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JAN 29 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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.

1. 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)
45-14266	45-14288 45-14289	✓			
	45-14248	✓			
	45-14268	✓			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. 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**.
- C. 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**
- D. 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) GEORGE & GWEN MONTGOMERY
937 S 900 E
ALBION, ID 83311

4. New Owner/Claimant(s) ALAN LLOYD & HEIDIE TORREALDAY
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address PO BOX 514

City, State and ZIP Code ALBION, ID 83311

New Telephone Number (208) 673-5595 Email: SUPPORT DATA

5. Date you acquired the property

12/31/2009

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.

APPURTENANT PORTION OF RIGHTS 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)

Alm 2d

(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 Hawcett
 Received by Ju
 Processed by _____ AJ

Date _____
 Date 1/20/10
 Date _____

Receipt Amt. 100⁰⁰
 Receipt No. 5031243
 WR _____ Date _____

WARRANTY DEED

#46993

For Value Received

GEORGE MONTGOMERY and GWEN MONTGOMERY, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ALAN LLOYD and HEIDIE TORREALDAY, husband and wife as community property with right of survivorship

Mailing Address: P.O. Box 514 Albion, ID 83311

Hereinafter called the Grantee, the following described premises situated in **Cassia** County, Idaho, to-wit:

See Attached Exhibit "A"

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2009 and subsequent years.

Agreement For Purchase Of Power between Raft River Rural Electric Cooperative, Inc., Seller and Arlo Montgomery, Consumer, dated August 29, 1977 and recorded December 16, 1977 as Instrument No. 103566 on Film No. 113, records of Cassia County, Idaho. (Covering the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, Township 12 South, Range 24 East of the Boise Meridian)

Oil And Gas Lease between George A. and Gwendolyn Montgomery, husband and wife and Faith Financial Service, dated May 19, 1981 and recorded June 22, 1981 as Instrument No. 136064 on Film No. 143, records of Cassia County, Idaho.

Oil And Gas Lease between George and Gwendolyn Montgomery and John J. Kirlin, dated December 13, 1984 and recorded February 22, 1985 as Instrument No. 167194 on Film No. 170, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and George Montgomery, Consumer, dated December 14, 1992 and recorded December 23, 1992 as Instrument No. 222455 on Film No. 240, records of Cassia County, Idaho. (Covering the NW $\frac{1}{4}$ of Section 12 Township 12 South Range 24 East of the Boise Meridian)

Restrictive Covenants of Marsh Creek Ridge Subdivision, dated January 15, 2005 and recorded February 25, 2005 as Instrument No. 300628, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

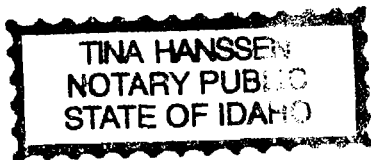
Dated: December 31, 2009

George Montgomery
GEORGE MONTGOMERY

Gwen Montgomery
GWEN MONTGOMERY

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 31st day of **December, 2009**, before me, the undersigned, a Notary Public in and for said State, personally appeared **GEORGE MONTGOMERY and GWEN MONTGOMERY**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Tina Hanssen
Notary Public
Residing at: Rupert, ID
My Commission expires: 05/07/15

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: All of Lot 8 of the Marsh Creek Ridge Subdivision and part of the E½NW¼ of said Section 12, more particularly described as follows;

Beginning at the Northwest corner of the E½NW¼ of said Section 12, said corner marked by a 5/8 inch rebar;
Thence South 00°23'14" West along the west line of the E½NW¼ for a distance of 1961.84 feet to a 5/8 inch rebar which shall be the Point of Beginning;
Thence North 59°02'34" East along the north line of Lot 8 for a distance of 18.26 feet to a 5/8 inch rebar;
Thence North 42°09'34" East along the north line of Lot 8 for a distance of 133.60 feet to a 5/8 inch rebar;
Thence North 35°05'14" East along the extended north line of Lot 8 for a distance of 59.63 feet to the most westerly corner of Lot 7 of the Marsh Creek Ridge Subdivision;
Thence South 62°15'29" East along the south line of Lot 7 of the Marsh Creek Ridge Subdivision for a distance of 41.16 feet to a 5/8 inch rebar;
Thence South 62°15'29" East along the south line of Lot 7 of the Marsh Creek Ridge Subdivision for a distance of 109.52 feet to a ½ inch rebar;
Thence South 00°23'14" West for a distance of 407.12 feet to a ½ inch rebar;
Thence North 89°36'46" West for a distance of 272.38 feet to a ½ inch rebar on the west line of the E½NW¼;
Thence North 00°23'14" East along the west line of the E½NW¼ for a distance of 41.98 feet to the Southwest corner of Lot 8;
Thence North 00°23'14" East along said line for a distance of 240.77 feet to a ½ inch rebar;
Thence North 00°23'14" East along said line for a distance of 35.45 feet to the Point of Beginning.

PARCEL NO. 2:

A non-exclusive perpetual Access Easement for the benefit of Parcel No. 1, more particularly described as follows;

TOWNSHIP 12 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: Part of Lot 7 of the Marsh Creek Ridge Subdivision, more particularly described as follows:

Beginning at the Northwest corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 12, said corner marked by a $\frac{5}{8}$ inch rebar;
Thence South 00°23'14" West along the west line of the E $\frac{1}{2}$ NW $\frac{1}{4}$ for a distance of 1961.84 feet to
a $\frac{5}{8}$ inch rebar at the Northwest corner of the Marsh Creek Ridge Subdivision; Thence North
59°02'34" East along the north line of Lot 8 of the Marsh Creek Ridge Subdivision for a distance
of 18.26 feet to a $\frac{5}{8}$ inch rebar; Thence North 42°09'34" East along the north line of Lot 8 of the
Marsh Creek Ridge Subdivision for a distance of 133.60 feet to a $\frac{5}{8}$ inch rebar; Thence North
35°05'14" East along the Marsh Creek Ridge Subdivision boundary line for a distance of 59.63 feet
to the most westerly corner of Lot 7 of the Marsh Creek Ridge Subdivision which shall be the Point
of Beginning;
Thence North 35°05'14" East along the west line of Lot 7 of the Marsh Creek Ridge Subdivision for a
distance of 20.17 feet;
Thence South 62°15'29" East for a distance of 137.76 feet;
Thence South 00°23'14" West for a distance of 22.52 feet to a $\frac{1}{2}$ inch rebar on the south line of Lot 7 of the
Marsh Creek Ridge Subdivision;
Thence North 62°15'29" West along the south line of Lot 7 of the Marsh Creek Ridge Subdivision for a
distance of 109.52 feet to a $\frac{5}{8}$ inch rebar;
Thence North 62°15'29" West along the south line of Lot 7 of the Marsh Creek Ridge Subdivision for a
distance of 41.16 feet to the Point of Beginning.

