

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED ✓
OCT 31 2024
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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-12494	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: Elsie M Lively & James G Lively
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Ernesto Vallejo
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 1806 A Street Rupert ID 83350
Mailing address City State Zip
- 208-431-0315 EVAllejo@live.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: 4/21/2017
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: Ernesto B Vallejo 10-24-2024
Signature of new owner/claimant Title, if applicable Date

Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date

Print name

Received by SG Date 10-31-2024 For IDWR Office Use Only: Receipt No. 5040420 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 TW Date 1/8/2025

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
417 N. Overland Ave.
Burley, ID 83318

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

Instrument # 540386
MINIDOKA COUNTY, RUPERT, IDAHO
04-21-2017 02:53:02 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - BURLEY
PATTY TEMPLE Fee: \$16.00
Ex-Officio Recorder Deputy Susan Aston
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 628378RU (jac)

Date: March 29, 2017

For Value Received, **Elsie Lively, a widow**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Ernesto Vallejo, an unmarried man**, hereinafter called the Grantee, whose current address is **1806 A Street, Rupert, ID 83350**, the following described premises, situated in **Minidoka County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
417 N. Overland Ave.
Burley, ID 83318

RECORDED ELECTRONICALLY	
ID <u>540380</u>	County <u>Minidoka</u>
Date <u>4-24-17</u>	Time <u>2:53:02 PM</u>
simplifile www.simplifile.com 800.480.5657	

Space Above This Line for Recorder's Use Only

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Date: 03/29/2017

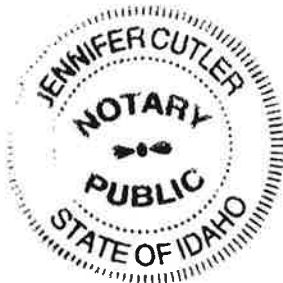
Warranty Deed
- continued

File No.: 628378RU (jac)


Elsie Lively

STATE OF Idaho)
SS.
COUNTY OF Minidoka)

On this **Twenty-first day of April, 2017**, before me, a Notary Public in and for said State, personally appeared **Elsie Lively**, 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.



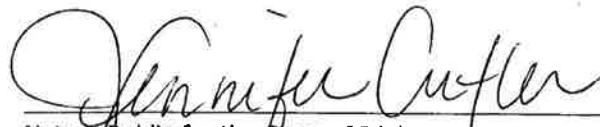

Notary Public for the State of Idaho
Residing at: Rupert, ID
My Commission Expires: 02-27-2018

EXHIBIT A

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

SECTION 21: A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

**Beginning at a point 137 feet North of the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence East 224 feet;
Thence North 130 feet;
Thence West 224 feet to a point on the West line of Section 21;
Thence South 130 feet to the POINT OF BEGINNING.**

SAVE AND EXCEPT, that portion deeded to the City of Rupert in Warranty Deed from Elsie M. Lively, Grantor to City of Rupert, a body politic and corporate of the State of Idaho, by and through its City Council, Grantee recorded October 23, 2012 as Instrument No. 519522.

PARCEL NO. 2:

ACCESS EASEMENT for ingress and egress for the benefit of the above described real property, as created by Easement For Driveway, executed by David S. Cole and Janet M. Cole, to Blanch Craig, her successors and assigns, dated September 24, 1998 and recorded September 24, 1998, as Document No. 437449, Minidoka County records, more particularly described as follows:

**Beginning at the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ said Section 21, said corner marked by a 5/8 inch rebar;
Thence North 00°07'31" East along the West line of Section 21 for a distance of 123.00 feet to the POINT OF BEGINNING;
Thence North 00°07'31" East along the West line of Section 21 for a distance of 14.00 feet to a 1/2 inch rebar;
Thence South 89°20'19" East for a distance of 157.24 feet to a 1/2 inch rebar;
Thence South 00°50'23" East for a distance of 14.00 feet;
Thence North 89°20'19" West a distance of 157.47 feet to the POINT OF BEGINNING.**

SECTION 14, NW 1/4 NW 1/4 21

TOWNSHIP

9

SO., RANGE,

24

E B M SCALE 1" = 100'

LEGAL DESCRIPTION

A part of the Northwest Quarter of the Northwest Quarter (NW 1/4, NW 1/4) of Section 21 in T. 9 S., R. 24 E., B M., Minidoka County, Idaho.

Tract 1

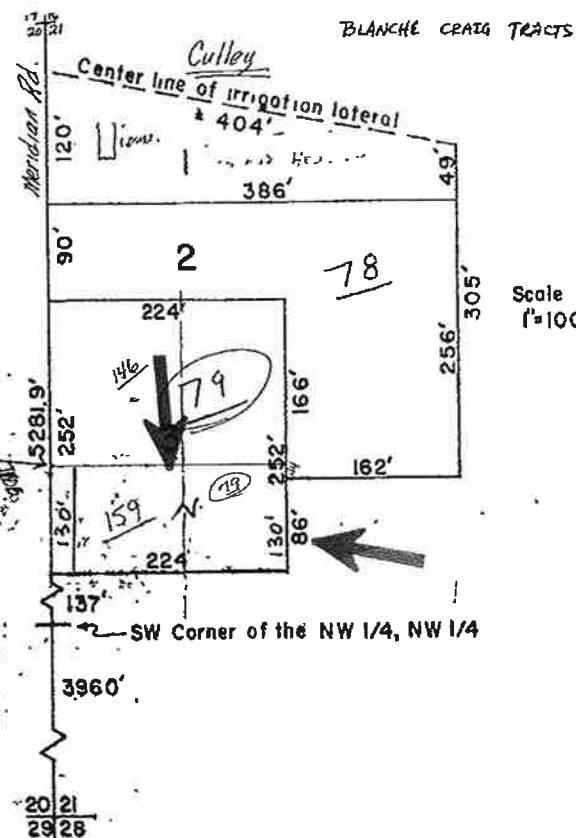
Beginning at a point 479 feet North of the Southwest corner of the NW 1/4, NW 1/4 of Section 21, thence East 386 feet, thence North 49 feet to the center line of an irrigation lateral, thence in a Northwesterly direction along the centerline of the irrigation lateral a distance of 404 feet more or less to the West line of Section 21, thence South 120 feet to the point of beginning.

Tract 2

Beginning at a point 389 feet North of the Southwest corner of the NW 1/4, NW 1/4 of Section 21, thence East 224 feet, thence South 166 feet, thence East 162 feet, thence North 256 feet, thence West 386 feet to a point on the West line of Section 21, thence South 90 feet to the point of beginning.

Tract 3

Beginning at a point 137 feet North of the Southwest corner of the NW 1/4, NW 1/4 of Section 21, thence East 224 feet, thence North 252 feet, thence West 224 feet to a point on the West line of Section 21, thence South 252 feet to the point of beginning.



43737

CERTIFICATE OF SURVEY

I, Steven C. Pearson, a Registered Professional Land Surveyor, Idaho License No. 3623, do hereby certify that this Record of Survey has been prepared from a survey made by the ground under my supervision and that this map is an accurate representation of said survey.

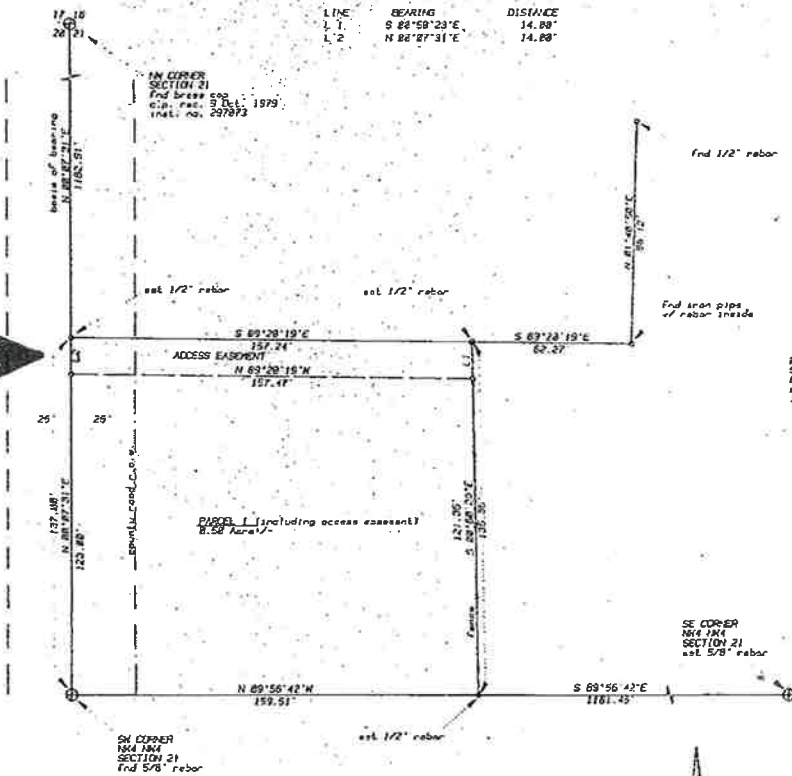
DESERT WEST LAND SURVEYS

DESERT WEST LAND SURVEYS

S LR

LINE BEARING DISTANCE
1. 1. S 89°59'23"E 14.89'
1. 2. N 89°27'31"E 14.89'

ACCESS
ESMT
#437449



NW CORNER
SECTION 21
Find brass cap
c.p. rec. 9 Oct. 1979
Inst. no. 297873

NE CORNER
SECTION 21
Find 5/8" rebar

NORTH 1/4 CORNER
SECTION 21
Find 1/2" rebar
c.p. rec. 25 Jan. 1979
Inst. no. 294439

SW CORNER
SECTION 21
Find 5/8" rebar

SE CORNER
SECTION 21
Find 5/8" rebar

CENTER 1/4 CORNER
SECTION 21
Find 5/8" rebar
c.p. rec. 30 Jan. 1990
Inst. no. 436854

WEST 1/4 CORNER
SECTION 21
Find 1/2" rebar
c.p. rec. 9 Oct. 1979
Inst. no. 297872

SECTION 21
Scale 1" = 500'

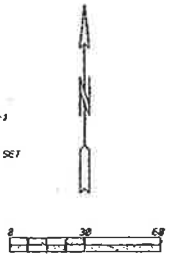
SECTION 21
T.9 S., R.24 E., B.M.
NIHIDOKA COUNTY, IDAHO

PREVIOUS RECORD OF SURVEY

PROPERTY SURVEY FOR BLANDE CRAIG TRACTS
DATED 18-31-12 BY LS 2255
PROPERTY SURVEY FOR LEE DUNN
DATED 19 JUN 1978 BY LS 2255
PROPERTY SURVEY FOR RICHARD HENSLEY
REC. 18 APR. 1999 INST. NO. 434089
POB & ASSOC # 50981
PROPERTY SURVEY FOR LUNSEN
REC. 21 JUL 1990 INST. NO. 436579
POB & ASSOC # 97183

NOTE

- - SET IRON PIN 1/2" x 24" rebar-1 w/ L.S. no. attached.
- - NO CORNER SET.
- OTHER SURVEY CONTROL FOUND OR SET AS NOTED.



SCALE 1" = 30'

PROPERTY SURVEY

For
COLCHELL BANKER - D.R. CURTIS COMPANY

KATHLEEN HAWKINS, REALTOR - CURTIS COMPANY
DAVID A. JNET COE
BAYVIEW & BUTTERS PROPERTY

DESERT WEST LAND SURVEYS

1751 OYERLAND AVE. BURLEY, IDAHO 83318
JOB NO: 4324-9001
DATE: 12 SEPT. 1999
DRAWN BY: [Signature]
CHECKED BY: [Signature]

DESERT WEST LAND SURVEYS PHONE: 280-678-7112



5242-21-4-4-8



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

January 08, 2025

ERNESTO VALLEJO
1806 A ST
RUPERT ID 83350-9101

Re: Change in Ownership for Water Right No(s): 36-12494

Dear Water Right Holder(s):

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

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.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9912.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Wallace", is written over a horizontal line.

Tyler Wallace
Engineer Associate

Enclosure(s)

Cc:
Flying S Title and Escrow of Idaho, Inc, Burley File #628378RU