

DEC 27 2021

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
47-14823	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: L Clyel Berry
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Brian or Michelle Tubbs
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or
- 3469 E. 3100 N. Kimberly ID 83341
Mailing address City State Zip
- 208-420-9152 tubbslivestock@aol.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: August 6, 2021
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☐ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Brian Tubbs Title, if applicable Date 12/27/2021
 Signature of new owner/claimant
 Print name
- Signature: Michelle Tubbs Title, if applicable Date 12/27/2021
 Signature of new owner/claimant
 Print name

Received by SG Date 12/27/21 For IDWR Office Use Only: Receipt No. 5039000 Receipt Amt. \$25.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by TW Date 1/19/2022

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
1502 Locust Street North, Bldg. 300
Twin Falls, ID 83301

TWIN FALLS COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE - TWIN F/
09:23:01 AM 08-06-2021
2021018658
NO. PAGES 3 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: SB
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **990907-TF (sg)**

Date: **July 28, 2021**

For Value Received, **L. Clyel Berry and Jill Berry, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Brian A. Tubbs and Michelle R. Tubbs, husband and wife**, hereinafter called the Grantee, whose current address is **3469 East 3100 North, Kimberly, ID 83341**, the following described premises, situated in **Twin Falls County, Idaho**, to-wit:

TOWNSHIP 11 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 29: NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29 TOWNSHIP 11 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO, STATE OF IDAHO LYING EASTERLY FROM THE FOLLOWING DESCRIBED LINE EXCEPT THAT PORTION LYING NORTHERLY FROM THE CENTER LINE OF THE COUNTY ROAD ALONG THE NORTH LINE THEREOF.

A LINE BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 29, SAID NORTH QUARTER CORNER BEING NORTH 89°51'00" WEST A DISTANCE OF 2631.26 FEET FROM THE NORTHEAST SECTION CORNER OF SAID SECTION 29; THENCE BEARING SOUTH 19°13'11" EAST A DISTANCE OF 698 FEET, MORE OR LESS TO THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 29.

EXCEPT THEREFROM:

TOWNSHIP 11 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 29: THAT PART OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 29, THE TRUE POINT OF BEGINNING;

THENCE RUNNING SOUTH ON THE EAST BOUNDARY OF SAID N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ 660 FEET;

THENCE RUNNING WEST ON THE SOUTH BOUNDARY OF SAID N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ 391 FEET;

THENCE RUNNING NORTH, PARALLEL TO THE EAST BOUNDARY OF SAID N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ 660 FEET;

THENCE RUNNING EAST ON THE NORTH BOUNDARY OF SAID N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ 391 FEET TO THE TRUE POINT OF BEGINNING.

Date: **07/28/2021**

Warranty Deed
- continued

File No.: **990907-TF (sg)**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 07/28/2021

Warranty Deed
- continued

File No.: 990907-TF (sg)

L. Clyel Berry
L. Clyel Berry

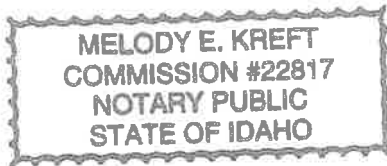
Jill Berry
Jill Berry

STATE OF Idaho

COUNTY OF Twin Falls

)
ss.

On this 30 day of ~~August~~ ^{July}, 2021, before me, a Notary Public in and for said State, personally appeared **L. Clyel Berry and Jill Berry**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Melody E. Kreet
Notary Public for the State of Idaho
Residing at: Twin Falls, ID
My Commission Expires: 2-8-25



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 19, 2022

BRIAN TUBBS
MICHELLE TUBBS
3469 E 3100 N
KIMBERLY ID 83341-5251

Re: Change in Ownership for Water Right No(s): 47-14823

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9912.

Sincerely,

Tyler Wallace
Engineer Intern

Enclosure(s)