

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 22 2016

Notice of Change in Water Right Ownership

DEPT 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?
36-13977	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: CHARLES LEE SMITH LAURA SMITH
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): maria del castillo Alberto zarzeta c.
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1680 E 800 S EDEN ID 83325
Mailing address City State ZIP
- (208) 721-84-93
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: _____

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: X [Signature] 8-15-2016
Signature of new owner/claimant Title, if applicable Date
- Signature: ALBERTO ZARZETA 8-15-2016
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 8-22-2016 Receipt No. 5035686 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 _____

THIS IS BEING RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
260 Third Avenue North
Twin Falls, ID 83301

Instrument # 2121864
JEROME COUNTY, JEROME, IDAHO
04-30-2012 11:47:50 AM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - JEROME
MICHELLE EMERSON Fee: \$16.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

Instrument # 2122540
JEROME COUNTY, JEROME, IDAHO
06-06-2012 03:46:49 PM No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - JEROME
MICHELLE EMERSON Fee: \$19.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **414206-TF (sg)**

Date: **April 13, 2012**

For Value Received, **Kelly L. Gates, a married man**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Alberto Zazueta, an unmarried man and Maria Del Castillo, an unmarried woman**, hereinafter called the Grantee, whose current address is **1680 East 800 South, Eden, ID 83325**, the following described premises, situated in **Jerome County, Idaho**, to-wit:

PARCEL NO. 1:

A tract of land situated in the Southeast One Quarter of the Southeast One Quarter of Section 26, Township 9 South, Range 19 East, Boise Meridian, Jerome County, Idaho, described as follows:

Commencing at a found 1/2-inch steel pin monumenting the South One Quarter of said Section 26 on the centerline of 800 South Road, from which an aluminum cap monumenting the Southeast Corner of said Section 26 bears South 89°35'54" East a distance of 2639.00 feet;

Thence following the southerly line of said Section 26 and the centerline of said 800 South Road, South 89°35'54" East a distance of 1689.50 feet to the

POINT OF BEGINNING, said point being witnessed by a set 1/2-inch steel pin which bears North 00°00'48" East a distance of 25.00 feet;

Thence leaving said southerly line and said centerline, North 00°00'48" East a distance of 1,320.41 feet to a set 1/2-inch steel pin on the northerly line of the Southeast One Quarter of the Southeast One Quarter of said Section 26;

Thence following said northerly line, South 89°35'25" East a distance of 316.01 feet to a set 1/2-inch steel pin;

Thence leaving said northerly line, South 00°00'29" East a distance of 1,320.37 feet to a point on the southerly line of said Section 26 and the centerline of said 800 South Road, said point being witnessed by a set 1/2-inch steel pin which bears North 00°00'29" West a distance of 25.00 feet;

Thence following said southerly line and said centerline, North 89°35'54" West a distance of 316.50 feet to the POINT OF BEGINNING.

PARCEL NO. 2:

A tract of land situated in the Southeast One Quarter of the Southeast One Quarter of Section 26, Township 9 South, Range 19 East, Boise Meridian, Jerome County, Idaho, described as follows:

Commencing at a found 1/2-inch steel pin monumenting the South One Quarter of said Section 26 on the centerline of 800 South Road, from which an aluminum cap monumenting the Southeast Corner of said Section 26 bears South 89°35'54" East a distance of 2639.00 feet;

Thence following the southerly line of said Section 26 and the centerline of said 800 South Road, South 89°35'54" East a distance of 2006.00 feet to the POINT OF BEGINNING, said point being witnessed by a set 1/2-inch steel pin which bears North 00°00'29" West a distance of 25.00 feet;

Thence leaving said southerly line and said centerline, North 00°00'29" West a distance of 1,320.37 feet to a set 1/2-inch steel pin on the northerly line of the Southeast One Quarter of said Section 26;

Thence following said northerly line, South 89°35'25" East a distance of 316.01 feet to a set 1/2-inch steel pin;

Thence leaving said northerly line, South 00°01'45" East a distance of 1,320.33 feet to a point on the southerly line of said Section 26 and the centerline of said 800 South Road, said point being witnessed by a set 1/2-inch steel pin which bears North 00°01'45" West a distance of 25.00 feet;

Thence following said southerly line and said centerline, North 89°35'54" West a distance of 316.50 feet to the POINT OF BEGINNING.

PARCEL NO. 3:

A tract of land situated in the Southeast One Quarter of the Southeast One Quarter of Section 26, Township 9 South, Range 19 East, Boise Meridian, Jerome County, Idaho, described as follows:

Commencing at a found 1/2-inch steel pin monumenting the South One Quarter of said Section 26 on the centerline of 800 South Road, from which an aluminum cap monumenting the Southeast Corner of said Section 26 bears South 89°35'54" East a distance of 2639.00 feet;

Thence following the southerly line of said Section 26 and the centerline of said 800 South Road, South 89°35'54" East a distance of 2322.50 feet to the POINT OF BEGINNING, said point being witnessed by a set 1/2-inch steel pin which bears North 00°01'45" West a distance of 25.00 feet;

Thence leaving said southerly line and said centerline, North 00°01'45" West a distance of 1,320.33 feet to a set 1/2-inch steel pin on the northerly line of the Southeast One Quarter of said Section 26;

Thence following said northerly line, South 89°35'25" East a distance of 316.01 feet to a found 1/2-inch steel pin monumenting the South One Sixteenth Corner common to said Section 26 and Section 25, Township 9 South, Range 19 East, Boise Meridian, on the centerline of 1700 East Road;

Thence leaving said northerly line and following the ~~westerly~~ ^{easterly} line of said Section 26 and the centerline of said 1700 East Road, South 00°03'00" East a distance of 1,320.29 feet to a found aluminum cap monumenting the Southeast Corner of said Section 26 on the centerline of said 800 South Road; ~~easterly~~

Thence leaving said ~~westerly~~ ^{easterly} line and the centerline of said 1700 East Road, and following the southerly line of said Section 26 and the centerline of said 800 South Road, North 89°35'54" West a distance of 316.50 feet to the POINT OF BEGINNING.

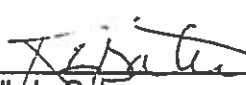
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

Date: 04/13/2012

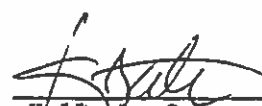
Warranty Deed
- continued

File No.: 414206-TF (sg)

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



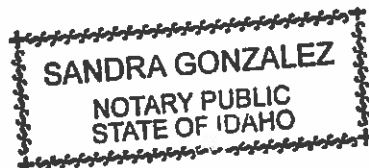
Kelly L. Gates

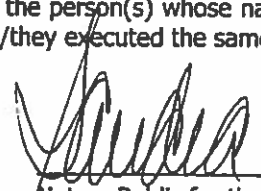
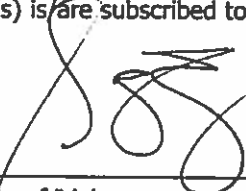


Kelly L. Gates

STATE OF Idaho)
SS.
COUNTY OF Twin Falls)

On this 16th day of April, 2012, before me, a Notary Public in and for said State, personally appeared **Kelly L. Gates**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



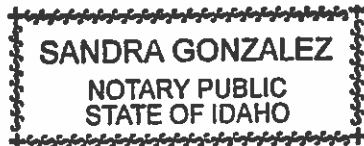
 

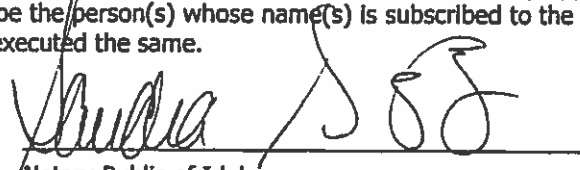
Notary Public for the State of Idaho
Residing at: Twin Falls, ID
My Commission Expires: 01/29/2015

ACKNOWLEDGEMENT/GENERAL

STATE OF Idaho)
)
) ss.
COUNTY OF Twin Falls)

On this 23 day of May, 2012, before me, a Notary Public in and for said State, personally appeared **Kelly L. Gates**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.





Notary Public of Idaho
Residing at: Twin Falls, ID
Commission Expires: 01/29/2015

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
199 Country Lane
Jerome, ID 83338

Instrument # 2103874
JEROME COUNTY, JEROME, IDAHO
09-07-2010 16:41:47 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE CO. JEROME
MICHELLE EMERSON Fee: \$13.00
Ex-Officio Recorder Deputy: Jeri Wilson
Electronically Recorded by Simplifile

THIS DOCUMENT IS BEING RE-RECORDED TO
CORRECT THE LEGAL DESCRIPTION.

Instrument # 2105326
JEROME COUNTY, JEROME, IDAHO
12-10-2010 14:47:52 No. of Pages: 4
Recorded for: F A T C
MICHELLE EMERSON Fee: \$19.00
Ex-Officio Recorder Deputy: Jesus mendez
Electronically Recorded by Simplifile
Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 351688-J (sg)

Date: September 01, 2010

For Value Received, Kelly L Gates, a married man as his sole and separate property, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Alberto Zazueta, an unmarried man and Maria Del Castillo, an unmarried woman, hereinafter called the Grantee, whose current address is P O Box 3263, Hailey, ID. 83333, the following described premises, situated in Jerome County, Idaho, to-wit:

~~TOWNSHIP 9 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, JEROME COUNTY, IDAHO~~
~~SECTION 26: A TRACT OF LAND SITUATED IN THE SE 1/4 SE 1/4 DESCRIBED AS FOLLOWS~~
~~COMMENCING AT A FOUND 1/2 INCH STEEL PIN MONUMENTING THE S 1/4 OF SAID SECTION 26 ON THE CENTERLINE OF 800 SOUTH ROAD, FROM WHICH AN ALUMINUM CAP MONUMENTING THE SE CORNER OF SAID SECTION 26 BEARS SOUTH 89°35'54" EAST A DISTANCE OF 2639.00 FEET;~~
~~THENCE FOLLOWING THE SOUTHERLY LINE OF SAID SECTION 26 AND THE CENTERLINE OF SAID 800 SOUTH ROAD, SOUTH 89°35'54" EAST A DISTANCE OF 1,319.50 FEET TO A FOUND 1/2 INCH STEEL PIN MONUMENT THE SOUTH 1/16 CORNER COMMON TO SAID SECTION 26 AND SECTION 35, TOWNSHIP 9 SOUTH, RANGE 19 EAST, BOISE MERIDIAN BEING THE POINT OF BEGINNING;~~
~~THENCE LEAVING SAID SOUTHERLY LINE AND FOLLOWING SAID CENTERLINE AND THE EASTERLY LINE OF THE SE 1/4 SE 1/4 OF SAID SECTION 26, NORTH 00°00'48" EAST A DISTANCE OF 1,320.46 FEET TO A SET 5/8 INCH STEEL PIN MONUMENTING THE SE 1/16 CORNER OF SAID SECTION 26; THENCE LEAVING SAID EASTERLY LINE AND FOLLOWING THE NORTHERLY LINE OF THE SE 1/4 SE 1/4 OF SAID SECTION 26, SOUTH 89°35'25" EAST A DISTANCE OF 370.00 FEET TO A SET 1/2 INCH STEEL PIN;~~
~~THENCE LEAVING SAID NORTHERLY LINE, SOUTH 00°00'48" WEST A DISTANCE OF 1,320.41 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 26 AND THE CENTERLINE OF SAID 800 SOUTH ROAD, SAID POINT BEING WITNESSES BY A SET 1/2 INCH STEEL PIN WHICH BEARS NORTH 00°00'48" EAST A DISTANCE OF 25.00 FEET;~~
~~THENCE FOLLOWING SAID SOUTHERLY LINE AND SAID CENTERLINE, NORTH 89°35'54" WEST A DISTANCE OF 370.00 FEET TO THE POINT OF BEGINNING.~~

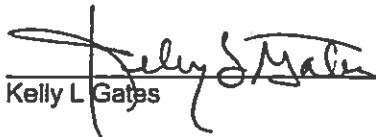
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

Date: 09/01/2010

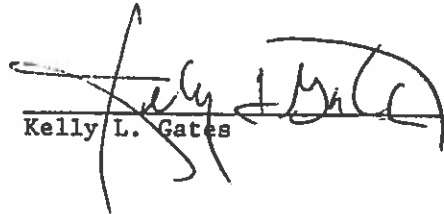
Warranty Deed
- continued

File No.: 351688-J (sg)

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



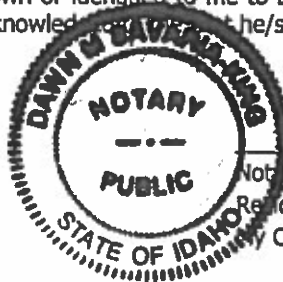
Kelly L. Gates

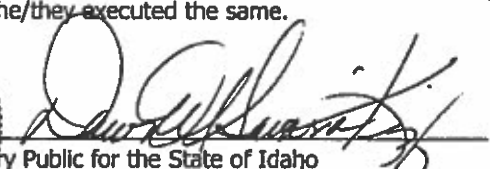


Kelly L. Gates

STATE OF Idaho)
SS.
COUNTY OF Jerome)

On this **Third day of September, 2010**, before me, a Notary Public in and for said State, personally appeared **Kelly L. Gates**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.





Notary Public for the State of Idaho

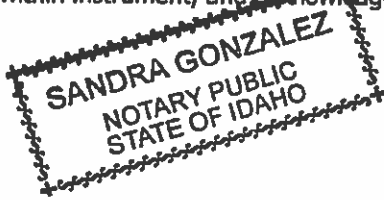
Residing at: TWIN FALLS, IDAHO

My Commission Expires: 2011

ACKNOWLEDGEMENT/GENERAL

STATE OF Idaho)
COUNTY OF ~~Jerome~~ *Twin Falls*) ss.

On this Tenth day of December, 2010, before me, a Notary Public in and for said State, personally appeared **Kelly L. Gates**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public of Idaho
Residing at: Twin Falls, ID
Commission Expires: 01-29-2015
Residing at: Twin Falls, Idaho
Commission Expires: 01-29-2015



THE LAND GROUP, INC.

November 30, 2010
Corrected Legal Description
KELLY GATES
Project No. 206025
Parcel 1
11.22 acres

EXHIBIT "A"

A tract of land situated in the Southeast One Quarter of the Southeast One Quarter of Section 26, Township 9 South, Range 19 East, Boise Meridian, Jerome County, Idaho, described as follows:

Commencing at a found 1/2-inch steel pin monumenting the South One Quarter of said Section 26 on the centerline of 800 South Road, from which an aluminum cap monumenting the Southeast Corner of said Section 26 bears South 89°35'54" East a distance of 2639.00 feet;

Thence following the southerly line of said Section 26 and the centerline of said 800 South Road, South 89°35'54" East a distance of 1,319.50 feet to a found 1/2-inch steel pin monumenting the South One Sixteenth Corner common to said Section 26 and Section 35, Township 9 South, Range 19 East, Boise Meridian being the POINT OF BEGINNING;

Thence leaving said southerly line and said centerline and following the westerly line of the Southeast One Quarter of the Southeast One Quarter of said Section 26, North 00°00'48" East a distance of 1,320.46 feet to a set 5/8-inch steel pin monumenting the Southeast One Sixteenth Corner of said Section 26;

Thence leaving said westerly line and following the northerly line of the Southeast One Quarter of the Southeast One Quarter of said Section 26, South 89°35'25" East a distance of 370.00 feet to a set 1/2-inch steel pin;

Thence leaving said northerly line, South 00°00'48" West a distance of 1,320.41 feet to a point on the southerly line of said Section 26 and the centerline of said 800 South Road, said point being witnessed by a set 1/2-inch steel pin which bears North 00°00'48" East a distance of 25.00 feet ;

Thence following said southerly line and said centerline, North 89°35'54" West a distance of 370.00 feet to the POINT OF BEGINNING.

Handwritten signature/initials



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

August 23, 2016

ALBERTO ZAZUETA
MARIA DEL CASTILLO
1680 E 800 S
EDEN ID 83325

RE: Change of Ownership for Water Right Nos. 36-13977

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, reading "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosure(s)