

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

RECEIVED
MAY 16 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION

I, Estate of Raddy Adams, hereby assign to JIV Trust
 I, Chad Adams, hereby assign to Joe Lopes
Current applicant New applicant(s)
 of, 602 W. 620 N., Shoshone, ID 83352
New owner's address including city, state and ZIP Phone

All my right, title, and interest in and to Application for Permit No(s): 37-23047
 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Application for Permit No(s):

37-23047, to appropriate the public waters of the State of Idaho.

Describe in detail the portion of the application for permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.

Township 05S Range 16E Section 2 NW 1/4 SW 1/4 Lincoln County, Source: Waste water
Township 05S Range 16E section 2 SW 1/4 SW 1/4 Lincoln County, Source: Waste water
1.6 cfs for irrigation purposes from 4/15 to 11/15
(both dates inclusive)

Does the new applicant own the property at the:

Point of diversion? ☒ Yes ☐ No
 Place of use? ☒ Yes ☐ No

If no, describe the arrangement enabling the new applicant to access the point of diversion and/or the place of use:

Dated this 9 day of May, 2024.

Chad Adams PR
 Signature of current applicant Title (if applicable) Signature of current applicant Title (if applicable)

State of Idaho)
 County of Gooding)ss

Database updated by
DM 5-16-2024 DM

On this 9 day of May, 2024, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he/she/they executed the same.

SEAL



Notary Public

My commission expires: 10/8/2028

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

MAY 02 2024

DEPT. OF WATER RESOURCES
SOUTHERN 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-4186	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-4187	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-23047-App.	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10486	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Roddy L. Adams Cheryl L Adams
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): J & V Trust dated May 10, 2023 Joe S & Verna F Lopes, Trustees
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 602 West 620 North Shoshone ID 83352
Mailing address City State Zip
(208) 886-7031
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 26, 2024
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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: Joe S. Lopes Trustee
Signature of new owner/claimant Title, if applicable Date
Print name
- Signature: Verna F. Lopes Trustee
Signature of new owner/claimant Title, if applicable Date
Print name

For IDWR Office Use Only:
Received by DM Date 5-2-2024 Receipt No. 5040199 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 DM Date 5/3/2024

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
301 Main Street
Gooding, ID 83330

LINCOLN COUNTY
Recorded for:
FLYING S TITLE AND ESCROW - J
02:44:20 PM 04-30-2024
0000209248
No. Pages 3 Fee: \$15.00
Cindi Slevers
County Clerk
Deputy: SC
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1127546GO (lr)**

Date: **April 26, 2024**

For Value Received, **Tammy Nettinga and Chad Adams as General Co-Personal Representatives of the Estate of Roddy Lee Adams, aka Roddy L. Adams, aka Roddy Adams, deceased.**

, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Joe S. Lopes and Verna F. Lopes, Trustees, or their successors in interest, of the J & V Trust dated May 10, 2023, and any amendments thereto**, hereinafter called the Grantee, whose current address is **602 West 620 North, Shoshone, ID 83352**, the following described premises, situated in **Lincoln County, Idaho**, to-wit:

The land referred to herein is described in the Legal Description attached hereto as Exhibit A.

TOGETHER with 151.0 shares of Capital Stock from the Big Wood/American Falls Reservoir District #2

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.

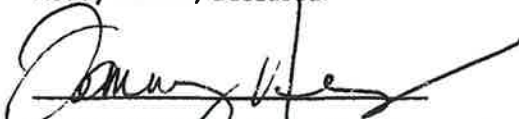
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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.

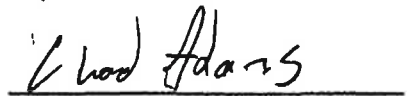
Date: 04/26/2024

Warranty Deed
- continued

File No.: 1127546GO (lr)

Tammy Nettinga and Chad Adams as General
Co-Personal Representatives of the Estate of
Roddy Lee Adams, aka Roddy L. Adams, aka
Roddy Adams, deceased.


Tammy Nettinga, General Co-Personal
Representative


Chad Adams, General Co-Personal
Representative

STATE OF Idaho)
) ss.
COUNTY OF Gooding)

On this 30 day of April, 2024, before me, a Notary Public in and for said State, personally appeared **Tammy Nettinga and Chad Adams**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as General Co-Personal Representatives of the **Estate of Roddy Lee Adams, aka Roddy L. Adams, aka Roddy Adams, deceased** Trust, and acknowledged to me that they executed the same as such General Co-Personal Representatives.

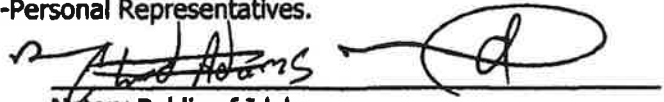

Notary Public of Idaho
Residing at: Gooding, ID
Commission Expires: 10/8/2028



Exhibit "A"

Real property in the County of Lincoln, State of Idaho, described as follows:

TRACT I

The SW $\frac{1}{4}$, Part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and Part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2 in Township 5 South, Range 16 East of the Boise Meridian, Lincoln County, State of Idaho.

Commencing at the Southwest Corner of Section 2 in T.5 S., R.16 E., B.M. said corner marked by a 5/8" rebar which shall be the Point of Beginning;

THENCE North 00 degrees 02 minutes 19 seconds West along the west line of Section 2 for a distance of 2645.91 feet to a 1/2" rebar at the West 1/4 Corner;

THENCE South 89 degrees 26 minutes 24 seconds East along the north line of the SW $\frac{1}{4}$ for a distance of 2699.95 feet to a 5/8" rebar with 2" aluminum cap at the Center 1/4 Corner;

THENCE North 00 degrees 43 minutes 36 seconds East along the west line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ for a distance of 1301.17 feet to a 5/8" rebar at the Northwest Corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;

THENCE South 89 degrees 44 minutes 10 seconds East along the north line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ for a distance of 982.71 feet to a 1/2" rebar;

THENCE South 09 degrees 01 minutes 49 seconds West for a distance of 239.42 feet to a 1/2" rebar;

THENCE South 00 degrees 02 minutes 03 seconds West for a distance of 339.84 feet to a 1/2" rebar;

THENCE South 02 degrees 51 minutes 44 seconds East for a distance of 174.23 feet to a 1/2" rebar;

THENCE South 12 degrees 10 minutes 41 seconds West for a distance of 292.08 feet to a 1/2" rebar;

THENCE South 04 degrees 17 minutes 26 seconds East for a distance of 1156.00 feet to a 1/2" rebar;

THENCE South 28 degrees 08 minutes 48 seconds East for a distance of 490.05 feet to a rebar on the south line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE North 89 degrees 17 minutes 55 seconds West along said 1/16 section line for a distance of 1242.86 feet to a 1/2" rebar at the Southwest Corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE South 00 degrees 43 minutes 36 seconds West along the east line of the SW $\frac{1}{4}$ for a distance of 1309.02 feet to a U.S. GLO Iron pipe with brass cap at the South 1/4 Corner;

THENCE South 89 degrees 57 minutes 50 seconds West along the south line of Section 2 for a distance of 2664.84 feet to the Point of Beginning.



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

May 16, 2024

J & V TRUST
JOE S & VERNA F LOPES, TRUSTEES
602 W 620 N
SHOSHONE ID 83352-5008

Re: Assignment of Application for Permit No.: 37-23047

Dear Mr. & Mrs. Lopes:

The Department of Water Resources acknowledges receipt of your Assignment of Application for Permit. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please be advised that this application is subject to the 1993 amended moratorium order for the Eastern Snake River Plain area, which is still in effect. IDWR will not process applications to appropriate water in this area unless the use is for domestic purposes, is non consumptive, is in the public interest as determined by the Director, or the Director determines that the development and use of the water pursuant to an application will have no effect on prior surface and ground water rights because of its location, insignificant consumption of water or mitigation provided by the applicant to offset injury to other rights.

Because the water use proposed in your application does not meet any of these exceptions to the moratorium, IDWR will hold your application without processing until such time the moratorium is modified or lifted or until you submit an adequate mitigation plan.

If you have any questions, or if you want to withdraw this application, feel free to contact our office and any of our water right agents will be able to assist you.

Sincerely,

Denise Maline
Administrative Assistant

Enclosures

c: Flying S Title & Escrow of Idaho, Gooding, ID (File #1127546GO)



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

May 3, 2024

J & V TRUST
JOE S & VERNA F LOPES, TRUSTEES
602 W 620 N
SHOSHONE ID 83352-5008

Re: Change in Water Right Ownership for Water Right No(s): 37-4186, 37-4187, and 37-10486
Change in Water Right Ownership for Water Right Application No.: 37-23047 (not processed)

Dear Mr. & Mrs. Lopes:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you, recently filed by Flying S Title and Escrow of Idaho. The Department has modified its records for 37-4186, 37-4187 and 37-10486, and has enclosed a computer-generated report for you.

While processing your Notice, it was discovered that 37-23047 is currently in the Application stage. Applications are considered personal property; therefore the Adams' will need to assign this application over to you. I have enclosed an Assignment of Application for Permit form for your use. *This form must be signed by the current water right holder on record with the department (Roddy L and Cheryl L Adams); or their personal representatives, if applicable.* In addition, there are no filing fees associated with an Assignment of Application for Permit. A refund request in the amount of \$25.00 has been submitted for processing and will be sent to Flying S Title and Escrow in Gooding upon completion.

Please complete the Assignment of Application form and submit it to our office within (60) sixty days of the date of this letter. Upon receipt, we will be able to finish processing your Notice.

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.

Thank you for your cooperation. Please feel free to contact me if you have any questions (208) 293-9908.

Sincerely,



Denise Maline
Administrative Assistant

Enclosure(s)

c: Flying S Title and Escrow of Idaho, Gooding, Idaho (File #1127546GO)
Roddy L and Cheryl L Adams, c/o Tammy Nettinga and Chad Adams, Personal Representatives
Water District 37

Maline, Denise

From: Maline, Denise
Sent: Friday, May 3, 2024 11:08 AM
To: IdwrPayable
Subject: Refund request for Flying S Title & Escrow (Gooding)
Attachments: Refund request - Flying S Title & Escrow (Gooding).pdf

Good morning,

Attached please find a refund request being submitted for processing. Please let me know if there are any questions.

Thank you,

Denise @ Southern



Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

Idaho Department of Water Resources Receipt
Receipt ID: S040199

Payment Amount	\$100.00	Date Received	5/2/2024	Region	SOUTHERN
Payment Type	Check	Check Number	14685		
Payer	FLYING S TITLE AND ESCROW OF IDAHO INC				
Comments	CHANGE OF OWNERSHIP FROM RODDY L & CHERYL ADAMS TO J & V TRUST, JOE S & VERNA F LOPES, TRUSTEES: 37-4186, 37-4187, 37-10486 & 37-23047				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	OWNERSHIP CHANGES/SECURITY INTERESTS	64140	0229	21		1155



Signature Line (Department Representative)

Change in Water Right Ownership: 37-23047 (no fee required)

Water right 37-23047 is an Application for Permit and an Assignment of Application is needed to update ownership. There is no fee for an Assignment of Application.

Please issue a \$25 refund to:

Flying S Title & Escrow of Idaho
301 Main St
Gooding ID 83330-1302
(208) 934-4427

DM 5/3/2024



FLYING S
TITLE & ESCROW

301 Main Street, Gooding, ID 83330
Phone (208)934-4427 | Fax (208)934-4741

RECEIVED

MAY 02 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave. W, Ste. 500
Twin Falls, ID 83301

April 30, 2024
File No.: 1127546GO (Ir)

Attn: Water Change Desk
Phone: 208-736-3033 Fax: 208-736-3037

Property: **548 North 650 West, Shoshone, ID 83352**

Parcel No.: **RP05S16E021201A**

Our Check No. **14685** in the amount of **\$100.00**, representing **37-4186, 37-4187, 37-23047, 37-10486.**

Legal Description of Property in question:

The land referred to herein is described in the Legal Description attached hereto as Exhibit A.

Prior vested owner of property: **Tammy Nettinga and Chad Adams as General Co-Personal Representatives of the Estate of Roddy Lee Adams, aka Roddy L. Adams, aka Roddy Adams, deceased.**

TO WHOM IT MAY CONCERN:

Please be advised that the above referenced property has been sold and title is now vested as follows:

Joe S. Lopes and Verna F. Lopes, Trustees, or their successors in interest, of the J & V Trust dated May 10, 2023, and any amendments thereto

as per copy of 0000209248 recorded Warranty Deed attached hereto. Please change your records accordingly and bill the new owners at:

Mailing Address: **602 West 620 North, Shoshone, ID 83352**

Sincerely,

Lisa Ritter
Escrow Officer

lr/lr



FLYING S
TITLE & ESCROW

301 Main Street, Gooding, ID 83330
Phone (208)934-4427 | Fax (208)934-4741

Exhibit "A"

Real property in the County of Lincoln, State of Idaho, described as follows:

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