

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 08 2022

DEPT OF WATER RESOURCES
SOUTHERN 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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-2686E	Yes ☐	Yes ☐	37-12284	Yes ☐	Yes ☐
37-2686F	Yes ☐	Yes ☐	37-12285	Yes ☐	Yes ☐
37-7598E	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-7598F	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-8225A	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Charles T. Foley and Kathleen M. Foley

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Charles T. Foley Trust and Kathleen M. Foley Trust

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

Mountain Lake, 2300 North Scenic Highway

Lake Wales

FL

33853

Mailing address

City

State

Zip

212-605-5550

kathyfoley44@gmail.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: 8-2-22

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- ☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. 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.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 37-2686E

8. Signature: Charles T. Foley

Signature of new owner/claimant

Charles T. Foley

Print name

Trustee

Title, if applicable

Aug 2, 2022

Date

- Signature: Kathleen M. Foley

Signature of new owner/claimant

Kathleen M. Foley

Print name

Trustee

Title, if applicable

August 2, 2022

Date

SCANNED

OCT 19 2022

Received by SG Date 8/8/2022

Receipt No. 5039377

Receipt Amt. \$175.00

Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9

Approved by

Processed by DM

Date 9-26-2022

Instrument # 695406

HAILEY, BLAINE, IDAHO
08-03-2022 1:48:52 PM No. of Pages: 3
Recorded for: BLAINE COUNTY TITLE
STEPHEN MCDOUGALL GRAHAM Fee: \$15.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO**

Lawson Laski Clark, PLLC
Post Office Box 3310
Ketchum, ID 83340
Attn.: Edward A. Lawson

(SPACE ABOVE LINE FOR RECORDER'S USE)

WARRANTY DEED

FOR VALUE RECEIVED

CHARLES T. FOLEY and KATHLEEN M. FOLEY, husband and wife

GRANTOR do hereby GRANT, BARGAIN, SELL and CONVEY unto

CHARLES T. FOLEY and KATHLEEN M. FOLEY, as trustees of the CHARLES T. FOLEY TRUST as to an undivided one-half interest as tenant in common and CHARLES T. FOLEY and KATHLEEN M. FOLEY, as trustees of the KATHLEEN M. FOLEY TRUST as to an undivided one half interest as a tenant in common

GRANTEE whose address is Mountain Lake, 2300 North Scenic Highway, Lake Wales, Florida 33853

The following described real property in Blaine County, Idaho, to wit:

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN

SECTION 23: NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

TOGETHER WITH an easement for ingress, egress and the extension of utilities, more particularly described as follows:

A strip of land, 25 feet in width, extending along the western boundary of the NW $\frac{1}{4}$ and a portion of the SW $\frac{1}{4}$ of Section 24, Township 1 South, Range 19 East of the Boise Meridian, Blaine County, Idaho from the right of way for Idaho Highway 20 on the north, to a point 25 feet south of the northern boundary of the SW $\frac{1}{4}$ of said section 24, on the south.

Together with all improvement, minerals, mineral rights, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto, if any, including but not limited to the following: IDWR Nos. 37-2686E, 37-2686F, 37-7598E, 37-7598F, 37-8225A, 37-12284 and 37-12285.

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OCT 19 2022

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD, the said premises, and their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said 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 encumbrances except as described above and the Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: Aug 2, 2022

Charles T. Foley

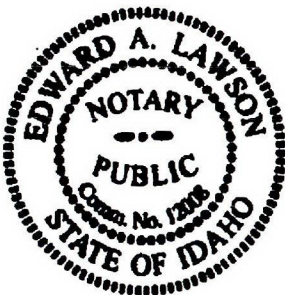
Charles T. Foley

Kathleen M. Foley

Kathleen M. Foley

State of Idaho)
) ss.
County of Blaine)

On August 2, 2022, before me, a Notary Public in and for said State, personally appeared CHARLES T. FOLEY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

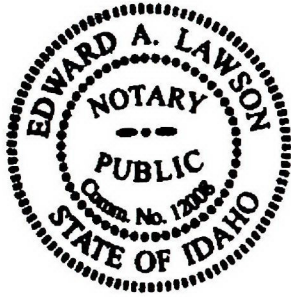


E. Lawson

Notary Public for Idaho
Residing at Blaine County, Idaho
My Commission expires 5.21.24

State of Idaho)
) ss.
County of Blaine)

On August 2, 2022, before me, a Notary Public in and for said State, personally appeared KATHLEEN M. FOLEY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



E. A. Lawson
Notary Public for Idaho
Residing at Glenn County, Idaho
My Commission expires 5.31.24



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 26, 2022

CHARLES T FOLEY TRUST
KATHLEEN M FOLEY TRUST
CHARLES T FOLEY and KATHLEEN M FOLEY, TRUSTEES
MOUNTAIN LAKE
2300 N SCENIC HWY
LAKE WALES FL 33898-6626

Re: Change in Ownership for Water Right No(s): 37-2686E, 37-2686F, 37-7598E, 37-7598F,
37-8225A, 37-12284 and 37-12285

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9908.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Heather O'Leary, attorney
Water District 37

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OCT 19 2022

Maline, Denise

From: Heather O'Leary <heo@lawsonlaski.com>
Sent: Monday, September 26, 2022 9:41 AM
To: Maline, Denise
Subject: RE: Foley Water Rights

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Yes. Thank you!



HEATHER E. O'LEARY

Lawson Laski Clark, PLLC
675 Sun Valley Road, Suite A
PO Box 3310
Ketchum, ID 83340
208-725-0055 Phone
208-725-0076 Fax

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From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Monday, September 26, 2022 9:13 AM
To: Heather O'Leary <heo@lawsonlaski.com>
Subject: RE: Foley Water Rights

Good morning,

I have one more quick question on these water rights. Several of the water rights for the Foley's currently have James Speck listed as the attorney of record. Since you filed these ownership changes on behalf of the Foley's, I wanted to verify with you that it's ok to remove Mr. Speck from the water rights and add you as the attorney of record?

Thank you,

Denise

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region

HEATHER E. O'LEARY
HEO@LAWSONLASKI.COM



August 3, 2022

RECEIVED

AUG 08 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
Southern Region
Attn: Denise Maline
650 Addison Avenue W., Suite 500
Twin Falls, ID 83301-5858

Re: Notice of Change of Water Right Ownership
Our File No. 32370-003

Dear Denise:

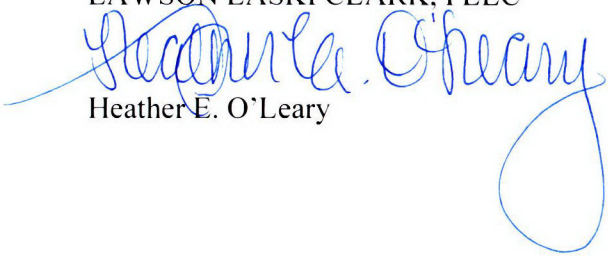
We are counsel to Charles T. Foley and Kathleen M. Foley, Trustees of the Charles T. Foley Trust and the Kathleen M. Foley Trust (collectively, the "Trusts"). The purpose of this letter is to change ownership of water rights nos. 37-2686E, 37-2686F, 37-7598E, 37-7598F, 37-8225A, 37-12284 and 37-12285 into the Trusts' name. Enclosed herewith are the following documents:

- Notice of Change in Water Right Ownership for Water Right Nos. 37-2686E, 37-2686F, 37-7598E, 37-7598F, 37-8225A, 37-12284 and 37-12285;
- Our firm's check for \$175.00 for the change in ownership for each of the foregoing water rights;
- Warranty Deed conveying the property associated with the foregoing water rights; and
- Maps of the foregoing water rights' places of use.

Once completed, please send me as well as the new owner confirmation of the ownership changes. Thank you for your assistance in this matter and please do not hesitate to contact me should you have any questions or need additional information.

Sincerely,

LAWSON LASKI CLARK, PLLC


Heather E. O'Leary

Enclosures

SCANNED

OCT 19 2022

WWW.LAWSONLASKI.COM

Telephone: 208 725 0055 | Facsimile: 208 725 0076 | Physical: 675 Sun Valley Road, Suite A | Mail: Post Office Box 3310, Ketchum, ID 83340