

RECEIVED ✓

JUL 17 2017

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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: Jose L & Maria R. Solis
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): D.L. Evans Bank
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 1188 Burley ID 83318
Mailing address City State ZIP
208-878-0650 rsquire@dlevans.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: April 4, 2014
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: D.L. Evans Bank By R.H. VP Corporate Counsel 7/13/17
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by DM Date 7-17-2017 Receipt No. 5036229 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 _____

CASSIA COUNTY

Recorded for:

PARSONS, SMITH AND STONE

4:09:50 pm 05-02-2016

2016-001785

No. Pages: 5

Fee: \$22.00

JOSEPH W. LARSEN

County Clerk

Deputy: CVELASQUEZ

Lance A. Loveland
PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
P.O. Box 910
Burley, Idaho 83318
(208)878-8382 - Phone
(208)878-0146 - Fax
Idaho State Bar #5787
Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA

D.L. EVANS BANK,

Plaintiff,

vs.

JOSE L. SOLIS, and
MARIA R. SOLIS, individually, and
as husband and wife,
and THAYNE BUCK, and
ALL UNKNOWN
OWNERS or HEIRS, all who have or claim
an interest in the following described
real estate located in Cassia County,
Idaho, to-wit: TOWNSHIP 10 SOUTH,
RANGE 25 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO
Section 31: E½NW¼ lying South and
East of the centerline of the J Canal of the
Burley Irrigation District, EXCEPTING
THEREFROM the following described
Tracts: Tract No. 1: Beginning at the
Northeast corner of the SE¼NW¼ 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 ½" rebar
which shall be the Point of Beginning;
Thence South 00°38'48" West for a distance
of 295.16 feet to a ½" rebar; Thence North
89°21'12" West for a distance of 295.16
feet to a ½" rebar; Thence North 00°38'48"

Case No. CV-2013-1112

SHERIFF'S DEED

East for a distance of 295.16 feet to a ½")
 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 SE¼NW¼, 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 ½" 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 NE¼NW¼; Thence South)
 00°38'48" West along the quarter section)
 line for a distance of 45.82 feet to the)
 Point of Beginning.)
)
)
)
)
 Defendants.)

DEED, made this 29th day of April, 2016, between Jay M. Heward, Sheriff of the County of Cassia, State of Idaho, to D.L. Evans Bank, of P.O. Box 1188, Burley, Idaho 83318.

By virtue of a Writ of Execution dated February 13, 2014, directed and delivered to me as Sheriff of the County of Cassia, issued by the Fifth Judicial District Court of the State of Idaho, in and for the County of Cassia, in Civil Case Number CV-2013-1112, in favor of the Plaintiff therein and against the Defendants, Jose L. Solis and Maria R. Solis, husband and wife, Thayne Buck, and all Unknown Owners or Heirs, I was commanded to satisfy such Writ of Execution.

In furtherance of said Writ of Execution I levied on all of the right, title and interest which the Defendants had in the real property hereinafter particularly described on the 4th day of April, 2014, after first having given due notice of the time and place of the sale by advertising such according to law, such property was sold to D.L. Evans Bank, being the highest bidder for the sum of \$350,000.00, as a credit bid being the highest sum bid and the whole price paid for the property.

1, Sheriff, Jay M. Heward, after receiving the credit bid, gave to D.L. Evans Bank, a

Certificate of Sale, as required by law, and recorded a duplicate of such certificate in the office of the County Recorder of the County of Cassia, State of Idaho, as Instrument Number 2014-001591 and recorded said certificate on April 15, 2014.

The sale was conducted subject to the redemption right of Defendants as set forth by Idaho Code. The Defendants, Jose L. Solis and Maria R. Solis, husband and wife, Thayne Buck, and all Unknown Owners or Heirs, having failed to exercise the right of redemption as allowed under Idaho Code §11-402 in and to the real property and one (1) year has now expired since the sale.

D.L. Evans Bank is now the legal owner and holder of such Certificate executed by me, Jay M. Heward, Cassia County Sheriff, to D.L. Evans Bank.

NOW, THEREFORE, I, Jay M. Heward, by virtue of the Execution, and pursuant to the applicable statutes, for and in consideration of the sum of \$350,000.00 credit bid received on April 4, 2014, do grant, bargain, sell, convey and confirm unto D.L. Evans Bank, and its successors in interest all the right, title and interest the Defendants had on the 4th day of April, 2014, in and to the following described real property situated in the County of Cassia, State of Idaho, to-wit:

TOWNSHIP 10 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: E½NW¼ 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 SE¼NW¼ 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 ½" rebar which shall be the Point of Beginning;

Thence South 00°38'48" West for a distance of 295.16 feet to a ½" rebar;
Thence North 89°21'12" West for a distance of 295.16 feet to a ½" rebar;

Thence North 00°38'48" East for a distance of 295.16 feet to a ½" 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 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 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 NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 00°38'48" West along the quarter section line for a distance of 45.82 feet to the Point of Beginning.

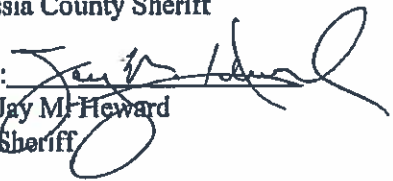
TOGETHER WITH THE WATER RIGHTS REPRESENTED
BY IDAHO STATE DEPARTMENT OF WATER
RESOURCES WATER RIGHT NO. 45-11927 WITH A
CLAIMED PRIORITY OF JANUARY 1, 1915 TO 0.14 CFS
OF GROUNDWATER. TOGETHER WITH ANY AND ALL
OTHER WATER RIGHTS AND DITCH RIGHTS
APPURTENANT TO THE ABOVE DESCRIBED PREMISES.

The street address associated with the real property described above is identified as
"BARE GROUND."

TOGETHER, with all of the hereditaments, appurtenances and water rights thereunto belonging. To have and to hold such property with appurtenances, as fully and absolutely as I, Sheriff, Jay M. Heward, can, may or ought to have by virtue of such Writ of Execution and as established under the statutes of the State of Idaho, and such causes made and provided whereby the undersigned does grant, bargain, sell, release, sign, convey and confirm the same to D.L. Evans Bank.

IN WITNESS WHEREOF, I have executed this Deed at Burley, Idaho, on the day and year first above written.

Cassia County Sheriff

BY: 

Jay M. Heward
Sheriff

STATE OF IDAHO

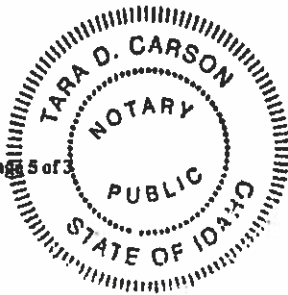
)

) ss

County of Cassia

)

On this 29th day of April, in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared JAY M. HEWARD, known or identified to me to be the person whose name is subscribed to the within instrument as Sheriff of Cassia County, and acknowledged to me that he executed the same.



SHERIFF'S DEED - Page 5 of 3

Tara D. Carson
Notary Public for Idaho
Residing at Busley rd
My Commission Expires: 03/31/20



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 20, 2017

D L EVANS BANK
PO BOX 1188
BURLEY ID 83318

RE: Change of Ownership for Water Right Nos. 45-11927

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosure(s)