

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

OK JC 416-03

RECEIVED

APR 10 2003

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Department of Water Resources
Eastern Region

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
	29-6046				

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)

Hal M. DERBIDGE
P.O. Box 186 (1750 W. PORTNEUF RD) 83243

4. New Owner/Claimant(s)

BOB KIM, ELLEN CHARLES & JHANNA FITZGERALD
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 94 (1750 W. PORTNEUF RD)

City, State and ZIP Code

INCOM, IDAHO 83243

New Telephone Number

(208) 775-4941

5. Date you acquired the property

Gift Deed

This is a gift deed of a residence located at 1750 W. Portneuf Rd., Inkom, Bannock County, Idaho, more particularly described as follows:

Parcel 1:

That portion of the NW1/4NW1/4, Section 28, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho, described as follows:

Beginning at the Northeast corner of said NW1/4NW1/4; thence along the North line of the said NW1/4NW1/4, South 89° 59'30" West, 215.36 feet; thence South 61° 37'30" West, 578.93 feet; thence South 0° 00'30" East, 285.08 feet; thence North 89° 59'30" East, 324.34 feet; thence North 63° 01'30" East, 440.87 feet, more or less, to the East line of said NW1/4NW1/4; thence along said East line, North 1° 11'30" East, 360.56 feet, more or less to the Point of Beginning.

Parcel 2:

That portion of the NW1/4NW1/4, Section 28, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho, described as follows:

Beginning at a point on the East line of said NW1/4NW1/4, that is South 1° 11'30" West, 360.56 feet from the Northeast corner of said NW1/4NW1/4; thence South 1° 11'30" West, 350.00 feet, more or less, to the Indian Creek Road; thence South 3° 40'30" West, 50.00 feet; thence on a curve to the right with radius of 50.00 feet and a central angle of 87° 32', for a distance of 76.39 feet; thence North 1° 11'30" East, 323.14 feet; thence North 63° 01'30" East, 56.76 feet, more or less, to the Point of Beginning.

Grantors are Hal and Helen S. Derbidge. The Grantee is Helen Johanna Fitzgibbons, whose address is 677 Foster, Idaho Falls, Bonneville County, Idaho. Grantors grant the foregoing real estate to grantee as her sole and separate property, reserving a life estate in the foregoing property to continue until both of the grantors are deceased. When the grantors are deceased, the grantee may file with the Clerk of Bannock County, an affidavit verifying Grantors' death with copies of the decedents' death certificates attached. At that time, the life estate will automatically terminate with no further proceedings.

The Grantee shall not do anything to interfere with or prevent the grantors quiet enjoyment of the life estate.

Taxes & Insurance: The Grantors shall be responsible for insuring the residence with a standard home owner's policy naming the grantors as the insured providing the proceeds shall be paid to the grantors and the grantee. Grantors shall also be responsible for paying all real estate taxes incurred on the property.

3-2

20101266

Disclaimer of Warranties: The real property gifted herein is without any warranty of any type or nature including but not limited to warranties of title and merchantability.

Effective Date: This agreement shall take effect on the date that this deed is signed.

Heirs and Successors: This gift shall be binding upon the Grantor's heirs, assigns and successors.

This gift is given with love and affection to the grantee, our daughter, for the unselfish care she has provided to us for the past several years (cooking, cleaning, preparing foods and meals, yard care, house maintenance, improvements, reconstruction of the premises).

DATED this 23rd day of January, 2001

Hal M. Derbidge
HAL DERBIDGE

Helen M. Derbidge
HELEN DERBIDGE

04/15/2003

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

RIGHT NUMBER: 29-604G

NAME AND ADDRESS: CHARLES FITZGIBBONS
PO BOX 94
INKOM ID 83245

JOHANNA FITZGIBBONS
PO BOX 94
INKOM ID 83245

SOURCE: INDIAN CREEK

TRIBUTARY: SINKS

QUANTITY: 0.004 CFS

PRIORITY DATE: 05/31/1908

POINT OF DIVERSION:
T07S R36E S28 SENWNW 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	0.004 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T07S R36E S28 NWNW 0.2

0.2 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: BASIS OF CLAIM - Decreed