

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
APR 23 2019
Department of Water Resources
Eastern 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
~~29-14112~~	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-13831 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-13773 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Ronda & William Brennan
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Steven & Lisa Toly
New owner(s) as listed on the conveyance document
- Mailing address: P.O. Box 476
City: Lava Hot Springs State: Id ZIP: 83246
- Telephone: 208-604-3900
Email: tolyhouse@aol.com

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: 5-31-2018

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.

SUPPORT DATA

IN FILE # 29-13773

8. Signature: Steven Toly Title, if applicable: _____ Date: 4/22/19
Signature of new owner/claimant
- Signature: Lisa M. Toly Title, if applicable: _____ Date: 4/22/19
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: SE Date: 4/23/19 Receipt No. 2044900 Receipt Amt. 50.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing

Name on W-9: _____ Approved by: JB Processed by: CR Date: 5/6/2019

W-9 received? Yes ☐ No ☐

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2018 Jun 04 AM 09:04:47

Electronically Recorded by Simplifile

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:391283

FOR VALUE RECEIVED

William Brennan and Ronda Brennan, husband and wife

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

Steven Toly and Lisa Toly, husband and wife

whose current address is

~~PO BOX~~ 3892 BLAZER HIGHWAY
LAVA HOT SPRINGS, ID 83246

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

Parcel 1:

That part of the South half of the Southeast Quarter of Section 21 and the Northwest Quarter of the Northeast Quarter of Section 28, Township 8 South, Range 38 East, Bannock County, Idaho, being part of that tract of record in the office of the Recorder of Bannock County as Instrument No. 90016536, described as follows:

BEGINNING at the Southeast corner said Section 21;
Thence South 89°10'02" West, 1335.10 feet, along the South line of said Section 21 to the Northeast corner of said Northwest Quarter of the Northeast Quarter;
Thence South 00°05'02" East, 315.40 feet, along the East line of said Northwest Quarter of the Northeast Quarter to a point;
Thence North 64°45'52" West, 1393.92 feet, to a point on the Easterly right-of-way line of Blazer Highway formerly U.S. Highway 30 North;
Thence North 35°17'28" East, 862.60 feet, along said right-of-way line to a point;
Thence South 77°53'01" East, 2144.26 feet, to a point on the East line of said Section 21;
Thence South 00°03'34" East, 513.48 feet, along said East line to the CORNER OF BEGINNING.

Except:

A parcel of land located in the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 21, Township 8 South, Range 38 East, Boise Meridian, the same being a portion of the lands described in that Warranty Deed instrument No. 20721258 as recorded in the records of Bannock County, Idaho, more particularly describes as follows:

Beginning at the Southeast corner of Section 21, Township 8 South, Range 38 East, Boise Meridian, the same being marked and witnessed by a 3 inch diameter Brass cap monument per that Corner Perpetuation and Filing Record instrument No. 20402492 in the records of Bannock County, Idaho, the same being South 00°02'44" West 2645.98 feet from the Northeast corner of the Southeast Quarter of said Section;
Thence South 89°17'29" West, (S 89°10'02" W by record) as depicted upon that Record instrument No. 20403619 and along the south boundary line of the lands described in that Warranty Deed instrument No. 20721258 all recorded in the records of said county, for a distance of 389.41 feet to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169";

Thence North 00°16'06" East for a distance of 603.67 feet through said lands to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169" located on the Northerly boundary line of said lands;
 Thence South 77°47'15" East for a distance of 395.92 feet along said boundary line to a 5/8 inch reinforcement bar with cap tagged, "Scherbel PLS 8026" located on the Northeast corner there of;
 Thence South 00°02'44" West for a distance of 515.09 feet (S 00°03'34" W 513.48' by record) along the East boundary line of said lands, the same being the East boundary line of said Section 21, to the Point of Beginning.

Parcel 2:

A parcel of land located in the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 21, Township 8 South, Range 38 East, Boise Meridian, the same being a portion of the lands described in that Warranty Deed instrument No. 20721258 as recorded in the records of Bannock County, Idaho, more particularly describes as follows:

Beginning at the Southeast corner of Section 21, Township 8 South, Range 38 East, Boise Meridian, the same being marked and witnessed by a 3 inch diameter Brass cap monument per that Corner Perpetuation and Filing Record instrument No. 20402492 in the records of Bannock County, Idaho, the same being South 00°02'44" West 2645.98 feet from the Northeast corner of the Southeast Quarter of said Section;

Thence South 89°17'29" West, (S 89°10'02" W by record) as depicted upon that Record instrument No. 20403619 and along the south boundary line of the lands described in that Warranty Deed instrument No. 20721258 all recorded in the records of said county, for a distance of 389.41 feet to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169";

Thence North 00°16'06" East for a distance of 603.67 feet through said lands to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169" located on the Northerly boundary line of said lands;

Thence South 77°47'15" East for a distance of 395.92 feet along said boundary line to a 5/8 inch reinforcement bar with cap tagged, "Scherbel PLS 8026" located on the Northeast corner there of;

Thence South 00°02'44" West for a distance of 515.09 feet (S 00°03'34" W 513.48' by record) along the East boundary line of said lands, the same being the East boundary line of said Section 21, to the 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: 05-30-2018

✓ William Brennan
William Brennan

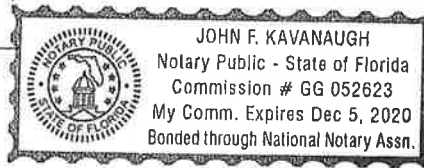
✓ Ronda Brennan
Ronda Brennan

State of Florida } ss
County of St Johns }

4 On this 30th day of May, 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared William Brennan and Ronda Brennan, 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.

John F. Kavanaugh
Notary Public for the State of Florida
Residing at: St Johns
Commission Expires: Dec 05 2020





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 06, 2019

STEVEN & LISA TOLY
PO BOX 476
LAVA HOT SPGS ID 83246-0476

Re: Change in Ownership for Water Right No(s): 29-13773, 29-13831

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) 525-7161.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Water District 29
Attorney Rob Harris, WR# 29-13831