

RECEIVED

JUL 30 2018

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPARTMENT OF
WATER RESOURCESDepartment 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?
~~74-2047B~~	Yes ☒	Yes ☐		Yes ☐	Yes ☐
74-2047H	Yes ☒	Yes ☐		Yes ☐	Yes ☐
74-2047H + 74-16183	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Robert Bonuccelli
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jerome T Pasto, Mary Lou Pasto
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- PO Box 711 Saint Maries Idaho 83861-0711
Mailing address City State ZIP
208 582-0844 jtpasto@hughes.net
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: 25 May 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):
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.

8. Signature: Jerome T Pasto

Signature of new owner/claimant

Title, if applicable

Date

20 July 2018Signature: Mary Lou Pasto

Signature of new owner/claimant

Title, if applicable

Date

20 July 2018

For IDWR Office Use Only:

Received by [Signature]

Date

7-23-2018

Receipt No.

E044219

Receipt Amt.

\$100.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

8-28-18

Warranty Deed

For Value Received

Montgomery Properties LLC, a Washington Limited Liability Company

the grantors, do hereby grant, bargain, sell and convey unto

Jerome T Pasto and Mary Lou Pasto, husband and wife

Whose current address is:

PO Box 711

St. Maries, ID 83861

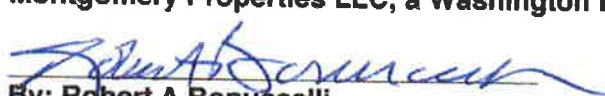
the grantee, the following described premises, to-wit:

See Attached Legal Description as Exhibit 'A'

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: MAY 21, 2018

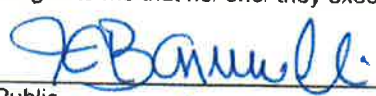
Montgomery Properties LLC, a Washington Limited Liability Company

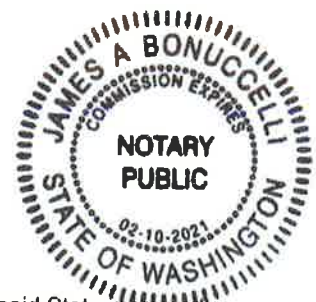

By: **Robert A Bonuccelli**

STATE OF Washington

COUNTY OF Spokane) ss

On this 21st day of May, 2018, before me, a notary public in and for said State, personally appeared **Robert A Bonuccelli** known to me or proved to me to be the person(s) whose name is subscribed to the within instrument to be the Managing Member executing on behalf of **Montgomery Properties LLC** and acknowledged to me that he/ she/ they executed the same as the free act and deed of such individual(s)/ Entity.


Notary Public
Residing at: Liberty Lake, WA.
Comm. Expires: 02-10-2021



**Legal Description
Exhibit 'A'**

Taylor Mountain Surveying
903 Waller St.
Salmon, Idaho 83467
(208) 756-8321

PARCEL "A"

A parcel of land located in the SE ¼ of Section 11 and the SW ¼ of Section 12, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the W ¼ Corner of said Section 12, from which the SW Corner of Section 12 bears S 00°10'59" W, 2639.11 ft., the Basis Of Bearing of this description, run thence S 89°47'45" E a distance of 12.75 ft.;

Thence S 09°32'06" W a distance of 320.62 ft. to the POINT OF BEGINNING;

Thence S 46°36'24" E a distance of 467.11 ft. to a point on the easterly boundary of Amended Kirtley Creek Heights Subdivision Unit 3;

Thence along said easterly boundary the following courses:

S 38°08'46" W, 50.84 ft.; S 01°22'01" E, 104.42 ft.;

S 14°33'24" E, 127.87 ft.; S 88°04'26" E, 72.46 ft.;

S 56°41'50" E, 141.91 ft.; S 42°28'29" E, 85.18 ft.;

S 35°35'56" E, 70.42 ft.; S 18°18'27" E, 119.11 ft.;

S 16°51'16" E, 283.27 ft.;

Thence leaving said subdivision boundary S 01°04'43" W a distance of 25.00 ft.;

Thence 78.07 ft. along a curve to the left having a central angle of 89°27'29", a radius of 50.00 ft. and a chord bearing S 45°16'14" W for 70.38 ft.;

Thence S 00°32'30" W a distance of 213.41 ft.;

Thence 74.65 ft. along a curve to the right having a central angle of 29°49'57", a radius of 143.38 ft. and a chord bearing S 15°27'29" W for 73.81 ft.;

Thence S 30°22'28" W a distance of 140.78 ft.;

Thence S 63°22'46" W a distance of 124.91 ft.;

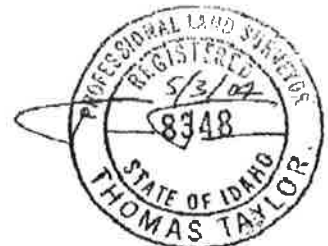
Thence S 89°15'13" W a distance of 145.34 ft.;

Thence N 31°50'33" W a distance of 1481.13 ft.;

Thence N 43°27'26" E a distance of 625.21 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 23.52 ACRES

Subject to and together with that part of the road and utility easement, as shown on Lot Split Plat filed at the Lemhi County Courthouse, appurtenant to the above described parcel.



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/20/2018

WATER RIGHT NO. 74-2047B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT A BONUCCELLI PO BOX 141449 SPOKANE, WA 99214 5099249730

Priority Date: 09/19/1909
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
LEMHI RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.701 CFS	
Total Diversion			0.701 CFS	

Location of Point(s) of Diversion:

LEMHI RIVER|NWNW|Sec. 33|Township 21N|Range 23E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

| | | | | | | | | | | | |

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	22E	11		NESE	4.8		SESE	2						
		12		NWSW	10.2									

Total Acres: 17

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412 (6), Idaho Code.
2. F01 Water is delivered through the Mormon Ditch.

Dates:

Licensed Date:

Decreed Date: 07/14/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 74

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

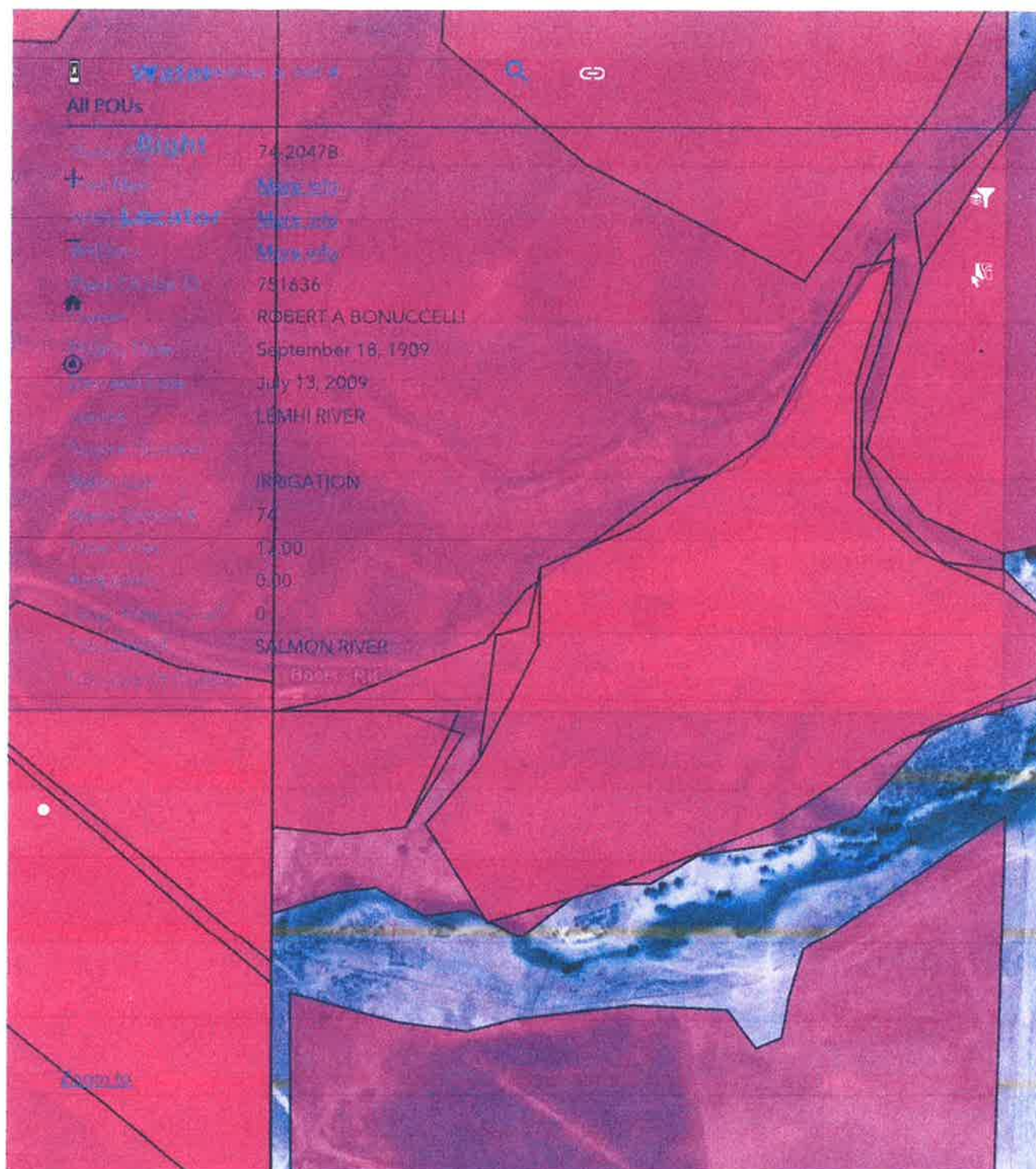
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



-113.823 45.164 Degrees

300ft

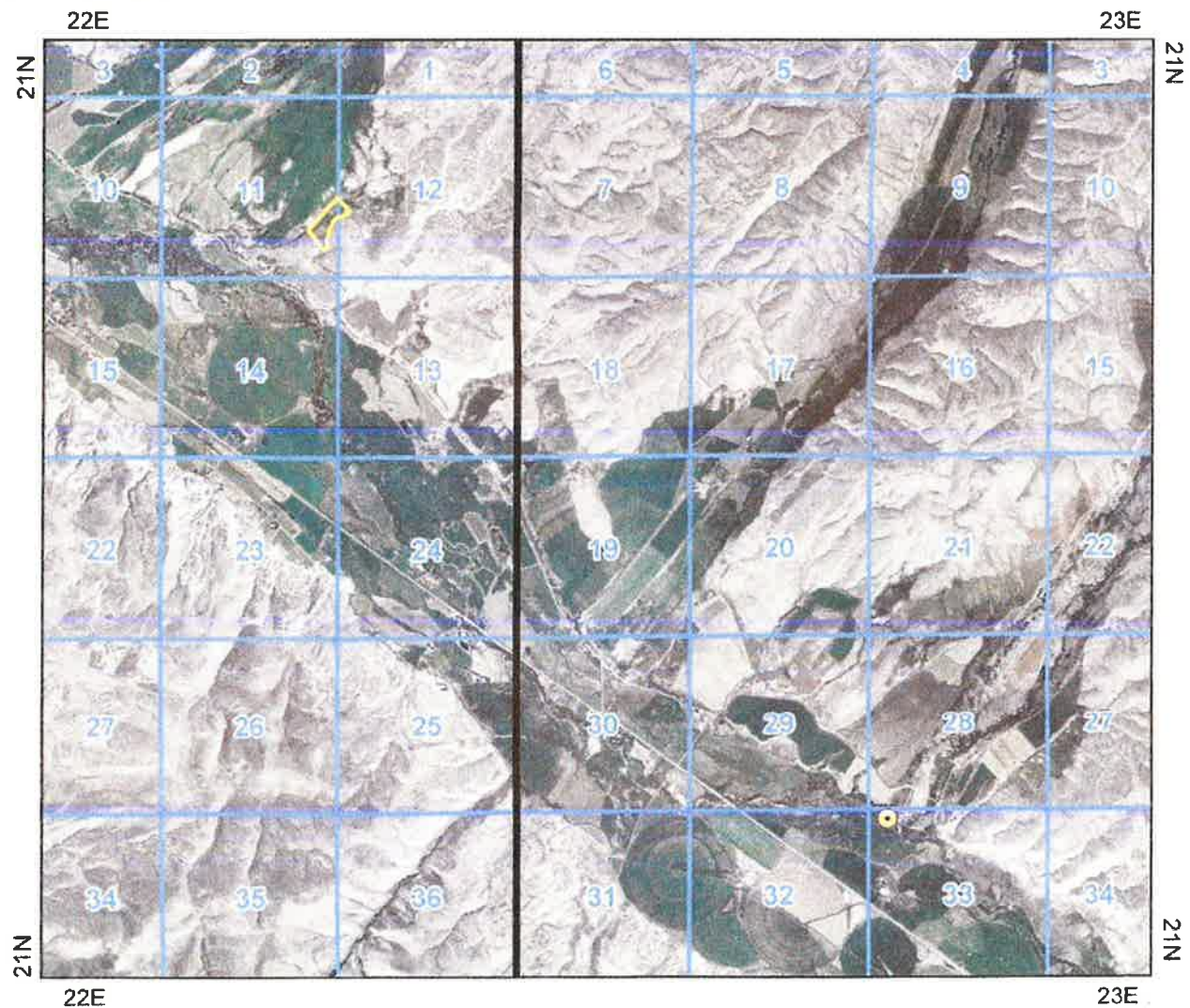


State of Idaho
Department of Water Resources

Water Right 74-2047B

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 0.5 1 2 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

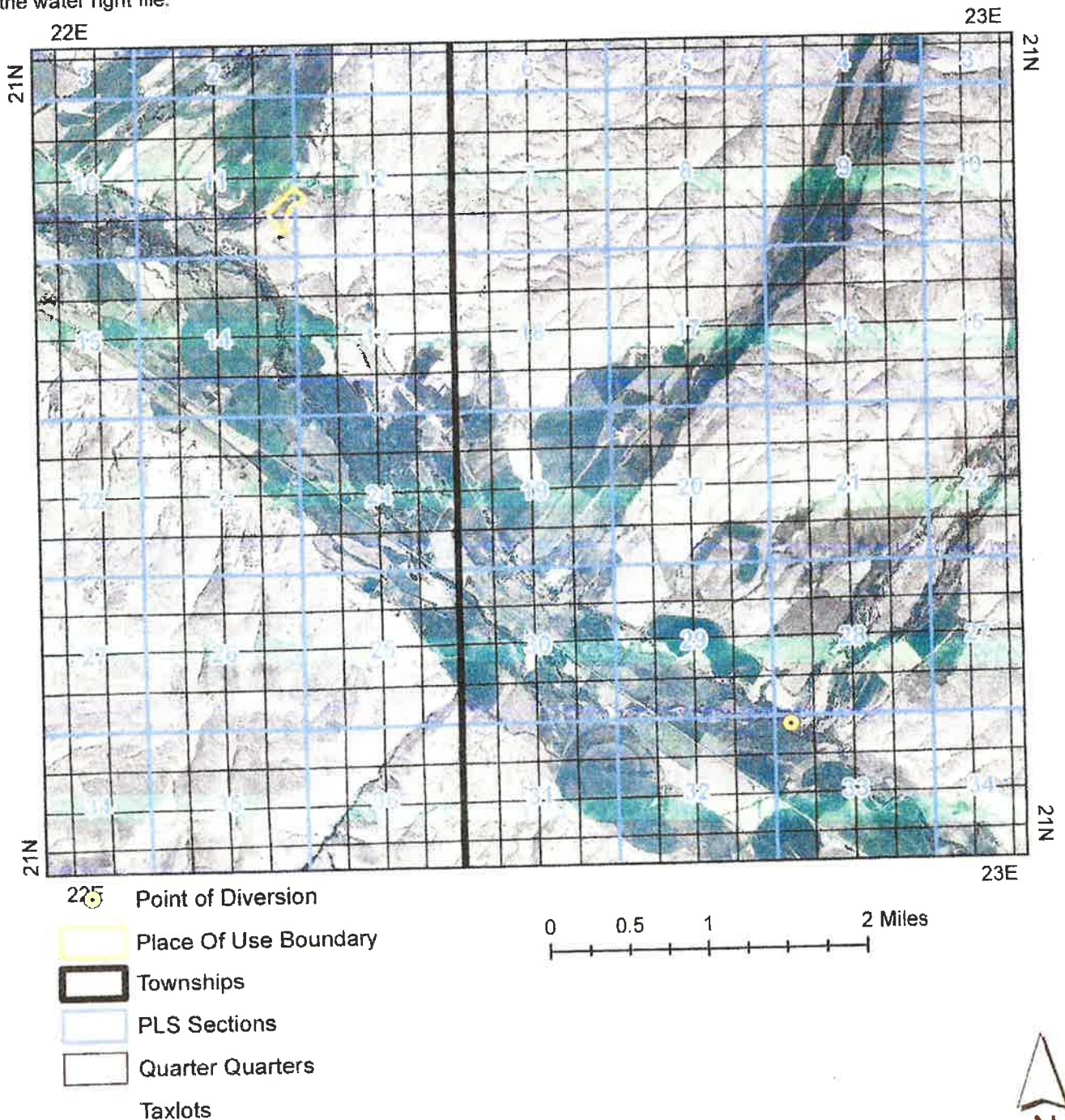


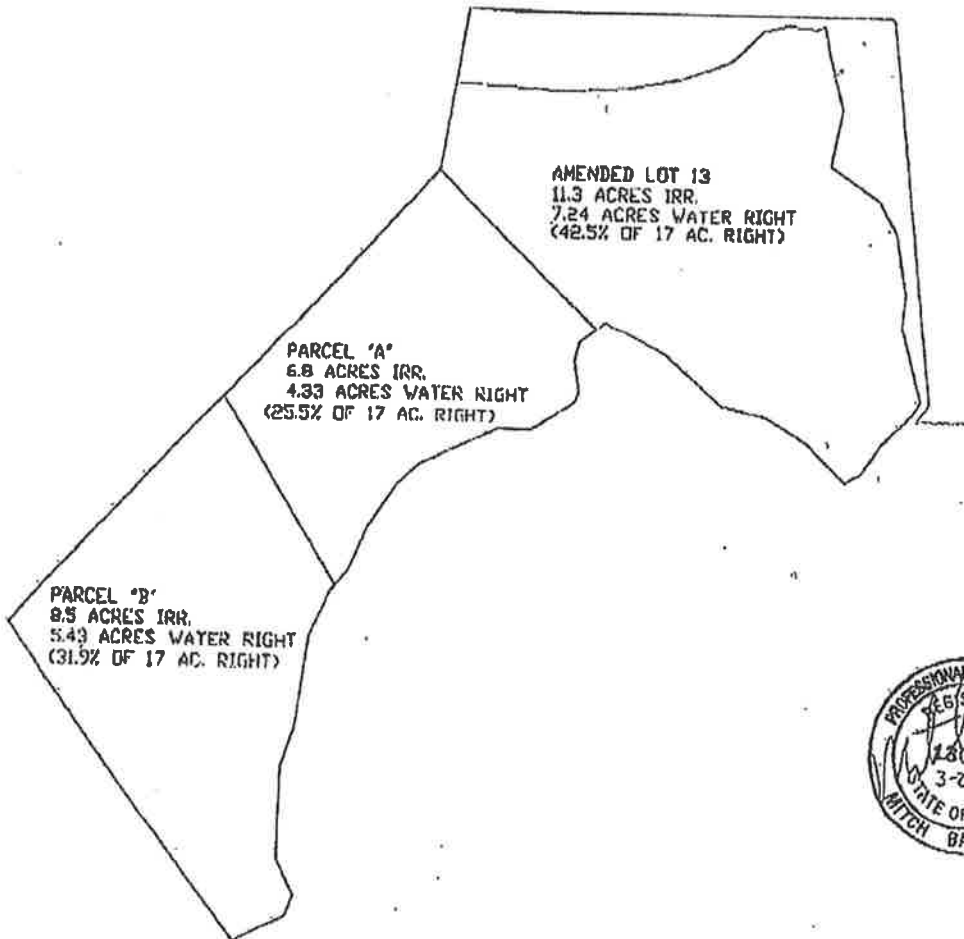
State of Idaho
Department of Water Resources

Water Right
74-2047B

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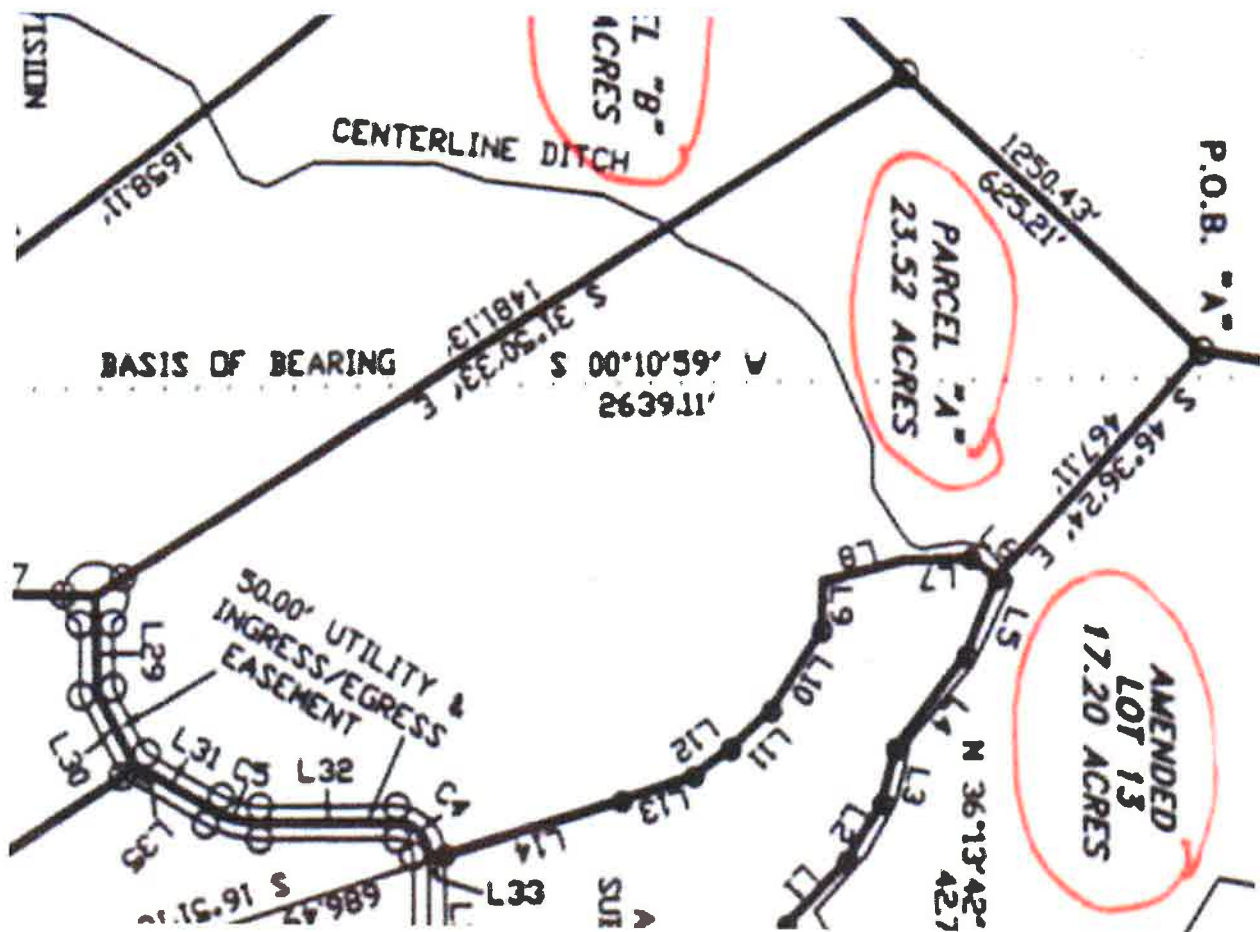


PASTO, JEROME T
& PASTO, MARY LOU
PO BOX 711
ST MARIES ID 83861

LEMHI COUNTY ASSESSOR
JENNY ROSIN
206 COURTHOUSE DR
SALMON, ID 83467

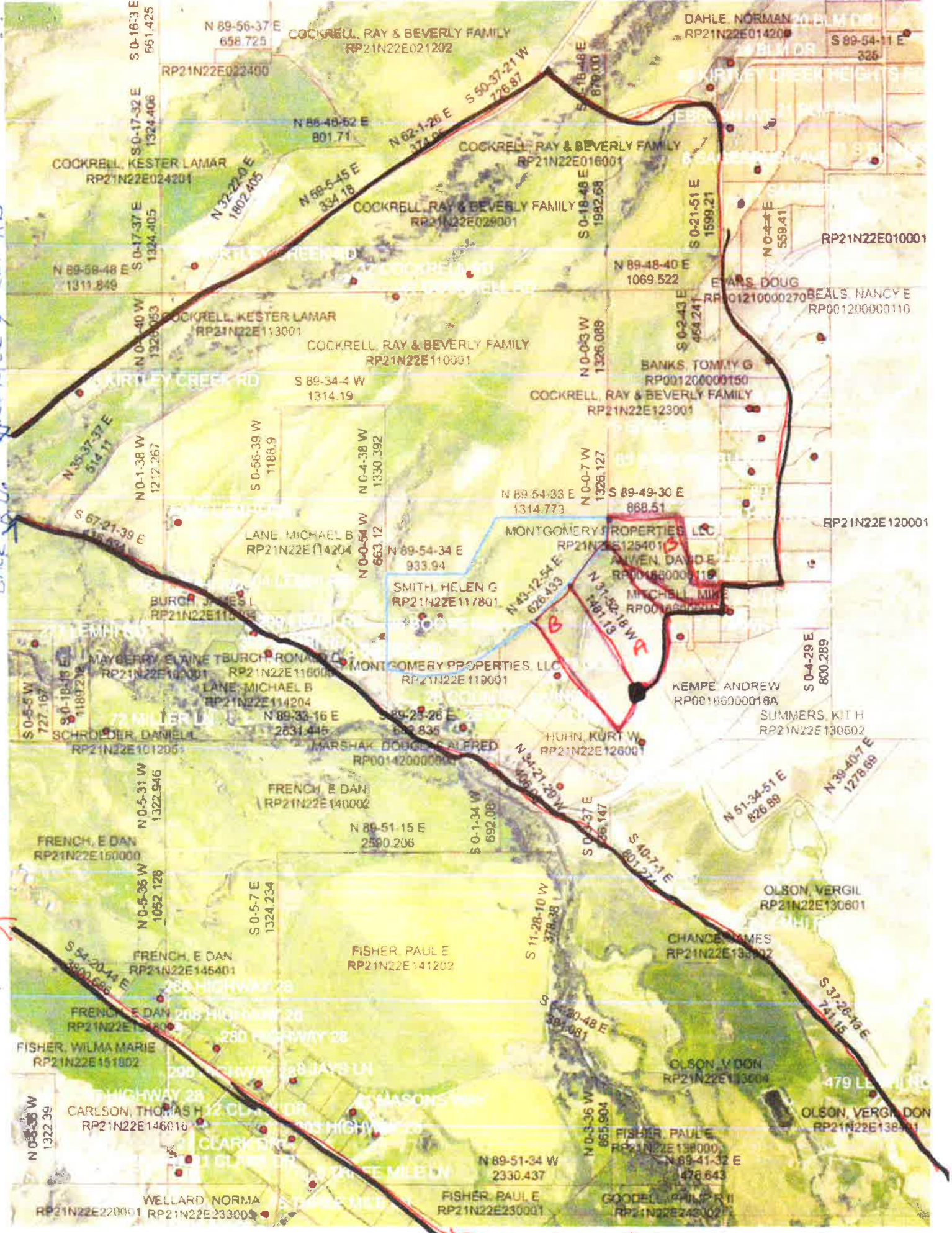
INSTRUMENT #:311962 WD
TYPE TV LOCATION 1200
CAMA AREA #: 2
Parcel #: **RP21N22E125401A**

Legal Description:
T-4634
11 & 12 21 22



LEAVE
BACK RD
KIRKLEY CR. RD

TO SALADIN - 3 miles



TO IDAHO FALLS 160 miles



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

C.L. "Butch" Otter
Governor
August 28, 2018

Gary Spackman
Director

JEROME T PASTO
MARY LOU PASTO
PO BOX 711
SAINT MARIES ID 83861-0711

Re: Change in Water Right Ownership: 74-2047H (Split into 74-2047H and 74-16182 & **74-16183**)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

You requested a Notice of Change in Water Right Ownership for water right 74-2047B. This right was disallowed in the Snake River Basin Adjudication and is not a valid right. After further review it was determined that a portion of water right 74-2047H was appurtenant to land described in the deed you provided. Your water right is a split from 74-2047H.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Water District No. 74
Robert Bonuccelli