

Completed 9/21/11 JRC

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

- Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-11414	parent	✓	22-14016	Remaining Port.	
22-13977		✓	22-14017	Tolbert	

- The following **REQUIRED** information must be submitted with this form:
 - The appropriate **FILING FEE**. See instructions for fee amounts.
 - A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) The Foster Family Trust
PO Box 404
Driggs ID 83422

4. New Owner/Claimant(s) Rhonda Tolbert
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 3926 S 1000 W

City, State and ZIP Code Victor ID 83455

New Telephone Number (208) 354-1522 Email: RTolbert@Silverstar.com

5. Date you acquired the property

August 18, 2003

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Shonda Smith owner

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:
 Received by JB
 Received by JB
 Processed by _____ AJ

 Date 9/2/2010
 Date 9/2/2010
 Date _____

 Receipt Amt. \$100.00
 Receipt No. E036090
 WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary. Please attach additional sheets to the form if you require additional space to describe or explain any of the questions on the form.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Line 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office if you would like more information or need help completing this form (a list of our offices are listed on page 2 of these instructions), or call 1-800-451-4129. Water right information can be found on the Department's website using the "On-Line Data" search at: www.idwr.idaho.gov.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. IDWR cannot process this change without documentation of ownership. The preferred types of documentation are listed. Contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s).
4. Enter the name, mailing address, and telephone numbers of the new owner/claimant(s) and indicate the relationship between multiple owners by using the connector "and", "or", or "and/or" as indicated on your deed or other evidence of ownership

5. Provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip line 6 and go to line 7.**
7. The new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided.
9. When complete, retain a copy and **file the original form with the IDWR office nearest you, with copies of your ownership documents and the appropriate filing fee:**

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

- OR -

IDWR State Office
322 East Front St
Sixth Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

RECEIVED

156673

3050312143 T

AUG 18 2003

TETON CO., ID
CLERK RECORDER

WARRANTY DEED

ALLIANCE TITLE & ESCROW CORP., INC.
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422

Order No.:3050312143-T

FOR VALUE RECEIVED

Grant L. Thompson and Barbara K. Thompson, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Rhonda Tolbert, a Married Woman as Her Sole and Separate Property

whose current address is

P.O. Box 900 Victor, ID 83455

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Lot 1 of Briarwood Subdivision, Teton County, Idaho, as per the recorded plat thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 6/23/2003
Grant L. Thompson
Barbara K. Thompson

State of Idaho

County of Teton

On this June 23, 2003, before me, a Notary Public in and for said state, personally appeared Grant L. Thompson & Barbara K. Thompson

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

CARLA C. JONES
NOTARY PUBLIC
STATE OF IDAHO

Carla C. Jones
Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/1/05

156673

Instrument # 156673

DRIGGS, TETON, IDAHO
2003-08-18 03:50:53 No. of Pages: 1
Recorded for: ALLIANCE TITLE & ESCROW
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy RB
Index to: DEED, WARRANTY

RECEIVED

JUL 23 2002

TETON CO., ID
CLERK RECORDER

ALLIANCE TITLE & ESCROW CORP., INC.
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422

QUITCLAIM DEED

149241

FOR VALUE RECEIVED,

THE FOSTER FAMILY TRUST

Do(es) hereby convey, release, remise and forever quit claim un

GRANT L. THOMPSON and BARBARA K. THOMPSON, husband & wife

whose current address is:

P.O. Box 221, Victor, ID 83455

the following described premises:

Lot 1 and 2 of Briarwood Subdivision as per the recorded plat thereof, as
recorded in Teton County, Idaho.

SCRIVNER STATEMENT

Buyer(s) and Seller(s) have instructed Preparer to act as a scribe in retyping/adding information to the contract or form supplied by them. Preparer has done so as a courtesy and accepts no liability or responsibility for the drafting of said contract or form and has given the parties no legal advice.

The parties acknowledge that they have been advised by Preparer to seek legal counsel or their own choice at their own expense in connection with any aspect of this transaction. The parties understand that Preparer makes no representations or warranties as to the effect, validity or enforceability of the language.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

DATED: 7-23-02

The Foster Family Trust

By: Carol J. Foster
It's: Trustee

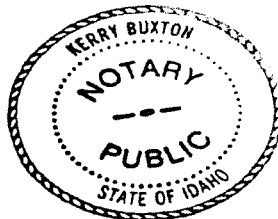
State of Idaho

}
} ss.
}

County of Teton

On this day, July 23, 2002, before me a notary public, personally appeared Carol J. Foster, known or identified to me to be the person(s) whose name(s) is(are) subscribed to the foregoing instrument as trustee(s) of The Foster Family Trust, and acknowledged to me that he/she/they executed the same as Trustee(s).

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

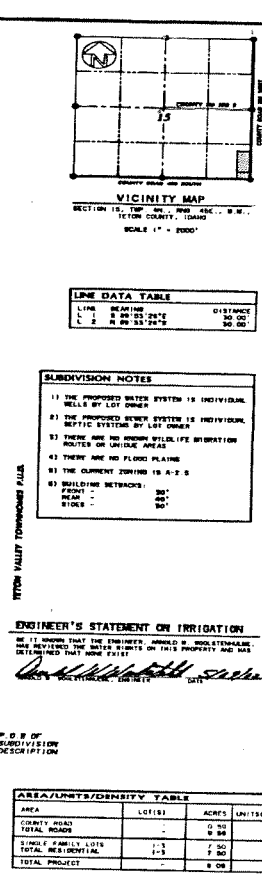


Kerry Buxton
Notary Public for the State of Idaho
Residing at: Driggs, ID
Notary Expires: 2-1-08

Instrument # 149241

DRIGGS, TETON, IDAHO
2002-07-23 09:33:15 No. of Pages: 1
Recorded for: ALLIANCE TITLE & ESCROW
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy Ed Smith
Index to: DEED, QUIT-CLAIM

149241



OWNER'S POLICY

SCHEDULE A

Order Number	Policy Number	Date of Policy	Amount of Insurance	Premium Amount
3050312143-T	72106-551939	August 18, 2003 At 3:50PM	\$274,000.00	\$938.25

1. Name of Insured:

Rhonda Tolbert

2. The estate or interest in the land which is covered by this policy is:

3. Title to the estate or interest in the land is vested in:

Rhonda Tolbert, a married woman as her sole and separate property

4. The land referred to in this policy is described as follows:

Lot 1 of Briarwood Subdivision, Teton County, Idaho, as per the recorded plat thereof.

END OF SCHEDULE A

OWNER'S POLICY

Order No: 3050312143-T

Policy No: 72106-551939

SCHEDULE B PART I

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims of easement, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

SCHEDULE B PART II

Special Exceptions:

1. Taxes, including any assessments collected therewith, for the year 2003, which are a lien not yet payable.
2. Easements, reservations, notes and/or dedications as shown on the official plat of Briarwood Subdivision.
3. Covenants, conditions and restrictions, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons as set forth in the document.
Recorded: May 16, 2002.
Instrument No.: 148140 of Official Records.
4. The provisions contained in Development Agreement for Briarwood Subdivision.
Recorded: May 16, 2002.
Instrument No.: 148139 of Official Records.

5. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Fall River Rural Electric Cooperative, Inc.
Purpose: Public Utilities.
Recorded: June 21, 2002.
Instrument No.: 148757.
6. The provisions contained in Agreement for Electric Service - Residential.
Recorded: June 24, 2002.
Instrument No.: 148817 of Official Records.
7. The provisions contained in Agreement for Electric Service (Subdivision/Development).
Recorded: June 24, 2002.
Instrument No.: 148818 of Official Records.
8. The provisions contained in Agreement for Electric Service - Residential.
Recorded: January 28, 2003.
Instrument No.: 152687 of Official Records.
9. A Deed of Trust with Adjustable Rate Rider and Prepayment Rider to Dec/Int. to secure an indebtedness in the amount shown below:
Amount: \$219,200.00.
Dated: July 31, 2003
Trustor/Grantor: Rhonda Tolbert, a married woman as her sole and separate property.
Trustee: Alliance Title & Escrow Corp.
Beneficiary: Bridge Capital Corporation
Recorded: August 18, 2003.
Instrument No.: 156675 of Official Records.
10. A Deed of Trust to secure an indebtedness in the amount shown below:
Amount: \$41,100.00.
Dated: July 31, 2003
Trustor/Grantor: Rhonda Tolbert, a married woman as her sole and separate property.
Trustee: Alliance Title & Escrow Corp.
Beneficiary: Bridge Capital Corporation
Recorded: August 18, 2003.
Instrument No.: 156676 of Official Records.

END OF SCHEDULE B

Countersigned:

Authorized Signature

Schedule 'A' Policy Shipment Report Form (Owner's)

1. Office File Number: **3050312143-T**
2. Policy Number: **72106-551939**
3. Date of Policy: **8/18/2003**
4. Amount of Insurance: **\$274,000.00**
5. Premium Amount: **\$938.25**
6. Trans Type:
7. SI Ind:
8. Inf. End
9. Rate Code:
10. Rate Code:
11. Rate Code:
12. Rate Code:
13. Rate Code:
14. Rate Code:
15. Reissue Amount: **\$150,000.00**

THIS IS NOT A BILL.
DO NOT PAY.

ASSESSMENT NOTICE

For any questions, please notify
the Assessor's office immediately.
Assessor's telephone#:(208) 354-3507

Appeals of your property value must
be filed in writing on a form provided
by the County, by:
JUNE 28, 2010

Parcel Number: RP002330000010 A