

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 16 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?
22-13620 <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: SKIP DEMPSEY & KATHREEN MARTIN
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): THOMAS H. TOXBY
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- 5200 N 1100 E Tetonia ID 83452
Mailing address City State ZIP
- (303) 842-0151 tomtoxby@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: March 28, 2014
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: [Signature] 6/13/2017
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by Se Date 6/16/17 Receipt No. E043107 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 7/5/2017

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 232245

TETON COUNTY, IDAHO
04-30-2014 09:00:00 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - DRIGGS
MARY LOU HANSEN Fee: \$13.00
Ex-Officio Recorder Deputy, Mary Lou Hansen
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 496632-T (1b)

Date: March 28, 2014

For Value Received, **Colby W. Dempsey and Kathleen A. Martin, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Thomas H. Toxby, a married man as his sole and separate property**, hereinafter called the Grantee, whose current address is **5200 North 1100 East, Teton, ID 83452**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Commencing at the SW Corner of Section 31, Township 6 North, Range 46 East, Boise Meridian, Teton County, Idaho; thence North 0°34'57" East, 1321.96 feet to the true point of beginning; thence North 89°54'38" East, 656.45 feet to a point; thence South 0°16'37" West, 329.76 feet to a point; thence S 89°48'22" West, 658.22 feet to a point; thence N 0°34'57" East, 330.98 feet to the point of beginning.

Together with and Subject to a 60 foot wide road and utility easement being 30 feet on either side of the following described centerline; commencing at the SW Corner of Section 31, Township 6 North, Range 46 East, Boise Meridian, Teton County, Idaho; thence North 89°42'09" East, 660.00 feet to the true point of beginning; thence N 00°34'57" East, 660.00 feet to a point; thence N 0°16'37" East, 659.52 feet to a point.

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: 03/28/2014

Warranty Deed
- continued

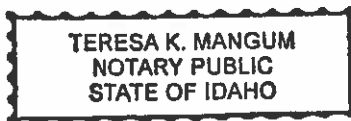
File No.: 496632-T (1b)

Colby W. Dempsey
Colby W. Dempsey

Kathleen A. Martin
Kathleen A. Martin

STATE OF Idaho)
COUNTY OF Teton)
SS.

On this 31st day of March, 2014, before me, a Notary Public in and for said State, personally appeared **Colby W. Dempsey and Kathleen A. Martin**, 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.



Teresa K. Mangum
Notary Public for the State of Idaho
Residing at: Driggs ID
My Commission Expires: 07-24-2015



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

July 7, 2017

C.L. "BUTCH" OTTER
Governor

Thomas H Toxby
5200 N 1100 E
Tetonia ID 83452

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 22-13620

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 01