

OK per Jensen

RECEIVED
AUG 02 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 (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
<i>Partial deed</i> 29-11486	29-22241				

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

- 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)

Ronald Harris, Linda Harris

4. New Owner/Claimant(s)

Russell Tibbitts

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2121 Bannock Hwy

City, State and ZIP Code

Pocatello, ID 83201

New Telephone Number

(208) 251-1021

5. Date you acquired the property

5-20-02

WARRANTY DEED

20210300

For Value Received **LINDA M. HARRIS**, an unmarried person

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RUSSELL TIBBITTS , an unmarried man

whose address is: **2121 SOUTH BANNOCK HIGHWAY, POCA TELLO, ID 83204**

Hereinafter called the Grantee, the following described premises situated in **Bannock** County, Idaho, to-wit:

TRACT 3, MIRABELLA TRACTS, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF BANNOCK COUNTY, IDAHO.

EXCEPT THEREFROM:

A TRACT OF LAND LOCATED IN THE LOT 4, SECTION 1, TOWNSHIP 7 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF TRACT 3 MIRABELLA TRACTS, A SUBDIVISION IN BANNOCK COUNTY, WHICH POINT IS ON THE EASTERLY BANK OF THE PORTNEUF RIVER AS IT EXISTS SEPTEMBER 1, 1965; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY BOUNDARY OF SAID TRACT 3 128.0 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE PERMANENT RIGHT OF WAY OF THE PORTNEUF RIVER FLOOD CONTROL PROJECT AS SHOWN ON THE CORPS OF ENGINEER'S MAP ON FILE IN THE BANNOCK COUNTY ENGINEER'S OFFICE, WHICH POINT IS ON A CURVE HAVING A RADIUS OF 186.48 FEET AND A CENTRAL ANGLE OF 84°22' AND WHICH POINT LIES SOUTHWESTERLY 5.42 FEET FROM A POINT ON A CURVATURE; THENCE ALONG SAID RIGHT OF WAY LINE ALONG SAID CURVE TO THE LEFT 109.96 FEET TO THE SOUTHEASTERLY BOUNDARY LINE OF SAID TRACT 3; THENCE SOUTHWESTERLY 105.0 FEET ALONG THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 3 TO THE WESTERLY BOUNDARY OF SAID TRACT 3, WHICH IS ALSO THE EASTERLY BANK OF SAID PORTNEUF RIVER; THENCE DOWNSTREAM ALONG SAID EASTERLY BANK OF SAID PORTNEUF RIVER TO THE POINT OF BEGINNING.

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 their 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.

Dated: May 14, 2002

LINDA M. HARRIS

LINDA M. HARRIS

STATE OF Georgia

COUNTY OF Gwinnett

On this 15th day of May, 2002, before me S. M. Adcock, personally appeared LINDA M. HARRIS, known or identified to me (or proved to me on the oath of S. M. Adcock), to be the person(s) whose name(s) IS subscribed to the within instrument, and acknowledged to me that SHE executed the same.

Notary Public of Gwinnett
Residing at: 3624 Perimeter Ct Norcross, GA 30092
Commission Expires: July 14, 2004

Residing at: 3624 Parkview Ct. N. Ridge, Ga 30075

Commission Expires: July 14, 2004

NO **20210300**

Recorder at request of

FIRST AMERICAN TITLE

Date 5/30/02 2:11 P.M.

Official Record Book 812

Examiner's Initials 30c

Fee \$1

Recorder at request of

FIRST AMERICAN TITLE

Date. 5/20/02 2:11 P.M.

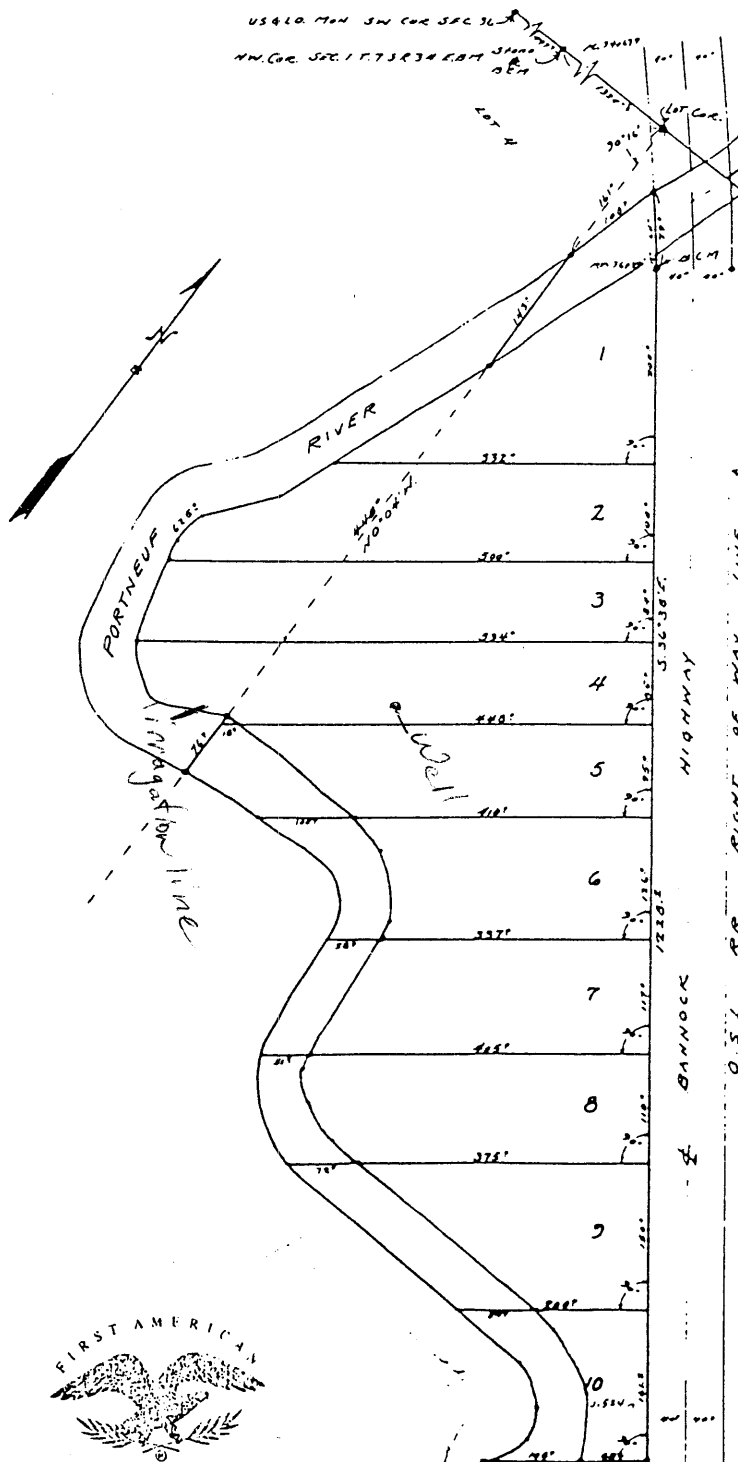
Official Record Book 812

30c

NOT BY DEAL

MIRABELLA TRACTS

SUBDIVISION IN LOTS 3 & 4 SEC. 1, T.7S, R.34E, B.M.



THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE PREMISES. THE COMPANY ASSUMES NO LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE ON THIS MAP.



POCATELLO, IDAHO

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

10/28/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-2224J

NAME AND ADDRESS: RUSSELL TIBBITTS
2121 BANNOCK HWY
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 10/04/1919

POINT OF DIVERSION:
T07S R34E S1 SENWNW Lot 4 Within BANNOCK County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R34E S01 Lot 3 NENW	0.6	T07S R34E S01 Lot 4 NWNW	0.1
--------------------------	-----	--------------------------	-----

0.7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.