

RECEIVED

FEB 10 2020

DEPARTMENT OF
WATER RESOURCES

Form 42-248/42-1409(6) Rev. 1/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
63-33990	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: The state of Grace Davison
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John Badiola
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 19465 Majestic View Place Caldwell ID 83607
Mailing address City State ZIP
- 208-941-0527 jbadiola@lurre.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: 02/06/2020
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):
 ☐ \$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] Title, if applicable Date 2-6-20
Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by KM Date 2-10-2020 Receipt No. C108297 Receipt Amt. \$25.00
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 _____ Date _____

Returned 7/14/2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the Water Right and Adjudication Search link at www.idwr.idaho.gov.

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at www.idwr.idaho.gov, or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.
6. If you are unsure about the status of your water right in the Water Supply Bank, go to: www.idwr.idaho.gov/apps/ExtSearch/WSBSearch/WSBSearch.aspx, input your water right number and click "Search." If you find your water right is in the Water Supply Bank and you want to release it so you can use it, you can download the Request to Release form from the forms portion of our website: www.idwr.idaho.gov. Your water right may not be available for immediate release if rented by another water user.

7. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

If the water right is leased to the Water Supply Bank and there is more than one owner, a Lessor Designation form must be completed to specify who the designated lessor will be. Each of the owners must sign the Lessor Designation form.

An IRS Form W-9 is required for all ownership changes pertaining to water rights leased to the Water Supply Bank. Refer to instructions in section 6 above to determine if the water right undergoing an ownership change is leased to the Water Supply Bank. An IRS W9 form can be downloaded from the Department's website: www.idwr.idaho.gov.

8. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you. Ownership changes for water rights leased to the Water Supply Bank should be sent to the State Office.**

IDWR Northern Region
7600 N Mineral Dr, Ste 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Eastern Region
900 N Skyline Dr, Ste A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

GOV. LOT 1

R35535010A

GOV. LOT 2

MALT ROAD

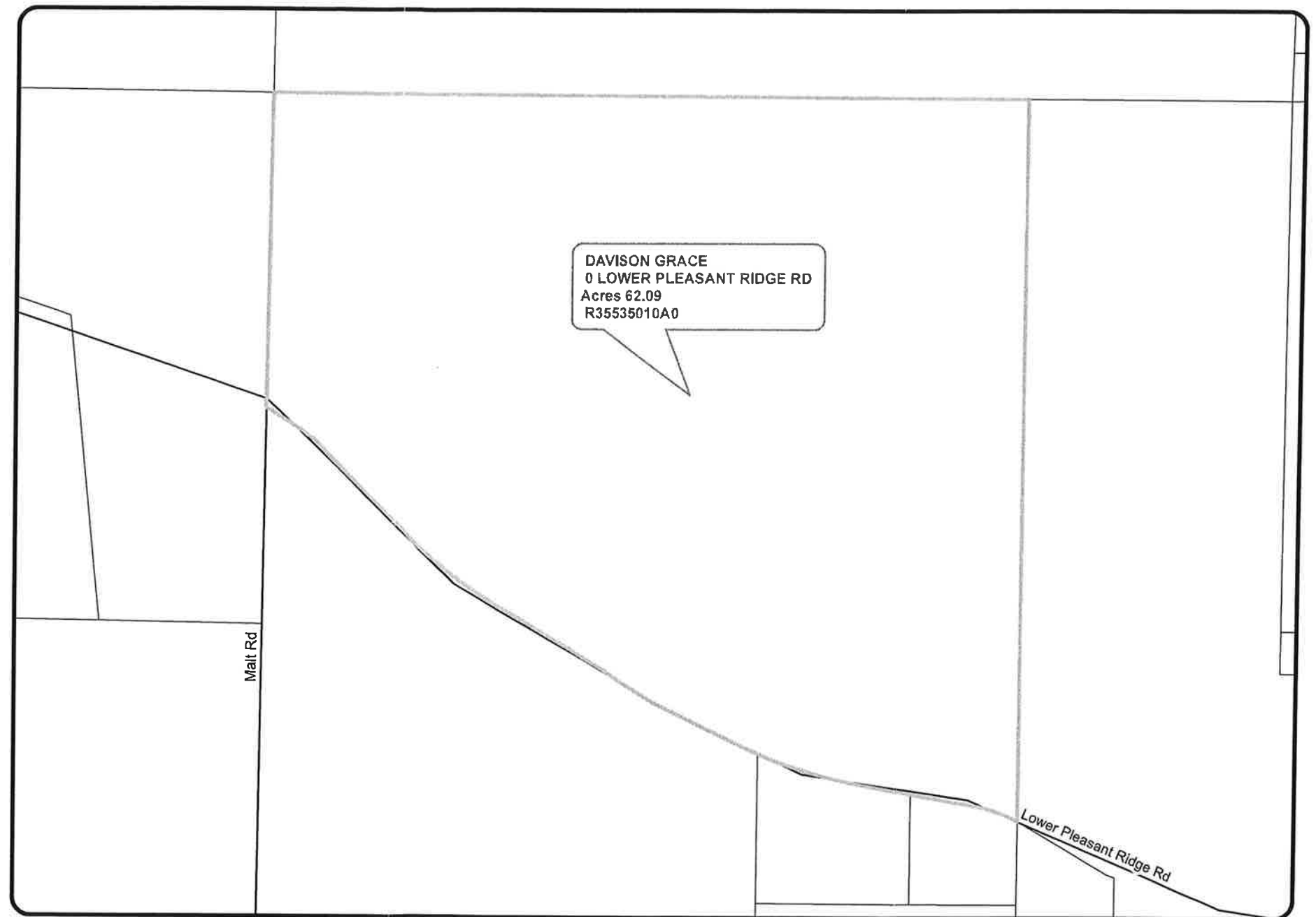
LOWER

R35535010
UT 16114

R35535
T 06422

R35508010
T 07707

PLEASANT
250 17



This Map and data displayed is a graphic representation derived from the Canyon County Geographic Information System (GIS) data. It was designed and intended for staff use only. It is not guaranteed survey accuracy. This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Canyon County and Single Point Solutions, Inc are not liable for errors or omissions resulting from the use of this product for any purpose.





PioneerTitleCo.
GOING BEYOND

610 S. Kimball Avenue
Caldwell, ID 83605

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 708803 VH/LF

2020-006832

RECORDED

02/06/2020 02:56 PM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=2 PBRIDGES \$15.00
TYPE: DEED
PIONEER TITLE CANYON - CALDWELL
ELECTRONICALLY RECORDED

PERSONAL REPRESENTATIVE'S DEED

This Personal Representative's Deed is made February 4, 2020 by Grantor, Brenda Wessels, Personal Representative for the Estate of Grace Davison, deceased, being the duly qualified personal representative of such Estate filed in Canyon County, State of Idaho Probate No. cv-2011-3743, and does for valuable consideration, hereby sell and convey to John Badiola, a married man as his sole and separate property, Grantee, whose address is 19465 Majestic View Place Caldwell, ID 83607 the following described real property situated in Canyon County, Idaho:

See Exhibit A attached hereto and made a part hereof.

together with all appurtenances pertaining thereto.

Estate of Grace Davison

Brenda Wessels, PR

Brenda Wessels, Personal Representative

State of Idaho, County of Canyon

This record was acknowledged before me on February 6th, 2020 by Brenda Wessels, as Personal Representative of The Estate of Grace Davison.

Vicki Hunsperger
Signature of notary public
Commission Expires: 12/21/2022 [#]
2022

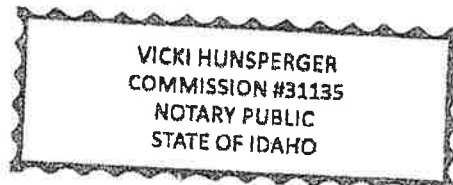


EXHIBIT A

Lots 1 and 2 lying North of the Road; the West One-Half of the Northeast Quarter of the Northwest Quarter; and the West One-Half of the Southeast Quarter of the Northwest Quarter of Section 30, Township 4 North, Range 3 West, Boise- Meridian

EXCEPTING THEREFROM: The South 638 feet of said West One-Half of the Southeast Quarter of the Northwest Quarter

AND ALSO EXCEPTING THEREFROM:

A portion of the West Half of the East Half of the Northwest Quarter of Section 30, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 30; thence

North 0° 06' 09" West along the West boundary of said Southeast Quarter of the Northwest Quarter a distance of 638.00 feet; thence

South 89° 57' 23" East parallel with the South boundary of said Southeast Quarter of the Northwest Quarter a distance of 387.03 feet to the TRUE POINT OF BEGINNING; thence

North 0° 02' 15" West parallel with the East boundary of said West Half of the East Half of the Northwest Quarter a distance of 274.21 feet to a point in the centerline of Lower Pleasant Ridge Road; thence

South 79° 44' 31" East along said centerline a distance of 158.21 feet; thence continuing along said centerline

Southeasterly a distance of 117.54 feet following the arc of a curve to the right having a central angle of 17° 04' 07", a radius of 394.56 feet and a long chord which bears South 71° 12' 25" East a distance of 117.11 feet to a point on said East boundary of said West Half of the East Half of the Northwest Quarter; thence

South 0° 02' 15" East along said East boundary a distance of 208.51 feet to point which lies on a line 638.00 feet Northerly from and parallel with the South boundary of said Southeast Quarter of the Northwest Quarter; thence

North 89° 57' 23" West along said parallel line a distance of 266.50 feet to the TRUE POINT OF BEGINNING.

AND ALSO EXCEPTING THEREFROM:

This parcel is a portion of the W ½ of the E ½ of the NW ¼ of Section 30, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

COMMENCING at the southwest corner of the SE ¼ NW ¼ of said Section 30; thence

North 00°06'09" West along the west boundary of said SE ¼ NW ¼ a distance of 638.00 feet to the TRUE POINT OF BEGINNING; thence

North 00°06'09" West continuing along said west boundary a distance of 372.60 feet to a point in the centerline of Lower Pleasant Ridge Road; thence

following said centerline southeasterly 253.59 feet along the arc of a curve to the left having a central angle of 12°44'44", a radius of 1139.96 and a long chord which bears South 73°22'07" East a distance of 253.07 feet; thence

South 79°44'29" East continuing along said centerline a distance of 147.39 feet; thence

leaving said centerline and bearing South 00°02'15" East parallel with the east boundary of the said W ½ E ½ of the NW ¼, a distance of 274.21 feet to a point which lies on a line 638.00 feet northerly from and parallel with the south boundary of said SE ¼ NW ¼; thence

North 89°57'23" West along said parallel line a distance of 387.03 feet to the TRUE POINT OF BEGINNING.



PioneerTitleCo.
GOING BEYOND

610 S. Kimball Avenue
Caldwell, ID 83605

RECEIVED
FEB 10 2020
DEPARTMENT OF
WATER RESOURCES

February 6, 2020

Dept of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

File No. 708803

Property Address: NNA Lower Pleasant Ridge Road, Caldwell, ID 83607

I have attached the application, check for water transfer, copy of recorded deed, and plat map you requested.

Sincerely,

Vicki Hunsperger, Escrow Officer
Ph: (208) 455-7305
Email: vhunsperger@pioneertitleco.com



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 14, 2020

JOHN BADIOLA
19465 MAJESTIC VIEW PL
CALDWELL ID 83607-9037

RE: Change in Ownership No(s): 63-33990

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on February 10th, 2020 for the above referenced water rights. The Notice could not be processed because the water right is still in the permit stage and requires an Assignment of Permit to complete an ownership change.

On February 13th, the Department requested a notarized Assignment of Permit form from you. As of the date of this letter, the Department has not received the required information.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$25.00 has been requested and will be mailed to John A Badiola 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 Amanda.veibell@idwr.idaho.gov or (208) 287-4945.

Sincerely,

Amanda Veibell
Technical Records Specialist 1

Enclosure(s)

Veibell, Amanda

From: Veibell, Amanda
Sent: Tuesday, July 14, 2020 4:09 PM
To: IdwrPayable
Subject: Refund C108297 - Change of Ownership being returned

Good Afternoon!

Please refund receipt C108297 in the name of:
John A Badiola
19465 Majestic View Pl
Caldwell ID 83607-9037

I requested additional information on 2/13/2020 regarding their water right ownership change and have not received any response to date.

Please let me know if you have any questions.

Amanda Johnson-Veibell

Technical Records Specialist I
Idaho Dept Water Resources
PO Box 83720 Boise ID 83720-0098
208-287-4945



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 13, 2020

JOHN BADIOLA
19465 MAJESTIC VIEW PL
CALDWELL ID 83607-9037

RE: Change in Ownership: 63-33990

Dear Interested Parties:

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:

____ Notarized Signature for Assignment of Permit

Because this water right is still in the permit stage, an Assignment of Permit will be required to complete the ownership change. Enclosed is an assignment form for your use.

Also, please note that permit holders are required to report any change of 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. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4945.

Sincerely,

Amanda Veibell
Technical Records Specialist 1

Enclosure(s)

c: IDAHO WATER ENGINEERING
ESTATE OF GRACE DAVISON