

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 04 2015

DEPT OF WATER RESOURCES
SOUTHERN 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?
36-8379	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-7460AB	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-10654	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-10020	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: _____

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): John B. Toledo and Marie R. Toledo

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/or

2502 W. Kuna Cave Road

Kuna

ID

83634

Mailing address

City

State

ZIP

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: _____

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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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: John B. Toledo

Signature of new owner/claimant

Title, if applicable

05/29/2015

Date

Signature: Marie R. Toledo

Signature of new owner/claimant

Title, if applicable

05/29/2015

Date

For IDWR Office Use Only:

Received by DM Date 6-4-2015 Receipt No. 5034818 Receipt Amt. \$100-
 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 _____ Date SUPPORT DATA

36-7460AB

Instrument # 251653

GOODING COUNTY, GOODING, IDAHO
06-01-2016 14:30:07 No. of Pages: 7
Recorded for: TITLEONE - JEROME
DENISE GILL Fee: \$28.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

WARRANTY DEED

FOR VALUE RECEIVED,

ROCHA DAIRY, LLC, an Idaho limited liability company, the "Grantor", does hereby grant, bargain, sell and convey unto **JOHN B. TOLEDO and MARIA R. TOLEDO**, husband and wife, whose address is 2502 W Kuna Cave Rd., Kuna, ID 83634-5070, the "Grantees", the following described premises located in Gooding County, Idaho, to wit:

PARCEL 1:

**TOWNSHIP 8 SOUTH RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 10: W $\frac{1}{2}$ NE $\frac{1}{4}$

PARCEL 2:

**TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 10: SE $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:

Beginning at the Southeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10;
Thence North 749.59 feet along the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence West 50.00 feet;
Thence South 39°00'49" West, 898.18 feet;
Thence South 0°9'31" West, 50.00 feet to the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°50'29" East, 615.55 feet to THE POINT OF BEGINNING.

PARCEL 3:

**TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 10: That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Beginning at the Southeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10;
Thence North 749.59 feet along the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence West 50.00 feet;
Thence South 39°00'49" West, 898.18 feet;
Thence South 0°9'31" West, 50.00 feet to the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°50'29" East, 615.55 feet to THE POINT OF BEGINNING.

WARRANTY DEED

FOR VALUE RECEIVED,

ROCHA DAIRY, LLC, an Idaho limited liability company, the "Grantor", does hereby grant, bargain, sell and convey unto **JOHN B. TOLEDO and MARIA R. TOLEDO**, husband and wife, whose address is 2502 W Kuna Cave Rd., Kuna, ID 83634-5070, the "Grantees", the following described premises located in Gooding County, Idaho, to wit:

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**TOWNSHIP 8 SOUTH RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 10: W $\frac{1}{2}$ NE $\frac{1}{4}$

PARCEL 2:

**TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 10: SE $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:

**Beginning at the Southeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10;
Thence North 749.59 feet along the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence West 50.00 feet;
Thence South 39°00'49" West, 898.18 feet;
Thence South 0°9'31" West, 50.00 feet to the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°50'29" East, 615.55 feet to THE POINT OF BEGINNING.**

PARCEL 3:

**TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 10: That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

**Beginning at the Southeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10;
Thence North 749.59 feet along the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence West 50.00 feet;
Thence South 39°00'49" West, 898.18 feet;
Thence South 0°9'31" West, 50.00 feet to the Southerly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°50'29" East, 615.55 feet to THE POINT OF BEGINNING.**

PARCEL 4:

**TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 10: S½SW¼, EXCEPTING THEREFROM the following described parcel of land:

Beginning at the Southwest corner for Section 10;

Thence North 0°00'23" East, 545.26 feet along the Westerly boundary of Section 10 to THE TRUE POINT OF BEGINNING;

Thence North 0°00'23" East, 755.41 feet along the Westerly boundary of Section 10 to the Northwest corner of S½SW¼;

Thence South 89°39'11" East, 628.94 feet along the Northerly boundary of S½SW¼;

Thence South 39°55'33" West, 980.08 feet to THE TRUE POINT OF BEGINNING.

TOGETHER WITH an irrigation pipeline easement being the Northerly 15.00 feet of the S½SW¼, as created by Warranty Deed recorded May 12, 1994 as Instrument Number 156993, Gooding County records.

PARCEL 5:

**TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 10: E½NE¼;

EXCEPTING THEREFROM that part of the NE¼NE¼, described as follows:

Commencing at the Northeast corner of said Section 10, from which the East one quarter (E¼) corner of said Section 10 bears South 00°02'56" West 2642.59 feet from said Northeast corner of Section 10 being the TRUE POINT OF BEGINNING;

Thence South 00°02'56" West along the East boundary of the Northeast Quarter of said Section 10 for a distance of 266.00 feet;

Thence South 88°37'14" West for a distance of 258.08 feet;

Thence North 00°02'56" East parallel with the East boundary of the Northeast Quarter of said Section 10 for a distance of 273.00 feet to a point on the North boundary of the Northeast Quarter of said Section 10;

Thence South 89°49'31" East along the North boundary of the Northeast Quarter of said Section 10 for a distance of 258.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide County road easement along the North and East boundaries of the before described parcel.

PARCEL 6:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN GOODING COUNTY, IDAHO

Section 10: NW¼

PARCEL 7:

**TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 11: NE¼SE¼;

Together with all water rights appurtenant thereto, including but not limited to Water Right Nos. 36-7460AB; 36-8379; 36-10020; 36-10654; and 594.55 shares of stock in the North Side Canal Company, Ltd.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantor does hereby covenant to and with the said Grantees, that it is the owner of said premises; that it will warrant and defend the same from all

lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

1. Taxes, including any assessments collected therewith, for the year 2015 which are a lien not yet due and payable.
2. Liens, levies and assessment of any and all irrigation districts, including but not limited to the North Side Canal Company and its rights, powers, and easements of said company as provided by law. (2015 assessment is due and payable)
3. Right-of-way for canals, laterals and waste ditches and the rights of access thereto for maintenance of said North Side Canal Company, Ltd.
4. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company, a corporation
Purpose: Public Utilities
Recorded: March 6, 1940
Book 4 of Miscellaneous at Page(s) 390, as Instrument No. 76326
(Parcel No. 1)
5. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company, a corporation
Purpose: Public Utilities
Recorded: April 23, 1940
Book 6 of Page(s) 398, as Instrument No. 77064
(Parcels No. 2 through 5)

6. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: March 8, 1950

Book 6 at Page(s) 498, as Instrument No. 111115

(Parcels 2 through 5)

7. Terms and conditions of an Agreement by and between Ross D. McCloud and Kathryn McCloud, husband and wife, first party, and Don H. Turner, an unmarried man, second party, and Mary J. Hughes, a widow, third party, dated July 21, 1955, recorded July 23, 1955 as Instrument Number 127763, Gooding County records, pertaining to the maintenance and drainage of a waste ditch affecting the NE¼SE¼ of Section 10, Township 8 South, Range 15, East Boise Meridian, and other property.

(Parcels 2 through 5)

8. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: March 1, 1966

Instrument No.: 17491

(Parcel No. 6)

9. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: November 15, 1976

Instrument No.: 61945

(Parcel No. 1)

10. Rights of public roads which affect the Easterly 25.00 feet and the Southerly 25.00 feet as contained in Warranty Deed dated March 16, 1981, recorded March 20, 1981 as Instrument Number 88363, Gooding County records. (Parcels 2 through 5)

11. Rights of a county road which affects the Westerly 25.00 feet as contained in Warranty Deed dated May 16, 1988, recorded May 19, 1988 as Instrument Number 132229, Gooding County records. (Parcel No. 4)

12. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: January 31, 1989

Instrument No.: 135359

(Parcels No. 2 through 5)

13. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: October 10, 1989

Instrument No.: 138335

(Parcels No. 2 through 5)

14. Grant of Easement for irrigation purposes from Webber Family Trust to J. Ray Evers and Darlene A. Evers, husband and wife, as recorded August 21, 1992 as Instrument Number 149806, Gooding County records. (Affects Parcel No. 4)

15. Easement for irrigation pipeline as set forth in Warranty Deed dated May 11, 1994, recorded May 12, 1994 as Instrument Number 156993, Gooding County records.

16. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

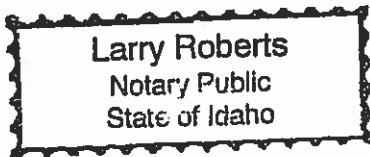
Recorded: August 29, 1997

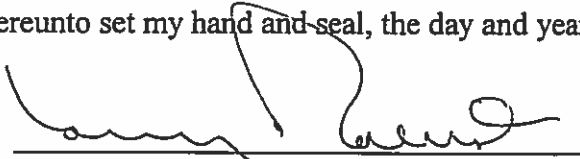
Instrument No.: 172174

STATE OF IDAHO)
)
 ss:
County of Jerome)

On this 29th day of May, 2015 before me, the undersigned, a Notary Public in and for said County and State, personally appeared BARBARA ROCHA as Member of ROCHA DAIRY, LLC, an Idaho limited liability company, known to me to be such member and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same on behalf of the Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

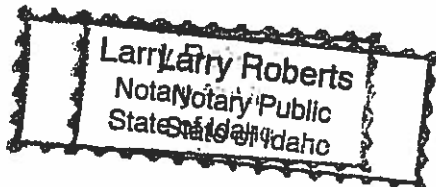



NOTARY PUBLIC for Idaho
Residing at: Turn Falls, ID
Commission Expires: 6-30-15

STATE OF IDAHO)
)
 ss:
County of Jerome)

On this 29th day of May, 2015 before me, the undersigned, a Notary Public in and for said County and State, personally appeared DENNIS COELHO as Member of ROCHA DAIRY, LLC, an Idaho limited liability company, known to me to be such member and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of the Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

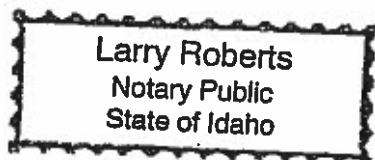


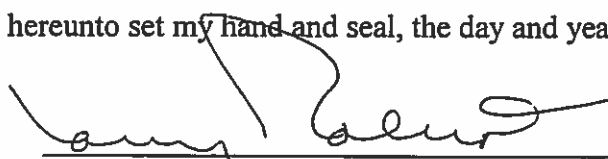

NOTARY PUBLIC for Idaho
Residing at: Turn Falls, ID
Commission Expires: 6-30-15

STATE OF IDAHO)
 ss:
County of Jerome)

On this 29th day of May, 2015 before me, the undersigned, a Notary Public in and for said County and State, personally appeared DOLORES COELHO as Member of ROCHA DAIRY, LLC, an Idaho limited liability company, known to me to be such member and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same on behalf of the Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.





NOTARY PUBLIC for Idaho
Residing at: Turn Falls, ID
Commission Expires: 6-30-15



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 8, 2015

JOHN TOLEDO
MARIA TOLEDO
2502 W KUNA CAVE RD
KUNA ID 83634

RE: Change of Ownership for Water Right Nos. 36-8379, 36-7460AB, 36-10020, 36-10654

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). 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 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,

A handwritten signature in dark ink, appearing to read 'Trish Fawcett', is written over a light blue horizontal line.

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: TitleOne

RECEIVED

JUN 04 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION



TitleOne
a title & escrow co.

June 2, 2015

Trish Fawcett
ID Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Dear Trish:

Enclosed with this letter please find the following:

1. The original executed Notice of Change in Water Right Ownership on John B. Toledo and Marie R. Toledo.
2. A copy of the recorded Warranty Deed.
3. Land Title and Escrow's check no. 3228 payable to Idaho Department of Water Resources in the amount of \$100.00 for the filing fee.

Please make the necessary changes in the records to indicate the new owners as John B. Toledo and Marie R. Toledo. Please send a receipted copy to this office.

Should you have any questions, please do not hesitate to contact this office.

Very truly yours,
TITLEONE

Nancy Garrett
Administrative Assistant

LR/nrg
Enc.