

OCT 13 2023

DEPARTMENT OF
WATER RESOURCES

STATE 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
→ 29-2279	Yes ☒	Yes ☐	29-14296 Split into 29-14296 & 29-14520		Yes ☐
29-14296	Yes ☒	Yes ☐	29-14297 Split into 29-14297 & 29-14521		Yes ☐
29-14297	Yes ☒	Yes ☐	29-14298 Split into 29-14298 & 29-14522		Yes ☐
29-14298	Yes ☒	Yes ☐	29-2279 NOT UPDATED		Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Velma Christina Bullock Family Living Trust / Timothy G Smith / Lora A Smith
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): John Anthony Nuzzo / Amber Eileen Baxter
New owner(s) as listed on the conveyance document

424 16th Street
Mailing address
(208) 670-2794
Telephone

Rupert
City
jnewso66@gmail.com
Email

Name connector ☐ and ☐ or
Id 83350
State Zip

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: 06/26/2020

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: [Signature] Title, if applicable _____ Date 08/31-2023

Signature of new owner/claimant
John Nuzzo
Print name

Signature: [Signature] Title, if applicable _____ Date 08-31-2023

Signature of new owner/claimant
Amber Nuzzo
Print name

For IDWR Office Use Only:

Received by KM Date 10.13.23 Receipt No. C117171 Receipt Amt. 500-

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 [Signature] Date 10-24-23



OFFICIAL RECORD BK# 0
BANNOCK COUNTY IDAHO

FEE 15.00 DEPUTY VH
RECORDED AT REQUEST OF

AmeriTitle - Pocatello

22010891

2020 Jun 26 PM 01:49

Electronically Recorded by Simplifile

WARRANTY DEED

Order No.: 376055AM

FOR VALUE RECEIVED

Timothy G. Smith and Lora A. Smith, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Amber Baxter, an unmarried person and
John Nuzzo, an unmarried ~~man~~ man
whose current address is: ~~700 S 150 E~~ 424 16th St.
~~Smithfield, UT 84335~~ Rupert, ID 83350

the grantee(s), the following described premises, in Bannock County, Idaho,
TO WIT:

A parcel of land located in Section 34, Township 8 South, Range 36 East, Boise Meridian,
Bannock County, Idaho and further described as follows:

BEGINNING at a BLM Brass Cap Monument set at the Northwest corner of said Section 34, from
which BLM Brass Cap Monument set at the North 1/16th corner on the West line of Section 34
bears South 00°06'10" East 1318.45 feet;
Thence South 00°06'10" East 52.94 feet along the West line of said Section 34;
Thence North 89°14'39" East 875.79 feet along a fence line to the TRUE POINT OF BEGINNING;

Thence continuing North 89°14'39" East 449.82 feet to an Indian Allotment pipe;
Thence North 89°08'39" East 485.05 feet along a fence line and its extension to a point in the
centerline of Marsh Creek Road;
Thence South 05°50'06" East 188.09 feet along said centerline to the beginning of a 1200.00 foot
radius centerline curve concave to the Southwest;
Thence Southeasterly along said centerline curve through a central angle of 02°17'07" a distance
of 47.84 feet (Chord = South 04°41'32" East 47.86 feet);
Thence South 89°45'07" West 957.82 feet;
Thence North 225.51 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and
assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are
the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year
Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of
record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

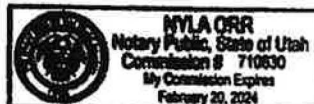
Dated: June 23, 2020

Timothy G. Smith

Lora A. Smith

State of Utah, ss
County of Cache

On this 24 day of June, 2020, before me, the undersigned a Notary Public in and for said state, personally
appeared Timothy G. Smith and Lora A. Smith, 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 same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this
certificate first above written.

Notary Public for the State of Utah
Residing at: Logan, UT
Commission Expires: 2-20-2024



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 23, 2023

JOHN ANTHONY NUZZO
AMBER EILEEN NUZZO
424 16TH ST
RUPERT ID 83350-1274

RE: Change in Ownership Water Right No(s): 29-14296, 29-14298, 29-2279, 29-14297

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Evidence of Water Right Ownership: copy of conveyance document- warranty deed, quitclaim deed, etc. The conveyance document must include a legal description of the property of description of the water rights if no land was conveyed.

Because the Department cannot process the Notice without proper documentation, 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.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: D L EVANS BANK

Hersley, Jean

From: Hersley, Jean
Sent: Monday, October 23, 2023 3:36 PM
To: 'jnewso66@gmail.com'
Cc: 'central@dlevans.com'
Subject: Change in Ownership Water Right No(s): 29-14296, 29-14298, 29-2279, 29-14297 in the name of Nuzzo

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Evidence of Water Right Ownership: copy of conveyance document- warranty deed, quitclaim deed, etc. The conveyance document must include a legal description of the property of description of the water rights if no land was conveyed.

Because the Department cannot process the Notice without proper documentation, 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. You can provide the required information by emailing to file@idwr.idaho.gov or mailing to IDWR, PO Box 83720, Boise, ID 83720-0098.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4942.



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



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 25, 2023

JOHN ANTHONY NUZZO
AMBER EILEEN BAXTER
424 16TH ST
RUPERT ID 83350-1274

Re: Change in Water Right Ownership: 29-14296 (Split into 29-14296 and **29-14520**), 29-14298 (Split into 29-14298 and **29-14522**), 29-14297 (Split into 29-14297 and **29-14521**)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Please note that water right 29-2279 was not split. The place of use for this water right is not appurtenant to your property. A refund of \$100 has been requested and will be sent to DL Evans Bank under separate cover from the Idaho State Controller's Office.

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.

Also 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.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jean Hersley".

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Timothy G Smith, Lora A Smith, D L Evans Bank, Velma Christina Bullock Family Living Trust

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, October 25, 2023 10:08 AM
To: IdwrPayable
Subject: refund
Attachments: DL Evans Bank- Nuzzo.docx

Please process the attached refund. Thank you.



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

Idaho Department of Water Resources Receipt

Receipt ID: C117171

Payment Amount	\$500.00	Date Received	10/13/2023	Region	STATE
Payment Type	Check	Check Number	7996		
Payer	D.L. EVANS BANK				

Comments CHANGE OF OWNERSHIP
WR # 29-2279, 29-14296, 29-14297, & 29-14298 (SPLIT)
FOR: JOHN ANTHONY NUZZO / AMBER EILEEN NUZZO
*
NOTICE OF SECURITY INTEREST IN A WATER RIGHT
FOR: D.L. EVANS BANK
FOR: JOHN ANTHONY NUZZO AND AMBER EILEEN NUZZO
ADDRESS: 424 16TH STREET, RUPERT, ID 83350
Expires: 8/13/2033
WR#29-2279, 29-14296, 29-14297, & 29-14298 (SPLITS)

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$500.00	OWNERSHIP CHANGES/SECURITY INTERESTS	56140	0229	21		1155

Signature Line (Department Representative)

Please refund \$125 to:

DL Evans Bank
PO Box 87
Twin Falls, ID 83303-0087

Water right 29-2279 was not split or updated. DL Evans was not added as Security Interest Holder on 29-2279 either.