/19/19

Receipt No.

S037498

Receipt Amt.

\$75.00

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 JB

Date 6-5-20

SUPPORT DATA

IN FILE #

37-11848

For right 37-11848

JB

7-7-20

returned; did not process
right 37-11850 or permit 37-22967

Instrument # 653827

HAILEY, BLAINE, IDAHO

8-1-2018 04:03:03 PM No. of Pages: 1

Recorded for : CARLITA MC IVER

JOLYNN DRAGE

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

48

QUITCLAIM DEED

FOR VALUE RECEIVED,

Carlita Mc Iver, an unmarried woman

does hereby convey, release, remise and forever quit claim unto
Shanniece Cortez, a married woman, as her sole and separate property

Whose current address is: 3620 Woodside Blvd, Hailey, ID 83333
the following described premises:

MULDOON RANCH SUB #2 LOT 33

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date: 7-26-18

By:

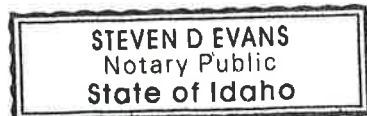
Carlita Mc Iver
Carlita Mc Iver

State of Idaho

County of Blaine

) S.S.

On this 26th day of July, in the year of 2018, before me
Steven D Evans, personally appeared Carlita McIver,
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are)
subscribed to the within instrument, and acknowledged that he (she)(they) executed the same.



Steven D Evans
Notary Public
My Commission Expires on 12/17/2018



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

July 07, 2020

SHANNIECE CORTEZ
3620 WOODSIDE BLVD
HAILEY ID 83333-8556

RE: Water Right No.: 37-11850 Change in Ownership; Permit No.: 37-22967 Assignment of Permit

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on August 19, 2019 for the above referenced water rights. The Notice could not be processed because sufficient conveyance documentation has not been submitted to accomplish the change in ownership/assignment of permit.

On September 12, 2019, October 15, 2019, November 18, 2019, February 20, 2020, March 4, 2020, and June 5, 2020, the Department requested the required information from you. As of the date of this letter, the Department has not received the required information. On June 5 of this year, the Department was able to process the change of ownership for right 37-11848, because the documentation submitted was sufficient to change ownership for that right.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$50.00 has been requested and will be mailed to you under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: CARLITA F SEVERE MC IVER; BROCKWAY ENGINEERING PLLC

Bitzenburg, James

From: Bitzenburg, James
Sent: Tuesday, July 07, 2020 9:03 AM
To: Marston, Sascha
Subject: Refund Request

Sascha-

I am returning a Notice of Change in Water Right Ownership to Shanniece L. Cortez. She submitted the Notice on August 19, 2019, and it could not be completely processed because sufficient documentation has not been submitted to process 2 of the 3 rights/permit after multiple deficiency letters/emails were sent out. Ms. Cortez paid \$75.00 for the Ownership Change with check #1094, IDWR receipt #S037498. The right which I was able to process was 37-11848, and the right which could not be processed is right 37-11850. The permit that could not be processed was 37-22967, so could you send a refund of \$50.00 to Ms. Cortez? The address for Shanniece Cortez is:

**SHANNIECE CORTEZ
3620 WOODSIDE BLVD
HAILEY ID 83333-8556**

Let me know if you need anything more and thank you for your assistance.

Jim

**Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
james.bitzenburg@idwr.idaho.gov**



State of Idaho

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Brad Little
Governor

Gary Spackman
Director

June 05, 2020

SHANNIECE CORTEZ
3620 WOODSIDE BLVD
HAILEY ID 83333-8556

Re: Change in Ownership for Water Right No(s): 37-11848

Dear Shanniece:

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.

Additionally, because you have not submitted sufficient documentation to change ownership of right 37-11850 and permit 37-22967, I cannot process a change in ownership for those two rights. If we do not receive the necessary documentation within 30 days, we will return your Notice and all attachments, initiate a refund of the fees, and the change in ownership for the other two rights will not be processed.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9909.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Bitzenburg'.

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)



State of Idaho

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Brad Little
Governor

Gary Spackman
Director

March 4, 2020

SHANNIECE CORTEZ
3620 WOODSIDE BLVD
HAILEY ID 83333-8556

RE: Water Right No(s): 37-11850, 37-11848, and permit 37-22967; Change in
Ownership Deficiency Letter

Dear Shanniece:

In order to help get things moving on the Notice of Change in Water Right Ownership which you submitted last August, I have enclosed an Assignment of Permit form which would enable us to change the ownership on the permit, 37-22967. If you could have your Grandmother sign it (it needs to be notarized) and mail it back to me, I can get that one changed. The stockwater/domestic right, 37-11848, can also be changed, as sufficient documentation was submitted to convey the right. We still cannot convey right 37-11850 (Ground Water Recharge) without the quitclaim deed specifically naming it.

I have enclosed water right/permit reports for your information.

If you have any questions regarding this matter, please contact me at (208) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

Bitzenburg, James

From: Bitzenburg, James
Sent: Thursday, February 20, 2020 2:45 PM
To: 'shanniece@evansplumbinginc.com'
Subject: Water right ownership change

Shanniece –

Hey, I was wondering if you were making any progress on getting the quitclaim deed from your Grandmother? Let me know if you need any assistance.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
james.bitzenburg@idwr.idaho.gov

Bitzenburg, James

From: Shanniece Cortez <scortez0427@gmail.com>
Sent: Thursday, December 26, 2019 8:48 AM
To: Bitzenburg, James
Subject: Re: Water right ownership change

Hi Jim, I am so sorry...It's been a crazy couple of Months with lots of changed to my life and totally spaced it. I will get this done ASAP.

Can I request you send all further inquiries to shanniece@evansplumbinginc.com? That is my work email and I will get it much faster.

Thank you!

On Mon, Nov 18, 2019 at 1:30 PM Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov> wrote:

Shanniece-

I'm just checking to see if any progress has been made in obtaining a quitclaim deed from your Grandmother on the rights and permit related to your property located at 330 Bayhorse Road in Hailey? As you may recall, the ownership change notice you filed with our office named rights 37-11848 and 37-11850 and permit 37-22967, but the quitclaim deed included with the notice could only convey the ownership of right 37-11848. In order to convey the two rights and the permit, a quitclaim deed specifically conveying rights 37-11848 and 37-11850, and permit 37-22967 from your Grandmother to you is needed.

I will continue to hold processing of the change of ownership until I receive the requested information. Feel free to give me a call or email if you have any questions.

Jim

Jim Bitzenburg

Water Resource Agent

Idaho Department of Water Resources

Southern Regional Office

Phone (208)-736-3033

Fax (208)-736-3037

Bitzenburg, James

From: Bitzenburg, James
Sent: Tuesday, October 15, 2019 11:21 AM
To: 'scortez0427@gmail.com'
Subject: Ownership change deficiency letter & water right reports
Attachments: Cortez.pdf

Shanniece-

As a result of our phone conversation this morning, I have attached the letter that I mailed to you last month, and water right reports for the two water rights and one permit involved in the ownership change notice which you filed in August. As I mentioned in the letter, we can process the ownership change for right 37-11848, as it is clearly appurtenant to the property at 330 Bayhorse Road in Hailey. However, you'll notice that right 37-11850 is appurtenant to property in Section 32 and your property is in Section 31, so that is why we need further documentation to process the ownership change for that right. Permit 37-22967 is in a similar situation. Normally, permits have to be conveyed with Assignment of Permit forms, but if you could get your Grandmother to file a notarized quitclaim deed specifically naming it, we could complete the process.

In order to continue processing the ownership change, I believe the best course of action would be to have your Grandmother file a notarized quitclaim deed naming the two rights and one permit specifically. That would give IDWR the information necessary to complete the process. If you have any questions, don't hesitate to call me at 208-293-9909. Thank you for your assistance.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
Fax (208)-736-3037
james.bitzenburg@idwr.idaho.gov



State of Idaho

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Brad Little
Governor

Gary Spackman
Director

September 12, 2019

SHANNIECE CORTEZ
3620 WOODSIDE BLVD
HAILEY ID 83333-8556

RE: Water Right No(s): 37-11850, 37-11848, and Permit No. 37-22967 - Change in Ownership

Dear Ms. Cortez:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice). Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

 X More specific Evidence of Water Right Ownership: Copy of Notarized Quitclaim Deed specifically including the two water rights (37-11850 and 37-11848) and the permit (37-22967).

In my review of the Notice which you submitted last month, a couple of items surfaced which prevent its processing. First off, 37-22967 is not a perfected water right, but is a permit. Because of that, an Assignment of Permit is normally required to complete the change in ownership. In this case, if you could have Carlita Mclver file a notarized quitclaim deed specifically naming the three rights involved, we could continue with processing, because that would satisfy the requirements to assign ownership of the permit.

A somewhat similar problem exists with right 37-11850. It is a ground water recharge right which mitigates for the use of the permit, 37-22967. None of the places of use of right 37-11850 lie within Muldoon Ranch Subdivision #2 Lot 33, which is the property conveyed in the quitclaim deed you submitted. Because the quitclaim deed does not specify right 37-11850, and it is not appurtenant to the land conveyed in the deed, its ownership cannot be updated.

Sufficient documentation was submitted to process the ownership change for right 37-11848; however, I believe the best course of action would be to have Ms. Mclver file a notarized quitclaim deed which specifically names 37-11848, 37-11850, and 37-22967, and conveys them to you.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your Notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days, we will return your Notice and all attachments, initiate a refund of the fees, and your Notice will not be processed.

If you have any questions regarding this matter, please contact me at (208) 293-9909.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Bitzenburg'.

Jim Bitzenburg
Senior Water Resource Agent

Cc: Carlita Mclver