

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 28 2014

Notice of Change in Water Right Ownership

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
29-299 OK	Yes ☐		Yes ☐		Yes ☐
29-10298 OK	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Kila Colling

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Pecky R. Baden - Robert Colling - Connie Johnson

Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and

☐ or

☐ and/or

Mailing address

11716 S. Dempsey CK RD

ID.

83246

City

State

ZIP

LAVA HOT Springs

Travellette-ph@msn.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: _____

6. 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.

SUPPORT DATA

IN FILE # 29-299

7. Signature:

Robert E Colling

Signature of new owner/claimant

Title, if applicable

Date

07/28/2014

- Signature:

Connie Johnson

Signature of new owner/claimant

Title, if applicable

Date

07/28/2014

For IDWR Office Use Only:

Received by

[Signature]

Date

7/28/2014

Receipt No.

E040097

Receipt Amt.

\$50.-

Approved by

[Signature]

Processed by

[Signature]

Date

9/9/2014

Connie R. Johnson
550 Richland Ave.
Pocatello, Id. 83201

Ph. (208) 479-8401

Robert E. Colling
(Robin)
920 Dolbeer St.
Pocatello, Id. 83204

Ph (208) 221-0446 cell
Ph (208) 233-3450 house

Peggy A. Baker
11716 S. Dempsey Crk. Rd.
Lava Hot Springs, ID.
83246

Question Legal

21406437

OFFICIAL RECORD BK# 979
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE 22 DEPUTY *Don*

Jones Chartered

21406437

2014 MAY 22 A 9:10

51

DEED OF DISTRIBUTION
BY
PERSONAL REPRESENTATIVE

THIS DEED is made by Kenneth L. Colling as Personal Representative of the Estate of Lila M. Colling, Deceased, Grantor, to Robert E. Colling, Peggy A. Baker and Connie R. Johnson, Grantee, as tenants in common and not as joint tenants with rights of survivorship with the ownership percentages to be as follows:

Robert E. Colling	-	one-third
Peggy A. Baker	-	one-third
Connie R. Johnson	-	one-third

whose current address is c/o Meyers Law Office, P O Box 4747, Pocatello, Idaho 83205.

WHEREAS, Grantor was duly appointed Personal Representative of the Estate of Lila M. Colling, Deceased, by the Magistrate Division of the District Court of Bannock County, Idaho, in Probate Case No. CV-2011-556-IE and is now qualified and acting in said capacity; and

WHEREAS, the Grantee is determined to be the person entitled to distribution of the hereinafter-described real property, and Grantor is authorized to distribute the same to Grantee;

NOW, THEREFORE, Grantor conveys and releases to Grantee the following-described real property:

See attached exhibit for Description 2 division of Colling Estate.

together with all tenements, hereditaments and appurtenances thereof belonging, but subject to easements and restrictions of record. ANY STRUCTURES, IF ANY, ARE NOT INCLUDED

IN THIS CONVEYANCE.

All Bannock County development rights for the SW1/4SE1/4 of Section 35, Township 6 South, Range 36 EBM shall go to Grantees herein; however none of the development rights for

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the NW1/4SE1/4 of Section 35, Township 6 South, Range 36 EBM shall go to Grantees herein.

DATED this 27 day of January, 2018.

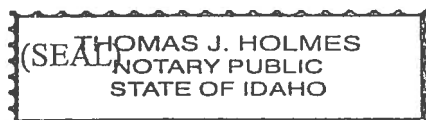
Estate of Lila M. Colling, Deceased

By: Kenneth L. Colling
Kenneth L. Colling
Personal Representative

STATE OF IDAHO)
 :SS
County of Bannock)

On this 27 day of January, 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared Kenneth L. Colling, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Lila M. Colling, Deceased, and acknowledged to me that he executed the same as such Personal Representative of the Estate of Lila M. Colling, Deceased.

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



[Signature]
NOTARY PUBLIC - STATE OF IDAHO
My Commission Expires: _____

RESIDING AT POCA TELLO, ID
MY COMMISSION EXPIRES FEB. 16, 2018

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Description 2 division of Colling Estate.

A parcel of land containing 318 acres more or less, lying in Section 35, Township 6 South, Range 36 East of the Boise Meridian, and Section 2, Township 7 South, Range 36 East of the Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Commencing at the East 1/4 corner of Section 35, Township 6 South, Range 36 East Boise Meridian, Bannock County, Idaho, the **True Point of Beginning**; Thence, North 89°48'02" West along the Latitudinal center line of Section 35, a distance of 1310.74 feet to the East 1/16 corner of Section 35;

Calls 1 through 20 divide the original Lila Colling estate

1. Thence, along an existing fence line, (calls 1 trough 6), South 23°29'28" West, a distance of 377.16 feet;
2. Thence, South 15°11'16" East, a distance of 170.23 feet;
3. Thence, South 12°45'52" West, a distance of 96.99 feet;
4. Thence, South 30°29'56" West, a distance of 873.57 feet;
5. Thence, South 35°29'04" West, a distance of 1249.65 feet;
6. Thence, South 33°23'41" West, a distance of 16.70 feet, to a point on the Meridional center line of Section 35, point being North 00°34'10" West, a distance of 249.75 feet from the South 1/4 corner of Section 35;
7. Thence, continuing South 33°23'41" West, a distance of 299.31 feet, to a point on the South line of Section 35, point being South 89°56'52" West, 167.22 feet from the South 1/4 corner of Section 35;
8. Thence, continuing South 33°23'41" West, a distance of 255.25;
9. Thence, South 27°42'53" West a distance of 737.74 feet;
10. Thence, South 22°06'33" West, a distance of 524.70 feet;
11. Thence, South 11°32'44" West, a distance of 264.24 feet, point being on the Westerly side of the existing cattle guard;
12. Thence, along center line of Saw mill Cr. Rd. (Calls 12 through 20), South 05°05'53" East, a distance of 165.69 feet;
13. Thence, South 01°45'20" East, a distance of 205.93 feet;
14. Thence, south 05°42'40" West, a distance of 161.35 feet;
15. Thence, South 22°42'29" West, a distance of 130.22 feet;
16. Thence, South 47°59'16" West, a distance of 172.18 feet;
17. Thence, South 66°35'24" West, a distance of 144.54 feet;
18. Thence, South 71°52'34" West, a distance of 91.18 feet;
19. Thence, South 78°10'30" West, a distance of 165.43 feet, to a point on the Latitudinal Centerline of Section 2;

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20. Thence, along the Latitudinal Centerline North $88^{\circ}38'32''$ West, a distance of 140.81 feet, point also being on the Easterly Right of Way line of Rapid Creek Road;

Thence, continuing along the Latitudinal centerline, North $88^{\circ}38'32''$ West, a distance of 60.38 feet to a point on the Westerly Right of way of Rapid Creek Road, point being North $88^{\circ}38'32''$ West, 179.32 feet, from the West 1/16 corner of section 2, said point being on a 1050.24 foot radius non tangent curve concave to the South whose center bears North $82^{\circ}04'06''$ West, through a central angle of $11^{\circ}29'00''$ an arc distance of 210.49 feet to the point of tangency;

Thence, continuing along said Right of Way, South $19^{\circ}24'54''$ West, a distance of 178.63 feet to a point, said point being on a 527.41 foot radius tangent curve concave to the South whose center bears South $70^{\circ}35'06''$ West, through a central angle of $36^{\circ}42'11''$ an arc distance of 337.85 feet to the point of tangency;

Thence, continuing South $17^{\circ}17'18''$ East along the westerly Right of Way of Rapid Creek Road, a distance of 549.06 feet to a point on the South 1/16 line of Section 2, point being South $87^{\circ}38'28''$ East, a distance of 247.29 feet from the South West 1/16 corner of Section 2;

Thence, along the South 1/16 line, South $87^{\circ}38'20''$ East, a distance of 1070.63 feet, to the South 1/16 corner of section 2;

Thence, continuing, South $87^{\circ}38'20''$ East, a distance of 1321.20 feet to the South East 1/16 corner of section 2;

Thence, along the East 1/16 line, North $00^{\circ}35'17''$ East, a distance of 1269.47 feet, to the East 1/16 corner of section 2;

Thence, continuing along the East 1/16 line, North $00^{\circ}35'17''$ East, a distance of 1253.34 feet to the North East 1/16 corner of section 2;

Thence, along the North 1/16 line, South $89^{\circ}25'07''$ East, a distance of 1312.41 feet to the North 1/16 on the East line of section 2;

Thence, North $00^{\circ}29'11''$ East, along the East line of Section 2, a distance of 1304.40, to the North East corner of Section 2;

Thence, South $89^{\circ}48'58''$ East, a distance of 506.29 feet, to the South East Corner of Section 35;

Thence, North $00^{\circ}29'47''$ West, along the East line of Section 35, a distance of 1321.42 feet, to the South 1/16 corner on the East line of Section 35;

Thence, continuing North $00^{\circ}29'47''$ West, continuing along the East line of section 35, a distance of 1321.42 feet, to the East 1/4 Corner of Section 35, the **True Point of Beginning**.

COPY

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Kirk B. Hadley, Esq., ISB No.: 3864
RACINE, OLSON, NYE, BUDGE
& BAILEY, Chartered
P. O. Box 1391
Pocatello, Idaho 83204-1391
Telephone: (208) 232-6101
Fax: (208) 232-6109

BANNOCK COUNTY
CLERK OF THE COURT

2011 FEB 10 AM 11:17

BY _____
DEPUTY CLERK

21406437

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR THE COUNTY OF BANNOCK

In the matter of the Estate of:)

LILA M. COLLING,)

Deceased.)

CV11- 556 IE

Case No. CV-2011- _____ -IE

LETTERS TESTAMENTARY

1. KENNETH L. COLLING was duly appointed and qualified as General Personal Representative of the estate of the above-named decedent on this day, by the Court with all authority pertaining thereto.

2. Administration of the estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of the said personal representative.

FEB 10 2011

WITNESS, my signature and the Seal of this Court, this ____ day of February, 2011.

Raymond B. Jr.
MAGISTRATE JUDGE

LETTERS TESTAMENTARY

STATE OF IDAHO }
County of Bannock } ss.

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 ____ day of ____ 20__

CLERK OF THE DISTRICT COURT,
BANNER DIVISION

By Deputy *[Signature]*

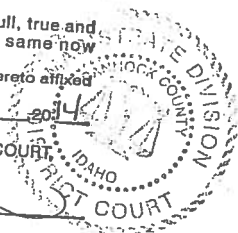
STATE OF IDAHO }
County of Bannock } ss.

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 20 day of May 2014

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

By Deputy *[Signature]*



14	S 05°42'40" W	181.35	L44	N 57°42'38" W	119.55'	20024
15	S 22°42'29" W	130.22	L45	N 37°35'28" E	86.31'	20204
16	S 47°59'16" W	172.18	L46	N 28°23'57" E	203.90'	20813
17	S 86°35'24" W	144.54				
18	S 71°52'34" W	91.48				
19	S 79°10'30" W	165.43				
20	S 86°35'32" E	140.51				

NOTES:

1. THE BOUNDARY DEPICTED ON THIS MAP IS AN ACCURATE REPRESENTATION OF THE LILA COLLINGS ESTATE RE SP 95-50078.
2. THE LOCATION OF THE NORTH EAST CORNER OF SECTION 35 ORIGINAL PLAT OF NW COR SECTION 36 T8S R37 E 1901 IS 9.81 FOR THE SAME CORNER SECTION 17S R37E 1900 SURVEY IS RECORD OF SURVEY BY SNAKE RIVER SURVEYING, DEED NO. 2004446. DUE TO THE INCONSISTENCIES OF THE SINGLE PROPORTION, THE LOCATION OF THE NE CORNER OF SECTION 35 T8S R36 EBM AND T7S R36 EBM, I AM EXCEPTING SNAKE RIVER LOCATION OF THE NE CORNER OF SECTION 2 T7S R38E.
3. AN AGREEMENT WAS MADE BETWEEN COLLINGS AND ROBI BOUNDARY WAS THE WESTERLY SIDE OF RAPID CREEK ROAD.
4. I RECEIVED TESTIMONY FROM BOTH KEN COLLINGS AND TEF THE ORIGINAL LAND OWNERS. THEY BOTH TOLD ME THAT THEIR FATHERS HAD MADE VERBAL AGREEMENTS AND HAND SHAKE ALONG THE COMMON BOUNDARIES OF THESE PROPERTY FOR FENCING PURPOSES. I SUGGESTED IT WOULD BE GOOD TO GET DOWN IN WRITING.

SURVEYORS CERTIFICATE:

I, JEFFERY S. HULL A REGISTERED LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME, IN CONFORMANCE WITH THE REQUIREMENTS OF CHAPTER 19, TITLE 55, IDAHO CODE.

JEFFERY S. HULL DATE
PLS - 10582

INSTRUMENT NO. _____

DATE: _____

TIME _____ BOOK _____ PAGE _____

RECORDED IN THE RECORDS OF BANNOCK COUNTY, STATE OF IDAHO.

COUNTY RECORDER

DOUBLE H SURVEYING AND MAPPING		FOR P DEED DATE JUL DWS PLS
JEFFERY S. HULL 740 TERRY INKOM IDAHO 775-4505		

