

COPY

1998 NOV 13 AM 11:03
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 47-07772

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Lee W Bitzenburg

Virginia Bitzenburg

Rt 2

Twin Falls ID 83301

Phone: 733-1117

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Virginia Bitzenburg

3359 N 2500 E

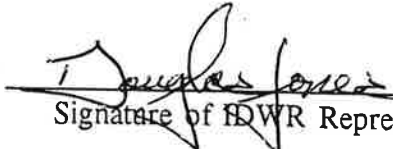
Twin Falls ID 83301

Phone: 733-1117

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 11/10/98


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11-13, 1998, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Lee W Bitzenburg
Virginia Bitzenburg
Rt 2
Twin Falls ID 83301
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Virginia Bitzenburg
3359 N 2500 E
Twin Falls ID 83301
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-10-1998
PAGE: A-13

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 47-07772

NAME & ADDRESS: VIRGINIA BITZENBURG
3359 N 2500 E
TWIN FALLS ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.1 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 11/24/1981

POINT OF DIVERSION: T11S R16E S11 NWSW Within TWIN FALLS County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.03 CFS
	DOMESTIC 4 HOMES	01-01 12-31	0.9 AFY
			0.1 CFS

PLACE OF USE:	STOCKWATER	Within TWIN FALLS County
	T11S R16E S11	NWSW
	DOMESTIC	Within TWIN FALLS County
	T11S R16E S10	SENE
	S11	NESE
		NWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
S/100 RANGE
RP 11S16E101800
RP 11S16E107200
RP 11S16E114800



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

November 11, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

VIRGINIA BITZENBURG
3359 N 2500 E
TWIN FALLS ID 83301

RE: SRBA Claim(s) 47-07772

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

RECEIVED

OCT 29 1998

Department of Water Resources
Southern Region

☐ Water Right Number(s): 47-07772

☐ Old Mailing Address:

Route 2

Twin Falls, Id 83301

☐ New Mailing Address:

3359 N - 2500 E

Twin Falls, Id 83301

☐ New Telephone Number: (208) 733 -- 1117

☐ Signature of Claimant(s):

Virginia Bickelburg

Date:

Oct. 7, 1998

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

RECEIVED

OCT 29 1998

Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 47-07772
 Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Lee W. Bitzenburg
3359N-2500E - TWIN FALLS, ID 83301

4. New Owner/Claimant(s) VIRGINIA R. Bitzenburg
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 3359N - 2500E
 City, State and ZIP Code TWIN FALLS, ID 83301
 New Telephone Number (208) 733-1117

5. Date you acquired the property 2-28-97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes 4 Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Virginia R. Bitzenburg
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Bitzenburg, Virginia
2-28-97
PRD 97-003330

TWIN FALLS COUNTY, IDAHO
Rayborn
MAY 20 1997

19970033301

PERSONAL REPRESENTATIVE'S DEED

60

56

THIS PERSONAL REPRESENTATIVE'S DEED is made this 28 day of February, 1997, by and between the Estate of Lee W. Bitzenburg, deceased, acting by and through Virginia R. Bitzenburg, the duly appointed and acting Personal Representative, Grantor, and Virginia R. Bitzenburg of 3359 North 2500 East, Twin Falls, Idaho, Grantee.

Virginia R. Bitzenburg is the duly qualified, appointed, and acting Personal Representative of the Estate of Lee W. Bitzenburg, and is administering said estate. The estate is filed as Case Number SP 96-921, in Twin Falls County, Idaho, Magistrate's Division.

Pursuant to the powers vested in the Personal Representative under the Idaho Uniform Probate Code, particularly Idaho Code Section 15-3-715, the Personal Representative, for and on behalf of Grantor, does by these presents transfer, convey, and distribute unto Virginia R. Bitzenburg, all right, title, and interest of Grantor in and to the following described real property situated in the County of Twin Falls, State of Idaho:

Township 11 South, Range 16 East, Boise Meridian Section 10: SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT the following described parcel:

All of that portion of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Ten (10) of Township Eleven (11) South of Range Sixteen (16) E. B.M. described as follows: Commencing at a point twenty-five (25) feet West of the Northeast corner of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Ten (10) and running thence South and parallel to the East boundary line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 10 a distance of 180 feet to a point; thence West and parallel to the North boundary line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section a distance of 200 feet to a point; thence South and parallel to the East boundary line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10 a distance of sixty (60) feet to a point; thence East a distance of 200 feet to a point which is 25 feet West of the East boundary line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section and thence North along

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 321
FIRST INTERSTATE BANK BLDG
TWIN FALLS, ID. 83303-0321
(208) 733 2500

a line parallel to the East boundary line of said NE¼SE¼ of said Section a distance of sixty (60) feet to the real point of beginning which is 25 feet West and 180 feet South of the Northeast corner of the Northeast Quarter of the Southeast Quarter of said Section 10 in Township 11 South, Range 16 E. B.M. in Twin Falls County, Idaho

Section 11: N¼SW¼

together with all water rights appurtenant thereto

TO HAVE AND TO HOLD all singular the same unto the said Grantee, and to her heirs, successors, and assigns forever.

IN WITNESS WHEREOF, the Personal Representative has executed this Personal Representative's Deed for and on behalf of the Grantor, on the day and year first above written.

ESTATE OF LEE W. BITZENBURG, Deceased

By: Virginia R. Bitzenburg
VIRGINIA R. BITZENBURG
Personal Representative of the
Estate of Lee W. Bitzenburg, Deceased

STATE OF IDAHO

County of Twin Falls

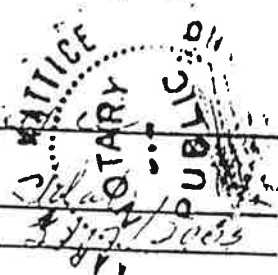
)
: ss.
)

On the 28th day of February, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared Virginia R. Bitzenburg, in her capacity as Personal Representative of the Estate of Lee W. Bitzenburg, known to me to be the signer of the foregoing instrument, who duly acknowledged to me that she executed the same on behalf of said estate.

Kate M. [Signature]
NOTARY PUBLIC

Residence: Idaho

My Commission Expires: 3/27/2003



CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

CERTIFICATE OF DEATH

DATE FILED: AUGUST 08, 1996 STATE FILE NUMBER: 96-04747

DECEDENT: LEE WILLIAM BITZENBURG

DATE OF DEATH: AUG. 03, 1996 PLACE OF DEATH: TWIN FALLS, IDAHO

DATE OF BIRTH: DEC. 27, 1910 PLACE OF BIRTH: MISSOURI

AGE: 85 YEARS SEX: MALE VETERAN? NO

MARITAL STATUS: MARRIED SPOUSE (MAIDEN): VIRGINIA FULLER

SOCIAL SECURITY NUMBER: 510-34-8086 RESIDENCE: TWIN FALLS, IDAHO

FATHER: GRAYSON BITZENBURG
FATHERS BIRTHPLACE: MARYLAND
MOTHER (MAIDEN): FRANCES WHITE
MOTHERS BIRTHPLACE: MISSOURI

MORTUARY: WHITE MORTUARY, INC.
MORTICIAN: LEWIS A. LENKER

TWIN FALLS, IDAHO
DISPOSITION: CREMATION

CERTIFYING CORONER: CHERRELL J. JACOBSEN

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

ACUTE MI
CHF
PROSTATE DISEASE

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

MANNER OF DEATH: NATURAL

This is a true and correct reproduction of the document officially registered and placed
on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY

SEPTEMBER 04, 1996

DATE ISSUED:

This copy is not valid unless prepared on engraved border
displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOUR
RECOMMENDED WATER RIGHTS ACQUIRED UNDER ST

RIGHT NUMBER: 47-07772

NAME & ADDRESS: LEE W BITZENBURG
VIRGINIA BITZENBURG
RT 2
TWIN FALLS ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.1 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL
GALLONS PER DAY.

PRIORITY DATE: 11/24/1981

POINT OF DIVERSION: T11S R16E S11. NWSW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
STOCKWATER
DOMESTIC 4 HOMES

PLACE OF USE: STOCKWATER Within TWIN FALLS Cou
T11S R16E S11 NWSW
DOMESTIC Within TWIN FALLS Cou
T11S R16E S10 SENE
S11 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WA

THE QUANTITY OF WATER DECREED FOR THIS WATER
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
S/100 RANGE
RP 11S16E101800
RP 11S16E107200
RP 11S16E114800

