

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 22 2014
DEPARTMENT OF
WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
PD 63-33517	Yes ☒		Yes ☐		Yes ☐
split into 63-33517-1	Yes ☐		Yes ☐		Yes ☐
63-33517-2	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Carlos L. Post

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Albert J. Mendonca or Kelley Mendonca

New owner(s) as listed on the conveyance document

Name connector: ☐ and ☒ or ☐ and/or

9517 E. Lathrop Rd

Manteca

Ca 95336

Mailing address

City

State

ZIP

209-823-0517

akmm4@yahoo.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: 6-16-14

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

SUPPORT DATA

IN FILE # 63-33517

8. Signature: Albert J. Mendonca

Signature of new owner/claimant

Title, if applicable

Date

7-18-14

- Signature: Kelley Mendonca

Signature of new owner/claimant

Title, if applicable

Date

7-18-14

For IDWR Office Use Only:

Received by CW

Date 7-22-2014

Receipt No. 0099213

Receipt Amt. \$100.00

Approved by

Processed by [Signature]

Date

10-2-14



610 S. Kimball Avenue
Caldwell, ID 83605

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

Instrument # 297440

EMMETT, GEM, IDAHO
2014-06-18 02:31:21 PM No. of Pages: 1
Recorded for: PIONEER TITLE COMPANY OF GEM C
SHELLY TILTON Fee: \$10.00
Ex-Officio Recorder Deputy SStewart
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

File No. 553072

WARRANTY DEED

For Value Received

High Vista Estates, LLC, an Idaho limited liability company
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Albert J. Mendonca and Kelley Mendonca, husband and wife
hereinafter referred to as Grantee, whose current address is 9517 E ~~Landrop~~ Rd Manteca, CA 95336
The following described premises, to-wit:
Landrop

Lot 16, High Vista Estates Subdivision, according to the plat thereof, filed in Book 4 of Plats at
page(s) 32, records of Gem County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable,
and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: June 6, 2014

High Vista Estates LLC

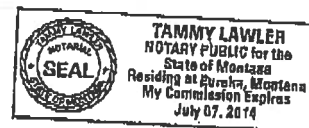
By: Carlos L. Post
Carlos L. Post, Manager

Laura E. Post
Laura E. Post, Manager

State of MT, County of Lincoln

On this 11th day of June in the year of 2014, before me, the undersigned, a Notary Public in and for
said State, personally appeared Carlos L. Post and Laura E. Post, known or identified to me to be the
Managers of the Limited Liability Company that executed the foregoing instrument, and acknowledged
to me that such Limited Liability Company executed the same.

Tommy Lawler
Residing at: Bozeman, MT
Commission Expires: 07/07/2014



"READ AND APPROVED"

By: _____

"READ AND APPROVED"

By: _____



610 S. Kimball Avenue
Caldwell, ID 83605

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File No. 553072

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Albert J. Mendonca and Kelley Mendonca, husband and wife
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The following described premises, to-wit:

Lot 16, High Vista Estates Subdivision, according to the plat thereof, filed in Book 4 of Plats at
page(s) 32, records of Gem County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable,
and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: June 6, 2014

High Vista Estates LLC

By: _____
Carlos L. Post, Manager

Laura E. Post, Manager

State of _____, County of _____

On this _____ day of June in the year of 2014, before me, the undersigned, a Notary Public in and for
said State, personally appeared Carlos L. Post and Laura E. Post, known or identified to me to be the
Managers of the Limited Liability Company that executed the foregoing instrument, and acknowledged
to me that such Limited Liability Company executed the same.

Residing at: _____
Commission Expires: _____

"READ AND APPROVED"

By: Albert J. Mendonca

"READ AND APPROVED"

By: Kelley Mendonca

IDAHO

Department of
Water Resources

Irrigation Rights Finder



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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/18/2014

WATER RIGHT NO. 63-33517

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARLOS L POST PO BOX 93 INDIAN VALLEY, ID 83632 (208)355-4800
Original Owner	JOHN CLARK

Priority Date: 09/29/1978

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.76 CFS	488.7 AFA
STOCKWATER	01/01	12/31	0.12 CFS	6.1 AFA
Total Diversion			1.76 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSENE|Sec. 36|Township 06N|Range 03W|GEM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	03W	36		NENE	15		NWNE	3.6		SWNE	26		SENE	40
				NESE	24									

Place of Use Legal Description: STOCKWATER GEM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	03W	36		NENE			NWNE			SWNE			SENE	
				NESE										

Total Acres: 108.6

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 04/29/2009.
3. X02 Stockwater use is for 500 range cattle.

Dates:

Licensed Date:

Decreed Date: 04/29/2009

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:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4.5
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

Water Supply Bank:
Lessor Name(s):CARLOS L POST
Lease Status: Active
Lease Amount: Part
Rental Availability: None
Date Received: 9/12/2011
Lease Begin Date: 9/12/2011
Expiration Date: Indefinite

Close

Hersley, Jean

From: Sissy Stewart [sstewart@co.gem.id.us]
Sent: Tuesday, September 16, 2014 1:01 PM
To: Hersley, Jean
Subject: Gem County

Hello, I just faxed that document to you. If you need anything else let me know

Sissy Stewart
Gem County- Recorder
(208) 477-2011
(208) 365-7795 fax
sstewart@co.gem.id.us

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, September 16, 2014 12:02 PM
To: 'clerk@co.gem.id.us'
Subject: recorded warranty deed File No. 553072

The Department of Water Resources received a request for an ownership change of water right 63-33517. In order to change this request, we need a copy of the signed and notarized warranty deed that puts the property appurtenant to the water right into Albert J and Kelley Mendonca's name. The file no. is 553072. The deed conveys the property from High Vista Estate LLC to Albert J and Kelley Mendonca.

Please respond to this email or you may fax the copy to 208-287-6700 attn: Jean. If you have any questions, please contact me.

Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, July 23, 2014 1:01 PM
To: 'akmm@yahoo.com'
Subject: Change of Ownership 63-33517

Thank you for submitting your request for a Notice of Change in Water Right Ownership for the above mentioned water rights. After reviewing your request, it was discovered that additional information is needed to process this request.

The information needed is a copy of the warranty deed signed by Carlos L Post and Laura E Post and has been recorded with the county. You may send the deed by fax to 208-287-6700 attn: Jean or reply to this email. Also, the water right includes a stockwater use. Will you be running stock on your property? If so, how many head?

According to the deed you provided, you are entitled to 1.5 acres of irrigation of water right 63-33517. When the Department receives the recorded deed, we will proceed in processing this change.

Because the Department cannot process the ownership change without proper information, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

If you have any questions, please contact me at the number below. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*