



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

May 24, 2019

WILLIAM K THORPE & KAY L THORPE FAMILY TRUST
C/O WILLIAM & KAY THORPE
PO BOX 134
BLISS ID 83314-0134

RE: Water Right No(s): 37-22300, 37-22301, 37-22302
Change in Ownership

Dear Mr. & Mrs. Thorpe:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on March 18, 2019 for the above referenced water rights. As we discussed by phone and email, the Notice could not be processed because these water rights are not appurtenant to your property. However, as we also discussed, water rights 37-22299 and 37-7427 are appurtenant to your property and are already in the name of William K Thorpe and Kay L Thorpe Family Trust. I have enclosed copies of those water rights.

A refund of \$300 has been requested and will be mailed to you under separate cover from the Idaho State Controller's Office.

If you have any questions regarding this matter, please contact me at (208) 736-3033.

Sincerely,

Allison Inouye
Water Resource Agent, Senior

Enclosure(s)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAR 18 2019
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?
* 37-22300	Yes ☒	Yes ☐		Yes ☐	Yes ☐
* 37-22301	Yes ☒	Yes ☐		Yes ☐	Yes ☐
* 37-22302	Yes ☒	Yes ☐		Yes ☐	Yes ☐
* Not processed	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: SEE ATTACHED
3. New Owner(s)/Claimant(s): William K. Thorpe & Kay L. Thorpe Family Trust
 Name of current water right holder/claimant
 New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
PO Box 134 Butte 10 83314
 Mailing address City State ZIP
562-881-4675 wkthorpe@gmail.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: 11/18/2015
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] TRUSTEE 3/14/2019
 Signature of new owner/claimant Title, if applicable Date
 Signature: [Signature] TRUSTEE 3/14/2019
 Signature of new owner/claimant Title, if applicable Date

SUPPORT DATA

IN FILE # 37-22300

For IDWR Office Use Only:

Received by AI Date 3/18/19 Receipt No. 5037210 Receipt Amt. \$300
 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 AI Date 5/24/19

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
301 Main Street
Gooding, ID 83330

Recorded Electronically	
ID	253259
County	Gooding
Date	11-23-15 Time 09:20:09
Simplifile.com 800.480.5857	

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 567330GO (smb)

Date: November 12, 2015

For Value Received, **Menchaca Irrevocable Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **William K. Thorpe and Kay L. Thorpe, as Co-Trustees of The William K. Thorpe and Kay L. Thorpe Family Trust**, hereinafter called the Grantee, whose current address is **103 Ravenna Drive, Suite #5, Long Beach, CA 90803**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

Gooding County, Idaho, Township 6 South, Range 13 East Boise Meridian,

Section 21: Part of Government Lot 3 described as follows:

Beginning at the Southeast corner of Section 21, marked with a BLM brass cap;
THENCE North 0°21'39" West 1,315.92 feet along the Easterly boundary of Section 21 to the Northeast corner of Government Lot 3;
THENCE South 89°48'08" West 1,244.36 feet along the Northerly boundary of Government Lot 3 to the TRUE POINT OF BEGINNING;
THENCE South 89°48'08" West 822.66 feet along said Northerly boundary of Government Lot 3 to the center of Old U.S. Highway 30;
THENCE South 28°36'50" East 107.52 feet along the center of said highway to a curve right;
THENCE 221.06 feet Southeasterly along a curve right having a radius of 1,567.44 feet and a chord of South 24°12'18" East 220.88 feet;
THENCE South 16°59'12" East 52.13 feet along said centerline;
THENCE South 86°56'50" East 497.46 feet;
THENCE North 60°18'05" East 136.42 feet along an existing fence;
THENCE North 6°23'48" West 101.07 feet;
THENCE North 16°31'01" East 215.92 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH Idaho Department of Water Resources Water Right #37-22299 and 37-7427.

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: 11/12/2015

Warranty Deed
- continued

File No.: 567330GO (smb)

Menchaca Irrevocable Trust

Juan Menchaca Jr. Trustee
Juan Menchaca, Jr., Trustee

Shaun D. Menchaca, Trustee

STATE OF Idaho)
ss.

COUNTY OF Ada)

On this 10th day of November, 2015, before me, a Notary Public in and for said State, personally appeared **Juan Menchaca, Jr.**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Co-Trustee of the **Menchaca Irrevocable Trust**, and acknowledged to me that he executed the same as such Co-Trustee.



[Signature]

Notary Public of Idaho

Residing at: Mendon, ID

Commission Expires: 9-11-2021

STATE OF Idaho)
ss.

COUNTY OF Bannock)

On this _____ day of November, 2015, before me, a Notary Public in and for said State, personally appeared **Shaun D. Menchaca**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Co-Trustee of the **Menchaca Irrevocable Trust**, and acknowledged to me that he executed the same as such Co-Trustee.

Notary Public of Idaho

Residing at: _____

Commission Expires: _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
301 Main Street
Gooding, ID 83330

Instrument # 253259
GOODING COUNTY, GOODING, IDAHO
11-23-2015 09:26:09 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$16.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

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

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **567330GO (smb)**

Date: **November 12, 2015**

For Value Received, **Menchaca Irrevocable Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **William K. Thorpe and Kay L. Thorpe, as Co-Trustees of The William K. Thorpe and Kay L. Thorpe Family Trust**, hereinafter called the Grantee, whose current address is **103 Ravenna Drive, Suite #5, Long Beach, CA 90803**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

Gooding County, Idaho, Township 6 South, Range 13 East Boise Meridian,

Section 21: Part of Government Lot 3 described as follows:

Beginning at the Southeast corner of Section 21, marked with a BLM brass cap;
THENCE North 0°21'39" West 1,315.92 feet along the Easterly boundary of Section 21 to the Northeast corner of Government Lot 3;
THENCE South 89°48'08" West 1,244.36 feet along the Northerly boundary of Government Lot 3 to the TRUE POINT OF BEGINNING;
THENCE South 89°48'08" West 822.66 feet along said Northerly boundary of Government Lot 3 to the center of Old U.S. Highway 30;
THENCE South 28°36'50" East 107.52 feet along the center of said highway to a curve right;
THENCE 221.06 feet Southeasterly along a curve right having a radius of 1,567.44 feet and a chord of South 24°12'18" East 220.88 feet;
THENCE South 16°59'12" East 52.13 feet along said centerline;
THENCE South 86°56'50" East 497.46 feet;
THENCE North 60°18'05" East 136.42 feet along an existing fence;
THENCE North 6°23'48" West 101.07 feet;
THENCE North 16°31'01" East 215.92 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH Idaho Department of Water Resources Water Right #37-22299 and 37-7427.

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: 11/12/2015

Warranty Deed
- continued

File No.: 567330GO (smb)

Menchaca Irrevocable Trust

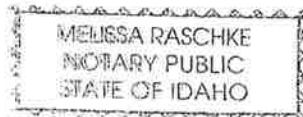
Juan Menchaca, Jr., Trustee

Shaun D. Menchaca
Shaun D. Menchaca, Trustee

STATE OF Idaho)
SS.

COUNTY OF Ada Bannock)

On this 19th day of November, 2015, before me, a Notary Public in and for said State, personally appeared Shaun D. Menchaca, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Co-Trustee of the **Menchaca Irrevocable Trust**, and acknowledged to me that he executed the same as such Co-Trustee.



Melissa Raschke
Notary Public of Idaho
Residing at: Pocatello
Commission Expires: 2/5/2020

STATE OF Idaho)
SS.

COUNTY OF Bannock)

On this _____ day of November, 2015, before me, a Notary Public in and for said State, personally appeared **Shaun D. Menchaca**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Co-Trustee of the **Menchaca Irrevocable Trust**, and acknowledged to me that he executed the same as such Co-Trustee.

Notary Public of Idaho
Residing at: _____
Commission Expires: _____

Inouye, Allison

From: Inouye, Allison
Sent: Monday, May 06, 2019 9:00 AM
To: 'wmkthorpe@gmail.com'
Subject: Water Rights on 560 River Road property
Attachments: ThorpeOC.pdf; ThorpeWaterRights.docx

Hi Mr. Thorpe,

As we discussed on the phone, water rights 37-22299 and 37-7427 are appurtenant to your property and are already in the name of William K Thorpe & Kay L Thorpe Family Trust. 37-7427 is for domestic purposes. 37-22299 is for domestic use as well as irrigation of 5.9 acres.

Based on Department records, it looks like the original irrigation water right for your and the surrounding property was 37-794B owned by Juan M and Joyce C Menchaca. In 2008, that water right was split into 4 pieces:

- 37-22299 (now owned by you);
- 37-22300 (owned by David Allen & Constance S Kennison);
- 37-22301 (owned by Elliott Passey Development LLC); and
- 37-22302 (owned by Aaron & Darolyn M Utz).

Attached is a map showing how the irrigation portions of right 37-794B were divided. The domestic use under 37-794B was retained on water right 37-22299, which you own.

I know that IDWR recently suggested that you needed to update water right records so I apologize for the hassle and confusion. I did speak with Nathan Erickson (the watermaster) and we both concluded that the water rights that are appurtenant to your property have been correctly updated into your name. If you'd like to further discuss, feel free to call me. Otherwise, let me know and I can initiate a refund of the \$300 filing fee that you recently submitted.

Thank you,
Allison

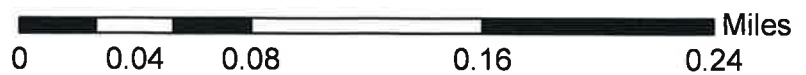
Allison Inouye
Senior Water Resource Agent
Southern Regional Office | Idaho Dept. of Water Resources
p (208) 736-3033 | f (208) 736-3037
Allison.Inouye@idwr.idaho.gov

Map of Water Right 37-794B and Split Portions



Legend

- | | |
|--------------------------|----------------|
| 37-794B (Original Right) | Township/Range |
| 37-22299 (Thorpe) | Sections |
| 37-22300 (Kennison) | QQ |
| 37-22301 (Passey) | |
| 37-22302 (Utz) | |



William K. Thorpe and Kay L. Thorpe Family Trust
PO Box 134, Bliss, Idaho 83314
Email:
Phone: 562-881-4675

RECEIVED
MAR 18 2019
DEPT. OF WATER RESOURCES
SOUTHERN REGION

March 14, 2019

State of Idaho
Department of Water Resources---Southern Region
Attention: Carrie Hahn
650 Addison Ave. W Suite 500
Twin Falls, Idaho 83301-5858

Re: Water Rights No. 37-22300, 37-22301 and 37-22302

Dear Carrie:

I received your letter dated February 19, 2019 in which you provided with forms and information about putting all of the water rights associated with the purchase of our property, 560 River Road, in the right owner's name.

I have enclosed the following:

- Completed IDWR Notice of Change in Water Right Ownership for the above listed water rights,
- A copy of the deed showing our purchase of the 560 River Road property,
- Information on the three water rights listed above, and
- A check for \$300 to cover the fees for the three water rights listed above.

I believe that this is all of the documents that you require and can adjust your records to show the three above right water rights in the name of the trust as shown above.

Thank you in advance for your assistance with this matter and please contact me directly if you have any questions or require any additional information.

Very truly yours,



William K. Thorpe

COPY



First American Title Company
199 Country Lane, Jerome, Idaho 83338
(208)324-6822, (208)324-6823

The William K. Thorpe and Kay L. Thorpe Family Trust
103 Ravenna Drive, Suite #5
Long Beach, CA 90803

December 23, 2015
File No.: 567330GO (smb)

Re: **560 River Road, Bliss, ID 83314**

Regarding the above referenced file please find the following enclosed:

- Original **Warranty Deed** , recorded as **253259**

Please retain the enclosed items for your records.

We appreciate having had the opportunity to be of service to you in this transaction. If you should have questions, or if we can be of assistance in the future, please don't hesitate to contact us.

Sincerely,

Celia Allen, Administrative Assistant

enc.