

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 13 2018

DEPT. 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?
45-11927	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: DL Evans Bank
3. New Owner(s)/Claimant(s): Marco Antonio Garcia Lozano and Clare Ontiveros Conde
 Name of current water right holder/claimant
 New owner(s) as listed on the conveyance document Hazelton Name connector ☒ and ☐ or ☐ and/or
771 Crestview Drive ID 83335
 Mailing address City State ZIP
(208) 749-1690 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: 9/7/2018
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: Marco Antonio Garcia Lozano 09/06/2018
 Signature of new owner/claimant Title, if applicable Date
[Signature] 09/06/2018
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 9-13-2018 Receipt No. 5036954 Receipt Amt. \$25-
 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 _____

ARC 404960

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, D.L. Evans Bank, an Idaho state chartered banking organization, who acquired title as D.L. Evans Bank, (the "Grantor") does hereby grant, bargain, sell, and convey unto **Marco Antonio Garcia Lozano and Clara Ontiveros Conde, husband and wife**, whose address is 771 Crestview Road, Hazelton, ID 83335, ("Grantee"), all of Grantor's right, title and interest in and to that certain real property located in Cassia County, Idaho, legally described on Exhibit A, attached hereto and incorporated herein (the "Premises").

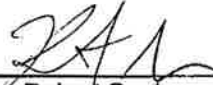
TO HAVE AND TO HOLD the Premises, with its appurtenances unto Grantee, and Grantee's successors and assigns forever.

Grantor does hereby covenant to and with Grantee, that the Grantor is the owner in fee simple of the Premises; that the Premises are free from all encumbrances created or suffered by Grantor, except those made, suffered or done by Grantee, and except the matters set forth on Exhibit B to this Special Warranty Deed and except general taxes and assessments, including utility assessments for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same forever from all other lawful claims. By accepting this Special Warranty Deed, and subject to the covenants and warranties in this Special Warranty Deed, Grantee acknowledges and understands that Grantee is accepting the Premises from Grantor in an "As-Is" condition with all faults, including both latent and patent defects.

IN WITNESS WHEREOF, Grantor has caused its name to be hereunto subscribed this 4 day of Sept, 2018.

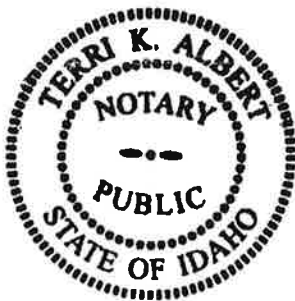
GRANTOR:

D L Evans Bank,
an Idaho state chartered banking organization

By: 
Name: Robert Squire
Title: Vice President

State of Idaho)
County of Minidoka) S.S.

On this 4th day of September, in the year of 2018, before me the undersigned notary public, personally appeared Robert Squire, known or identified to me to be the Vice President, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



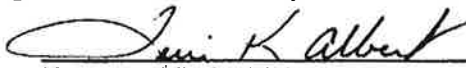

Notary Public for Idaho
Residing at Burley
My Commission expires 01-30-19

Exhibit A

Legal Description

Township 10 South, Range 25 East of the Boise Meridian, Cassia County, Idaho

Section 31: East Half Northwest Quarter lying South and East of the centerline of the J canal of the Burley Irrigation District SAVE AND EXCEPT the following described tracts:

Tract No. 1:

Beginning at the Northeast corner of the Southeast Quarter Northwest Quarter of said Section 31, said corner marked by a 5/8" rebar; Thence South 26°31'30" West for a distance of 873.89 feet to a 1/2" rebar which shall be the Point of Beginning; Thence South 00°38'48" West for a distance of 295.16 feet to a 1/2" rebar; Thence North 89°21'12" West for a distance of 295.16 feet to a 1/2" rebar; Thence North 00°38'48" East for a distance of 295.16 feet to a 1/2" rebar; Thence South 89°21'12" East for a distance of 295.16 feet to the Point of Beginning.

Tract No. 2:

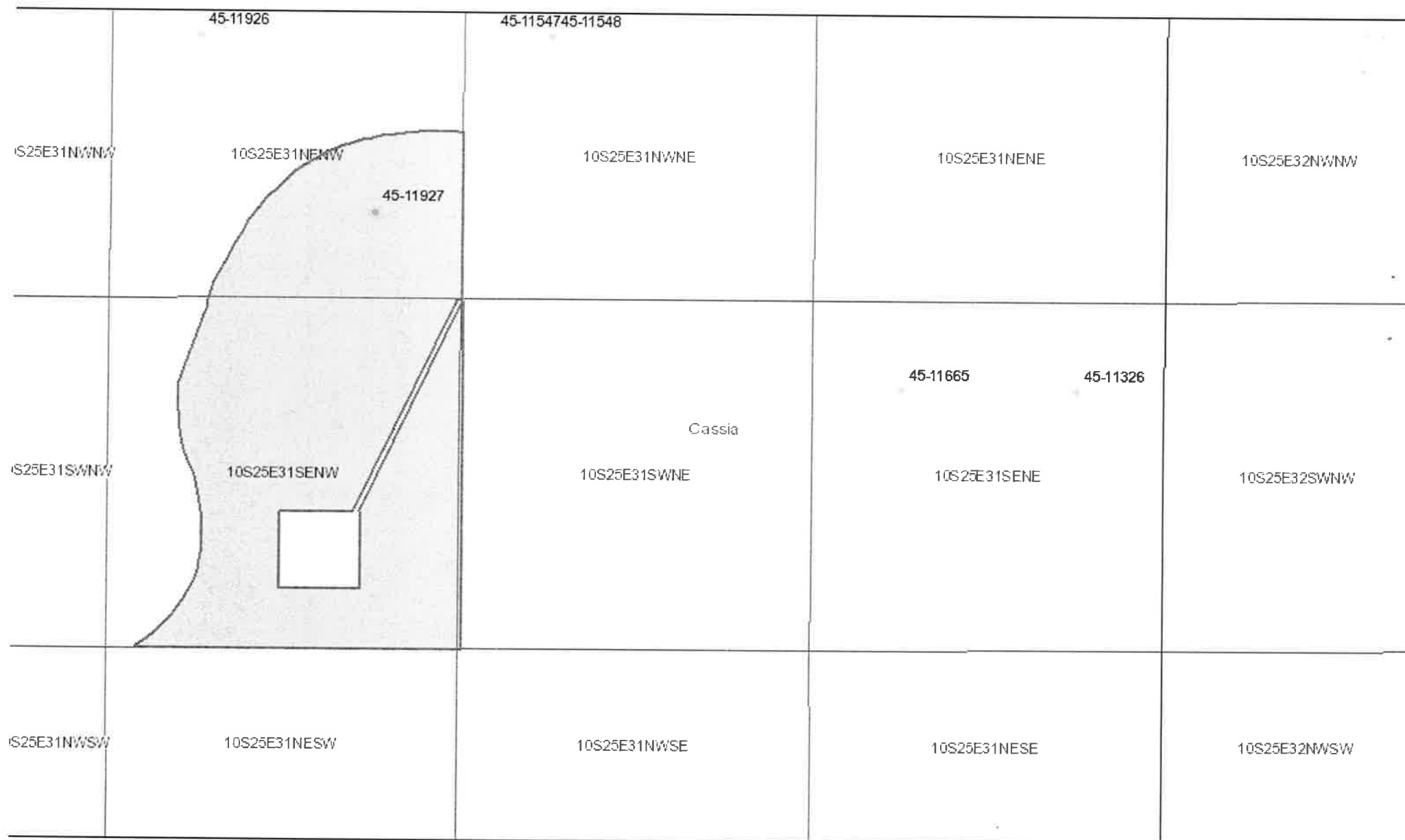
Beginning at the Northeast corner of the Southeast Quarter Northwest Quarter of said Section 31, said corner marked by a 5/8" rebar which shall be the Point of Beginning; Thence South 26°31'30" West for a distance of 873.89 feet to a 1/2" rebar; Thence North 89°21'12" West for a distance of 22.23 feet to a point; Thence North 26°31'30" East for a distance of 924.82 feet to a point on the East line of the Northeast Quarter Northwest Quarter; Thence South 00°38'48" West along the quarter section line for a distance of 45.82 feet to the Point of Beginning.

Exhibit B

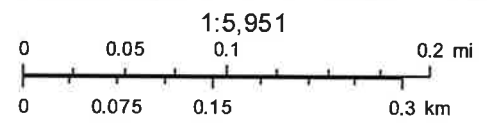
Permitted Exceptions

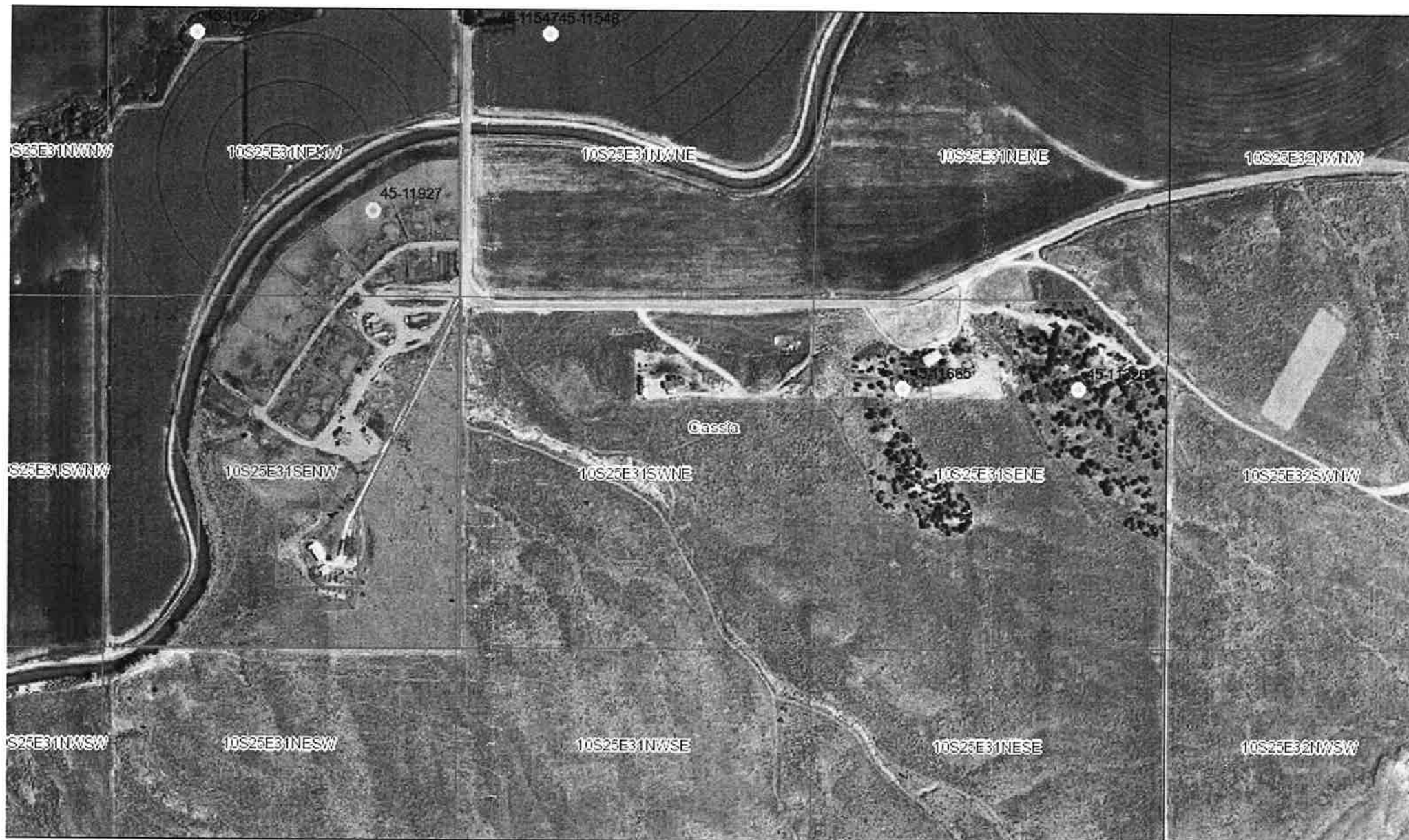
This conveyance is made subject to all liens, claims, easements, restrictions, reservations, irregularities, encroachments, rights of way, clouds on title, encumbrances and other exceptions to title of record or otherwise existing upon or against the Property including, but not limited to, those visible upon a physical inspection of the Property and any liens for taxes and assessments. This conveyance is also made subject to those general and specials exceptions to title disclosed by the title commitment issued prior to and in support of the transaction which culminated in this conveyance and which are incorporated into and made a part of this Exhibit B.

1. Taxes, including any assessments collected therewith, for the year 2018 which are a lien not yet due and payable.
2. Levies and assessments of the Burley Irrigation District, and the rights, powers and easements of said district as by law provided.
3. Right-of-way for J Canal and the rights of access thereto for maintenance of said canal.
4. Ditch, road and public utility easements as the same may exist over said premises.
5. An easement for the purpose shown below and rights incidental thereto as set forth in a document:
Granted To: Salt Lake Pipe Line Company
Purpose: Pipeline
Recorded: August 30, 1949
Instrument No.: 166720
6. Unrecorded leaseholds, if any, and the rights of vendors and holders of security interest in personal property of tenants to remove said personal property at the expiration of the term.

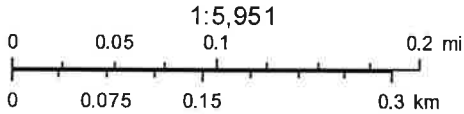


September 6, 2018





September 6, 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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

September 13, 2018

MARCO ANTONIO GARCIA LOZANO
CLARE ONTIVEROS CONDE
771 CRESTVIEW RD
HAZELTON ID 83335-5267

Re: Change in Ownership for Water Right No(s): 45-11927

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) 736-3033.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure(s)