

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/13/2022

Comments:

1	scox	2/3/2017	Transferred Right
This is now an approved transfer. Transfer Number = 79943			
2	wmills	10/13/2022	Split Right
Split into 45-14548.			
3	wmills	10/13/2022	POU
Updated Shape			

Dates and Other Information:

Decreed Date: 4/7/2010
State or Federal: S
Water District Number: 45F
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

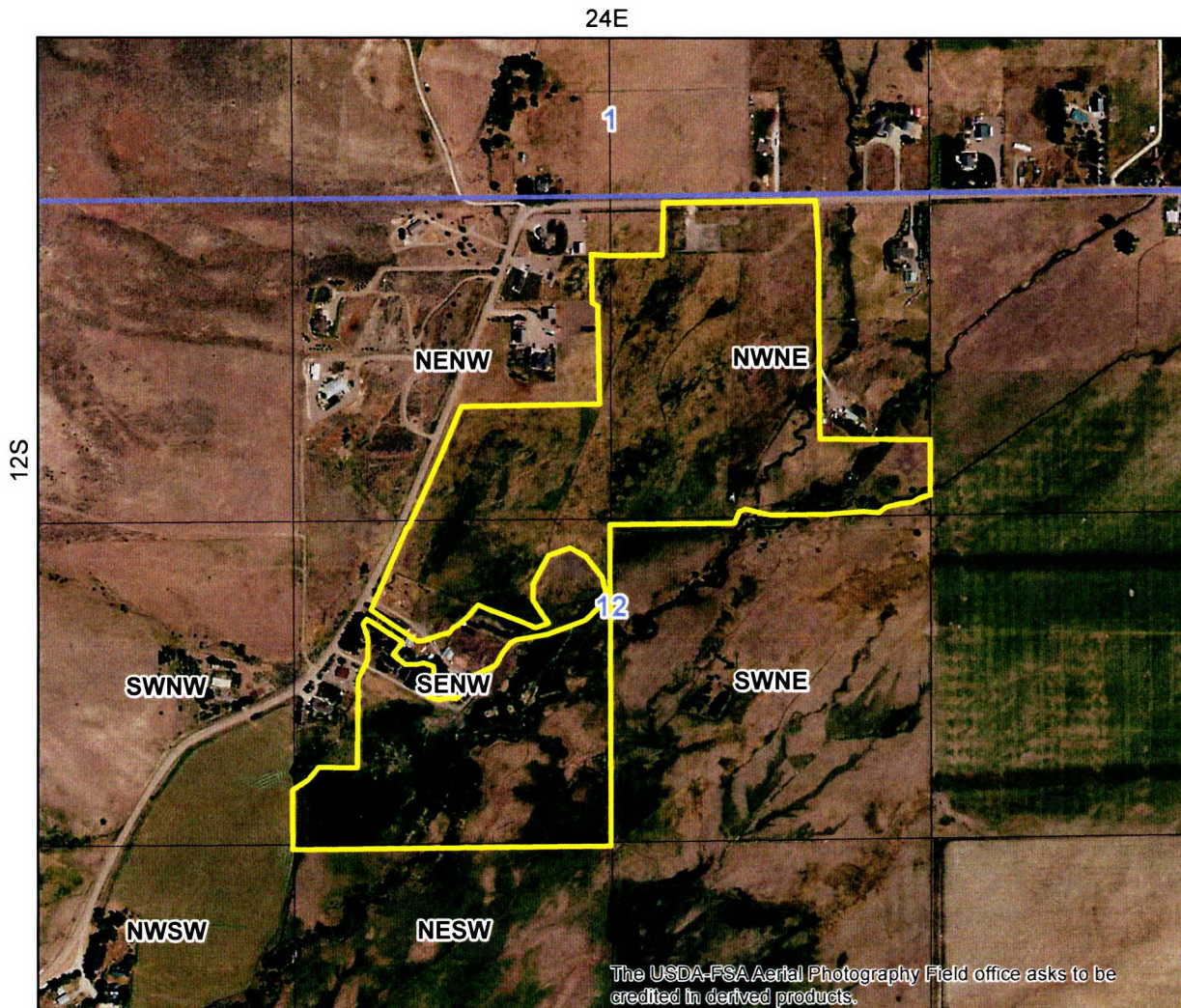
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right AFTER Ownership Change Split
45-14286

This map depicts the IRRIGATION place of use boundary for
this water right and is solely for illustrative purposes.



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles



10/12/2022

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Proof Report

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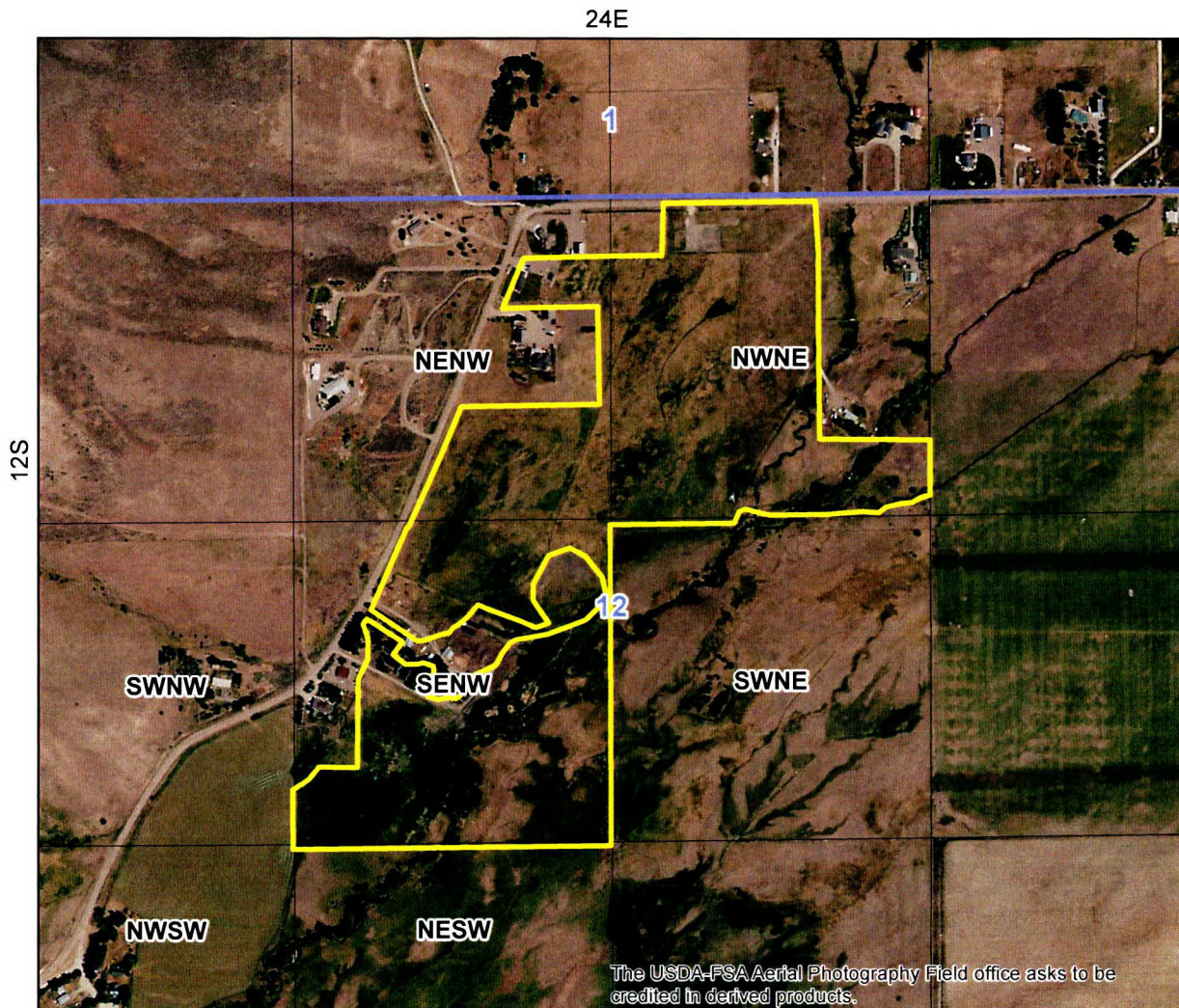
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Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right BEFORE Ownership Change Split
45-14286

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0 0.075 0.15 0.3 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 18 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?
45-14286	Yes ☒	Yes ☐		Yes ☐	Yes ☐
45-14288	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: George A Montgomery
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Ronald L McLay; Theresa McLay
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or
- 907 S Parke LN Albion ID 83311
Mailing address City State Zip
- 208-642-4009-R _____
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: June 29, 2021
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.

8. Signature: Ronald L McLay 8-18-2022
Signature of new owner/claimant Title, if applicable Date
- Print name _____
- Signature: _____
Signature of new owner/claimant Title, if applicable Date
- Print name _____

SUPPORT DATA

IN FILE # 45-14286

Received by DM Date 8-18-2022 Receipt No. 5039398 Receipt Amt. \$200-

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 JA Date 10-13-22

SCANNED
OCT 21 2022

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.



Order Number: 21417361

Warranty Deed

For value received,

George Montgomery and Gwen Montgomery, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Ronald L. Mclay and Theresa Mclay, husband and wife, as community property with right of survivorship

whose current address is 907 S Parke Lane Albion, Id 83311

the grantee, the following described premises, in **Cassia County, Idaho**, to wit:

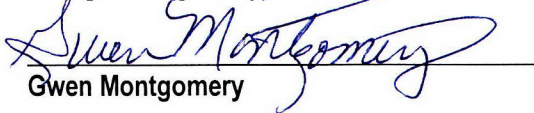
See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its 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 except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

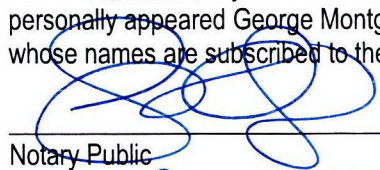
Dated: June 29, 2021


George Montgomery


Gwen Montgomery

State of Idaho, County of Minidoka, ss.

On this 29th day of June in the year of 2021, 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.


Notary Public

Residing In:

My Commission Expires:

(seal)

Rupert ID

06/08/2027

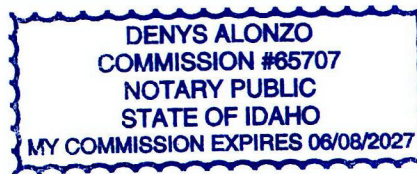


EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Part of the N½ of Section 12 in Township 12 South, Range 24 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the North ¼ Corner of Section 12 in T.12 S., R.24 E., B.M. said corner marked by a ½" rebar with 3" aluminum cap; Thence South 89 degrees 01 minutes 23 seconds West along the north line of Section 12 for a distance of 368.47 feet to a ½" rebar at the Northwest Corner of Lot 3 of the Marsh Creek Ridge Subdivision; Thence South 19 degrees 28 minutes 49 seconds West along the west line of Lot 3 of said subdivision and the centerline of a county road for a distance of 220.69 feet to a ½" rebar at the Northwest Corner of the Albion Mountains Subdivision; Thence North 89 degrees 02 minutes 06 seconds East along the north boundary of said subdivision for a distance of 234.94 feet to a ½" rebar at the Northeast Corner of the Albion Mountains Subdivision which shall be the Point of Beginning;

THENCE North 89 degrees 02 minutes 06 seconds East along the south boundary of Lot 3 of the Marsh Creek Ridge Subdivision for a distance of 136.82 feet to a ½" rebar;

THENCE South 00 degrees 57 minutes 55 seconds East for a distance of 186.05 feet to a ½" rebar;

THENCE South 89 degrees 02 minutes 06 seconds West for a distance of 212.30 feet to a ½" rebar at the Southeast Corner of the Albion Mountains Subdivision;

THENCE North 21 degrees 06 minutes 59 seconds East along the east boundary of said subdivision for a distance of 200.77 feet to the Point of Beginning.

Said property contains 0.75 acres more or less and is subject to any easements or right of ways, existing or of record.



Ph. 208-878-3524
P. O. Box 177, Burley, ID 83318
www.titleonecorp.com

Ronald L. Mclay and Theresa Mclay
907 South Parke Lane
Albion, ID 83311

Date: 07/07/2021

Regarding: Bare Ground, Albion, ID 83311

Buyer/Borrower: Ronald L. Mclay and Theresa Mclay

File No.: 21417361

Greetings:

It's been our pleasure serving as your title and escrow company for your recent real estate transaction. Related to your transaction, please find attached the following:

Original Warranty Deed

Please feel free to contact us if you have any questions at the number listed above. We appreciate your business and look forward to assisting you with your next closing.

Best Regards,
TITLEONE

Nancy Garrett
Administrative Assistant

Attached to Deed # 2021-003421

SCANNED
OCT 21 2022

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
417 N. Overland Ave.
Burley, ID 83318

CASSIA COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE - BURLEY
03:26:05 PM 01-15-2021
2021-000310
NO. PAGES: 2 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
DO NOT REMOVE
THE COUNTY STAMPED
FIRST PAGE AS IT IS NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **947146RU (kw)**

Date: **January 13, 2021**

For Value Received, **Jason Lynch, a single man**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Ronald L McLay and Theresa M McLay, husband and wife as community property with right of survivorship**, hereinafter called the Grantee, whose current address is **907 South Parke Lane, Albion, ID 83311**, the following described premises, situated in **Cassia County, Idaho**, to-wit:

Lot 1 in Block 1 of the Albion Mountains Subdivision, Cassia County, Idaho, as the same is platted in the official plat thereof, recorded November 29, 2017 as Instrument No. 2017-004669, records of Cassia County, Idaho.

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 its 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:First American Title Company
417 N. Overland Ave.
Burley, ID 83318

RECORDED ELECTRONICALLY	
ID <u>2021-000310</u>	COUNTY <u>Cassia</u>
DATE <u>1-15-2021</u>	TIME <u>3:26 pm</u>
simplifile www.simplifile.com 800.460.5657	

Space Above This Line for Recorder's Use Only

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Date: **01/13/2021**



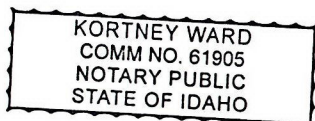
Jason Lynch

Warranty Deed
- continued

File No.: **947146RU (kw)**

STATE OF Idaho)
ss.
COUNTY OF Minidoka)

On this 15th day of **January, 2021**, before me, a Notary Public in and for said State, personally appeared **Jason Lynch**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



he/she/they executed the same.



Notary Public for the State of Idaho
Residing at: Heppner ID
My Commission Expires: July 17, 2025

Residing at:

My Commission Expires:



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

October 13, 2022

RONALD L MC LAY
907 S 950 E
ALBION ID 83311-9705

Re: Change in Water Right Ownership: 45-14286 (Split into 45-14286 and **45-14548**)
& 45-14288 (Split into 45-14288 and **45-14549**)

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 736-3033.

Sincerely,

Bill Mills
Water Resource Agent, Senior

Enclosures

c: George A Montgomery; First American Title Co., Burley; Water District 45F



First American Title Company
417 N. Overland Ave., Burley, Idaho 83318
(208)878-4772, (208)878-4780

Ronald L McLay and Theresa M McLay
907 South Parke Lane
Albion, ID 83311

February 08, 2021
File No.: 947146RU (kw)

Re: **907 South Parke Lane, Albion, ID 83311**

Regarding the above referenced file please find the following enclosed:

- Original **Warranty Deed**, recorded as **Instrument NO. 2021-000310**
-

Please retain the enclosed items for your records.

We appreciate having had the opportunity to be of service to you in this transaction. If you should have questions, or if we can be of assistance in the future, please don't hesitate to contact us.

Sincerely,


Emily Goff

enc.

Attached to Deed # 2021-000310