

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 25 2019

Department of Water Resources
Eastern 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?
35-2270 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-2527 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Laval Whitehead
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Ken or Pauline Wixom
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 260 W 300 N Blackfoot ID 83221
Mailing address City State ZIP
- 208-681-9093 _____
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: 2/27/2019
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.

SUPPORT DATA

IN FILE # 35-2270

8. Signature: Ken J. Wixom 2/27/2019
 Signature of new owner/claimant Title, if applicable Date
- Signature: Pauline Wixom 2-27-2019
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 4/25/2019 Receipt No. E044909 Receipt Amt. \$150.-

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 JB Processed by CR Date 7/1/2019

\$50.- for this app

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 704829
BINGHAM COUNTY, IDAHO
2019-02-27 03:25:29 PM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **714711-B (vb)**

Date: **February 15, 2019**

For Value Received, **Pauline Wixom, as to an undivided 50% interest and Afton Nukaya as Trustee of the Afton Nukaya Living Trust, as to an undivided 50% interest**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Ken Wixom and Pauline Wixom, husband and wife**, hereinafter called the Grantee, whose current address is **260 W 300 N, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

TOWNSHIP 3 SOUTH, RANGE 33, E.B.M., BINGHAM COUNTY, IDAHO.
SECTION 5: LOTS 3 AND 4; S½NW¼; SW¼

LESS AND EXCEPTING THEREFROM: THE NORTH 33 FEET OF LOTS 3 AND 4 SECTION 5, TOWNSHIP 3 SOUTH, RANGE 33, E.B.M., BINGHAM COUNTY, IDAHO.

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: 02/15/2019

Warranty Deed
- continued

File No.: 714711-B (vb)

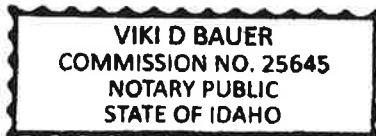
Afton Nukaya, as Trustee of the Afton Nukaya
Living Trust

Afton Nukaya
Afton Nukaya, Trustee

Pauline Wixom
Pauline Wixom

STATE OF Idaho)
COUNTY OF Bingham)
ss.

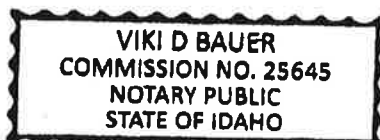
On this 26 day of February, 2019, before me, a Notary Public in and for said State, personally appeared **Afton Nukaya**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Afton Nukaya Living Trust** Trust, and acknowledged to me that she executed the same as such Trustee.



Viki D Bauer
Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 03/29/2020

STATE OF Idaho)
COUNTY OF Bingham)
ss.

On this 27 day of February, 2019, before me, a Notary Public In and for said State, personally appeared **Pauline Wixom**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.



Viki D Bauer
Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 03/29/2020

454650

WARRANTY DEED

For Value Received, Afton Nukaya, the Grantor, does hereby grant, bargain, sell, and convey unto Afton Nukaya as Trustee of the Afton Nukaya Living Trust, of 282 N 2900 E, Roberts, Idaho 83444, the Grantee, an undivided one-half interest in the following-described premises, to-wit:

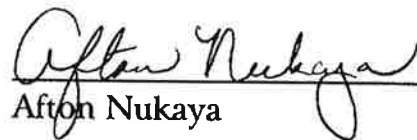
Township 3 South, Range 33, E.B.M., Bingham County, Idaho
Section 5: Lots Three and Four; S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ less road

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee, her successors and assigns forever. The said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 9th day of June, 1997.


Afton Nukaya

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE 6.00 DEP 22

97 JUN 11 PM 4:47

RECORDED AT THE REQUEST OF

Baker + Horns

STATE OF IDAHO)
) ss:
County of Bingham)

On this 9th day of June, 1997, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Afton Nukaya, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Dwight E. Ballman
Notary Public for Idaho
Residing at Blackfoot ID
My Commission Expires 12-10-99.

454650

454649

Baker & Harris
BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

FEE 3.00 DEP na
JUN 11 PM 4:46

THIS DEED, made by LaVal Whitehead, as personal representative of the Estate of EDWIN ISAAC WHITEHEAD, Case No. 1686, and the Estate of GLENNA STRINGHAM WHITEHEAD, Case No. SP-96-673, Bingham County, Idaho, deceased, Grantor, to Afton Nukaya and Pauline Wixom, Grantees, whose current address is 260 W 300 N, Blackfoot, Idaho 83221.

WHEREAS, Grantees are entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantees the following described real property in Bingham County, Idaho:

Township 3 South, Range 33, E.B.M., Bingham County, Idaho
Section 5: Lots Three and Four; S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ less road

with all appurtenances.

EXECUTED this 9 day of June, 1997.

LaVal Whitehead
LaVal Whitehead Personal Representative of the estates of
Edwin Isaac Whitehead and Glenna Stringham Whitehead,
deceased.

STATE OF IDAHO)

COUNTY OF BINGHAM)

On this 9 day of June, 1997, before me, the undersigned, a notary public in and for said state, personally appeared, LaVal Whitehead, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estates of Edwin Isaac Whitehead and Glenna Stringham Whitehead, deceased, and acknowledged to me that he executed the same as such Personal Representative.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day above written.

Dwight E. Baker
Notary Public for Idaho
Residing at *Blackfoot, ID*
My commission expires: *6-70-99*

454649



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 01, 2019

KEN & PAULINE WIXOM
260 W 300 N
BLACKFOOT ID 83221-5415

Re: Change in Ownership for Water Right No(s): 35-2270, 35-2527

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) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Idaho AgCredit PCA
Idaho AgCredit FLCA
Water District 120
Bingham Ground Water District