

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 30 2013

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-8025 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: OTR AN OHIO GENERAL PARTNERSHIP C/O RODNEY MOORE

Name of current water right holder/claimant

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

Name of each new owner as listed on the conveyance document

JoAnne Toevs

New owner continued

Name connector

☐ and

☐ or

☒ and/or

2841 West 1800 South

Mailing address

Aberdeen

Idaho

83210

City

State

ZIP

208-604-2599

Telephone

Email

wrtuevs@gmail.com

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: 12/10/2002

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.

7. Signature: William R Toevs
Signature of new owner/claimant

Title, if applicable

Date

01/20/2013

Signature: Joanne L Toevs
Signature of new owner/claimant

Title, if applicable

Date

01/20/2013

For IDWR Office Use Only

Received by

Date

1/30/2013

Receipt No.

E038373

Receipt Amt.

\$125. -

Approved by

Processed by

Date

2/25/2013

\$25. - for this app



0 500 1,000 2,000 Feet

TOEVS FARM
WATER RIGHTS REVIEW
NAIP 2011 AERIAL

- Legend**
- WR_POD_35-8025
 - WR_POU_35-8025
 - township
 - ladesec
 - Sections

B46585

SPECIAL WARRANTY DEED

For Value Received OTR, an Ohio General Partnership
 Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
WILLIAM R TOEVS AND JOANNE L TOEVS, husband and wife
 whose address is: 2841 WEST 1800 SOUTH, ABERDEEN, IDAHO 83210,

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:
 Township 6 South, Range 31 E.B.M., Bingham County, Idaho

Section 20: SW 1/4

Except the following described parcel:

A tract of land in the SE 1/4 SW 1/4 of Section 20, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, described as follows: Beginning at the intersection of the latitudinal centerline and the Northerly right-of-way of Gambill Road, from which the 1/4 corner common to Sections 20 and 29 bears S. 0°03'39" W. 25.00 feet and is marked by a 1/2" rebar with plastic cap marked PLS 843; thence along said Northerly right-of-way, N. 89°36'28" W. 847.51 feet; thence leaving said right-of-way, from a tangent bearing N. 70°55'28" E. along a curve to the left, having a radius of 1412.00 feet, through a central angle of 48°59'34", for an arc length of 1207.38 feet to the latitudinal centerline; thence along said centerline S. 0°03'39" W. 812.88 feet to the Point of Beginning.

ALSO an easement 30.00 feet in width, for ingress and egress being 15.00 feet on each side of the following described centerline: Commencing at the 1/4 corner common to Sections 20 and 29, Township 6 South, Range 31 E.B.M., Bingham County, Idaho; thence along the latitudinal centerline N. 0°03'39" E. 25.00 feet to the Northerly right-of-way of Gambill Road; thence along said right-of-way N. 89°36'28" W. 894.64 feet to the True Point of Beginning; thence leaving said right-of-way, from a tangent bearing N. 72°44'30" E. along a curve to the left, having a radius of 1397.00 feet, through a central angle of 52°24'11", for an arc length of 1277.70 feet to a point that intersects the latitudinal centerline of said Section 20.

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 their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises. The Grantor warrants that said premises are free and clear of all encumbrances suffered or created by the Grantor, except such warranty does not apply to all taxes, assessments, and charges to be paid by the Grantee and any lien or encumbrance revived or placed on said premises by, through or under the Grantee, his heirs and assigns.

Dated December 8, 2002

OTR, an Ohio Gen Partnership

BY: Rodney H Moore
 Rodney H Moore, Director for
 UBS AgriVest LLC, its attorney-in-fact

STATE OF IDAHO

COUNTY OF Canyon

)ss.

On this 10th day of December, 2002, before me the undersigned, personally appeared Rodney H Moore, Member of UBS AgriVest LLC, known or identified to me (or proved to me on the oath of), to be the person whose name is subscribed to the within instrument as the attorney in fact of OTR, an Ohio general partnership, and acknowledged to me that he subscribed the name of OTR, an Ohio General Partnership, and his own name as attorney in fact.

Darlyn A. Barium
 Notary Public of Idaho
 Residing at: Hammer, ID
 Commission Expires: 11-11-05



BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that on this 9th of DECEMBER, 2002, STATE, of IDAHO, County of Bingham, State of the party of the first part, for and in valuable consideration, to it in hand paid by OTR, an Ohio General Partnership, the party of the second part, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto said party of the second part, its heirs and assigns, the following property:

1 - 100 HP ELECTRIC MOTOR, SN - UNKNOWN
 1 - VERTICAL TURBINE PUMP, MAKE & SN - UNKNOWN
 APPROXIMATELY 1/4 MILE, 8" BURIED STEEL MAINLINE
 APPROXIMATELY 1/4 MILE, 8" PVC MAINLINE TO PIVOT
 1 - VALLEY PIVOT, 8 TOWER WILLOW PRESSURE DROPS AND ROTATOR HEADS
 PORTABLE SOLID SET FOR TWO WEST CORNERS - 4" BALL AND SOCKET, CENTER RISER

To Have and to Hold, the same unto the said party of the second part, its heirs and assigns forever; and the said party of the first part hereby covenants that it is the lawful owner of said property, have good right, full power and lawful authority to convey the same, and that it will defend the title thereto against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand the day and year first above written.

 WILLIAM R TOEVS

 JOANNE L TOEVS

Rodney H Moore

 RODNEY H MOORE, DIRECTOR FOR UBS AGRIVEST LLC,
 its attorney-in-fact