

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
DEPT. OF WATER RESOURCES
EASTERN REGION

RECEIVED

FEB 15 2024

RECEIVED

FEB 12 2024

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?
22-13276	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: The David M & Lisa I Tooke Trust

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Robert D Albertson & Teresa L Albertson and/or Assigns

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

PO Box 303

Victor

ID

83455

Mailing address

City

State

Zip

208-201-3478

vicoreoffice@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: _____

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: Teresa Albertson

Signature of new owner/claimant
Teresa Albertson

Title, if applicable

2/1/2024

Date

Print name

Signature: Robert Albertson

Signature of new owner/claimant
Robert Albertson

Title, if applicable

2/1/2024

Date

Print name

Received by SG Date 2/12/2024

Receipt No. 5040097

Receipt Amt. \$25.00

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 JB

Processed by JB

Date 3/14/2024

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 283980

TETON COUNTY, IDAHO
02-01-2024 10:14:00 No. of Pages: 2
Recorded for: FLYING S TITLE AND ESCROW - DRIGGS
KIM KEELEY Fee: \$15.00
Ex-Officio Recorder Deputy, Kim Keeley
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1117600-T (bs)**

Date: **January 22, 2024**

For Value Received, **David M. Tooke and Lisa I. Tooke, Trustees of The David M. and Lisa I. Tooke Trust, u/a/d April 14, 2009**, hereinafter called the Grantor hereby grants, bargains, sells and conveys unto **Robert D Albertson and Teresa L Albertson, husband and wife**, hereinafter called the Grantee, whose current address is **PO Box 303, Victor, ID 83455**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Township 5 North, Range 44 East, Boise Meridian, Teton County, Idaho.
Section 11: S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

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, liens, 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.

Date: 01/22/2024

Warranty Deed
- continued

File No.: 1117600-T (be)

David M. Tooke and Lisa I. Tooke, Trustees of
The David M. and Lisa I. Tooke Trust, u/a/d
April 14, 2009

David M. Tooke, Trustee

Lisa I. Tooke, Trustee

STATE OF Florida)
) ss.
COUNTY OF Seminole)

On this 23 day of January, 2024, before me, a Notary Public in and for said State, personally appeared **David M. Tooke and Lisa I. Tooke**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as trustees of the **David M. and Lisa I. Tooke Trust**, and acknowledged to me that they executed the same as such trustees.



Layla Mode
Comm.: HH 440075
Expires: Sep. 4, 2027
Notary Public - State of Florida

Notary Public of
Residing at: Wps Store #4247, Seminole County
Commission Expires: Sep 4th 2027

204225 APR 24 '09 AM 11:00

PREPARED BY AND RETURN TO:
Jerry W. Allender, Esquire
719 Garden Street
Titusville, FL 32796
File No. 09-AB

Instrument # 204225
TETON COUNTY, IDAHO
4-24-2009 11:30:00 No. of Pages: 4
Recorded for: ALLENDER
MARY LOU HANSEN Fee: 12.00
Ex-Officio Recorder Deputy
Index to DEED WARRANTY

Gary

**WARRANTY DEED TO TRUSTEE
UNDER REVOCABLE TRUST AGREEMENT**

THIS indenture made this 14 day of April, 2009, between the following named parties:

GRANTOR: DAVID M. TOOKE and LISA I. TOOKE, husband and wife

GRANTOR'S ADDRESS: 1716 Carillon Park Drive, Oviedo, Florida 32765

GRANTEE: DAVID M. TOOKE and LISA I. TOOKE, Trustees of THE DAVID M. and LISA I. TOOKE TRUST, u/a/d April 14, 2009, with full power and authority granted in section, 689.071, Florida Statutes.

GRANTEE'S ADDRESS: 1716 Carillon Park Drive, Oviedo, Florida 32765

WITNESSETH:

That the Grantor for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration in hand paid, receipt of which is acknowledged, grants, conveys and warrants unto Grantee, the following described real estate in the County of Teton, and State of Idaho:

**Township 5 North, Range 44 East, Boise Meridian, Teton County, Idaho.
Section 11: S 1/2 SW 1/4 NW 1/4**

Parcel ID#:

THE PARTIES HERETO ACKNOWLEDGE THAT THIS DOCUMENT WAS PREPARED WITHOUT THE BENEFIT OF ANY TITLE SEARCH OR TITLE INFORMATION.

AND TO HOLD the above-described real estate ("Property") in fee simple with the appurtenances upon the trust and for the purposes set forth in this Deed and in **THE DAVID M. and LISA I. TOOKE TRUST**, u/a dated April 14, 2009, ("Trust Agreement").

This deed is given and accepted in accordance with Section 689.071, Florida Statutes. The Trustee shall have no personal liability whatsoever for acting as Trustee under the Trust Agreement referred to above or by virtue of taking title to the Property and the sole liability of the Trustee hereunder shall be limited to the Property which the Trustee holds as Trustee under the Trust Agreement referred to above.

Full power and authority is hereby granted to said Trustee and said Trustee and any Successor Trustee therein shall have any and all powers granted in section, 689.071, Florida Statutes, to improve, subdivide, protect, conserve, sell, lease, encumber and otherwise manage and dispose of said Property or any part thereof, to dedicate parks, streets, highways, or alleys and to vacate any subdivision or part thereof, and to resubdivide said Property as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said property or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge, or otherwise encumber said Property, or any part thereof, to lease said Property, to any part thereof, from time to time, in possession or reversion, by leases to commence in the present or in the future, and upon any terms and for any period or periods of time, not exceeding in the case of any single lease the term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time, and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or in any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said Property, or any part thereof, for other real or personal property, to submit said Property to condominium, to grant easement of charges of any kind, to release, convey, or assign any right, title or interest in or about of easement appurtenant to said premises or any part thereof in all other ways, and for such other consideration as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said Property shall be as Trustee of an express trust and not individually and the Trustee shall have no obligations whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property in the actual possession of the Trustee shall be applicable for the payment and discharge thereof; and it shall be expressly understood that any representations, warranties, covenants, undertakings and agreements hereinafter made on the part of the Trustee, while in form purporting to be the representations, warranties, covenants, undertakings and agreements of said Trustee, are nevertheless made and intended not as personal representations, warranties, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally, but are made and intended for the purpose of binding only the trust property specifically described herein; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Trustee individually on account of any instrument executed by or on account of any representation warranty, covenant, undertaking or agreement of the said Trustee, either expressed or implied, all such personal liability, if any, being expressly waived and released and all persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of this Deed.

In no case shall any party dealing with the Trustee in relation to the property or to whom the Property or any part of it shall be conveyed, contracted to be sold, leased or mortgaged by Trustee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on the Property or be obliged to see that the terms of this Trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the Trustee, or be obliged or privileged to inquire into any of the terms of the Trust Agreement or the identification of status of any named or unnamed beneficiaries, or their heirs or assigns to whom the Trustee may be accountable; and every deed, trust deed, mortgage, lease or other instrument executed by Trustee in relation to said property shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of its delivery the Trust created by this Deed and by the Trust Agreement was in full force and effect, (b) that the conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Deed and in the Trust Agreement and is binding upon all beneficiaries under those instruments, (c) that Trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that the successor or successors in trust have been appointed properly and vested fully with all the title, estate, rights, powers, authorities, duties and obligations of the predecessor.

In the event of the death of the Trustee, the successor trustee under the trust agreement referred to above shall be **Stephen V. Pedone**, or successor, and upon a recording in the public records of **Teton County, Idaho**, of a death certificate of the Trustee or of any successor trustee, title to the land described herein shall be deemed to be held by the successor trustee and to pass to the successor trustee without the requirement of recording any further or additional documents.

And the Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that Grantor has good right and lawful authority to sell and convey said Property and will defend the same against the lawful claims of all persons whomsoever; subject to taxes for the year 2009 and subsequent years. "Grantor", "Grantee", "Trustee" and "Beneficiary" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, the Grantor aforesaid has signed this 14 day of April, 2009.

Signed, sealed and witnessed
in our presence:

"GRANTOR"

Signature

Steven C. Allender

Name Legibly Printed, Typewritten
or Stamped

Signature

Jerry W. Allender

Name Legibly Printed, Typewritten
or Stamped

DAVID M. TOOKE

LISA I. TOOKE

STATE OF FLORIDA

COUNTY OF SEMINOLE

I certify that on this date before me, the undersigned, an officer duly authorized in the State and County named above to take acknowledgments, personally appeared **DAVID M. TOOKE and LISA I. TOOKE, husband and wife**, known to me to be the persons described in and who signed the foregoing statement, and they acknowledged under oath before me that they signed the same, and they produced a driver's license as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 14 day of April, 2009.

Signature

Steven C. Allender
Name (Printed, Typewritten or Stamped)

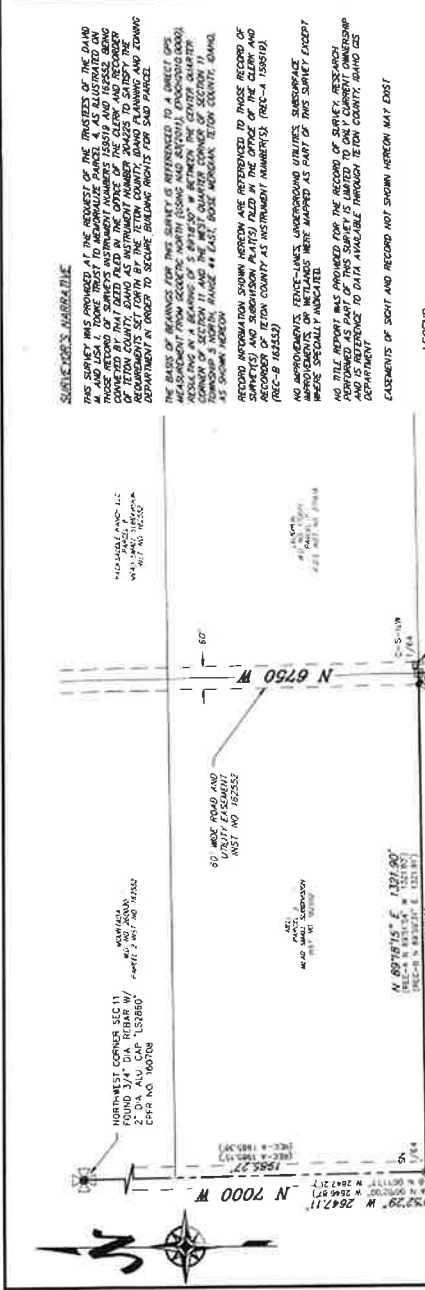
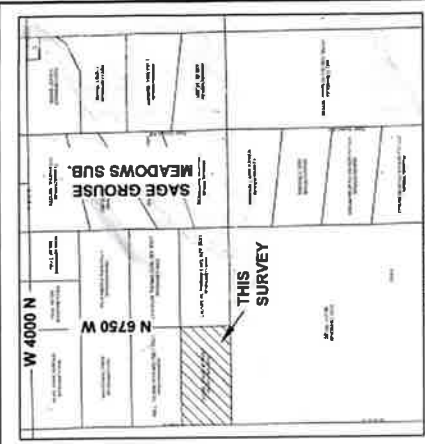
NOTARY PUBLIC
STATE OF FLORIDA

(SEAL)

My Commission Expires:



Steven C. Allender
Commission # DD518315
Expires February 25, 2010
Bonded Tray Fain Insurance, Inc. 500-385-7019



LEGEND

- ANCHETS A PILE CORNER FOUND THIS SURVEY AS NOTED
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IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

March 14, 2024

ROBERT D ALBERTSON
TERESA L ALBERTSON
PO BOX 303
VICTOR ID 83455-0303

Re: Change in Ownership for Water Right No(s): 22-13276

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) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

February 15, 2024

ROBERT D ALBERTSON
TERESA L ALBERTSON
PO BOX 303
VICTOR ID 83455

RE: Change in Ownership Water Right No. 22-13276

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** In order for the department to update ownership of a water right a copy of the 'recorded' Warranty Deed or other legal document indicating your ownership in the water right and/or property is required. Please provide evidence of ownership.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Bailly
Technical Records Specialist