

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
	27-11367				

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)

Joyce P. Bennett
Box 537, Grace ID 83241

4. New Owner/Claimant(s)

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

New Mailing Address

397 Fish Hatchery Rd

City, State and ZIP Code

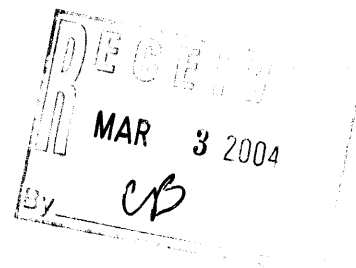
Grace, Id. 83241

New Telephone Number

2081 427-6661

5. Date you acquired the property

June 3, 1991



141482

WARRANTY DEED

FOR VALUE RECEIVED, Joyce P. Bennett, an unmarried woman, the grantor, does hereby grant, bargain, sell and convey unto Keith Bitton and Judy Bitton, husband and wife, whose current address is 397 Fish Harbor Road, Thatcher, Idaho, 83283, the grantees, the following described premises, in Caribou County, Idaho, to wit:

Legal description is attached as Exhibit "A".

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are free from all encumbrances except for real property taxes for 1991 and subsequent years, all building and zoning laws and regulations, all easements, rights of way, covenants and restrictions, oil or mineral leases and any reservations of record, and that she will warrant and defend the same from all lawful claims whatsoever.

DATED:

Joyce P. Bennett
Joyce P. Bennett

STATE OF IDAHO)
 :SS
County of Bannock)

STATE OF IDAHO
County of Caribou
Date June 16, 1991
Time 2:45 P.M.
Microfilm Records
Recorder: Rebecca A. Jenkins
Deputy: Beth Avey
Fee: \$6.00 CT

On this 3rd day of June, 1991, before me, a notary public in and for said state, personally appeared Joyce P. Bennett, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the date and year first above written.

(NOTARY SEAL)

M. J. Meyers
Notary Public for Idaho
Residing at Pocatello
Commission Expires _____

EXHIBIT "A"

Arbon County:
Township 8 South, Range 4 East of the 10th Meridian

Section 24: Beginning at the Northwest corner of Section 4, and running thence East 81 feet along the North 1/4 line, to a fence; thence South 33°02' East 120 feet to the Northeast corner of Blue Creek Road, on the North 1/4 line, to a point on the latitudinal center line of said road; thence South 33°02' East 120 feet; thence South 47°47' East 120 feet; thence South 53°47' East 120 feet to the East 1/4 line; thence South along said Section line 160 feet to the Southeast corner of said Section; thence East 120 feet; thence North 1220 feet; thence West 120 feet to the North 1/4 line, to the point of beginning.

Section 25: NE1/4



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

23 February 2004

COPY

Keith Bitton
397 Fish Hatchery Road
Grace, ID 83241

Re: Snake River Basin Adjudication (SRBA)
Claim 27-11367

Subject: AMENDMENT TO CLAIM & CHANGE IN OWNERSHIP

Response Date: 5 MARCH 2004

Dear Claimant(s),

Thank you for speaking with our representative concerning the above referenced claim. The claim was originally filled by Joyce P. Bennett. I understand that since you purchased this land you have not irrigated it. You also indicated that you do water livestock directly from Slug Creek and no alterations have been made to divert the water in any manner.

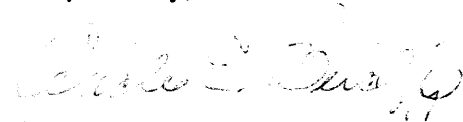
We therefore recommended that you file an amended claim. I have taken the liberty of preparing the necessary documentation to make the change. Please sign the enclosed Amended Notice of Claim to a Water Right before a notary public and return it to this office. Also please sign the Notice of Change in Water Right Ownership form. We will also need a copy of the plat, survey map OR aerial photo with the appropriate area marked and a copy of the warranty deed.

In the adjudication review process there is no filing fee. Please submit the

documentation by the above referenced response date. If we do not hear from you in a timely manner this claim may not be recommended to the SRBA Court.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,



Cindy E. Bird
Adjudication Bureau

CEB/bjp

Enclosure:

Amended Notice of Claim To A Water Right
Form 42-248/42-1409(6) "Change in Water Right Ownership"

INTER-DEPARTMENT MEMO

TO: Barbara / Pauline

SUBJECT: ownership

FROM: Cindy

DATE: 2/17/04

Please verify with the Carbon Co. assessors office that Joyce Bennett still owns the piece of property. Also, verify the address is current.

Then please put it in the needs field exam for Cindy

ask Betty, owner of property.

() For your information

() Response required

CB
signature

18 February 2004

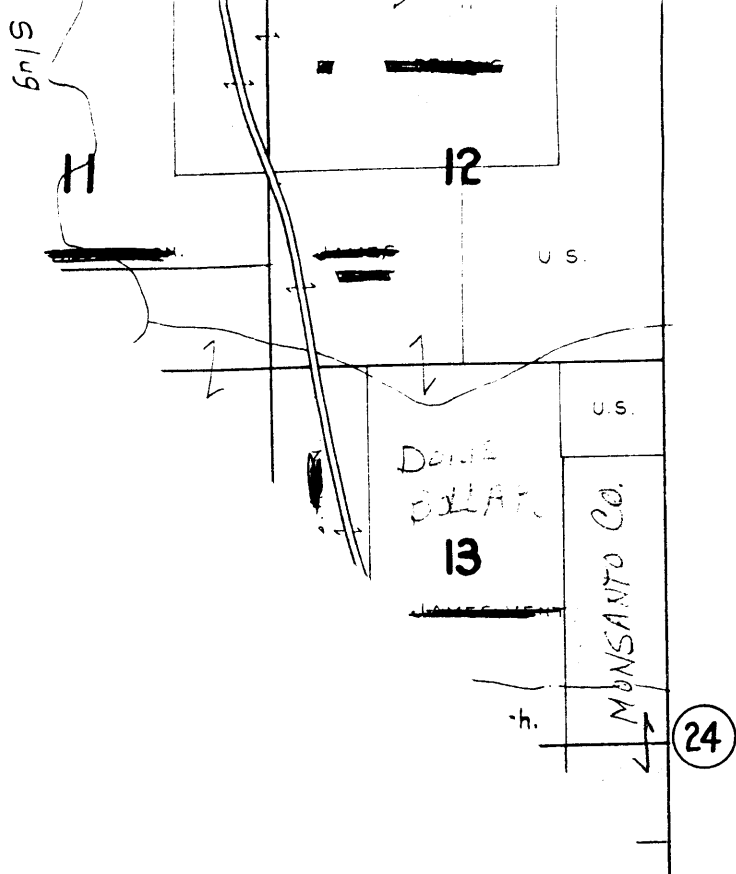
Memo to File:

I checked with the Assessor's office. Preston Phelps advised that Keith Bitton owns the whole NE quarter of Section 25, T8S, R43E.

Need to find out if he wants to pursue the water claim filed by Joyce P. Bennett in 1990. If he wants to pursue the claim he needs to support the irrigating of the ground.

I called his home (427-6661) and left a message for him to call the Soda office.

Barbara



ion in whole
sonal use or
bited by law.

LEGEND--

IS

5. UNPAVED
LOADS

LOADS

NT CREEKS

S

CS