



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

June 26, 2002

CARL ZITLAU
PT ELLIOTT LLC
392 N 4500 E
RIGBY ID 83442

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 01-7017, 35-7720,
35-7744, 35-10255

Dear Mr. Zitlau:

The request for Change of Water Right Ownership concerning 01-7017 and 35-7720 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.

Water rights 35-7744 and 35-10255 require \$125 fee in order to process. Please send the enclosed copy of your request to: Kari Lynn Townsend, Idaho Dept. of Water Resources, 1301 N. Orchard, Boise, ID 83706. (208) 327-7900.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

RECEIVED

APR 11 2002

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, 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
	01-7017				
	35-7720				
	~~35~~				
35-7744		X (\$100)			
35-10255		(\$25)			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$125-
- 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) are 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) Burleigh Tomchak
4. New Owner/Claimant(s) PT ELLIOTT LLC
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 392 N 4500 E
- City, State and ZIP Code RIGBY, ID 83442
- New Telephone Number (208) - 538-7146
5. Date you acquired the property April 5, 2002

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number

Water Use

Diversion Rate or Volume
(cubic feet per second or acre-feet per annum)

Description
(acres, number and type of stock, homes, etc)

Irrigation

Stock

Domestic

Other

Total

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number

Water Use

Diversion Rate or Volume
(cubic feet per second or acre-feet per annum)

Description
(acres, number and type of stock, homes, etc)

Irrigation

Stock

Domestic

Other

Total

7. Signature of New Owner(s) or Claimant(s) ☒ Ad Zithen
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by

Date

Fee

Receipted by

Date

Receipt No.

Processed by

AJ

Date

WR

Date

APR-11-2002 12:21

ALLIANCE TITLE

208 7457917 P.02

BLT CJ-1183

WARRANTY DEED**313909**

BURLEIGH TOMCHAK and MABEL TOMCHAK, husband and wife, as GRANTOR,
 for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
PT ELLIOTT, LLC, an Idaho Limited Liability Company, as GRANTEE,
 whose address is 392 North 4500 East, Rigby, Id 83442, and Grantee's successors and assigns, all of the following described real property, to-wit:

TRACT I:

Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho.
 Section 3: Lots 5, 6, 7, 8, 11, 12, 13 and 14
 NW1/4SW1/4
 Section 9: The North 1/2 of said Section 9, lying East of the Oregon Shoreline Railroad.

TRACT II:

Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho.
 Section 4: E1/2, SW1/4 lying East of the Railroad right of way.

SUBJECT TO the 2002 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: April 4, 2002

Burleigh Tomchak
 Burleigh Tomchak

Mabel Tomchak
 Mabel Tomchak

STATE OF IDAHO)

COUNTY OF Bonneville) ss

On April 4, 2002 before me, the undersigned, personally appeared
 Burleigh Tomchak and Mabel Tomchak

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.

Lenore J. Katri
 Notary Public for the State of Idaho
 Commission Expiration Date: 1/28/2003

LENORE J. KATRI
 NOTARY PUBLIC
 STATE OF IDAHO

INSTRUMENT # **313909**

RIGBY, JEFFERSON, IDAHO

2002-04-05

02:50:00 No. of Pages: 1

Recorded for : **ALLIANCE TITLE & ESCROW**

CONNIE M. KELLER

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

RECEIVED BY
 ASSESSOR

For PLATTING

Date 4-5-02 Time 2:50**Bonneville Land & Title Co.**

497 N. Capital Ave • P.O. Box 51690 • Idaho Falls, ID 83405-1690 • (208) 524-6600





