

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

NOV 05 2010

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?
29-376	Yes ☐	29-4080	Yes ☐		Yes ☐
29-377	Yes ☐	29-7316	Yes ☐		Yes ☐
29-389	Yes ☐	29-7193	Yes ☐		Yes ☐
29-390	Yes ☐		Yes ☐		Yes ☐
29-4079	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Maurice A and/or Helen G. Toler
Name of current water right holder/claimant

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

TOLER REVOCABLE TRUST

SUPPORT DATA

Name of each new owner as listed on the conveyance document

Theron M. Toler, Trustee

IN FILE # 29-376

New owner continued Address Name connector ☐ and ☐ or ☐ and/or

1924 Donner Avenue

Mailing address

Clouis

City

CA

State

93611-5267

ZIP

559-294-7682

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:

May 12, 2010

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:

Theron M. Toler
Signature of new owner/claimant

Trustee
Title, if applicable

2 Nov 10
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by JB

Date 11/5/2010

Receipt No. E036258

Receipt Amt. \$200.-

Approved by

Processed by

Date

This deed is being re-recorded
because the name of the trust
was inadvertently omitted from
the third line.

20326997

20327567

WARRANTY DEED

For Value Received Maurice A. Toler and Helen G. Toler, husband and wife, hereinafter referred to as "Grantor," whether one or more, does hereby grant, bargain, sell and convey unto Maurice A. Toler and Helen G. Toler, Trustee, or the successor Trustee, of the ^{Toler} Revocable Trust, being a trust created under instrument dated October 2, 2003, hereinafter referred to as "Grantee," whether one or more, whose current address is 231 E. Glover Road, Arimo, ID 83214, the following described premises, in Bannock County, Idaho, to wit:

See Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 2 day of October, 2003.

20326997
~~Jones Chartered~~
RECORDED AT REQUEST OF
FEE 18 DEPUTY BP
2003 OCT 6 AM 8 16
OFFICIAL RECORD BK# 839
LARRY W. CHAN RECORDER
BANNOCK COUNTY IDAHO

Maurice A. Toler
Maurice A. Toler

Helen G. Toler
Helen G. Toler

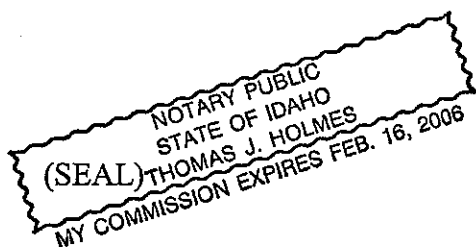
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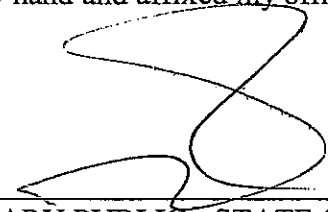
STATE OF IDAHO)
 :SS
County of Bannock)

20327567

On this 2 day of October, 2003, before me, the undersigned Notary Public, in and for said State, personally appeared Maurice A. Toler and Helen G. Toler, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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





NOTARY PUBLIC - STATE OF IDAHO
My Commission expires: _____

20326997

EXHIBIT A

20327567

The South Half of the South Half ($S_2S_2^1$); and the Northeast Quarter of the Southeast Quarter ($NE_4SE_4^1$); of Section Two (2); ALSO The East Half of the West Half ($E_2W_2^1$) of Section Eleven (11); All in Township Ten (10) South; Range Thirty Six (36) East, Boise Meridian in Idaho; EXCEPTING THEREFROM the following described parcels:

Commencing at the North Quarter Corner of Section 11, Township 10 South, Range 36 East, Boise Meridian in Idaho, thence West along the North Line of said Section 550.8 feet; thence South 25.0 feet to the point of beginning of the following described tract; Thence South 375.0 feet; thence South $77^\circ 13' W.$ 452 ft. more or less to the Easterly Right of way line of the Glover Road; thence North $0^\circ 13' E.$ along said right of way line 475.0 feet, more or less to a point 25.0 feet South of the aforesaid North line of Section 11; thence East parallel to said North line 438.9 feet, more or less to the point of beginning; Being part of the $NE_4NW_4^1$ of Section 11, Twp 10 South, Range 36 E. B.M.

20328997

EXHIBIT A

20327567

W4

$S\frac{1}{2}NW\frac{1}{4}$ $NE\frac{1}{4}SW\frac{1}{4}$, and Lots 3 and 4, Section 2, Township 10 South, Range 36 East, Boise Meridian, containing 146 acres.

$NW\frac{1}{4}SW\frac{1}{4}$, containing 38 acres, Section 2, Township 10 South, Range 36 East, Boise Meridian, EXCEPTING THEREFROM, the following:

Beginning at the South $1/16$ section corner on the west line of Section 2, Township 10 South, Range 36 East, Boise Meridian, thence East along the South $1/16$ line of said section, 435.6 feet; thence North parallel with the west boundary of said section, 200.0 feet; thence West parallel with the South $1/16$ line of said section, 435.6 feet, more or less, to an intersection with the west line of said section; thence South along the aforesaid west line 200.0 feet, more or less, to the point of beginning, containing 2.0 acres.

$SW\frac{1}{4}NE\frac{1}{4}$ $NW\frac{1}{4}SE\frac{1}{4}$, Section 2, Township 10 South, Range 36 East, Boise Meridian, containing 80 acres.

Lot 1 and $S\frac{1}{2}NE\frac{1}{4}$, Section 3, Township 10 South, Range 36 East, Boise Meridian, containing 93.64 acres.

$NW\frac{1}{4}NE\frac{1}{4}$, Section 16, Township 10 South, Range 36 East, Boise Meridian, containing 40 acres.

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EXHIBIT A

20327567

6-5

A parcel of land located in the East 1/2, Southeast 1/4, Section 10, T 10 S, R 36 E, B.M., Bannock County, Idaho, shown as Parcel #1 on Record of Survey Plat instrument no. 786856 recorded in the Bannock County Recorder's office, and being more particularly described as follows:

Beginning at the Southeast corner of said section 10, said corner being marked by a 1/2-inch rebar with a yellow plastic cap stamped "PE/LS 4440";
thence S 89°05'07" W along the South line of said section 10 1335.99 feet to the East 1/16 corner on the South line of said section 10, said corner being marked by a 1/2-inch rebar with a yellow plastic cap stamped "PE/LS 4440";
thence N 0°34'12" W along said East 1/16 line 2507.77 feet to a point on the Northerly right-of-way line of Arimo Road, said point being marked by a 1/2-inch rebar with a yellow plastic cap stamped "PE/LS 4440";
thence S 49°51'09" E along said Northerly right-of-way line of Arimo Road 1425.08 feet to a 1/2-inch rebar with a yellow plastic cap stamped "PE/LS 4440";
thence S 0°34'28" E parallel to the South line of section 10 473.21 feet to a 1/2-inch rebar with a yellow plastic cap stamped "PE/LS 4440";
thence S 89°12'43" E 255.80 feet to a point on the East line of section 10, said point being marked by a 1/2-inch rebar with a yellow plastic cap stamped "PE/LS 4440";
thence S 0°34'28" E along said East line of section 10 1090.84 feet to the true point of beginning.

Said parcel containing 57.0 acres, more or less.

The above described parcel is subject to the Arimo Road right-of-way located thereon, which contains 1.96 acres, more or less.

EXHIBIT A

20326997

6-6

20327567

The West half of Northwest quarter and the West half of Southwest quarter of Section eleven (11), Township ten (10) South, Range thirty-six (36) East, Boise Meridian in Idaho, according to Official Plat of Survey of said land returned to General Land Office by Surveyor General.

20327567

Jones Chartered
RECORDED AT REQUEST OF
FEE 18 DEPUTY BP

2003 OCT 14 AM 8 04

OFFICIAL RECORD BK# 89
LARRY W GHAN RECORDER
BANNOCK COUNTY IDAHO

RESIGNATION OF TRUSTEE

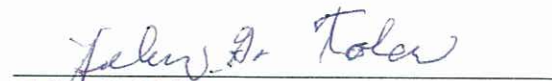
The undersigned, Maurice A. Toler and Helen G. Toler, do herewith resign as Trustees of the Toler Revocable Trust, being a trust created under instrument dated October 2, 2003.

Pursuant to paragraph 5.1 of the Trust, Theron M. Toler will serve as successor trustee. In the event he is unable to serve, Ardean T. Loertscher will serve.

This Resignation affects certain real estate in Bannock County, Idaho, pursuant to Instrument No. 20327567, recorded in the records of Bannock County, Idaho, as well as certain real property in Washington County, Utah, pursuant to Instrument No. 00850245, recorded in the records of Washington County, Utah.

Dated: May 12, 2010.

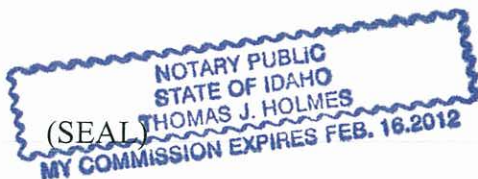

Maurice A. Toler

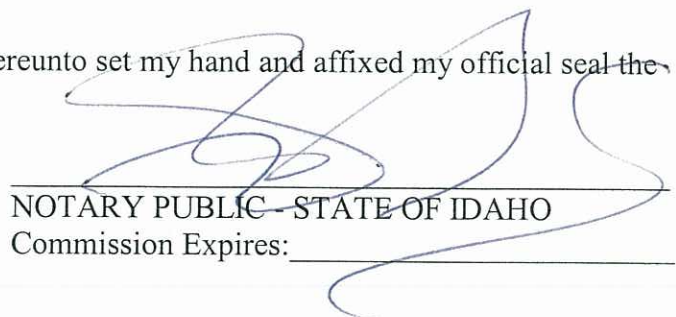

Helen G. Toler

STATE OF IDAHO)
 :ss
County of Bannock)

On this 12 day of May, 2010, before me, the undersigned Notary Public, in and for said State, personally appeared Maurice A. Toler and Helen G. Toler, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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




NOTARY PUBLIC - STATE OF IDAHO
Commission Expires: _____