

RECEIVED

APR 17 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED DE

APR 13 2017

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

DEPARTMENT OF
WATER RESOURCES

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?
74-474	Yes ☒	Yes ☐		Yes ☐	Yes ☐
74-15936	Yes ☒	Yes ☐		Yes ☐	Yes ☐
74-16105	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-16106	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: James Wagner
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Joshua Holloway Morgan King
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 2046 Beth St. Pocatello ID 83201
Mailing address City State ZIP
- (208) 286-8015 josh-j-holloway@yahoo.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: 24 March, 2017
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 #

74-474

8. Signature: [Signature] 4/10/2017
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 4/10/2017
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date 4-13-17 Receipt No. E042912 Receipt Amt. 200

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 _____ Processed by [Signature] Date 5-2-17

346935

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by MARILYN TOGNINALI, as Personal Representative of the Estate of DONEL C. WAGNER, deceased, Grantor, to JOSHUA HOLLOWAY, a single person and MORGAN KING, a single person, whose address is 2046 Beth Street, Pocatello, Idaho 83201, Grantees;

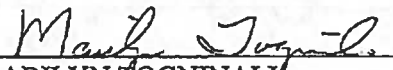
WHEREAS, pursuant to an Order of the Magistrate's Court of Lemhi County, Idaho, in the estate of the above-named deceased, filed as Lemhi County Case No. CV-2014-343, confirming on the Grantor the powers and authority granted to Personal Representatives under the Uniform Probate Code of the State of Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee Joshua Holloway and Morgan King, a parcel of land lying in Salmon, County of Lemhi, State of Idaho, more particularly described as:

SEE ATTACHED EXHIBIT "A"

with all thereto appurtenances and subject to all easements and restrictions of record.

EXECUTED this 21st day of March, 2017.

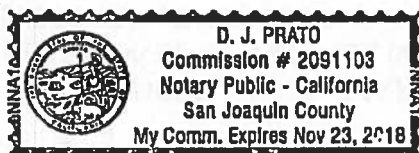


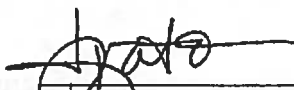
MARILYN TOGNINALI
Personal Representative of the Estate
of Donel C. Wagner

STATE OF CALIFORNIA)
)ss
County of San Joaquin)

On this 21st day of March, 2017, before me, the undersigned, a notary public in and for said state, personally appeared, Marilyn Togninali, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Donel C. Wagner, deceased, and acknowledged to me that she executed the same as Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.





NOTARY PUBLIC FOR CALIFORNIA
My Commission Expires: 11/23/2018

346935

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by MARILYN TOGNINALI, as Personal Representative of the Estate of DONEL C. WAGNER, deceased, Grantor, to JOSHUA HOLLOWAY, a single person and MORGAN KING, a single person, whose address is 2046 Beth Street, Pocatello, Idaho 83201, Grantees;

WHEREAS, pursuant to an Order of the Magistrate's Court of Lemhi County, Idaho, in the estate of the above-named deceased, filed as Lemhi County Case No. CV-2014-343, confirming on the Grantor the powers and authority granted to Personal Representatives under the Uniform Probate Code of the State of Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee Joshua Holloway and Morgan King, a parcel of land lying in Salmon, County of Lemhi, State of Idaho, more particularly described as:

SEE ATTACHED EXHIBIT "A"

with all thereto appurtenances and subject to all easements and restrictions of record.

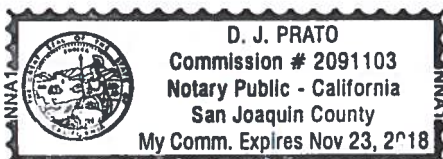
EXECUTED this 21st day of March, 2017.

Marilyn Togninali
MARILYN TOGNINALI
Personal Representative of the Estate
of Donel C. Wagner

[illegible]

On this 21st day of March, 2017, before me, the undersigned, a notary public in and for said state, personally appeared, Marilyn Togninali, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Donel C. Wagner, deceased, and acknowledged to me that she executed the same as Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



NOTARY PUBLIC FOR CALIFORNIA
My Commission Expires: 11/23/2018

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

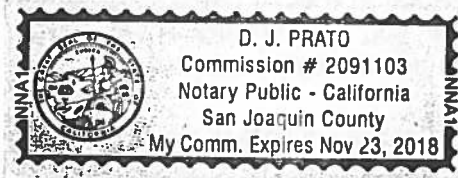
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of San Joaquin)
 On March 21, 2017 before me, DJ Prato, Notary Public,
 Date Here Insert Name and Title of the Officer
 personally appeared Marilyn Tognenali
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

EXHIBIT "A"

Parcel I:

A parcel of land located in the Northwest 1/4, Section 14, T. 20 N., R. 23 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the Northwest Corner of Section 14, from which the West 1/4 corner of said Section 14 bears S. 00° 11' 24" E. a distance of 2628.20 ft., the basis of bearing of this description, run thence S. 00° 11' 24" E. along the westerly boundary of said Section 14 a distance of 185.12 ft.;

Thence N. 54° 35' 30" E. a distance of 17.27 ft.;

Thence S. 19° 42' 04" E. a distance of 59.34 ft.;

Thence S. 17° 39' 57" E. a distance of 153.23 ft. to a point on the easterly right-of-way of Red Rock Stage Road and the point of beginning;

Thence N. 54° 35' 30" E. a distance of 200.89 ft.;

Thence S. 41° 00' 27" E. a distance of 689.96 ft.;

Thence N. 75° 48' 39" E. a distance of 593.63 ft. to a point on the centerline of the Lemhi River;

Thence S. 51° 17' 00" E. along said centerline a distance of 871.14 ft.;

Thence S. 31° 10' 23" W. a distance of 385.60 ft.;

Thence West a distance of 1529.48 ft. to a point on the easterly right-of-way of Red Rock Stage Road;

Thence the following courses along said right-of-way;

N. 04° 41' 11" W. 228.56 ft.; N. 06° 29' 57" W. 504.17 ft.; N. 08° 41' 49" W. 379.36 ft.; N. 17° 39' 57" W. 31.29 ft to the point of beginning.

Parcel II:

A 40.00 ft. wide non-exclusive easement appurtenant to Parcel 2A, described above for Ingress and Egress and a stock driveway West of the following described line:

Commencing at the Northwest Corner of said Section 14, run Thence N. 47°23'56" W. a distance of 1981.80 ft. to a point at the end of an existing county road and the Easterly right-of-way of said easement and the point of beginning.

Thence the following courses and distances along said easement:

S. 44°51'42" E., 234.71 ft.;

S. 30°04'48" E., 390.71 ft.;

S. 60°06'01" E., 451.71 ft.;

S. 64°27'27" E., 199.86 ft.;

S. 40°53'47" E., 803.80 ft.;

S. 43°19'36" E., 115.83 ft.;

S. 17°38'28" E., 184.57 ft.;

S. 08°41'58" E., 379.49 ft.;

S. 06°30'18" E., 504.29 ft.

Parcel # RP20N23E143005





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 2, 2017

JOSHUA HOLLOWAY
MORGAN KING
2046 BETH ST
POCATELLO ID 83201

Re: Change in Water Right Ownership: 74-474 (Split into 74-474 and 74-16105) and 74-15936 (Split into 74-15936 and 74-16106)

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water right, then no further action is required at this time.

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 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.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 74



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 2, 2017

JAMES W WAGNER
216 RED ROCK STAGE RD
SALMON ID 83467

Re: Change in Water Right Ownership: 74-474 (Split into 74-474 and 74-16105) and 74-15936 (Split into 74-15936 and 74-16106)

Dear Water Right Holder(s):

We have received and processed a Change of Ownership for a portion of your original Water Right as referenced above. This change of ownership resulted in a split of your original water right.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is issued to the new owner representing their portion of the original water right. Each water right contains only the portion of the original right for each separate owner. The original water right number reflects your remaining portion of the water right, after the change of ownership. Enclosed is a copy of this water right for your records. Please refer to your water right number when corresponding with our office.

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 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.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Water District No. 74

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, May 02, 2017 10:40 AM
To: 'RICK375@CENTURYTEL.NET'
Subject: ownership split and update of ownership
Attachments: DOC002

Water right 74-474 was split into 74-474 and 74-16105 and 74-15936 was split into 74-15936 and 74-16106 and the ownership of 74-16105 and 74-16106 is in the name of Joshua Holloway and Morgan King. If you have any questions, please contact me.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*