

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 03 2025

Notice of Change in Water Right Ownership

DEPT. 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. 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
29-13936 OK	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: DENNIS TONEY + YVONNE TONEY
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): CODY BASTIAN + CATHERIE BASTIAN
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

13001 SOUTH ROBIN ROAD ARIMO ID 83214
Mailing address City State ZIP

1(208) 221-1873 9536 BASTIAN @ 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: 3/1/2025

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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: [Signature] LAND OWNER 3/1/2025
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] 3/1/2025
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by M. Potts Date 3-3-25 Receipt No. E050686 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 [Signature] Processed by [Signature] Date 3/6/2025

Pioneer Title Pocatello

21606441 2016 May 20 PM 04:47:00
Electronically Recorded by Simplifile



PioneerTitleCo.
GOING BEYOND

135 N. Arthur Ave.
Pocatello, ID 83204

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

File No. 589346 SK/RK

WARRANTY DEED

For Value Received

Matthew P. McMichael and Nicole S. McMichael, husband and wife
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Cody Bastian and Catherine X. Bastian, husband and wife
hereinafter referred to as Grantee, whose current address is

13001 South Robin Road Arimo, ID 83214

The following described premises, to-wit:

LEGAL DESCRIPTION EXHIBIT "A" ATTACHED

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: May 19, 2016

Matthew P. McMichael

Nicole S. McMichael

State of IDAHO, County of Canyon

On this 19th day of MAY in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Matthew P. McMichael and Nicole S. McMichael known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Residing at: _____
Commission Expires: _____

Residing in Middleton, Idaho
Commission Expires: 03-11-2020



STATE OF IDAHO }
County of Bannock

I hereby certify that the foregoing is a full, true and correct copy of an instrument as the same now remains on file and of record in my office.

WITNESS my hand and official seal hereto affixed

this 28th day of February, 2025.
CLERK OF THE DISTRICT COURT,
EX OFFICIO AUDITOR AND RECORDER.

By:

EXHIBIT A**Parcel 1**

A parcel of land located in the Southeast Quarter Southeast Quarter of Section 4, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Commencing at a point 2 Rods South of a point 2 Rods West of the Southeast corner of Section 4, thence running North 21 1/3 Rods; thence West 37 1/2 Rods; thence South 21 1/3 Rods; thence East 37 1/2 Rods to the Place of Beginning.

Parcel 2

A parcel of land located in the Southeast Quarter Southeast Quarter of Section 4, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Commencing at a point 39 1/2 Rods West of a point 2 Rods South of the Southeast corner of Section 4, thence running North 35 1/2 Rods, thence West 25 rods; thence South 35 1/2 rods; thence East 25 Rods to the Place of Beginning.

Parcel 3

Section 4, Township 10 South, Range 36 East, Boise Meridian: All of the Southeast Quarter Southeast Quarter lying South of Garden Creek Gap Road (also shown of record as W. Arimo Road).

EXCEPT: A parcel of land located in the Southeast Quarter Southeast Quarter of Section 4, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

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EXCEPT: A parcel of land located in the Southeast Quarter Southeast Quarter of Section 4, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

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EXCEPT: A tract of land in a portion of the Southeast Quarter of Section 4, Township 10 South, Range 36 East, Boise Meridian, Bannock County, Idaho, and more particularly described as follows:

Beginning at the Iron Pin marking the Southeast corner of Section 4, thence South 89°48'03" West, 1064.25 feet along the Southerly section line of said Section 4 to the True Point of Beginning;

Thence continuing South 89°48'03" West, 713.47 feet; thence North 00°10'26" West, 433.13 feet; thence South 89°48'03" West, 882.75 feet to a point on the meridional centerline of said Section 4; thence North 00°10'26" West, 735.70 feet along said centerline to a point on the Southerly right of way line of the county road; thence along a curve to the left a distance of 144.53 feet, said curve having a radius of 2897.79 feet, a central angle of 02°51'28" a chord length of 144.52 feet and a chord bearing of South 81°42'16" East;

Thence South 83°08'00" East, 559.80 feet to a point of curve to the right; thence along the curve to the right a distance of 390.20 feet, said curve having a radius of 921.93 feet, a central angle of 24°15'00" a chord length of 387.29 feet and a chord bearing of South 71°00'30" East; thence South 58°53'00" East, 395.30 feet to a point on a curve to the left; thence along the curve to the left a distance of 219.81 feet, said curve having a radius of 1942.86 feet, a central angle of 06°28'56", a chord length of 219.69 feet and a chord bearing of South 62°07'28" East; thence South 00°11'00" East, 642.53 feet to the True Point of Beginning.

ALSO EXCEPT: Right of Way for Robin Road.

CB

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/31/2016

Water Right 29-13936

Owner Type **Name and Address**
Current Owner DENNIS TONEY
13001 S ROBIN RD
ARIMO, ID 83214
(208)254-9008

Current Owner YVONNE TONEY
13001 S ROBIN RD
ARIMO, ID 83214
(208)254-9008

Priority Date: 5/1/1887

Basis: Decreed

Status: Active

Source
GARDEN CREEK

Tributary
MARSH CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.030 CFS	
	<u>Total Diversion</u>		0.030 CFS	

Source and Point(s) of Diversion

GARDEN CREEK SWSESE Sec. 4, Twp 10S, Rge 36E, BANNOCK County

Place Of Use

IRRIGATION within BANNOCK County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	36E	4																7.7	7.7

POU Total Acres: 7.7

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. P21 This right is a split from former right 29-417.

Comments:

1. dkidman 10/13/2010 Recommendation
Version 1 created to relate the late claim filed. This right is a split from decreed right 29-417 which has been under claimed. Rate was calculated as, 11 acres of the original 280 acres = =
 $11/280 \times 0.75 \text{ cfs} = 0.03 \text{ cfs}$ for this right.

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GARDEN CREEK SWSESE Sec. 4, Twp 10S, Rge 36E, BANNOCK County

Place Of Use

IRRIGATION within BANNOCK County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	36E	4																7.7	7.7

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Priority Date: 5/1/1887

Basis: Decreed

Status: Active

Source
GARDEN CREEK

Tributary
MARSH CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.030 CFS	
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Source and Point(s) of Diversion

GARDEN CREEK SWSESE Sec. 4, Twp 10S, Rge 36E, BANNOCK County

Place Of Use

IRRIGATION within BANNOCK County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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Water Right 29-13936

This map depicts the IRRIGATION place of use.



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections
- QQ

0 75 150 300 Feet

1 inch = 165 feet





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 06, 2025

CODY BASTIAN
CATHERINE BASTIAN
13001 S ROBIN RD
ARIMO ID 83214-1537

Re: Change in Ownership for Water Right No(s): 29-13936

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)

cc: WATER DISTRICT 29B
WATER DISTRICT 129