Form 42-248/42-1409(6) Rev. 7/21

RECEIVED

MAY 11 2022

Department of Water Resources
Eastern Region

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?
13-7968 OK	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: Jeremy and Shannon Lusk
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Alejandro and Clara Tovar, Alexander Tovar
   New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

   2472 W. 1500 N. — Mailing address
   Preston — City
   Id. — State
   83263 — Zip
   773-516-0903 — Telephone
   tovartreeservice@gmail.com — Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   N/A
   ☐ 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: 4-4-2022.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - 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):
   - ✓ $25 per *undivided* water right.
   - $100 per *split* water right.
   - 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: X Alejandro Tovar — Signature of new owner/claimant — Title, if applicable — 5-3-2022 — Date
   Alejandro Tovar — Print name

   Signature: X [signature] — Signature of new owner/claimant — Title, if applicable — 5-3-2022 — Date
   Alexander Tovar — Print name

For IDWR Office Use Only:

Receipted by JB Date 5/11/2022 Receipt No. E048125 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 JB Processed by JB Date 6/3/2022

Franklin County Idaho Parcels
OMA
fr_parcels_join_012422: 1500
PIN_1 RP01819.01
OMA X
Survey
Survey_Description
PLATNO 88
OMA_Last_Update
PIN RP01819.01
Ngrhd 21
Owner1 LUSK JEREMY G
Owner2 LUSK SHANNON J
OwnerStr 2472 W 1500 N
OwnerCity PRESTON
OwnerSt ID
Zoom to
200ft
-111.938 42.124 Degrees

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
28 West Oneida/PO Box 148
Preston, ID 83263

291179
1-4
Recorded at the request of First American Title
Time: 2:23 Amount $ 15.00
MAY 05 2022
CAMILLE LARSEN, RECORDER
By _____ Deputy
Franklin County, Idaho

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1039109-PR (hb)**

Date: **May 03, 2022**

For Value Received, **Jeremy G. Lusk and Shannon J. Lusk, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Alejandro Tovar and Clara L. Rojas Flores, husband and wife and Alexander Tovar, a single man**, hereinafter called the Grantee, whose current address is **2472 W 1500 N, Preston, ID 83263**, the following described premises, situated in **Franklin** 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.

291179
2-4

Date: **05/03/2022**

Warranty Deed
- continued

File No.: **1039109-PR (hb)**

Jeremy G. Lusk

Shannon J. Lusk

STATE OF Idaho)
ss.
COUNTY OF Franklin)

On this **05/4/22**, before me, a Notary Public in and for said State, personally appeared **Jeremy G. Lusk and Shannon J. Lusk**, 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.

Holly Jo Bessinger
COMMISSION #20191381
NOTARY PUBLIC
State of Idaho

Notary Public for the State of Idaho
Residing at: PRESTON
My Commission Expires: 7 15 24

EXHIBIT A

A parcel of land located in the Northeast quarter of the Northeast quarter of Section 18, Township 15 South, Range 39 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:
Commencing at the Northeast corner of said Section 18, from which the East quarter corner of Section 18 bears South 00° 12' 48" East;
Thence South 00° 12' 48" East 833.02 feet along the East boundary of Section 18;
Thence West 331.40 feet to a 5/8" rebar and cap labeled "Allen Land Surveying, PLS 9163" at the intersection of a fence line and the East right of way line of the County Road, the Point of Beginning;
Thence South 49° 39' 26" East 27.49 feet along said fence line to a 5/8" rebar and cap;
Thence South 83° 28' 23" East 91.33 feet along said fence line to a 5/8" rebar and cap;
Thence North 86° 22' 30" East 87.90 feet along said fence line to a 5/8" rebar and cap;
Thence South 15° 00' 00" West 100.00 feet to a 5/8" rebar and cap;
Thence South 16° 05' 06" East 186.50 feet to a 5/8" rebar and cap;
Thence South 73° 54' 54" West 129.95 feet to a 5/8" rebar and cap at the East right of way line of the County Road, said point being on a 300.00 foot radius non-tangent curve concave to the Northeast, whose center bears North 64° 19' 40" East;
Thence northwesterly along said curve (right of way line) through a central angle of 09° 35' 14" a distance of 50.20 feet to the point of tangency (chord = North 20° 52' 43" West 50.14 feet); thence North 16° 05' 06" West 258.27 feet along said right of way line to the beginning of a 1970.00 foot radius curve concave to the Northeast;
Thence Northwesterly along said curve (right of way line) through a central angle of 01° 11' 22" a distance of 40.90 feet to the Point of Beginning (chord = North 15° 29' 25" West 40.90 feet).

ALSO,
A parcel of land located in the Northeast quarter of the Northeast quarter of Section 18, Township 15 South, Range 39 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:
Commencing at the Northeast corner of said Section 18, from which the East quarter corner of Section 18 bears South 00° 12' 48" East;
Thence South 00° 12' 48" East 855.64 feet along the East boundary of Section 18;
Thence West 132.06 feet to a 5/8" rebar and cap labeled "A.L.S. , PLS 9163" at the Northeast corner of the parcel of land depicted and described on Record of Survey instrument number 227953, the Point of Beginning;
Thence North 28.10 feet to a 5/8" rebar and cap;
Thence West 200.87 feet to a 5/8" rebar and cap at the East right of way line of the County Road, said point being on a 1970.00 foot radius non-tangent curve concave to the Northeast, whose center bears North 75° 16' 09" East;
Thence Southeasterly along said curve (right of way line) through a central angle of 00° 09' 53" a distance of 5.66 feet to a 5/8" rebar and cap at the Northwest corner of said parcel (chord = South 14° 48' 47" East 5.66 feet);
Thence along the North boundary line of said parcel the following three (3) courses:
Thence South 49° 39' 26" East 27.49 feet to a 5/8" rebar and cap;
Thence South 83° 28' 23" East 91.33 feet to a 5/8" rebar and cap;
Thence North 86° 22' 30" East 87.90 feet to the Point of Beginning.

EXCEPTING THEREFROM:
A parcel of land located in the Northeast quarter of the Northeast quarter of Section 18, Township 15 South, Range 39 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:
Commencing at the Northeast corner of said Section 18, from which the East quarter corner of Section 18 bears South 00° 12' 48" East;
Thence South 00° 12' 48" East 855.64 feet along the East boundary of Section 18;
Thence West 132.06 feet to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at the Northeast corner of the parcel of land depicted and described on Record of Survey instrument number 227953;
Thence South 15° 00' 00' West 100.00 feet along the East boundary line of said parcel to a 5/8" rebar and cap, the Point of Beginning;
Thence South 16° 05' 06" East 186.50 feet along the East boundary line of said parcel to a 5/8" rebar and cap at the Southeast corner of said parcel;
Thence South 73° 54' 54" West 60.00 feet along the South boundary line of said parcel to a 5/8" rebar and cap;
Thence North 01° 44' 55" East 195.91 feet to the Point of Beginning.

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 03, 2022

ALEJANDRO TOVAR
CLARA TOVAR
2472 W 1500 N

ALEXANDER TOVAR
2472 W 1500 N
PRESTON ID 83263-5134

Re: Change in Ownership for Water Right No(s): 13-7968

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 11