

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 21 2016

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN 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?
63-31819	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-32271	Yes ☒	Yes ☐	63-34302	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: 63-31819: Daniel & Jacqueline Nelson; 63-32271: Jimmy Ray & Kathy Tuttle
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rex Evans
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 8123 Tut Lane Melba ID 83641
Mailing address City State ZIP
208-495-2667 reevans123@gmail.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: 63-31819: 1/10/2011; 63-32271: 4/19/11
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 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 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: [Signature] 3-14-16
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 [Signature] Date 3/21/16 Receipt No. W043986 Receipt Amt. \$125⁰⁰

Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒

SUPPORT DATA

63-31819

IN FILE # Error Designation form is required.

(his) (his) 11/9/2016

Water Right 63-32271 Split Analysis

Current Ownership	Evans (NENE)		Tuttle (NWNE)	
Uses	Irrigation	Stockwater	Domestic	Fish Propagation
Flow Rate (cfs)	0.19	0.05	0.04	0.8
Diversion Volume (afa)	43.2	2.7	1.2	0.16



2011016015
RECORDED
2011 Apr 20 PM 2 59
CHRIS YAMAMOTO
CANYON CNTY RECORDER
BY J. Crane
Requestor TitleOne Idaho Center
Type DEED
Fee \$13.00
ELECTRONICALLY RECORDED BY SIMPLIFILE

Order Number: C1129881 DR/EO

Warranty Deed

For value received,

Jimmy Ray Tuttle and Kathy M. Tuttle, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Rex Evans, a married man

whose current address is 13797 Highway 78, Melba, ID 83641-4140

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

the grantee, the following described premises, in Canyon County, Idaho, to wit:

See Exhibit "A" attached hereto and made a part hereof by this reference:

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: April 19, 2011

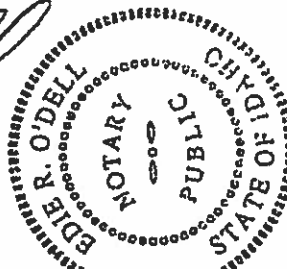
Jimmy Ray Tuttle

Kathy M. Tuttle

State of Idaho, County of Canyon, ss.

On this 20th day of April, in the year of 2011, before me the undersigned a Notary Public in and for said state personally appeared Jimmy Ray Tuttle and Kathy M. Tuttle, known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the instrument and acknowledged to me that he/she/they executed the same.

Edie R. O'Dell, Notary Public
Residing at: Nampa, ID
My Commission Expires: April 17, 2015



2011001266

RECORDED

2011 Jan 11 PM 1 01

WILLIAM H. HURST

CANYON CNTY RECORDER

BY J. Crane

Requestor Stewart Title - Emerald O

Type DEED

Fee \$19.00

ELECTRONICALLY RECORDED BY SIMPLIFILE

After Recording,
Return to:

Stewart Title Company
913 W. River Street, Suite 100
Boise, ID 83702

FOR RECORDING INFORMATION

WARRANTY DEED

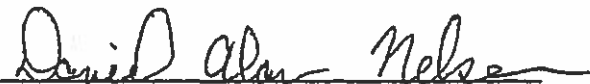
FOR VALUE RECEIVED, Daniel Alan Nelson and Jacqueline M. Nelson, husband and wife, does hereby grant, bargain, sell and convey unto Rex Evans, a married man, as his sole and separate property, whose current address is 8123 Tut Lane, Melba, Idaho 83641 ("Grantee"), the premises located in Canyon County, Idaho, more specifically described on Exhibit A, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and Grantee's heirs and assigns forever. Said Grantor does hereby covenant to and with said Grantee that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, subject to reservations, restrictions, dedications, easements, rights of way and agreements of record listed on Exhibit B, attached hereto and made a part hereof, and general taxes and assessments (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable; and that Grantor shall warrant and defend the same from all lawful claims whatsoever.

Dated: January 10, 2011.

GRANTOR:

David Alan Nelson and Jacqueline M. Nelson,
husband and wife


David Alan Nelson


Jacqueline M. Nelson

RE

Exhibit "A"

Part of the Northeast quarter of Section 10, Township 1 South, Range 2 West of the Boise Meridian, Canyon County, Idaho, described as:

Commencing at the North quarter corner of Section 10, Township 1 South, Range 2 West of the Boise Meridian, Canyon County, Idaho, and running thence
South 89°28'49" East 1315.60 feet along the North line of said section; thence
South 00°12'47" West 660.51 feet to the Point of Beginning; thence
South 89°23'07" East 707.71 feet; thence
South 00°24'09" West 661.78 feet; thence
North 89°17'15" West 705.38 feet; thence
North 00°11'59" East 660.59 feet to the Point of Beginning.

TOGETHER WITH AND SUBJECT TO : A 20 foot wide irrigation easement which lies 10 feet on each side of the following described centerline:

Commencing at the Northeast corner of Section 10, Township 1 South, Range 2 West of the Boise Meridian, Canyon County, Idaho and running thence N 89° 28'55" W 1315.67 feet along the North line of said section to the POINT OF BEGINNING; thence S 00°12'23" W 1321.10 feet.



Order Number: C1129881 DR/EO

Warranty Deed

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

For value received,

Jimmy Ray Tuttle and Kathy M. Tuttle, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Rex Evans, a married man

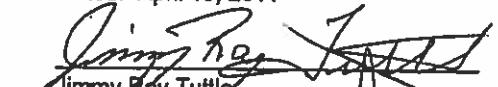
whose current address is 13797 Highway 78, Melba, ID 83641-4140

the grantee, the following described premises, in Canyon County, Idaho, to wit:

See Exhibit "A" attached hereto and made a part hereof by this reference:

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

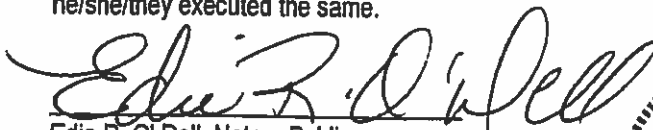
Dated: April 19, 2011


Jimmy Ray Tuttle

Kathy M. Tuttle

State of Idaho, County of Canyon, ss.

On this 20th day of April, in the year of 2011, before me the undersigned a Notary Public in and for said state personally appeared Jimmy Ray Tuttle and Kathy M. Tuttle, known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the instrument and acknowledged to me that he/she/they executed the same.


Edie R. O'Dell, Notary Public
Residing at: Nampa, ID
My Commission Expires: April 17, 2015



Recorded ElectronicallyID 2011001266
County _____
Date 1/11/11 Time _____
SimpleFile.com 800.460.5657After Recording,
Return to:Stewart Title Company
913 W. River Street, Suite 100
Boise, ID 83702Electronically recorded — Do not
remove the county stamped first
page as it is now incorporated as
part of the original document.**FOR RECORDING INFORMATION****WARRANTY DEED**

FOR VALUE RECEIVED, Daniel Alan Nelson and Jacqueline M. Nelson, husband and wife, does hereby grant, bargain, sell and convey unto Rex Evans, a married man, as his sole and separate property, whose current address is 8123 Tut Lane, Melba, Idaho 83641 ("**Grantee**"), the premises located in Canyon County, Idaho, more specifically described on **Exhibit A**, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and Grantee's heirs and assigns forever. Said Grantor does hereby covenant to and with said Grantee that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, subject to reservations, restrictions, dedications, easements, rights of way and agreements of record listed on **Exhibit B**, attached hereto and made a part hereof, and general taxes and assessments (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable; and that Grantor shall warrant and defend the same from all lawful claims whatsoever.

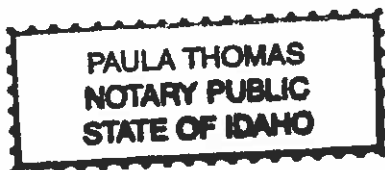
Dated: January 10, 2011.**GRANTOR:**David Alan Nelson and Jacqueline M. Nelson,
husband and wife
David Alan Nelson
Jacqueline M. Nelson

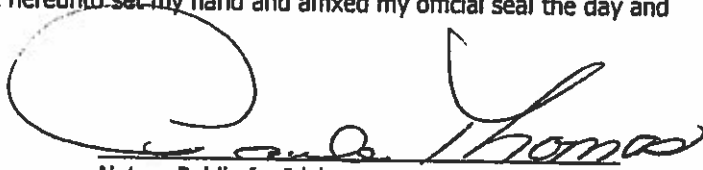
ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Ada)

On this 10th day of January, 2011, before me, Paula Thomas, personally appeared DAVID ALAN NELSON and JACQUELENE M. NELSON, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed the same.

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




Notary Public for Idaho

Residing at:

My commission expires:

Mendota ID
1-10-16

EXHIBIT A
LEGAL DESCRIPTION OF PREMISES

Part of the North Half of the Southeast Quarter of the Northeast Quarter of Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at the Center Quarter corner of Section 10, Township 1 South, Range 2 West of the Boise Meridian, Canyon County, Idaho and running; thence
South 89°05'30" East 1306.68 feet along the center East-West section line to the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 10; thence
North 00°12'08" East 1321.15 feet to the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 10 (said point being the REAL POINT OF BEGINNING); thence
South 89°17'15" East 841.20 feet to the East bank an existing ditch; thence along the East bank of said ditch the following four (4) courses; thence
South 10°35'48" West 327.48 feet; thence
South 25°17'03" West 87.72 feet; thence
South 12°06'35" West 158.32 feet; thence
South 05°01'44" East 104.72 feet; thence
North 89°11'23" West 721.82 feet; thence
North 00°12'08" East 660.58 feet to the REAL POINT OF BEGINNING.

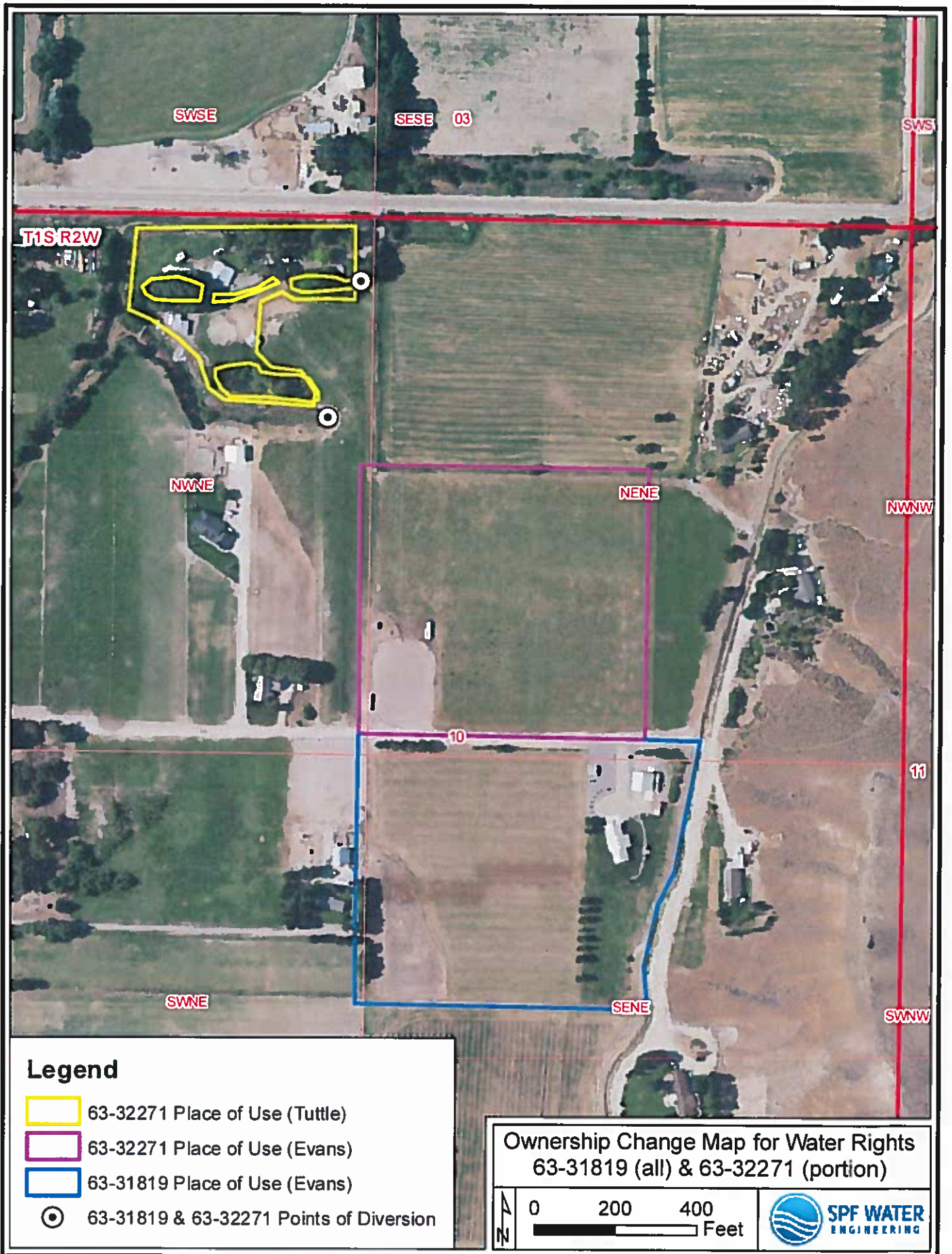
TOGETHER WITH an easement for ingress and egress over a strip of land, being 60 feet wide and adjacent to and North of the following described line:

BEGINNING at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; thence
South 89°17'15" East, 1311.04 feet to the Northeast 1/16 corner of said Section 10; thence continuing
South 89°17'15" East 841.20 feet to the End of said line,
and together with that certain easement recorded August 21, 2000 as instrument no. 200029169, records of Canyon County, Idaho and effecting:

The North 28 feet of the West 100 feet of the Southwest Quarter of the Northeast Quarter of Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXHIBIT B
PERMITTED EXCEPTIONS

1. General taxes for the year 2011, a lien not yet due and payable.
2. Liens and assessments of the Boise-Kuna Irrigation District.
3. Right of way for Walters Lateral and the rights of access thereto for maintenance of said lateral.
4. Easements, restrictions and covenants appearing in Deed of Easement:
By: Mark & Kelly Gornick
To: Jimmy Ray & Kathy M. Tuttle
Recorded: August 4, 2000
Instrument No.: 200027369
Re-Recorded: August 21, 2000
Instrument No.: 200029169, records of Canyon County, Idaho.
5. Easements, restrictions and covenants appearing in Deed:
By: Jimmy Tuttle
To: Jeff M. Nicolosi
Recorded: August 6, 2001
Instrument No.: 200131531, records of Canyon County, Idaho.
6. Easement and the terms and conditions thereof:
In Favor of: Idaho Power Company
Purpose: Utilities
Recorded: December 6, 2002
Instrument No. 200257336, records of Canyon County, Idaho.
7. All matters, and any rights, easements, interests of claims as disclosed by Record of Survey:
Recorded: April 25, 2005
Instrument No.: 200522052, records of Canyon County, Idaho.
8. A Road Maintenance Agreement, and the terms and conditions contained therein:
By: Daniel and Jacqueline Nelson
Between: Tut Lane
Recorded: November 9, 2004
Instrument No.: 200462060, records of Canyon County, Idaho.
9. Statement of Intent:
Purpose: Declaring the mobile home located on said land is to constitute real property.
Recorded: October 28, 2002
Instrument No.: 200250636, records of Canyon County, Idaho.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

Thursday, November 10, 2016

REX EVANS
8123 TUT LANE
MELBA ID 83641

Re: Notice of Change in Water Right Ownership No: 63-31819 and 63-32271

Original: Water Right No. 63-32271

Split into: Water Right No. **63-34302**

Dear Water Right Holders:

We have received and processed a Change of Ownership for the water rights referenced above. This required a split of water right 63-32271.

When a portion of the original water right has been conveyed to another, a new water right number is created to represent the portion obtained by the new owners. For your records pool reports and map depicting the place of use (POU) and the point of diversion (POD) for **63-34302** are enclosed. Please refer to your new water right number when corresponding with our office.

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.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under these rights, including adding a new point of diversion, then an Application for Transfer on your portion of these rights is required. It is possible you may need a transfer for your point of diversion. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water rights, then no further action is required at this time.

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brenda Serrano'.

Brenda Serrano
Technical Records Specialist I
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

Thursday, November 10, 2016

JIMMY RAY AND KATHY M TUTTLE
8241 BUTTE RD
MELBA, ID 83641

Re: Notice of Change in Water Right Ownership No: 63-32271

Original: Water Right No. 63-32271

Split into: Water Right No. 63-34302

Dear Water Right Holders:

The Department has received and processed a Change of Ownership and Assignment of Permit for a portion of your original Water Rights as referenced above. This resulted in a split of water right 63-3362, 63-7531, 63-10383, 63-11347, and 63-12546.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is created to represent the portion obtained by the new owners. For your records a proof report and map depicting the place of use (POU) and the point of diversion (POD) for 63-34302 are enclosed. Please refer to your new water right numbers when corresponding with our office.

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.

If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bm Serrano'.

Brenda Serrano
Technical Records Specialist I
Western Regional Office



SPF WATER
ENGINEERING

March 17, 2016

RECEIVED

MAR 21 2016

WATER RESOURCES
WESTERN REGION

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Ownership Change Notice

Dear Angie,

Enclosed on behalf of Rex Evans, is a *Notice of Change in Water Right Ownership* involving all of right 63-31819 and a portion of right 63-32271 that are appurtenant to property Rex now owns.

Check No. 7801 for \$125 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Rex Evans

Enclosures

SPF file number: 1251.0010