orm 42-248/42-1409(6) July, 2000

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RECEIVED
SEP 05 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, 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
	[redacted]-4109				
	29-4111				
	29-4112				
	29-4110				

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) 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): John William Hart Jennie Hart
2435 E Hawkins Downey ID 83234

4. New Owner/Claimant(s): John William Hart | Marilyn Mikkelson

Name Connector (Check one): [ ] and, [ ] or, [X] and/or

New Mailing Address: 2435 E Hawkins | 2433 E Hawkins

City, State and ZIP Code: Downey ID 83234 | Downey ID 83234

New Telephone Number: (208) 897-5743 | (208) 877-9918.

5. Date you acquired the property: N.A.

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) John Hart
(include title if applicable) Marilyn M. Hart

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 _____

WARRANTY DEED

565940

For Value Received HERMAN H. REISNER and BEATRICE V. REISNER, husband and wife,

the grantor s, **do hereby grant, bargain, sell and convey unto** JOHN W. HART and JENNIE D. HART, husband and wife,

whose current address is Rural Route, Downey, Idaho 83234

the grantee s, **the following described premises, in** Bannock County Idaho, to wit:

Township 10 South, Range 37 East of the Boise Meridian

Section 31: Commencing at a brass cap marker which is the Southwest corner of Section 31, and running thence North across the Virginia Highway to the North Bank of the channel of Marsh Creek 1027 feet, more or less, thence North 77°05' East 200 feet along said channel, thence North 47°50' East 400 feet, more or less, thence East 20.08 feet, thence South across the Virginia Highway 1340.20 feet, more or less, to the South line of Section 31, thence West 31 rods, more or less, to the place of beginning, and being a portion of LOT SEVEN (7), Township 10 South, Range 37 East of the Boise Meridian. EXCEPTING THEREFROM those portions of above-described premises falling within the bounds of the Virginia Highway.

ALSO, Commencing at the Northeast corner of the SE¼SW¼ of LOT EIGHT (8), Section 31, and running thence West 80 rods to the East boundary line of LOT SEVEN (7), thence South 729 feet, more or less, to the North boundary line of the Virginia Highway, thence Easterly following the North boundary of the said highway to a point 686 feet South along the East line of Lot 8, thence North 686 feet along the East line of Lot 8 to the place of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their **heirs and assigns forever. And the said Grantor** s **do hereby covenant to and with the said Grantee** s, **that** they are **the owners in fee simple of said premises; that they are free from all incumbrances**

and that they **will warrant and defend the same from all lawful claims whatsoever.**

Dated: November 22, 1976

Herman H. Reisner

Beatrice V. Reisner

STATE OF IDAHO, COUNTY OF

On this 22nd **day of** November, 19 76, **before me, a notary public in and for said State, personally appeared**

HERMAN H. REISNER and BEATRICE V. REISNER, husband and wife,

known to me to be the person s **whose names** are **subscribed to the within instrument, and acknowledged to me that** they **executed the same.**

John B. Green

Notary Public

Residing at Downey **, Idaho**

Comm. Expires Oct. 25, 1980

565940

NO.

RECORDED AT REQUEST

John Hart

Nov 24 4 30 PM '76

296

BANNOCK COUNTY, IDAHO

TIM EBERSEN, RECORDER

FEE 1.00 DEPUTY In

NOTARY SEAL

Furnished by the AMERICAN LAND TITLE CO., Pocatello, Idaho

WARRANTY DEED

565941

For Value Received HERMAN H. REISNER and BEATRICE V. REISNER, husband and wife,

the grantor s do hereby grant, bargain, sell and convey unto

JOHN W. HART and JENNIE D. HART, husband and wife,

whose current address is Rural Route, Downey, Idaho 83234

the grantees, the following described premises, in Bannock **County Idaho, to wit:**

Township 10 South, Range 37 East of the Boise Meridian
Section 31: Commencing at the Southeast corner of the SE¼SW¼ of LOT EIGHT (8), Section 31; and running thence West 300 feet along the section line, thence North 677.88 feet to the South boundary line of the Virginia Highway, thence South 72°27' East 314.65 feet along said highway, thence South 583 feet to the place of beginning.

ALSO, Commencing at a point 256 feet North of the Southwest corner of the SE¼SW¼ of LOT EIGHT (8), Section 31; and running thence North 280 feet, more or less, to the South Boundary Line of the Virginia Highway, thence Easterly 325 feet along said Highway, thence South 280 feet, thence Westerly 325 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that the y are the owners in fee simple of said premises; that they are free from all incumbrances

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: November 22, 1976

Herman H. Reisner

Beatrice V. Reisner

STATE OF IDAHO, COUNTY OF
On this 22nd **day of** Nov., 1976, **before me, a notary public in and for said State, personally appeared**

HERMAN H. REISNER and BEATRICE V. REISNER, husband and wife,

known to me to be the person s whose names are subscribed to the within instrument, and acknowledged to me that they **executed the same.**

John B. Baum

Notary Public

Residing at Downey, **, Idaho**
Comm. Expires Oct. 25, 1980

NO. 565941
RECORDED AT REQUEST OF
John Hart

Nov 24 4 30 PM '76

296
BANNOCK COUNTY, IDAHO
WM. LEIKSEN, RECORDER
FEE 1.00 DEPUTY 1n

NOTARY SEAL

Furnished by the AMERICAN LAND TITLE CO., Pocatello, Idaho

WARRANTY DEED

REVENUE STAMPS

For Value Received Ten Dollars and other valuable consideration

Herman Reisner

94016225

the grantor , do hereby grant, bargain, sell and convey unto

John W. Hart and Jennie Hart, husband and wife

the grantees , the following described premises, in Bannock County Idaho, to wit:

Lot 5 -54.24 Acers; Lot 4 -55.57 Acers Tr. Lot 3 & SE¼NW¼ Tax 12- 68.53 Acers Section 6 Township 11 South Range 37 E. B. M.
NE¼SE¼ 40 Acers.
Section 1 Township 11 South Range 36 E. B. M.
Of better discribed as followes:
Lot 5 and Lot 4, Section 6, Township 11 South, Range 37 E. B. M., Bannock County, Idaho, and Lot 3 and SE¼ NW¼ of Section 6, Township 11 South, Range 37 E. B. M., Bannock County, Idaho, Except the Following described tract: Beginning at the Southwest corner of the SE¼ NW¼ of Section 6, Township 11 South, Range 37 E.B.M., thence East 20 Rods, thence North 100 Rods, thence West 20 Rods, thence South 100 Rods to the point of Beginning. NE¼ SE¼ Section 1, Township 11 South, Rnage 36, E. B. M., Bannock Sounty, Idaho...

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, Their heirs and assigns forever. And the said Grantor do se hereby covenant to and with the said Grantee , that he is the owner in fee simple of said premises; that they are free from all incumbrances none

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: December 6, 1966

Herman Reisner

STATE OF IDAHO, COUNTY OF
On this 6 day of December, 1966, before me, a notary public in and for said State, personally appeared Herman Reisner

NOTARY SEAL

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

John B. Brown
Notary Public
Residing at Downey , Idaho
Comm. Expires Oct. 25, 1968

94016225
NO.
RECORDED AT REQUEST OF
JOHN W. HART
'94 SEP -6 P4:12
OFFICIAL RECORDS BOOK NO. 623
BANNOCK COUNTY, IDAHO
LARRY GRAN RECORDER
FEE 3.00 DEPUTY

Furnished by the POCATELLO TITLE CO.

Vital Statistic Record Notice

Name: Jennie Marie Dunton Hart
Date: November 17, 1999

Death certificates and other vital statistic records are exempt from disclosure under Idaho's Public Records Act (Chapter 1, Title 74) and are therefore not retained as part of a water right record or other record that is available to the public.

The notice of change of water right ownership form included a death certificate which was relied on to verify and update the record of ownership but was not retained as part of the permanent record.