



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 7, 2003

REYNOLD & KATHLEEN TANNER
255 N 3700 E
RIGBY ID 83442

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 25-10024

Dear Mr. & Mrs. Tanner:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

RECEIVED

JUL 31 2003

Department of Water Resources
Eastern 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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
25-10024					

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

- NO
*
- 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 usually attached to your deed or on file with the county).
OR
 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 **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)

Deceased (Somond Nomi Babbaf)

4. New Owner/Claimant(s)

Reynold D. and Kathleen Tanner
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

255 N. 3700 E.

City, State and ZIP Code

Highway, Id. 83442

New Telephone Number

(208) 745-8522

5. Date you acquired the property

10/31/88

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESINSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

WARRANTY DEED

FOR VALUE RECEIVED, Samuel A. Butikofer and Naomi H. Butikofer, husband and wife, of 248 N. 3600 East, Rigby, Idaho, 83442 hereinafter termed Grantors, bargain, sell, and convey unto Reynold D. Tanner and Kathleen Tanner, husband and wife of 255 North 3700 East, Rigby, Idaho, 83442, hereinafter termed Grantees, that certain real property located in Jefferson County, Idaho, legally described as follows:

SW1/4 Section 22 and all of that portion of the S1/2SE1/4 of said Section 22, lying West of the East Bank of the Burgess Canal all located in Township 4 North, Range 38 East of the Boise Meridian, Jefferson County, Idaho.

EXCEPTING THEREFROM: Beginning at the Southwest Corner of said Section 22, thence North for a distance of 178.24 feet to the true point of beginning; thence North for a distance of 117.20 feet; thence East for a distance of 354.83 feet; thence South for a distance of 160.22 feet; thence N 80°20'30" West for a distance of 256.40 feet; thence West for a distance of 102.34 feet to the true point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at the West Quarter Section Corner of Section 22, Township 4 North, Range 38 E., B.M. Jefferson County, Idaho (said corner is recorded in the Clerk's Office Jefferson County Courthouse) and running thence N.89°40'03"E. 253.00 feet along the quarter section line; thence South 173.5 feet, said call is in part along the East side of a cinder block machine shed; thence West 4 feet; S.89°40'03" thence South 72.5 feet; thence S.89°40'03"W. 249.00 feet to the West line of said Section 22; thence North along said section line 246 feet to the point of beginning. Contains 1.42 acres less County Road right-of-way along West side of property.

Together with 312 Miner's Inches of the Burgess Canal Company and one-half of the oil and mineral rights appertaining to the original 160 acres of which this is a part.

Together with all tenements, improvements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

These premises are subject to all easements, roadways and rights-of-way of record.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 31, 1988.

RECEIVED BY
ASSESSOR

For PLATTING

Date 2/23/99 Time 10:35

Samuel A. Butikofer
SAMUEL A. BUTIKOFER

Naomi H. Butikofer
NAOMI H. BUTIKOFER

Memo to File

File No. 25-10024

Date: 7/28/03

From: Roger Warner.

Re: Change of Ownership

Met Mr. Payne Tanner's wife, Mrs. Tanner. Discussed the location of well and nature of use that has occurred historically upon the property. She indicated that they purchased the property near 1987/1988 and that the original residence claimed by Mr. Buttkopf was retained and sold to another person. They installed a new well which serves a mobile home and stockwatering troughs in arid areas. No irrigated areas could be substantiated and therefore not recommended.

Also visited assessors office at Jefferson Co. Courthouse. Found that home was sold to a Shawn D. Fridman. Acreage surrounding original home appears commensurate with domestic exemption as defined by 42-111. Therefore no contact was deemed necessary for adjudication claim.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION
May 21, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

REYNE TANNER
255 N 3700 E
RIGBY ID 83442

RE: CHANGE IN OWNERSHIP FOR 25-10024

Dear Mr. Tanner:

It has come to our attention that you may have recently purchased a tract of land in Jefferson County. The property to which I am referring was most recently owned by Samuel Butikofer. The legal description is as follows:

4N, 38E, 22, NWSW

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist
Enclosure(s)