

DELOG AR 3/18/04

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED.

MAR 16 2004

Department of Water Resources
Eastern Region

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
22-456					
22-457					

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)

Allen Tibbitts
635E 4th St. Anthony, ID. 83445

4. New Owner/Claimant(s)

Pioneer Ditch Co.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

160N 2400E

City, State and ZIP Code

St. Anthony, ID. 83445

New Telephone Number

(208) 458-7081

5. Date you acquired the property

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) _____
(include title if applicable)

Jay Klein

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

For Value Received, Allen B. Tibbitts and Terry D. Tibbitts, husband and wife the grantors, do hereby grant, bargain, sell and convey unto Jay Douglas Klein, a single man, of P.O. Box 27, Teton City, Idaho 83451, grantee, and to Grantee's heirs and assigns forever, a 32.0179% undivided interest as a tenant in common of the following described real estate located in Fremont County, Idaho:

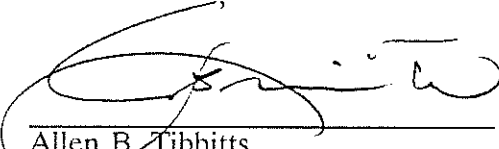
FN 1/2 SENE S25
The North 42 rods of the Southeast Quarter of the Northeast Quarter; Section 25, Township 7 North, range 40 East Boise Meridian, Fremont County, Idaho, less the following parcel of land.

Starting at a point approximately 627 feet North of the Southeast Corner of the Northeast quarter of said Section; and running thence West 590 feet; thence North 144 feet; thence Easterly 590 feet to a point 149 feet North of the point of beginning; thence South 149 feet to the point of beginning. Also less: The West 31.09 feet.

Subject to grantors' right to repurchase this property at the end of a five year period commencing on the recording date of this deed for its then market value.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements hereditaments and appurtenances thereto. And the said Grantors do hereby covenant for themselves their heirs and assigns to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 16 day of ~~April~~ ^{June}, 1992.


Allen B. Tibbitts


Terry D. Tibbitts

STATE OF IDAHO

County of Fremont

} ss.

On this 16 day of ~~April~~ ^{June}, 1992, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Allen B. Tibbitts and Terry D. Tibbitts, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

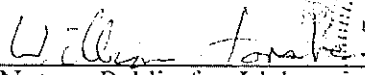
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

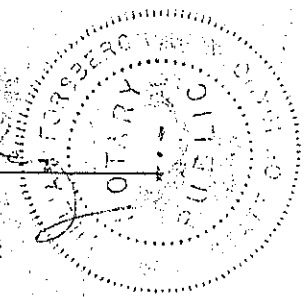
Microfilm No. 422604
18 Day June 19 92
At 10:50 O'clock aM

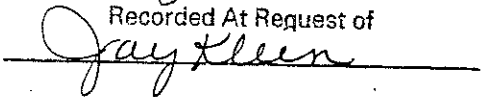
MICKIE FUNKE
FREMONT CO. RECORDER

Fee \$ 3-Sharp Deputy

Recorded At Request of


Notary Public for Idaho
Residing at:
My Commission Expires:





WARRANTY DEED

For Value Received, Allen B. Tibbitts and Terry D. Tibbitts, husband and wife the grantors, do hereby grant, bargain, sell and convey unto Karen Marie Klein, a single woman, of P.O. Box 27, Teton City, Idaho 83451, grantee, and to Grantee's heirs and assigns forever, a 67.9821% undivided interest as a tenant in common of the following described real estate located in Fremont County, Idaho:

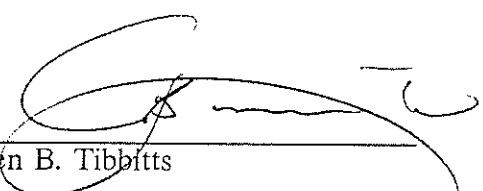
The North 42 rods of the Southeast Quarter of the Northeast Quarter; Section 25, Township 7 North, range 40 East Boise Meridian, Fremont County, Idaho, less the following parcel of land.

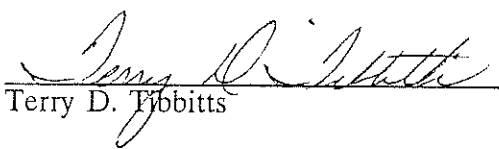
Starting at a point approximately 627 feet North of the Southeast Corner of the Northeast quarter of said Section; and running thence West 590 feet; thence North 144 feet; thence Easterly 590 feet to a point 149 feet North of the point of beginning; thence South 149 feet to the point of beginning. Also less: The West 31.09 feet.

Subject tot grantors' right to repurchase this property at the end of a five year period commencing on the recording date of this deed for its then market value.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements hereditaments and appurtenances thereto. And the said Grantors do hereby covenant for themselves their heirs and assigns to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 16 day of June, 1992.


Allen B. Tibbitts


Terry D. Tibbitts

STATE OF IDAHO

County of Fremont

} ss.

On this 16 day of June, 1992, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Allen B. Tibbitts and Terry D. Tibbitts, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

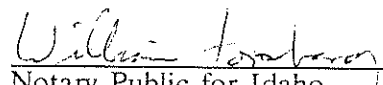
Microfilm No. 122574

16 Day June 19 92
At 10:30 O'clock AM

MICKIE FUNKE
FREMONT CO. RECORDER

Fee \$ 3- CYN Deputy

Recorded At Request of
Karen Marie Klein


Notary Public for Idaho

Residing at:

My Commission Expires:

2-29-Klein-L
ALLIANCE
TITLE & EGRESS CORP.

CORRECTION WARRANTY DEED
(PROPERTY LINE ADJUSTMENT) CORRECTING INSTRUMENT NO. 451485

For Value Received

ALLEN B. TIBBITTS and TERRY D. TIBBITTS, husband and wife
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

JAY D. KLEIN, a single person and DENNIS E. KLEIN, a single person
whose current address is
160 N 2400 E
ST. ANTHONY, ID 83445

the grantee(s), the following described premises, in **FREMONT County IDAHO**, to wit:

A PORTION OF THE SOUTH 38 RODS OF THE SE1/4NE1/4 OF SECTION 25, TOWNSHIP 7 NORTH, RANGE 40 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO
BEING FURTHER DESCRIBED AS; COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 7 NORTH, RANGE 40 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO, THENCE N0°16'07"E 456.98 FEET, TO THE POINT OF BEGINNING, THENCE S90°00'00"W ALONG THE NORTH LINE OF THE TIBBITTS PARCEL 329 FEET; THENCE S00°00'00"W 53.00 FEET; THENCE N90°00'00"E 329 FEET; MORE OR LESS TO THE SECTION LINE N00°00'00"E 53 FEET MORE OR LESS TO THE POINT OF BEGINNING.
SUBJECT TO AN EASEMENT RESERVED TO THE GRANTOR FOR A 6 FOOT IRRIGATION DITCH ALONG THE ENTIRE EAST SIDE OF THE ABOVE DESCRIBED PROPERTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

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

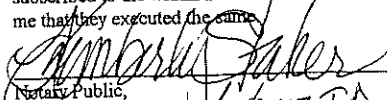

ALLEN B. TIBBITTS

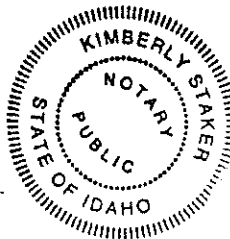

TERRY D. TIBBITTS

STATE OF Idaho, COUNTY OF Fremont
On this 28th day of August, 1998
before me, a Notary Public in and for said State, personally
appeared

ALLEN B. TIBBITTS
TERRY D. TIBBITTS

known to me to be the person(s) whose name(s)
subscribed to the within instruments and acknowledged to
me that they executed the same


Notary Public,
Residing at Meridian, ID
Comm. Expires 11/18/2002



Microfilm No. **453244**
On this 28 Day Aug 19 98
At 11:25 O'clock A M
MICKIE FUNKE
FREMONT CO. RECORDER
Fee \$ 3 OTA Deputy
Recorded At Request of
ALLIANCE TITLE & EGRESS

468287

THIS DEED IS BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION

QUITCLAIM DEED

THIS INDENTURE, made this 24th day of January, 2001, between **JAMES C HOBBS & JUDITH L HOBBS**, of St Anthony, County of Fremont, State of Idaho, parties of the first part and **JAY D. KLEIN & DENNIS E. KLEIN**, of St Anthony, County of Fremont, State of Idaho, the parties of the second part.

WITNESSETH, that the parties of the first party, for an in consideration of the sum of One Dollars lawful money of the United States of America and other valuable consideration to the parties of the first part in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said parties of the second part, and to parties of the second part's heirs and assigns, forever, all the following described real estate, situated in St Anthony, County of Fremont, State of Idaho, to-wit:

All of that land in the South 38 rods of the Southeast Quarter of the ~~Northwest One-~~ Quarter of Section 25, Township 7 North, Range 40 East of the Boise Meridian, Fremont County, Idaho, lying westerly of the following described line:

Beginning at a point that lies N 00 16'07" E 213.00 feet and West 544.42 feet from the SE corner of the NE1/4 of said Section 25; thence running North 191.00 feet to the Point of Terminus.

SEE ATTACHED EXHIBIT "A" *JK OK.*

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to the party of second part's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his/her hand and seal the day and year first above written.

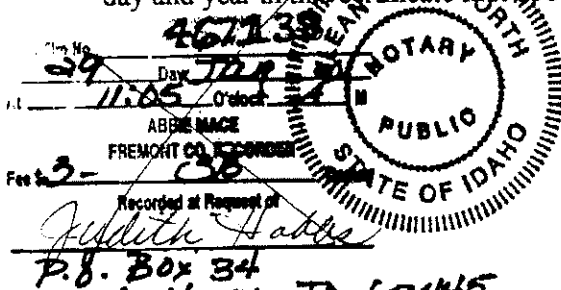
James C Hobbs

Judith L Hobbs

State of IDAHO
County of Fremont

On this 24 day of JAN in the year 2001, before me, a Notary Public in and for said State, personally appeared **JAMES C HOBBS & JUDITH L HOBBS**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



John Wedsworth
Notary Public for State of Idaho
Residing at *St. Anthony Id.*
Comm Exp *2/15/2001*

EXHIBIT "A"

A tract of land in the South 38 rods of the SE1/4 of the NE1/4 of Section 25,
Township 7 North, Range 4o East of the Boise Meridian, Fremont County, Idaho,
being more particularly described as follows:

Commencing at the SE corner of said NE1/4 of Section 25; thence N 00 16'07"E
along the East line of said Section 25 a distance of 404.00 feet; thence West a
distance of 545.31 feet to the Point of Beginning; thence South a distance of 109.00
feet; thence West a distance of 91.44 feet; thence North a distance of 109.00 feet;
thence East a distance of 91.44 feet to the Point of Beginning.

Microfilm No. 468287
At 23 Day April 20 01
At 15:55 of clock P M
ABBIE MACE
FEE \$ 6. FREMONT CO. RECORDER
Recorded at Request of AM Deputy
ALLIANCE TITLE & ESCROW

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