

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 29 2017

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?
29-77030*	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: Torrey Family Revocable Trust

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Joyce Terry Brent Terry

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/or

PO Box 443

Mailing address

Tona

City

ID

State

83427

ZIP

208-709-7525

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: Nov 8, 2011

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: Joyce Terry
 Signature of new owner/claimant

Title, if applicable

Date

- Signature: Brent Terry
 Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JB

Date 11/30/17

Receipt No. E043587

Receipt Amt. 25⁰⁰

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 12/7/2017

QUITCLAIM DEED

For Value Received Raida Jensen, Joyce Terry - CoTrustees, for
Tovey Family Revocable Trust

do hereby convey, release, remise and forever quit claim unto Joyce Terry and Brent Terry

whose current address is 3866 N. 45th E, Idaho Falls, ID 83401

the following described premises, to-wit:

S7 · T9S · R37E · E2SE4

S8 · T9S · R37E · S2SW4

S18 · T9S · R37E · E2NE4

S17 · T9S · R37E · N2NW4

S17 · T9S · R37E · S2NW4; SW4NE4; E2NE4; NW4SW4

S18 · T9S · R37E · NE4SE4

S10 · T9S · R37E · SE4NW4

Also see Exhibit A

STATE OF IDAHO }
 County of Bannock }

I hereby certify that the foregoing is a full, true and correct copy of an instrument as the same now remains on file and of record in my office. Witness my hand and official seal hereto affixed

this 15 day of Oct, 2011

CLERK OF THE DISTRICT COURT,
 EX OFFICIO AUDITOR AND RECORDER.

By Deputy [Signature]

together with their appurtenances.

Dated: Nov. 8, 2011

Joyce Terry - Co-Trustee Raida Jensen, Co-Trustee
for Tovey Family Revocable Trust

STATE OF IDAHO, COUNTY OF Bannock
 On this 8th day of November, 2011
 before me, a notary public in and for said State, personally appeared

Joyce Terry, Raida Jensen
Co-Trustees for Tovey Family
Revocable Trust
 known to me to be the person who so name is subscribed to the within instrument, and acknowledged to me that they executed the same.

Anta Hyman
 Notary Public
 Residing at Pocatello, Idaho
 Comm. Expires June 5, 2015

RECORD BK# 949
 BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
 FEE 13 DEPUTY [Signature]

Raida Jensen

2011 NOV -8 A 11:29

117031

NW⁴ SE⁴ Section 17 Township 9 South
Range 37 East Boise Meridian Excepting
therefrom:

Township 9 South, Range 37 East of the Boise Meridian

Section 17: Commencing at a point 192 feet, more or less, East of the Southwest corner of the NW¹/₄ SE¹/₄, which point is on the East side of county road; and running thence East 435 feet; thence North 435 feet; thence West 435 feet, more or less, to the East side of county road; thence South following said road 435 feet, more or less to the point of beginning...

SW⁴ NE⁴ Section 10 Township 9 South
Range 37 East Boise Meridian
Excepting therefrom:

Exhibit A

A parcel of land located in the Southwest quarter of the Northeast quarter of Section 10, Township 9 South, Range 37 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a Bannock County brass cap monument located at the center East sixteenth corner on the latitudinal centerline of said Section 10, Township 9 South, Range 37 East, Boise Meridian, Bannock County, Idaho said corner being North 89°56'56" West 1245.88 feet from a Bannock County brass cap monument located at the East quarter corner of said Section 10; thence North 89°56'56" West along said latitudinal centerline a distance of 313.30 feet to a point on the centerline of an irrigation pipeline access road; thence along the said access road for the following three (3) courses: (1) thence North 11°52'50" West a distance of 491.19 feet; (2) thence North 16°15'15" West a distance of 151.32 feet; (3) thence North 22°28'16" West a distance of 127.40 feet; thence leaving said access road and coursing North 65°54'41" West a distance of 55.61 feet to a point in the center of West Bob Smith Creek; thence along the center of said Smith Creek through the next ten (10) meander lines as follows: (1) thence North 06°59'14" West a distance of 76.17 feet; (2) thence North 38°51'49" West a distance of 65.37 feet; (3) thence North 58°43'11" West a distance of 74.73 feet; (4) thence North 09°02'20" West a distance of 97.76 feet; (5) thence North 24°00'45" West a distance of 31.77 feet; (6) thence South 85°04'49" West a distance of 41.88 feet; (7) thence North 33°26'02" West a distance of 48.74 feet; (8) thence North 01°34'35" West a distance of 108.5 feet; (9) thence North 35°03'03" West a distance of 57.14 feet; (10) thence North 01°23'00" East a distance of 94.93 feet to an intersection with the North line of the Southwest quarter of the Northeast quarter of Section 10; thence leaving said Smith Creek and running North 89°58'35" East along said North line a distance of 797.03 feet to the Northeast Sixteenth Corner; thence South 00°00'55" East along the East line of said Southwest quarter of the Northeast quarter a distance of 1340.14 feet to the Point of Beginning.

ANDRUS HOLDINGS LLC

FOR REFERENCE
THE COUNTY
LIABILITY FOR

R4225004

17

JOHNSON, ROGER S

R4225004701

R4225004

T-4

23 70 AC +/-

JENSEN, SUSAN

R422500470

SMITH, RICK

R4225004404

D W WHITEWORTH, GEORGE

R4225004300

TOVEY FAMILY TRUST

T-3

T-8

R4225004705

R42250

SM

BANNOCK COUNTY

T-10

HOWELL, JAMES S

NCER FAMILY TRUST

IDAHO

Thank you

PURCHASE RECEIPT

Bannock County Clerk
Bannock County Clerk

624 E. Center, Rm. 211
Pocatello ID 83201
(208)236-7368
OTC Local Ref ID: 20175678
11/7/2017 11:35 AM

Status: **APPROVED**
Customer Name: JOYCE TERRY
Type: Visa
Credit Card Number: **** * 0192

Idaho total amount charged USD\$5.12

Items	Location	Quantity	TPE Order ID	Total Amount
Copies	Bannock County Clerk	3	15212884	\$3.00
Note: kd				
Certification	Bannock County Clerk	1	15212884	\$1.00
Note: kd				
Total remitted to the Bannock County Clerk				\$4.00

Signature

The total amount of your transaction reflects pricing through the Access Idaho electronic payment processor.

C590

WARRANTY DEED

FOR VALUE RECEIVED,

DEVERE TOVEY and LORA B. TOVEY, husband and wife,

does hereby grant, bargain, sell and convey unto

DEVERE TOVEY, LORA B. TOVEY, as Trustees of THE TOVEY FAMILY REVOCABLE TRUST,

whose current address is

80 North 4th West
Preston, ID 83263

the Grantee, the following described premises, in Bannock County, Idaho, to wit:

See attached Exhibit "A"

SUCCESSOR TRUSTEES ARE RAIDA T. JENSEN AND JOYCE T. TERRY.

THE SUCCESSOR TRUSTEE SHALL HAVE ALL RIGHTS TO TRANSFER OR ENCUMBER THE PROPERTY HEREIN SET FORTH.

THE SUCCESSION OR CHANGE OF TRUSTEE MAY BE EVIDENCED BY DEED OR AFFIDAVIT OF DEATH.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all encumbrances and that she will warrant and defend the same from all lawful claims whatsoever.

DATED: November 20, 1990Devere Tovey
DEVERE TOVEYLora B. Tovey
LORA B. TOVEY

STATE OF IDAHO }

County of Franklin }

On this 20 day of November, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared DEVERE TOVEY and LORA B. TOVEY, husband and wife, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.STATE OF IDAHO }
County of Bannock }I hereby certify that the foregoing is a full, true and correct copy of an instrument as the same now remains on file and of record in my office.
WITNESS my hand and official seal hereto affixedthis 7th day of Nov., 2017CLERK OF THE DISTRICT COURT,
EX OFFICIO AUDITOR AND RECORDER.By Deputy K. J. DavenportNotary Seal
NOTARY PUBLIC for State of Idaho
Residing at: Preston
Comm. Expires: Oct 27, 1990

NOTARY SEAL

-- 591

EXHIBIT "A"

TRACT 1

Township 9 South, Range 37 East Boise Meridian

Section 17: E1/2NE1/4, SW1/4NE1/4, NW1/4SE1/4,
SW1/4NW1/4, SE1/4NW1/4, NW1/4SW1/4,

Township 9 South, Range 37 East Boise Meridian

Section 18: NE1/4SE1/4,

EXCEPTING THEREFROM: The following tract previously deeded to RICHARD B. JENSEN and RAIDA T. JENSEN: Commencing at a point 192 feet, more or less, East of the Southwest corner of the NW1/4SE1/4, which point is on the East side of county road; and running thence East 435 feet; thence North 435 feet; thence West 435 feet, more or less, to the East side of said county road; thence South following said road 435 feet, more or less, to the point of beginning.

RESERVING THEREFROM, HOWEVER, a right of way for ingress and egress across the Southerly portion of the above-described property as follows: Commencing at a point 192 feet, more or less, East of the Southwest corner of the NW1/4SE1/4 of Section 17, which point is on the East side of County road, and running thence East 435 feet; thence North 100 feet; thence West 435 feet; thence South 100 feet to point of beginning.

ALSO RESERVING a right to maintain the existing pipeline from the jointly owned culinary water well located on the above-described property which runs to the water storage tank located on Grantor's adjoining property directly East of the above-described tract.

TRACT 2

Boise Meridian, Idaho
T. 9 S., R. 37 E.
Sec. 8, NW1/4NW1/4.

91016523

Dallen J. Phillips
91 05-9 29:05

553

900 MR-ck

TRACT 3

East Half of the Northeast Quarter of Section 18, Township 9 South, Range 37 East of the Boise Meridian.

TRACT 4

The Southeast Quarter of the Southeast Quarter of Section Five; the South Half of the Southwest Quarter, the Southwest Quarter of the Southeast Quarter of Section Four, in Township Nine South, Range Thirly-seven, East of Boise Meridian, In Idaho; containing 160 acres.

TRACT 5

Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter of Section 10, Township 9 South, Range 37, East of the Boise Meridian, in Bannock County, State of Idaho.

TRACT 6

Southwest Quarter of Southeast Quarter; Southeast Quarter of Southwest quarter; Section 5, Township 9 South, Range 37 E.B.M. West half of Southwest Quarter and Southeast Quarter of Southwest Quarter, Section 34, Township 8 South, Range 37, E.B.M.

Northeast Quarter of Southeast Quarter; Southeast Quarter of Southwest Quarter; Lot 3 and Tax 3, Section 3, Township 9 South Range 37, E.B.M.

Southwest Quarter of Northeast quarter; Southeast Quarter of Northwest Quarter and Southeast Quarter of Northeast Quarter; Section 5, Township 9 South, Range 37, E.B.M.

Together with the tenements, hereditments and appurtenances thereunto belonging or in anywise appertaining.

TRACT 7

An undivided on-half ($\frac{1}{2}$) interest in the following:

The East Half of the Southeast quarter of Section 7, Township 9 South, Range 37 East of the Boise Meridian. The South half of the Southwest quarter; the East half of the Northwest quarter, the Southwest quarter of the Northwest Quarter, the Northwest quarter of the Southwest quarter of Section 8, Township 9 South, Range 37 East of the Boise Meridian.

The West half of the Northeast quarter of Section 8, Township 9 South, Range 37 East, BM.

The North half of the Northwest quarter of Section 17, Township 9 South, Range 37 East, BM.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

December 8, 2017

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Joyce Terry
Brent Terry
Po Box 443
Iona ID 83427

RE: Change of Ownership for Water Right No(s). 29-7703

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, 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 this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 29