

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 16 2020

Department of Water Resources
Eastern 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-13881 <i>OK</i>	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: Kenneth R Horsch
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): William R and Joanne L Toevs
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 2841 W 1800 S Aberdeen ID 83210
Mailing address City State ZIP
- 2086042599 wrtovs@gmail.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: December 12, 2012
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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: William R Toevs Title, if applicable _____ Date Oct 10, 2020
Signature of new owner/claimant

Signature: Joanne L Toevs Title, if applicable _____ Date 10/12/20
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 10/15/20 Receipt No. E046363 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 11/30/2021

Legend

-  Water Right Place of Use
-  Recommendation Place of Use
-  Water Permit Place of Use
-  Irrigation Company

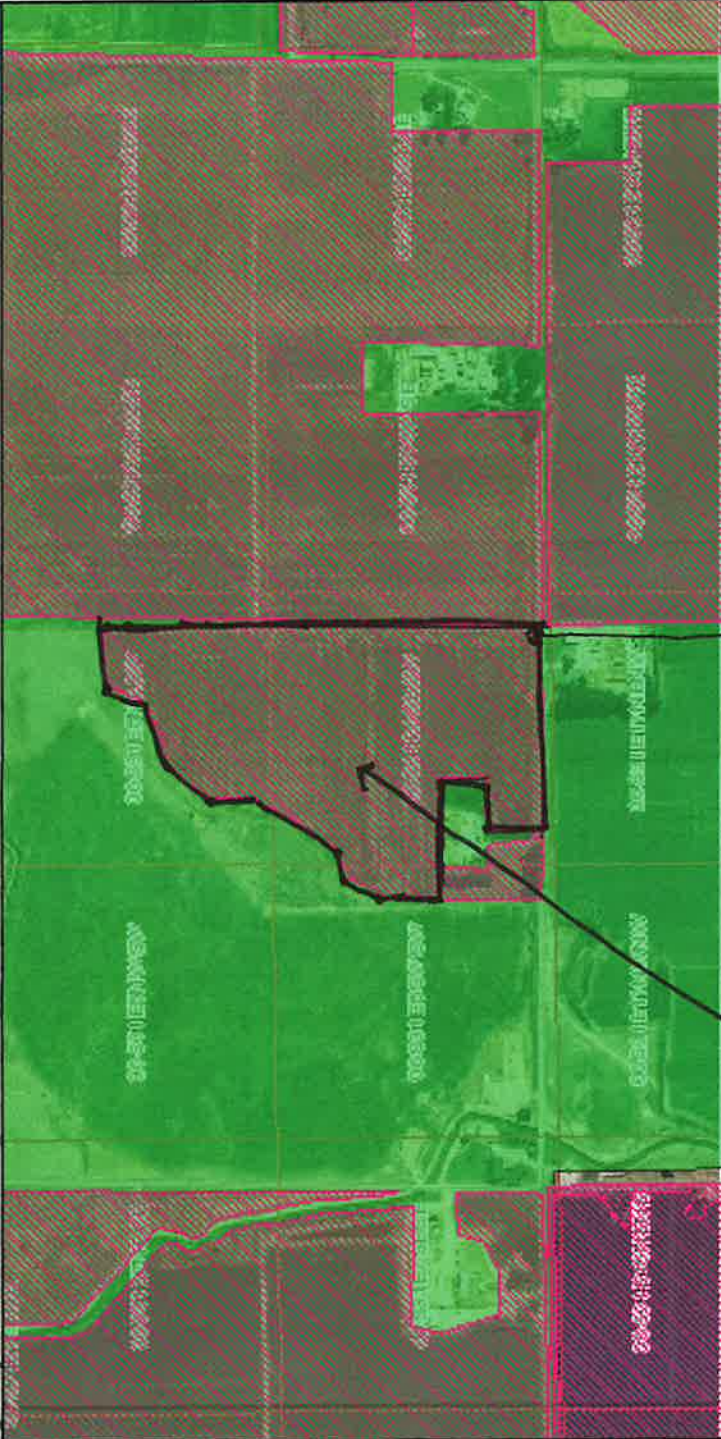
Search Type: Identify



State of Idaho
Department of Water
Resources
322 East Front Street
Boise, Idaho 83720-0098
Phone: (208) 287-4800
Fax: (208) 287-6700



Scale: 1" = 765 feet



Place of use
Point of diversion
Search Results

Irrigation Companies	
ABERDEEN SPRINGFIELD CANAL CO	

Water Right Number	Water Right	Process	Owner
35-13881	Water Right		KENNETH R HORSCH

Disclaimer: Shapes represent an approximation of the water right extent. Please review each water right of interest either on-line (choose the Details link) or by contacting IDWR (208-287-4800). All land within the boundary may not have water delivery. Please contact the company for more information regarding water delivery to your area of interest.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Instrument # 644883
BINGHAM COUNTY, IDAHO
2012-12-20 03:56:00 PM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFO
SARA J. STAUB Fee: \$13.00
Ex-Officio Recorder Deputy CMiles
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **445898-B (Id)**

Date: **December 19, 2012**

For Value Received, **Kenneth R. Horsch and Marilyn J. Horsch, Trustees of the Kenneth & Marilyn Horsch Revocable Trust**, hereinafter called the Grantor, hereby grants, bargains, seils and conveys unto **Ritchey Toevs and Joanne Toevs, husband and wife**, hereinafter called the Grantee, whose current address is **2841 West 1800 South, Aberdeen, ID 83210**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Township 6 South, Range 31 E.B.M., Bingham County, Idaho
Section 8: SE $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPTING therefrom: Beginning at a point which in N. 01°15' E. 30 feet, and W. 300 feet from the SE corner of the SW $\frac{1}{4}$ of the above named Section, said point being the N. line of the State Highway as at present constituted; running thence W. 35 feet; thence N. 20 feet; thence E. 35 feet; thence S. 20 feet, to the point of beginning. ALSO excepting therefrom: Commencing at the W1/16 corner (SW corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$) on the S. line of said Section 8 which bears S. 89°46'35" E. from the SW corner of said section in monumented with a 5/8" rebar and aluminum cap stamped PLS 843; thence N. 01°45'06" E. along the W. line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 30.00 feet to a point on the Northerly right-of-way line of Funk Road, said point being monumented with a 1/2" rebar and plastic cap stamped PLS 843, said point also begin the True Point of Beginning; thence N. 01°45'06" E. continuing along said W. line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 461.24 feet; thence N. 89°15'03" E. 435.90 feet; thence S. 01°37'17" E. 228.75 feet; thence S. 88°17'04" W. 138.10 feet; thence S. 01°11'18" E. 235.23 feet to a point on the Northerly right-of-way line of Funk Road; thence N. 89°49'35" W., along said right-of-way line, 322.78 feet to the True Point of Beginning.

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: 12/19/2012

Warranty Deed
- continued

File No.: 445898-B (Id)

Kenneth R. Horsch and Marilyn J. Horsch,
Trustees of the Kenneth & Marilyn Horsch
Revocable Trust

Kenneth R Horsch

Kenneth R. Horsch, Trustee

Marilyn J. Horsch

Marilyn J. Horsch, Trustee

STATE OF Idaho)
ss.

COUNTY OF Bingham)

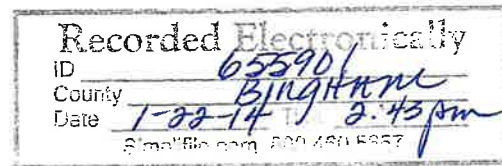
On this **20th day of December, 2012**, before me, a Notary Public in and for said State, personally appeared **Kenneth R Horsch and Marilyn J Horsch**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustees of the **Kenneth and Marilyn Horsch Revocable Trust**, and acknowledged to me that they executed the same as such Trustees.



[Signature]
Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 11/27/2015

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
168 W Pacific Street
Blackfoot, Idaho 83221



Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **452154-B (th)**

Date: **December 03, 2013**

For Value Received, **Kenneth R. Horsch and Marilyn J. Horsch, Trustees, of the Kenneth & Marilyn Horsch Revocable Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Ritchey Toevs and JoAnne Toevs, husband and wife**, hereinafter called the Grantee, whose current address is **2841 West 1800 South, Aberdeen, Idaho 83210**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

A portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, described as: Beginning at the SE corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 8, and running thence N. 759.0 feet along the longitudinal center line of Section 8, (along which line is a long established property fence line) and running thence on meander line N. 89°53' W. 366.7 feet, thence S. 49°37' W. 574.2 feet, thence S. 35°19' W. 493.4 feet to a point on the S. boundary line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, thence N. 89°14' E. 1090 feet along the S. boundary line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the place of beginning.

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: 12/03/2013

Warranty Deed
- continued

File No.: 452154-B (th)

Kenneth R. Horsch and Marilyn J. Horsch,
Trustees, of the Kenneth & Marilyn Horsch
Revocable Trust

Kenneth R Horsch

Kenneth R Horsch, Trustee

Marilyn J. Horsch

Marilyn J Horsch, Trustee

STATE OF Idaho)
SS.

COUNTY OF Bingham)

On this 4th day of December, 2013, before me, a Notary Public in and for said State, personally appeared **Kenneth R Horsch and Marilyn J Horsch**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustees of the **Kenneth & Marilyn Horsch Revocable Trust** Trust, and acknowledged to me that They executed the same as such Trustee.



Annette K Johnson

Notary Public of Idaho

Residing at: Bingham County

Commission Expires: August 31, 2015

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **445898-B (Id)**

Date: **February 13, 2013**

For Value Received, **Kenneth R. Horsch and Marilyn J. Horsch, Trustees of the Kenneth & Marilyn Horsch Revocable Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Ritchey Toevs and Joanne Toevs, husband and wife**, hereinafter called the Grantee, whose current address is **2841 West 1800 South, Aberdeen, ID 83210**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Tract 3:

A portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, described as: Beginning at the SE corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 8, and running thence N. 759.0 feet along the longitudinal center line of Section 8, (along which line is a long established property fence line) and running thence on meander line N. 89°53' W. 366.7 feet, thence S. 49°37' W. 574.2 feet, thence S. 35°19' W. 493.4 feet to a point on the S. boundary line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, thence N. 89°14' E. 1090 feet along the S. boundary line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the place of beginning.

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: 02/13/2013

Warranty Deed
- continued

File No.: 445898-B (Id)

Kenneth R. Horsch and Marilyn J. Horsch,
Trustees of the Kenneth & Marilyn Horsch
Revocable Trust

Kenneth R. Horsch

Kenneth R. Horsch, Trustee

Marilyn J. Horsch

Marilyn J. Horsch, Trustee

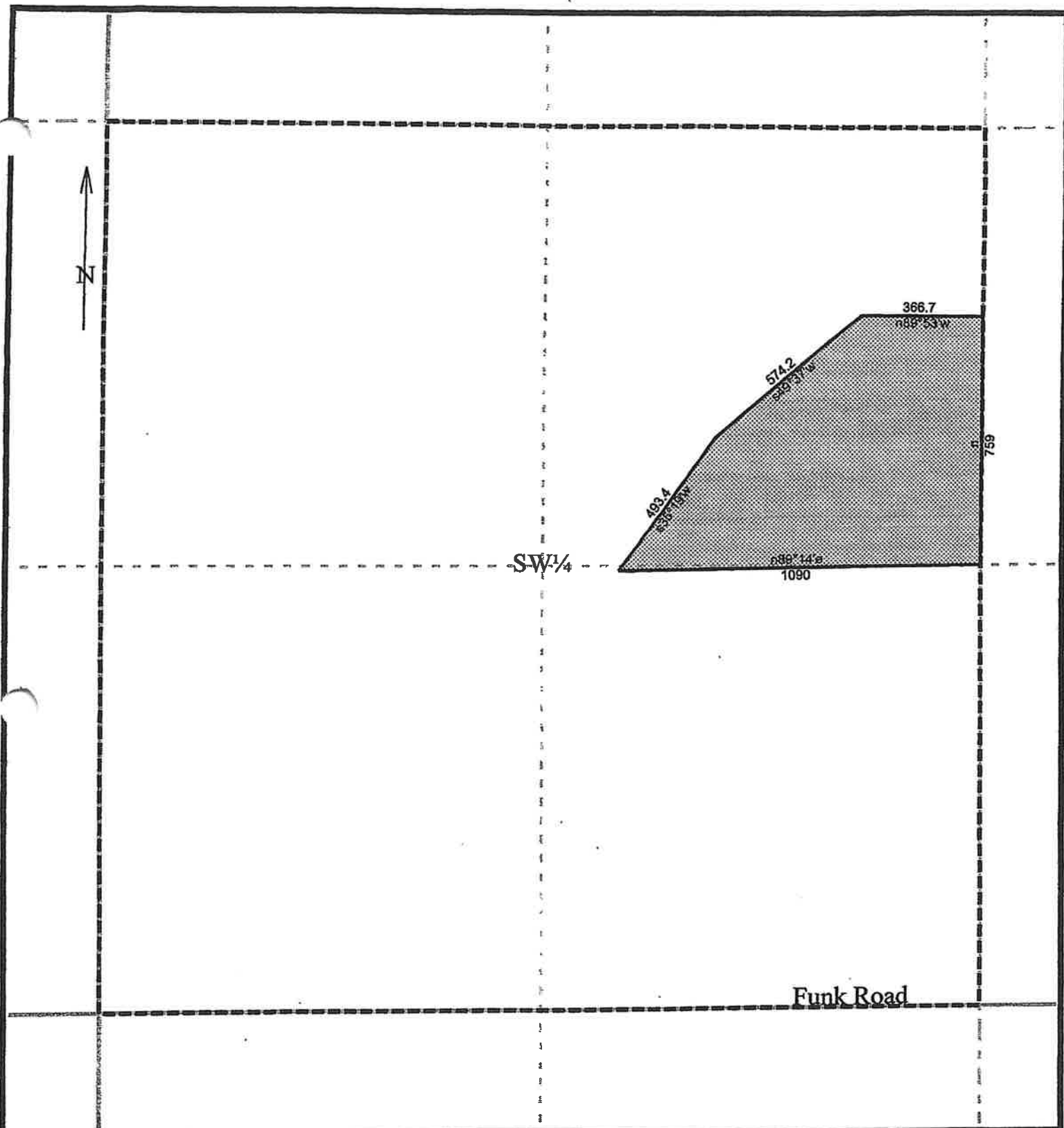
STATE OF Idaho)
ss.

COUNTY OF Bingham)

On this March 25, 2013, before me, a Notary Public in and for said State, personally appeared **Kenneth R. Horsch and Marilyn J. Horsch**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustees of the **Kenneth & Marilyn Horsch Revocable Trust**, and acknowledged to me that they executed the same as such Trustees.



Annette K. Johnson
Notary Public of Idaho
Residing at: Bingham, ID
Commission Expires: August 31, 2015



ptn NESW 8-6S-31EBM, Bingham County, ID

2/12/2013

Scale: 1 inch= 400 feet

File:

01 /se,sw,8,6s,31e
 02 /sw,8,6s,31e
 03 /sw,8,6s,31e
 04 n0e 2640.00
 05 n90e 2640.00
 06 @0
 07 /se,ne,sw,8,6s,31e
 08 n 759
 09 n89.53w 366.7

10 s49.37w 574.2
 11 s35.19w 493.4
 12 n89.14e 1090

This map is solely for the purpose of assisting in locating the premises and the company assumes no liability for variations if any, with an actual survey.

First American Title Company



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

November 30, 2021

WILLIAM R TOEVS
JOANNE TOEVS
2841 W 1800 S
ABERDEEN ID 83210-1832

Re: Change in Ownership for Water Right No(s): 35-13881

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 120
ABERDEEN AMERICAN FALLS GROUND WATER DISTRICT

water right #
35-13881

RECEIVED

November 16, 2021

NOV 22 2021

Department of Water Resources
Eastern Region

Idaho Department of Water Resources

900 Skyline Drive Ste A

Dear Sir/Madam

I am working on updating water right ownership for right# 35014736, 35-13991, 3514040.

In October I was notified the deed provided did not included all property that water right covered. I have since lost track of that correspondence.

Could you please look over enclosed deeds and see if these do show ownership of all property? I do not remember what I sent in earlier but these are likely different than one originally provided.

Please don't hesitate to contact me if you have any further questions

Sincerely,



Ritchey Toevs

William Toevs

Joanne Toevs

2841W 1800S

Aberdeen, ID 83210



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

November 3, 2021

WILLIAM TOEVS
JOANNA TOEVS
2841 W 1800 S
ABERDEEN ID 83210

RE: Change in Ownership Water Right No. 35-13881

Dear Sir/Madam:

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

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

**** **Evidence of Ownership:** The water listed above covers two parcels parcel number RP0061205 and RP0061204. The department received a copy of Warranty Deed 644883, which covers parcel number RP0061205, however it does not appear to cover RP0061204 which is the northern parcel of your property. Please provide evidence of ownership for RP0061204.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

SCANNED

NOV 03 2021