

DEV ✓

10-29-08
P. Foster
314330

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
ADS 75-4209		✓			
75	Split into		75-14570		
			75-14571		

RECEIVED

OCT 29 2008

2. The following **REQUIRED** information must be submitted with this form:

Department of Water Resources
Eastern Region

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Edward Rex & Kathy Tolman

41 Corbett Ln

Salmon ID 83467

4. New Owner/Claimant(s)

Cary R. Von Rose J. Schwartz

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

10 Summer Creek Dr

City, State and ZIP Code

Salmon ID 83467

New Telephone Number

(208) 756-8383

Email: _____

5. Date you acquired the property

1-28-2008

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation	75-4209	10 cfs 5ac
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____



275027

A handwritten signature in black ink, appearing to be "Cary R. Schwarz", is written over the top right portion of the document.

WARRANTY DEED

Order No.:3070804535L-D

FOR VALUE RECEIVED

Edward Rex Tolman and Kathy Tolman, Husband and Wife

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

Cary R. Schwarz and Rose J. Schwarz, Husband and Wife

whose current address is

10 Summer Creek Dr. Salmon, ID 83467

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

PARCEL "E-07"

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER NORTHEAST QUARTER, SECTION 1, TOWNSHIP 20 NORTH, RANGE 21 EAST, AND GOVERNMENT LOTS 6 & 7, SECTION 6, TOWNSHIP 20 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 1, FROM WHICH THE SOUTHEAST CORNER OF SECTION 1 BEARS S. 00° 15' 16" EAST, 5287.27 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 00° 15' 16" EAST ALONG THE EASTERLY BOUNDARY OF SAID SECTION 1 A DISTANCE OF 2174.29 FT. TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF WILLIAMS CREEK ROAD; THENCE S. 18° 06' 03" WEST ALONG SAID RIGHT-OF-WAY, 273.26 FEET, TO THE POINT OF BEGINNING;

THENCE LEAVING SAID RIGHT-OF-WAY S. 82° 28' 30" EAST, 537.10 FT.;

THENCE S. 22° 34' 11" WEST, 429.71 FT.;

THENCE N. 85° 26' 19" WEST, TO A POINT ON SAID EASTERLY RIGHT-OF-WAY OF WILLIAMS CREEK ROAD, 530.38 FT.;

THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES:

N. 24° 20' 10" EAST, 194.71 FT., N. 18° 06' 03" EAST, 260.44 FT., TO THE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH: A 50.00 FT. WIDE INGRESS/EGRESS EASEMENT AND A 30.00 FT. WIDE IRRIGATION EASEMENT BOTH LOCATED SOUTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE POINT OF BEGINNING OF THE ABOVE DESCRIBED PARCEL RUN THENCE S. 82° 28' 30" EAST, 537.10 FT. TO THE POINT OF TERMINUS.

THE SIDELINES BEING LENGTHENED AND SHORTENED TO CONFORM WITH THE GRANTOR'S PROPERTY LINES.

ALSO SUBJECT TO: A 30 FT. IRRIGATION EASEMENT EAST OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE ABOVE DESCRIBED POINT OF BEGINNING FOR PARCEL "E-07"

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: Jan 28, 2008

Edward Rex Tolman
Edward Rex Tolman

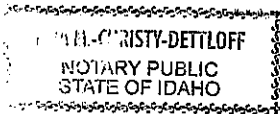
Kathy Tolman
Kathy Tolman

State of Idaho

County of LEMHI

On this 28th day of JANUARY, in the year 2008, before me, a Notary Public in and for said state, personally appeared Edward Rex Tolman and Kathy Tolman known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Christy Dettloff
Notary Public for the State of Idaho
Residing at: salmon, ID
Commission Expires: 2/23/2010

State of Idaho) 275027
County of Lemhi) SS No.

This instrument was filed for record at the request

of Alliance Title

at 1:30 o'clock p.m. 1-28 2008

and duly filed and indexed in the records of Lemhi

County Terri J. Morton
Ex Officio Recorder

By Terri J. Morton Deputy

For 600

Given to AT

