

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAR 28 2019
DEPARTMENT 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?
47-11702	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-13993	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-13995	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John Nunes and Mary Nunes
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John Nunes
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 236 River Vista Place Ste. 301 Twin Falls Idaho 83301
Mailing address City State ZIP
- 208-969-9585 evan@sawtoothlaw.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: March 22, 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 # 47-11702

8. Signature: [Signature] 3/26/19
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 AI Date 3/20/19 Receipt No. 5037237 Receipt Amt. \$75
 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 [Signature] Date 4-3-19

Exhibit A

Deeds

TWIN FALLS COUNTYRECORDED FOR:
TITLEONE - TWIN FALLS

02:50:39 PM 03-22-2019

2019003920

NO. PAGES 4 FEE: \$15.00

KRISTINA GLASCOCK
COUNTY CLERK

DEPUTY: CA

Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

QUITCLAIM DEED

FOR VALUE RECEIVED, MARY NUNES, also shown of record as MARY C. NUNES, an unmarried woman, hereinafter called the "Grantor," hereby remises, releases, and forever quitclaims unto JOHN P. NUNES, an unmarried man, whose mailing address is 790 E 4000 N, Buhl, Idaho 83316, hereinafter called the "Grantee," all her right, title and interest, subject to the foregoing severances identified herein, in the following described real property:

See Attached Legal Description; attached hereto as Exhibit A.

The parties to this Quitclaim deed acknowledge that they are by Court Order (CV42-2015-1865) dividing a larger tract of land as evidenced by Twin Falls County, Idaho Instrument No(s) 1999-018034 and 1998-00260 and their respective legal descriptions contained within. Specifically, Marcy C. Nunes is retaining the smaller tract of Land and transferring the real property legally described within Exhibit A to John P. Nunes. Said transfer is subject to the following severances, terms and conditions relating to ground water rights and surface water rights as evidenced by shares in Twin Falls Canal Company.

SEVERANCES

The parties acknowledge and agree that water right(s) 47-13993, 47-13995 and/or any other ground water right(s) not specifically identified herein, may be or are appurtenant to and beneficially used upon other real property not legally described herein. Specifically, said water rights are appurtenant to and beneficially used upon the Land to be retained by Grantor. Notwithstanding this fact and pursuant to the Court Order referenced above; the parties agree that Grantee is acquiring said water right(s) in their entirety. Furthermore, under no set of facts or circumstances shall Grantor obtain any interest in said water rights in either their entirety and/or in any proportional share. Grantor acknowledges and agrees that Grantee shall obtain said stock water certificates in their entirety.

The parties acknowledge and agree that a portion of Twin Falls Canal Company water stock certificate No(s) 41888, 41884, 41885 and/or any other water stock certificates not specifically identified are appurtenant to and beneficially used upon the Land of the Grantor. Notwithstanding this fact, the parties agree that Grantee is acquiring said water stock certificate No(s) 41888, 41884, 41885 and/or any other water stock certificates not specifically identified, in their entirety. Grantor acknowledges and agrees that Grantee shall obtain said stock water certificates in their entirety.

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QUITCLAIM DEED

DATED this 19 day of March, 2019.

Mary Nunes
Mary Nunes, also shown of record as Mary C



Lisa B. Rodriguez
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, ID
Commission expires: 2-8-84

EXHIBIT A

**QUITCLAIM DEED
MARY NUNES
TO
JOHN NUNES**

A parcel of land located in Section 12, Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho and being more particularly described as follows:

**TOWNSHIP 10 SOUTH
RANGE 13 EAST
SECTION 12: (246.589 ACRES)**

Commencing at the Northwest corner of Section 12, from which the North $\frac{1}{4}$ corner of Section 12 bears North $89^{\circ}32'06''$ East - 2651.21 feet; said Northwest Section corner being the **TRUE POINT OF BEGINNING**:

THENCE North $89^{\circ}32'06''$ East along the North boundary of the NW $\frac{1}{4}$ of Section 12 for a distance of 2651.21 feet to the North $\frac{1}{4}$ corner of Section 12;

THENCE North $89^{\circ}32'23''$ East along the North boundary of the NE $\frac{1}{4}$ of Section 12, for a distance of 1325.52 feet to the Northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12;

THENCE South $00^{\circ}34'12''$ East along the East boundary of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 12 for a distance of 2647.56 feet to the Southeast corner of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 12;

THENCE South $89^{\circ}38'59''$ West along the South boundary of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 12 for a distance of 291.45 feet;

THENCE South $57^{\circ}40'18''$ West for a distance of 920.02 feet;

THENCE South $27^{\circ}37'52''$ West for a distance of 838.43 feet;

THENCE South $89^{\circ}35'39''$ West, parallel with the South boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12 for a distance of 1180.33 feet to the West boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12;

THENCE North $00^{\circ}34'17''$ West along the West boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12 for a distance of 1228.82 feet to the Northwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12;

THENCE North $00^{\circ}35'16''$ West along the West boundary of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12 for a distance of 1321.18 feet to the Southeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12;

THENCE South $89^{\circ}35'33''$ West along the South boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12 for a distance of 1325.30 feet to the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12;

THENCE North $00^{\circ}36'04''$ West along the West boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12 for a distance of 1319.86 feet to the **TRUE POINT OF BEGINNING**.

SUBJECT TO:

A 25 foot wide county road easement along the North and West boundaries of the before described parcel that are on the Section line.



FOR VALUE RECEIVED, MARY NUNES, a single woman, hereinafter called the "Grantor," hereby remises, releases, and forever quitclaims unto JOHN P. NUNES, a single man, whose mailing address is 790 E 4000 N, Buhl, Idaho 83316, hereinafter called the "Grantee," all her right, title and interest in the following described real property:

TOGETHER WITH all permitted ground water rights, licensed ground water rights, or decreed ground water rights which are appurtenant to and beneficially used upon the real property.

TOGETHER WITH all water shares, ditches and ditch rights used thereon or appurtenant and beneficially used upon the real property. This specifically includes but is not limited to 186.24 shares of Twin Falls Canal Company water stock and further identified as Certificate #41886.

TO HAVE AND TO HOLD the said premises, with the appurtenances unto said Grantee, and the Grantee's heirs and assigns forever.

Mary Nunes

STATE OF IDAHO)
) ss:
County of Twin Falls)

On this 19th day of March, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **MARY NUNES**, known to me to be the person whose name is subscribed to in the within and foregoing instrument, and who acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Lisa B. Rodriguez
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, ID
Commission expires: 2-8-24

TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE - TWIN FALLS
02:50:46 PM 03-22-2019
2019003922

NO. PAGES 2 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK

DEPUTY: CA
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

QUITCLAIM DEED

FOR VALUE RECEIVED, MARY NUNES, also shown of record as MARY C. NUNES, a single woman, hereinafter called the "Grantor," hereby remises, releases, and forever quitclaims unto JOHN P. NUNES, a single man, whose mailing address is 790 E 4000 N, Buhl, Idaho 83316, hereinafter called the "Grantee," all her right, title and interest in the following described real property:

Township 10 South, Range 13 East of the Boise Meridian, Twin Falls County, Idaho

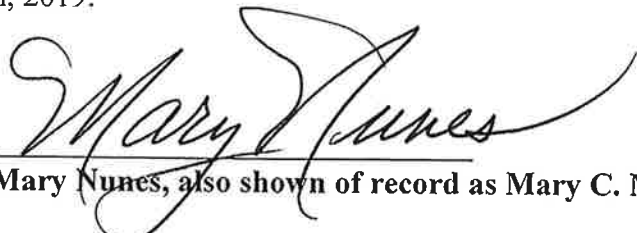
Section 2: N1/2SE1/4; SE1/4SE1/4

TOGETHER WITH all permitted ground water rights, licensed ground water rights, or decreed ground water rights which are appurtenant to and beneficially used upon the real property.

TOGETHER WITH all water shares, ditches and ditch rights used thereon or appurtenant and beneficially used upon the real property. This specifically includes but is not limited to 120 shares of Twin Falls Canal Company water stock and further identified as Certificate #41888.

TO HAVE AND TO HOLD the said premises, with the appurtenances unto said Grantee, and the Grantee's heirs and assigns forever.

DATED this 19 day of March, 2019.


Mary Nunes, also shown of record as Mary C. Nunes

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QUITCLAIM DEED

STATE OF IDAHO)
) ss:
County of Twin Falls)

On this 19th day of March, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **MARY NUNES, also shown of record as MARY C. NUNES**, known to me to be the person whose name is subscribed to in the within and foregoing instrument, and who acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Lisa B. Rodriguez
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, ID
Commission expires: 2-8-24

Exhibit B

Notice of Change in Water Right Ownership

(see first page)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858

RECEIVED

APR 22 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION



WELLS FARGO FINANCIAL LEASING INC
5000 BRITTONFIELD PKWY, SUITE 900
SYRACUSE NY 13057

NIXIE 402 FE 1 0004/16/19

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

UTF
1855000000

BC: 83301585825 *0636-04146-04-45

Wells Fargo Financial Leasing Inc. (Syracuse NY) was listed as Security Interest on the following Water Rights:

47-11720 John Nunes
47-13993 John Nunes
47-13995 John Nunes

47-8017 Mary Nunes
47-12063 Mary Nunes
47-12064 Mary Nunes
47-12067 Mary Nunes
47-12068 Mary Nunes

This particular Security Interest expired 1/30/2016. Removed from water rights 4/23/2019. Nothing was re-sent to Wells Fargo Financial in Syracuse NY.

Financial Services

April 9, 2019

RECEIVED

APR 15 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

State Of Idaho
Department of Water Resources
650 Addison Ave. West
Ste 500
Twin Falls, ID 83001

To Whom It May Concern:

Please allow this letter to serve as written confirmation of Financial Services receipt of the enclosed correspondence; however, we were unable to locate or identify your account number with our company.

In order for us to respond to or act upon your correspondence, please return the enclosed correspondence to us with your account number clearly identified. Mail to MAC N0005-055, 800 Walnut Street, Des Moines, IA 50309 or fax to 888-241-4382.

Thank you,

Customer Service Department
Financial Services
866-497-6664

Related to Ownership change for:

47-11720 John Nunes
47-13993 John Nunes
47-13995 John Nunes

47-8017 Mary Nunes
47-12063 Mary Nunes
47-12064 Mary Nunes
47-12067 Mary Nunes
47-12068 Mary Nunes

Clarification letter sent 4/23/2019. *DM*



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

April 03, 2019

JOHN NUNES
236 RIVER VISTA PL STE 301
TWIN FALLS ID 83301-4079

Re: Change in Ownership for Water Right Nos: 47-11702, 47-13993 & 47-13995

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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) 736-3033.

Sincerely,

William Mills
Water Resource Agent, Senior

Enclosures

c: WELLS FARGO FINANCIAL LEASING INC
IDAHO AG CREDIT FLCA
WELLS FARGO FINANCIAL LEASING INC
SAWTOOTH LAW OFFICES

Boise Office

1101 W. River St., Ste. 110
P.O. Box 7985
Boise, Idaho 83707
Tel. (208) 629-7447

Challis Office

1301 E. Main Ave.
P.O. Box 36
Challis, Idaho 83226
Tel. (208) 879-4488

Twin Falls Office

236 River Vista Place
Suite 301
Twin Falls, Idaho 83301
Tel. (208) 969-9585

Fax (all offices)
(208) 629-7559



SAWTOOTH LAW

OFFICES, PLLC

David P. Claiborne *

S. Bryce Farris

Patxi Larrocca-Phillips

Evan T. Roth

Daniel V. Steenson

Andrew J. Waldera **

James R. Bennetts (retired)

Katie L. Vandenberg (law clerk)

Attorneys licensed in Idaho
** Also licensed in Washington*
*** Also licensed in Oregon*

Tuesday, March 26, 2019

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

RECEIVED

MAR 28 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

Re: Notice of Change in Water Right Ownership

To Whom It May Concern,

Enclosed please find the necessary Notice of Change in Water Right Ownership and applicable filing fee of \$75.00. Said Notice of Change in Water Right Ownership relates to the following water rights:

1. Water Right No. 47-11702
2. Water Right No. 47-13993
3. Water Right No. 47-13995

My client John Nunes acquired the same pursuant to a divorce settlement with his wife Mary Nunes. Attached as Exhibit A are the necessary Quitclaim Deed(s) transferring the real property and water rights. Attached as Exhibit B is the Notice of Change in Water Right Ownership. Lastly, John Nunes as the sole owner of the real property and it's applicable water rights is duly authorized to execute this Notice of Change in Water Right Ownership. John Nunes consents to this present filing and an expression of his authority to execute the same is evidenced



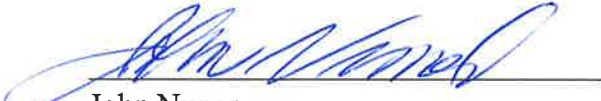
by his signature below. Please call me at 208-969-9585 if you have any questions related to this filing.

Very Truly Yours,

/s/ ETR

Evan T. Roth

Dated this 26th day of March, 2019


John Nunes