

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 11 2019

Department of Water Resources
Eastern Region

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
13-2002	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: Frank C. Christensen

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Ira Tibbitts and/or Cydney Tibbitts

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/or

546 E 1100 N

Logan

UT

84341

Mailing address

City

State

ZIP

435-757-2709

Email

ira.tibbitts@gmail.com

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: 1/31/2019

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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):

- ☐ \$25 per *undivided* water right.
- ☐ \$100 per *split* water right.
- ☐ 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: *Ira Tibbitts*

Signature of new owner/claimant

Title, if applicable

1/31/2019

Date

Signature: *Cydney Tibbitts*

Signature of new owner/claimant

Title, if applicable

1/31/2019

Date

For IDWR Office Use Only:

Received by MP

Date 4/11/19

Receipt No. E044869

Receipt Amt. 2500

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

Date

Refund Requested 10/29/2019

C75 total

MAIL TAX NOTICE TO
IRA BRENT TIBBITTS
546 EAST 1100 NORTH
LOGAN, UTAH 84341

ID: 202251
County: Caribou
Date: 1-31-2019 Time: 14:38:29

SPECIAL WARRANTY DEED

IRA LaRON TIBBITTS, individually and as Trustee of the JEANNE M. TIBBITTS MARITAL TRUST dated April 16, 2011, and IRA LaRON TIBBITTS, Trustee of the IRA LaRON TIBBITTS REVOCABLE TRUST dated November 11, 1998, Grantors of Grace, County of Caribou, State of Idaho, hereby CONVEY AND WARRANT for claims arising under Grantor and no others, to IRA BRENT TIBBITTS and CYDNEY LYNN TIBBITTS, husband and wife, Grantees of 546 East 1100 North, Logan, Utah 84341, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tracts of land in Caribou County, State of Idaho:

The home and real property located at 2344 North Beach Road in Grace, Caribou County, Idaho, more particularly described as follows:

Parcel 1:

Township 10 South, Range 41 East of the Boise Meridian; Section 33: Beginning at a point 646.7 feet North of the West Quarter corner of said Section 33, and running thence North 673.3 feet to the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 33; thence East 2640 feet; thence South 377.18 feet more or less to the Northerly right-of-way line of a County Road; thence South 83°36' West 2656.56 feet to the point of beginning.

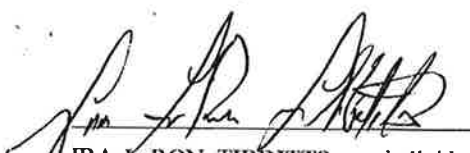
Water Rights:

Together with a one-fourth (1/4) interest in culinary and irrigation spring and all irrigation equipment owned by Grantors.

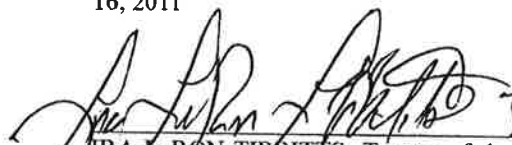
Parcel 2:

Township 10 South, Range 41 East of the Boise Meridian; Section 33: The North Half of the Southwest Quarter. ALSO: Beginning at the West Quarter corner of said Section 33, and running thence North 596.7 feet; thence North 83°36' East 2,656.56 feet more or less to an intersection with the Meridianal center line of said Section 33; thence South 892.82 feet more or less to the center Quarter corner of said Section 33; thence West 2,640 feet more or less to the point of beginning.

Together with all water and water rights used upon or appurtenant to the above-described parcels, and however evidenced, and including but not limited to 360 shares of stock in The East Branch Canal Co., Ltd., and 300 shares of stock in Last Chance Canal Company.


IRA LaRON TIBBITTS, an individual


IRA LaRON TIBBITTS, Trustee of the
Jeanne M. Tibbitts Marital Trust dated April
16, 2011

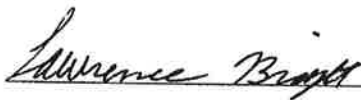

IRA LaRON TIBBITTS, Trustee of the Ira
LaRon Tibbitts Revocable Trust dated
November 11, 1998

STATE OF NEVADA)

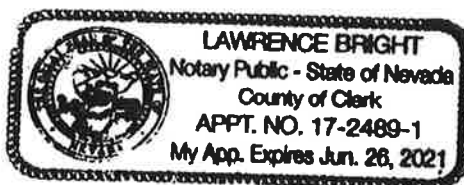
: ss.

County of Clark)

On the 30 day of January, 2019, personally appeared before me IRA LaRON TIBBITTS, Trustee of the Jeanne M. Tibbitts Marital Trust dated April 16, 2011; and IRA LaRON TIBBITTS, Trustee of the LaRon Tibbitts Revocable Trust dated November 11, 1998, one of the signers of the within instrument, who duly acknowledged to me that he executed the same individually and as Trustee of each Trust.



NOTARY PUBLIC



WARRANTY DEED

H. SANFORD CAMPBELL, Trustee of the H. Sanford Campbell Revocable Trust dated October 20, 1981, as amended, as to an undivided one-half (1/2) interest, and ROSALIE B. CAMPBELL, Trustee of the Rosalie B. Campbell Revocable Trust dated October 20, 1981, as to an undivided one-half interest, Grantors of Logan, County of Cache, State of Utah, hereby CONVEY AND WARRANT to IRA LARON TIBBITTS and JEANNE M. TIBBITTS, Trustees of the Ira LaRon Tibbitts Revocable Trust dated November 11, 1998, as to an undivided one-half (1/2) interest, and JEANNE M. TIBBITTS and IRA LARON TIBBITTS, Trustees of the Jeanne M. Tibbitts Revocable Trust dated November 11, 1998, as to an undivided one-half (1/2) interest, Grantees of 2344 North Bench Road, Grace, Idaho 83241, for the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the following described tracts of land in Caribou, State of Idaho:

See Exhibit A attached.

Together with all water rights used in connection with said real property.

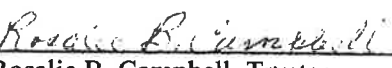
DATED this 4 day of September, 2001.


Witness

H. SANFORD CAMPBELL REVOCABLE TRUST

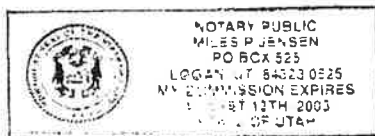
By 
H. Sanford Campbell, Trustee

ROSALIE B. CAMPBELL REVOCABLE TRUST

By 
Rosalie B. Campbell, Trustee

STATE OF UTAH)
 : ss.
County of Cache)

On the 4 day of September, 2001, personally appeared before me H. Sanford Campbell, Trustee, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same, as Trustee of the H. Sanford Campbell Revocable Trust.




NOTARY PUBLIC

WARRANTY DEED

Page 2

164328

STATE OF UTAH)
 : ss.
County of Cache)

On the 4 day of September, 2001, personally appeared before me Rosalie B. Campbell, Trustee, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same, as Trustee of the Rosalie B. Campbell Revocable Trust.



Myles P. Jensen
NOTARY PUBLIC

j/mpj/rec/campbell.tibbitts.wd
N-2020.29

STATE OF IDAHO } ss 164328
County of Caribou }

I hereby certify that this instrument was filed at the request
of Myles P. Jensen
at 4:30 o'clock P m this 12th day of
September, 2001 in my office and duly
recorded official Records

Recorder Edie Izatt

Signature

Lexie Stephens

Deputy 9.08.01

EXHIBIT "A"

Township 10 South, Range 41 East of the Boise Meridian:

Section 33: N1/2 SW1/4, ALSO, beginning at the West quarter corner of said Section 33, and running thence North 596.7 feet; thence North 85°36' East 2,656.56 feet, more or less, to an intersection with the Meridianal center line of said Section 33; thence South 892.82 feet, more or less, to the center quarter corner of said Section 33; thence West 2,640 feet, more or less, to the point of beginning. EXCEPT THEREFROM, beginning at a point on the Westerly right-of-way line of a Caribou County Road, said point being West 2,673.45 feet and North 2,511.94 feet from the Southeast corner of said Section 33, and running thence North along said right-of-way 261.53 feet; thence West 463.13 feet; thence South 39°59' East 286.09 feet; thence South 81°23' East 282.49 feet, more or less, to the point of beginning.

Together with a 50 HP Uniclosed electric motor, with an unknown make centrifugal pump, and 2,060 feet of sizes 6-inch through 8-inch steel mainline, and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

Together with any and all tenements, hereditaments, and appurtenances thereunto belonging or used in connection therewith.

Together with all water and water rights used upon or appurtenant to said lands, and however evidenced, and particularly 240 shares of stock in The East Branch Canal Co., Ltd., evidenced by Certificate No. 261, and 240 shares of stock in Last Chance Canal Company, evidenced by Certificate No. 2324.

All situated in Caribou County, State of Idaho.

157887

STATE OF IDAHO

County of Caribou

Date: Nov. 16, 1998

Time: 9:20 A.M.

Official Records

Recorder: Edie Izatt

Deputy: Denise Marsley

Fee: 300

WARRANTY DEED

IRA LaRON TIBBITTS and JEANNE M. TIBBITTS, husband and wife, Grantors of Grace, County of Caribou, State of Idaho, hereby CONVEY AND WARRANT to IRA LaRON TIBBITTS and JEANNE M. TIBBITTS, or their Successors, as Trustees of the IRA LaRON TIBBITTS REVOCABLE TRUST dated November 11, 1998, Grantees of 2344 North Bench Road, Grace, Idaho 83241, for the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the following described tract of land in Caribou County, State of Idaho:

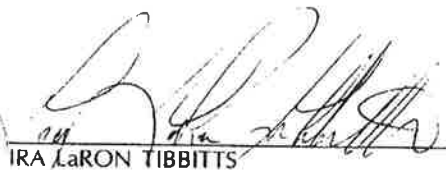
Township 10 South, Range 41 East of the Boise Meridian; Section 33, beginning at a point 646.7 feet North of the West Quarter corner of said Section 33, and running thence North 673.3 feet, to the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 33; thence East 2640 feet; thence South 377.18 feet, more or less, to the Northerly right of way line of a county road; thence South 83°36' West 2656.56 feet, to the point of beginning.

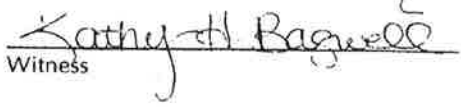
$\frac{1}{4}$ interest in culinary and irrigation spring.

Water Stock; 60 shares of Last Chance Canal Co., 120 shares of East Branch Canal Co.

All irrigation equipment.

DATED this 11th day of November, 1998.


IRA LaRON TIBBITTS


Witness


JEANNE M. TIBBITTS

STATE OF UTAH)

: ss.

County of Cache)

On the 11th day of November, 1998, personally appeared before me IRA LaRON TIBBITTS and JEANNE M. TIBBITTS, the signers of the within instrument, who duly acknowledged to me that they executed the same.

mpjes/tibbitts.wd
N-2020.29

NOTARY PUBLIC
MILES P. JENSEN
88 West Center
Logan, UT 84321
COMMISSION EXPIRES
AUG. 13, 1999
STATE OF UTAH


Notary Public

WARRANTY DEED

H. SANFORD CAMPBELL and ROSALIE B. CAMPBELL, husband and wife, Grantors of Logan, County of Cache, State of Utah, hereby CONVEY AND WARRANT to ROSALIE B. CAMPBELL, Trustee, as to an undivided one-half (1/2) interest, Grantee of 555 West 400 North, Logan, Utah, 84321, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tracts of land in Caribou County, State of Idaho:

Township 10 South, Range 41 East of the Boise Meridian.

Section 33: North half of the Southwest Quarter, ALSO, beginning at the West Quarter corner of said Section 33, and running thence North 596.7 feet; thence North 83°36' East 2656.56 feet, more or less, to an intersection with the Meridional center line of said Section 33; thence South 892.82 feet, more or less, to the center quarter corner of said Section 33; thence West 2640 feet, more or less, to the point of beginning.

Together with a 50 HP Uniclosed electric motor, with an unknown make centrifugal pump, and 2060 feet of sizes 6-inch through 8-inch steel mainline, and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

Together with any and all tenements, hereditaments, and appurtenances thereunto belonging or used in connection therewith.

Together with all water and water rights used upon or appurtenant to said lands, and however evidenced, and particularly 240 shares of stock in The East Branch Canal Co., Ltd., evidenced by Certificate No. 261, and 240 shares of stock in Last Chance Canal Company, evidenced by Certificate No. 2324.

WITNESS, the hands of said Grantors, this 7 day of May, A.D. 1991.

Signed in the presence of

Miles P. Jensen

H. Sanford Campbell
H. Sanford Campbell
Rosalie B. Campbell
Rosalie B. Campbell

STATE OF UTAH)

: ss.

County of Cache)

On the 7 day of May, A.D., 1991, personally appeared before me H. SANFORD CAMPBELL and ROSALIE B. CAMPBELL, the signers of the within instrument, who duly acknowledged to me that they executed the same.

Miles P. Jensen
NOTARY PUBLIC

Commission Expires: 8/13/91
Residing in Logan, Utah

RECORDING DATA

STATE OF IDAHO } ss **141191**
County of Caribou }
I hereby certify that this instrument was filed at the request
of Olsen & Logan
at 9:00 o'clock A on this 28 day of
May, 1991. In my office and duly
recorded in Microfilm Records
Rebecca A. Jenkins
Ex-Officio Recorder \$300 Deputy Ruth Owen

MPJ/campbell12.wd

WARRANTY DEED

H. SANFORD CAMPBELL and ROSALIE B. CAMPBELL, husband and wife, Grantors of Logan, County of Cache, State of Utah, hereby CONVEY AND WARRANT to H. SANFORD CAMPBELL, Trustee, as to an undivided one-half (1/2) interest, Grantee of 555 West 400 North, Logan, Utah, 84321, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tracts of land in Caribou County, State of Idaho:

Township 10 South, Range 41 East of the Boise Meridian.

Section 33: North half of the Southwest Quarter, ALSO, beginning at the West Quarter corner of said Section 33, and running thence North 596.7 feet; thence North 83°36' East 2656.56 feet, more or less, to an intersection with the Meridianal center line of said Section 33; thence South 892.82 feet, more or less, to the center quarter corner of said Section 33; thence West 2640 feet, more or less, to the point of beginning.

Together with a 50 HP Uniclosed electric motor, with an unknown make centrifugal pump, and 2060 feet of sizes 6-inch through 8-inch steel mainline, and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

Together with any and all tenements, hereditaments, and appurtenances thereunto belonging or used in connection therewith.

Together with all water and water rights used upon or appurtenant to said lands, and however evidenced, and particularly 240 shares of stock in The East Branch Canal Co., Ltd., evidenced by Certificate No. 261, and 240 shares of stock in Last Chance Canal Company, evidenced by Certificate No. 2324.

WITNESS, the hands of said Grantors, this 7 day of May, A.D. 1991.

Signed in the presence of

Miles C. Jensen

H. Sanford Campbell
H. Sanford Campbell
Rosalie B. Campbell
Rosalie B. Campbell

STATE OF UTAH)
: ss.
County of Cache)

On the 7 day of May, A.D., 1991, personally appeared before me H. SANFORD CAMPBELL and ROSALIE B. CAMPBELL, the signers of the within instrument, who duly acknowledged to me that they executed the same

Miles C. Jensen
NOTARY PUBLIC

Commission Expires: 8/13/91
Residing in Logan, Utah

RECORDING DATA

STATE OF IDAHO } ss. **141190**
County of Caribou }
I hereby certify that this instrument was filed at the request
of Olsen & Morgan
at 9:00 a/clock on this 08th day of
May, 1991 in my office and duly
recorded in Microfilm Records
Rebecca A. Jenkins
Ex-Officio Recorder \$300 Ruth A. Morgan Deputy

MPJ/campbell.wd

WARRANTY DEED

PAUL D. CAMPBELL and PAULETTE J. CAMPBELL, husband and wife, Grantors of Logan, County of Cache, State of Utah, hereby CONVEY AND WARRANT to H. SANFORD CAMPBELL and ROSALIE B. CAMPBELL, husband and wife, Grantees of 555 West 400 North, Logan, Utah, 84321, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tracts of land in Caribou County, State of Idaho:

Township 10, Range 41 East, Boise Meridian.

Beginning at a point on the Westerly right-of-way line of a Caribou County Road, said point being West 2673.45 feet and North 2511.94 feet from the Southeast corner of said Section 33, and running thence North along said right-of-way 261.53 feet; thence West 463.13 feet; thence South 39*59' East 286.09 feet; thence South 81*23' East 282.49 feet, more or less, to the point of beginning.

WITNESS, the hands of said Grantors, this 7 day of May, A.D. 1991.

Signed in the presence of

Miles P. Jensen

Paul D. Campbell
Paul D. Campbell
Paulette J. Campbell
Paulette J. Campbell

STATE OF UTAH)
) ss.
County of Cache)

On the 7 day of May, A.D., 1991, personally appeared before me PAUL D. CAMPBELL and PAULETTE J. CAMPBELL, the signers of the within instrument, who duly acknowledged to me that they executed the same.

Miles P. Jensen
NOTARY PUBLIC

Commission Expires: 8/13/91
Residing in Logan, Utah

RECORDING DATA

STATE OF IDAHO } ss. **141189**
County of Caribou }
I hereby certify that this instrument was filed at the request
of Olsen & Haggan
at 9:00 o'clock A m this 08 13th day of
May, 1991 in my office and duly
recorded in Microfilm Records
Rebecca A. Jenkins
Ruth Avery
Ex-Officio Recorder 532 Deputy

MPJ/campbell13.wd

STATE OF IDAHO

County of Caribou

135670

Date Dec. 5, 1988
Time 2:20 P.

Recorder's Record

Recorder's Name W. Archibald

Deputy Becky Jenkins

Fee 9.00

SHERIFF'S DEED

"RECEIVED"

12-2-88

1059

CARIBOU COUNTY
SHERIFF

THIS DEED made and entered into this 5th day of December, 1988, between Claude J. Snooks, acting Sheriff of Caribou County, Idaho, by virtue of his office, of the first part, and FARM CREDIT BANK OF SPOKANE, successor in merger to The Federal Land Bank of Spokane, West 601 First Avenue, P. O. Box TAF-C5, Spokane, Washington 99220-4005, of the second part;

WHEREAS, in and by a judgment and decree made and entered on the 6th day of November, 1987, in and by the Sixth Judicial District Court of the State of Idaho, held in and for Caribou County, Idaho, in a suit then pending in said court, wherein THE FEDERAL LAND BANK OF SPOKANE, a corporation, was plaintiff, and RUBY C. MILES, unmarried, et al., were defendants, it was, among other things, ordered, adjudged and decreed that the mortgaged premises described in the complaint and decree in said action be sold at public auction by the Sheriff of Caribou County, Idaho, in the manner directed by law, a certified copy of which decree, with an Order of Sale thereon, was duly issued and delivered to said Sheriff, requiring him to make sale of said premises as therein directed;

AND WHEREAS, in obedience to said Decree and Order of Sale, and after due public notice given as required by law, the said Sheriff did, on the 1st day of December, 1987, at 10:30 a.m. of said day, did duly sell at public auction on the steps of the Caribou County Courthouse, Soda Springs, Caribou County, Idaho, the premises in said decree and hereinafter described, to THE FEDERAL LAND BANK OF SPOKANE, for the sum of \$90,000.00, that being the highest and it being the highest and best bidder, which will more fully appear by reference to a Certificate of Sale given to THE FEDERAL LAND BANK OF SPOKANE by the said Sheriff, bearing date the 1st day of December, 1987, by virtue of which purchase and certificate FARM CREDIT BANK OF SPOKANE, successor in merger to The Federal Land Bank of Spokane, has become entitled to a deed for the said premises from the said Sheriff, because all rights of redemption have been waived and there is no reason why the Sheriff's Deed should not be issued at this time.

4135670

NOW, THEREFORE, I, Claude J. Snooks, acting Sheriff of Caribou County, Idaho, by virtue of my office, and by force of the statute in such case made and provided, for and in consideration of \$90,000.00 in hand paid to me by THE FEDERAL LAND BANK OF SPOKANE, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto FARM CREDIT BANK OF SPOKANE, successor in merger to The Federal Land Bank of Spokane, and to its successors and assigns forever, the real property situate in the County of Caribou, State of Idaho, described in Exhibit "A" attached hereto.

TO HAVE AND TO HOLD, the above described premises with the appurtenances unto said grantee and assigns forever.

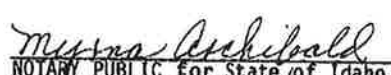
IN WITNESS WHEREOF, said grantor, as Sheriff aforesaid, hereunto sets his hand the day and year first above written.



CLAUDE J. SNOOKS
Acting Sheriff of Caribou County,
Idaho

STATE OF IDAHO)
)
County of Caribou)

On this 5 day of December, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared CLAUDE J. SNOOKS, known or identified to me to be the person whose name is subscribed to the within instrument as acting Sheriff of Caribou County, Idaho, and acknowledged to me that he executed the same as such acting Sheriff of Caribou County, Idaho.



NOTARY PUBLIC for State of Idaho
Residing at: Woda Springs
Commission Expires: 4/8/93

H135670

EXHIBIT "A"

Township 10 South, Range 41 East of the Boise Meridian

Section 33: N1/2SW1/4, ALSO, beginning at the West quarter corner of said Section 33, and running thence North 596.7 feet; thence North 83°36' East 2,656.56 feet, more or less, to an intersection with the Meridianal center line of said Section 33; thence South 892.82 feet, more or less, to the center quarter corner of said Section 33; thence West 2,640 feet, more or less, to the point of beginning. EXCEPT THEREFROM, beginning at a point on the Westerly right-of-way line of a Caribou County Road, said point being West 2,673.45 feet and North 2,511.94 feet from the Southeast corner of said Section 33, and running thence North along said right-of-way 261.53 feet; thence West 463.13 feet; thence South 39°59' East 286.09 feet; thence South 81°23' East 282.49 feet, more or less, to the point of beginning.

Together with a 50 HP Uniclosed electric motor, with an unknown make centrifugal pump, and 2,060 feet of sizes 6-inch through 8-inch steel mainline, and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

Together with any and all tenements, hereditaments, and appurtenances thereunto belonging, or used in connection therewith.

Together with all water and water rights used upon or appurtenant to said lands, and however evidenced, and particularly 240 shares of stock in The East Branch Canal Co., Ltd., evidenced by Certificate No. 261, and 240 shares of stock in Last Chance Canal Company, evidenced by Certificate No. 2324.

All situated in Caribou County, State of Idaho.

WARRANTY DEED

THIS INDENTURE, Made this 27th day of May, 1987
between Ruby C. Miles, a single woman

of Grace, State of Idaho
referred to as the Grantor, and Paul D. Campbell and Paulette J. Campbell, husband & wife
430 North 600 West

of Logan, State of Utah 84321, referred to as the Grantee.
WITNESSETH, For and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations, Grantor has granted, bargained, sold, and by these presents, does hereby grant, bargain, sell, convey and confirm unto the said Grantee and Grantee's heirs and assigns forever, all of the following described real estate situated in the State of Idaho, to wit:

Township 10, Range 41 EBM Caribou County, Idaho
Beginning at a point on the Westerly right of way line of a Caribou County Road, said point being West 2673.45 feet and North 2511.94 feet from the Southeast corner of said Section 33, and running thence North along said right of way 261.53 feet; thence West 463.13 feet; thence South 39°59' East 286.09 feet; thence South 81°23' East 282.49 feet, more or less, to the point of beginning.

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments, easements and appurtenances therunto belonging or in anywise appertaining; and the reversions, remainders, rents, issues, and profits thereof; and all Grantor's estate, right, title and interest in and to said premises, in law as well as in equity.

Grantor shall, and by these presents, does hereby warrant and agree to forever defend the Grantee, his successors and assigns, in the quiet and peaceable possession of said premises and from and against all and every person lawfully claiming an interest therein.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine includes the feminine and neuter.

IN WITNESS WHEREOF, the Grantor hereunto has set his hand and seal the day and year first above written.

Ruby C. Miles
Ruby C. Miles

State of Idaho } ss.
County of Caribou

On this 19 day of June, 1987
before me the undersigned, a Notary Public in and for said State, personally appeared Ruby C. Miles

, known to me to be the person(s) whose name(s) 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 day and year first above written.

Blasia Peck
Notary Public for the State of Idaho,

Residing at Grace, Idaho.
Seal, Commission Expires October 2, 1992

RECORDING DATA

STATE OF IDAHO } ss 132345
County of Caribou }
I hereby certify that this instrument was filed
at the request of Caribou Title Co.
at 10:30 on this 11th day of
August, 1987, in my office and duly
recorded in Microfilm Records
Deputy
Ex-Officio Recorder 309 Deputy

Warranty Deed

THIS INDENTURE, Made this 7th day of October
in the year of our Lord One Thousand Nine Hundred and Eighty-five, between
Wynn Barrie Christensen and Julia Ann Christensen, husband and wife,
of Grace, County of Caribou, State of Idaho
the parties of the first part, and

Ira LaRon Tibbitts and Jeanne M. Tibbitts, husband and wife,
of Grace , County of Caribou , State of Idaho
the parties of the second part;

WITNESSETH: That the said part ies _____ of the first part, for and in consideration of the sum of _____
SIXTY THOUSAND AND NO/100THS - _____ DOLLARS,
lawful money of the United States of America, to them _____ in hand paid by the said part ies _____
whereof is hereby acknowledged _____ of the second part, the receipt

of the second part, and to their heirs and assigns forever: All th at certain lot
piece or parcel of land situate, lying and being in the County of Caribou State of Idaho, bounded
and more particularly described as follows, to-wit:

Township 10 South, Range 41 East of the Boise Meridian:

Section 33: Beginning at a point 646.7 feet North of the West Quarter corner of said Section 33, and running thence North 673.3 feet, to the Northwest corner of the SW¹/₄NW¹/₄ of said Section 33; thence East 2640 feet; thence South 377.18 feet, more or less, to the Northerly right of way line of a county road; thence South 83°36' West 2656.56 feet, to the point of beginning.

Water Stock; 60 shares of Last Chance Canal Co.
120 shares of East Branch Canal Co.
All irrigation equipment.

Together with all and singular, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said parties of the second part their heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

WYNN BARRIE CHRISTENSEN [Seal]

Julia Ann Christensen [Seal]
JULIA ANN CHRISTENSEN

—[Seal]

—[Seal]

STATE OF IDAHO,
County of Caribou

ss. }

On this 21st
the undersigned

day of October in the year 1985, before me
a Notary Public in and for said County and State, personally appeared

Wynn Barrie Christensen and Julia Ann Christensen, husband and wife, known to me to
be the persons whose names are subscribed to the within 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.

Rene Cardette

Notary Public.

Pocatello

Residence and P. O. Address: Grace, Idaho

Commission expires:

8-8-22-01

126042

WARRANTY DEED

Wynn Barrie Christensen and
Julia Ann Christensen, husband
and wife,

TO

Ira LaRon Tibbitts and Geanne
M. Tibbitts, husband and wife,

Dated October 7, 1985

STATE OF IDAHO,
County of Caribou } ss.

I hereby certify that this instrument was filed for
record at the request of

Caribou Title Company

at 15 minutes past 1:00
o'clock P M., this 23rd day

of October, A. D. 1985

the microfilm
in my office and duly recorded in the
records of Caribou County, Idaho.

BYRONA W. ARCHIBALL

Ex-Officio Recorder.

By *Rene Cardette* Deputy

Fee, \$ 4.00

Geo. F. Smith & Sons, Inc., Pocatello, Idaho

Mail Tax Notice To:
Ira LaRon Tibbitts

Grace, Idaho 83241

QUIT CLAIM DEED

THIS INDENTURE, Made the 15th day of October in the year of our Lord One Thousand Nine Hundred and Eighty-five between Burgetta Christensen, a widow, of Grace, of the County of Caribou and State of Idaho the party of the first part, and Ira LaRon Tibbitts and Jeanne M. Tibbitts, husband and wife, of Grace, of the County of Caribou and State of Idaho, the parties of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of - - - - - TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS - - - - - DOLLARS, lawful money of the United States of America, to her in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever Quit claim unto the said parties of the second part, and to their heirs and assigns all that certain lot, piece or parcel of land situated in County, of the State of Idaho, particularly described as follows, to-wit:

Township 10 South, Range 41 East of the Boise Meridian:

Section 33: Beginning at a point 646.7 feet North of the West Quarter corner of said Section 33, and running thence North 673.3 feet, to the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 33; thence East 2640 feet; thence South 377.18 feet, more or less, to the Northerly right of way line of a county road; thence South 83°36' West 2656.56 feet, to the point of beginning.

This Deed is given to release all that right, title and interest of Burgetta Christensen, a widow, in and to a life estate, disclosed by that certain Warranty Deed executed by Burgetta Christensen, a widow, to Wynn Barrie Christensen and Julia Ann Christensen, husband and wife, dated April 23, 1969, recorded August 14, 1984, under recorder's instrument No. 121790, in the microfilm records of Caribou County, Idaho.

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

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

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

Signed, Sealed and Delivered in the Presence of

.....

Burgetta Christensen [SEAL]
 BURGETTA CHRISTENSEN

..... [SEAL]

..... [SEAL]

..... [SEAL]

STATE OF IDAHO,

County of Caribou

SS.

On this 18th day of October in the year 1985, before me
the undersigned, a Notary Public
in and for said County and State personally appeared Burgetta Christensen,

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 day and year in this
certificate, first above written.

Roger C. Mil
Notary Public.

Residence Grace, Idaho

Commission expires: September 27, 1987

No. 126041

Burgetta Christensen, a widow.

TO

Ira Laron Tibbitts and Jeanne
M. Tibbitts, husband and wife,

Dated October 15, 1985

QUIT CLAIM DEED

STATE OF IDAHO,

County of Caribou

SS.

I hereby certify that this instrument was filed for
record at request of

Caribou Title Company

at 15 minutes past

1:00 o'clock P.M.

this 18th day of October

A. D. 1985, in my office and duly recorded in
the microfilm records of Caribou
County, Idaho.

RECORDED BY REC'D

Ex-Office Recorder.

By *R. Christensen*
Fee, \$ 4.00

Mail Tax Notice To:
Ira Laron Tibbitts
Grace, Idaho 83241

STATE OF IDAHO } 68 124337
County of Caribou }

I hereby certify that this instrument was filed
at the request of Caribou Title Co.
at 4:30 o'clock P M this 9 day of
May, 1988 in my office and duly
recorded in Microfilm Records
Myrna W. Chilbald
Ex-Officio Recorder Myrna W. Chilbald Deputy

QUIT CLAIM DEED

THIS INDENTURE, made the 11th day of April, in the year of our Lord One Thousand Nine Hundred and Eighty-five, between PETER D. MILES, husband of Ruby C. Miles, of Logan, County of Cache, and State of Utah, party of the first part, and RUBY C. MILES, wife of Peter D. Miles, of Logan, County of Cache, State of Utah, the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever Quit claim unto the party of the second part, as her sole and separate property, and to her heirs and assigns all that certain lot, piece or parcel of land situated in Caribou County, of the State of Idaho, particularly described as follows. to wit:

Township 10 South, Range 41 East of the Boise Meridian:
Section 33: N1/2SW1/4, ALSO, Beginning at the West Quarter corner of said Section 33, and running thence North 596.7 feet; thence North 83 degrees 36' East 2656.56 feet, more or less, to an intersection with the meridional center line of said Section 33; thence South 892.82 feet, more or less, to the center Quarter corner of said Section 33; thence West 2640 feet, more or less to the point of beginning.

Together with 240 shares of stock of Last Chance Canal Co. and 240 shares of stock of East Branch Canal Co.

Together with motor, pump and sprinkler equipment.

This deed is made and given in connection with a division of community property between the spouses. No other consideration is involved.

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

#72 4337

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

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



PETER D. MILES

STATE OF UTAH)
 : ss
County of Cache)

On this 30th day of April, 1985, before me the undersigned, a Notary Public in and for said County and State personally appeared Peter D. Miles, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



NOTARY PUBLIC for the State of Utah
Residing at: *Ryan, Utah*
Commission expires: 10-24-88

Warranty Deed

THIS INDENTURE, Made this 8th day of August
in the year of our Lord One Thousand Nine Hundred and Eighty-four, between
WYNN BARRIE CHRISTENSEN and JULIA ANN CHRISTENSEN, husband and wife
of Grace, County of Caribou, State of Idaho
the parties of the first part, and

PETER D. MILES and RUBY C. MILES, husband and wife
of Thatcher, County of Franklin, State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
ONE HUNDRED FORTY THOUSAND FOUR HUNDRED - - - - - DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties
their heirs and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Caribou State of Idaho, bounded
and more particularly described as follows, to-wit:

Township 10 South, Range 41 East of the Boise Meridian:

Section 33: N $\frac{1}{2}$ SW $\frac{1}{4}$, ALSO, Beginning at the West Quarter corner of said
Section 33, and running
thence North 596.7 feet;
thence North 83°36' East 2656.56 feet, more or less, to an
intersection with the meridional center line of said
Section 33;
thence South 892.82 feet, more or less, to the center Quarter
corner of said Section 33;
thence West 2640 feet, more or less
to the point of beginning.

Together with 240 shares of stock of Last Chance Canal Co. and
240 shares of stock of East Branch Canal Co.

Together with motor, pump and sprinkler equipment.

This Deed is given to re-record an error in the description.

STATE OF IDAHO } SS 122830
County of Caribou
I hereby certify that this instrument was filed
at the request of Caribou Title Co.
at 2:35 o'clock P M this 12 day of
December, 1984 in my office and duly
recorded in Meridian Record
Myrna W. Archibald
[Signature]
Ex-Officio Recorder 4.00

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said parties of the second part, and to their heirs and assigns forever. And the said
parties of the first part, and their heirs the said premises in the quiet and peaceable possession
of the said parties of the second part their heirs and assigns against the said parties of the
first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and
seal the day and year first above written.
Signed, Sealed and Delivered in the Presence of

Wynn Barrie Christensen [Seal]
WYNN BARRIE CHRISTENSEN
Julia Ann Christensen [Seal]
JULIA ANN CHRISTENSEN
_____[Seal]
_____[Seal]

55.

day of

August

in the year 1984 , before me

a

notary public

in and for said County and State, personally appeared

WYNN BARRIE CHRISTENSEN and JULIA ANN CHRISTENSEN, husband and wife

known to me to

be the person s whose name s subscribed to the within instrument, and acknowledged to me that t hey executed the same.

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

Rena Jean Benson Not

Notary Public.

Residence and P. O. Address Soda Springs, Idaho
My commission expires: lifetime

WARRANTY DEED

وَجَاءَ بِهَا

WYNN BARRIE CHRISTENSEN and

JULIA ANN CHRISTENSEN, husband
and wife

70

PETER D. MILES and RUBY C.

MILES, husband and wife

Dated August 8, 1984

STATE OF IDAHO,

County of Caribou

55

I hereby certify that this instrument was filed for record at the request of

Caribben Yacht Co.

35 minutes past 3:00

o'clock - 11. This 10 day

August 1. A. D. 1084

in my office and duly recorded in Book.

of Deeds at page

மேலே உள்ளது: ஸ்ரீ. ச. பஞ்சவர்ணம்

Ex-Officio Recorder.

By Greg Cunniff Dep't. 4.00
Ex-Officio Recorder.

6210, Palmer Ave., N.Y. 10022

Warranty Deed

THIS INDENTURE, Made this 8th day of August
in the year of our Lord One Thousand Nine Hundred and Eighty-four, between
WYNN BARRIE CHRISTENSEN and JULIA ANN CHRISTENSEN, husband and wife
of Grace, County of Caribou, State of Idaho
the parties of the first part, and

PETER D. MILES and RUBY C. MILES, husband and wife
of Thatcher, County of Franklin, State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
ONE HUNDRED FORTY THOUSAND FOUR HUNDRED - - - - - DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Confirm unto said parties
of the second part, and to their heirs and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Caribou State of Idaho, bounded
and more particularly described as follows, to-wit:

Township 10 South, Range 41 East of the Boise Meridian:

Section 33: N¹/₄SW¹/₄, ALSO, Beginning at the West Quarter corner of said
Section 33, and running
thence North 596.7 feet;
thence North 83°36' East 2656.56 feet, more or less, to an
intersection with the meridional center line of said
Section 33;
thence South 392.82 feet, more or less, to the center Quarter
corner of said Section 33;
thence West 2640 feet, more or less
to the point of beginning.

Together with 240 shares of stock of Last Chance Canal Co. and
240 shares of stock of East Branch Canal Co.

Together with motor, pump and sprinkler equipment.

Together with all and singular, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said parties of the second part, and to their heirs and assigns forever. And the said
parties of the first part, and their heirs the said premises in the quiet and peaceable possession
of the said parties of the second part their heirs and assigns against the said parties of the
first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and
seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

_____	Wynn Barrie Christensen (Seal)
_____	Julia Ann Christensen (Seal)
_____	_____ (Seal)
_____	_____ (Seal)

STATE OF IDAHO,
County of Caribou

ss.

On this 8th

day of

August

in the year 1984, before me

the undersigned

a

notary public

in and for said County and State, personally appeared

WYNN BARRIE CHRISTENSEN and JULIA ANN CHRISTENSEN, husband and wife

known to

be the person(s) whose name(s) subscribed to the within 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.

Alma Jean Benson
Notary Public.

Residence and P. O. Address: Soda Springs, Idaho
My commission expires: lifetime

122758

WARRANTY DEED

WYNN BARRIE CHRISTENSEN and

JULIA ANN CHRISTENSEN, husband

and wife

TO

PETER D. MILES and ROBY C.

MILES, husband and wife

Dated August 8, 1984

STATE OF IDAHO,

County of Caribou

ss.

I hereby certify that this instrument was filed for

record at the request of

Caribou Title Co.

at 35 minutes past 3:00

o'clock P. M., this 10 day

of August, A. D. 1984

in my office and duly recorded in Book

of Deeds at Page

WYNN W. ARCHBOLD

Ex-Officio Recorder

Wynn W. Archbold
Per. \$ 4.00

9649

Warranty Deed

THIS INDENTURE, made the 3 day of April, In the year of our Lord, one thousand nine hundred and Sixty-nine between BURGETTA CHRISTENSEN, a widow, of Grace, County of Caribou, State of Idaho, part y of the first part, and WYNN BARBIE CHRISTENSEN And JULIA ANN CHRISTENSEN, husband and wife, of Grace, County of Caribou, State of Idaho, parties of the second part:

WITNESSETH, That the said party..... of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS, lawful money of the United States of America to her In hand paid by the said part ies of the second part, the receipt whereof is hereby acknowledged, ha s granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents does GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM unto the said parties..... of the second part, and to their heirs and assigns forever, all that certain piece or parcel of land, situated in the County of Caribou, State of Idaho, and known and described as follows, to-wit:

The South Half of the Northwest Quarter, the North Half of the Southwest Quarter of Section 33, Township 10 South, Range 41 East of Boise Meridian, Idaho,

A life estate is reserved to Burgetta Christensen, party of the first part, in the home located on the above property, with the remainder to go to the parties of the second part at the death of Burgetta Christensen.

STATE OF IDAHO } SS 121790
County of Caribou }
I hereby certify that this instrument was filed
at the request of Caribou Title Co.
at 11:05 o'clock A M this 14 day of
August, 1969 in my office and duly
recorded in Microfilm Records
Myrna W. Archibald
Ex-Officio Recorder 400 Deputy

Together with all and singular the tenements, hereditaments and appurtenances thereof, belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity of the said party..... of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

No. _____

Warranty Deed

TO _____

Dated _____, 19 ____

OFFICE OF COUNTY RECORDER

STATE OF IDAHO { ss.
County of Bear Lake }

I hereby certify that this instrument
was filed for record at the request of

at _____ minutes past _____ o'clock — m.
this _____ day of _____
A. D., 19 ____, in my office and duly
recorded in Book ____ Deeds at page ____.

County Recorder.

Fee - \$ _____ Deputy _____

Presented to and platted by me this ____
day of _____, 19 ____

ASSESSOR.

RECORDED OCT 21, 1947 1:35 PM, in Book 100 of Deeds, page 368, RECORDS OF BANNOCK COUNTY
STATE OF IDAHO. At request of F.E. Tydeman.

Dora Keefe, Recorder

Fee \$1.20

INSTRUMENT NO. A255843

WARRANTY DEED

THIS INDENTURE, Made this Fourth day of March, 1938, between P. M. Christensen and first part and Charles P. Burke of Pocatello, Bannock County, State of Idaho, parties of the second part, George W. Hulsee, Earl Whitehead, Blaine Whitehead, Parnell Whitehead, Frank C. Christensen, all of Grace, Bannock County, State of Idaho, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of \$1.00 lawful money of the United States of America and other valuable consideration, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do, by these presents, grant, bargain, sell and convey and confirm unto the said parties of the second part and to their heirs and assigns all of his right, title and interest in and to any water or water rights, now owned by the parties of the first part which is pertinent to or in anywise connected with the following described property located in Bannock County, State of Idaho, and more particularly described as follows, to-wit:

The South Half of the Northwest Quarter, and the North Half of the Southwest Quarter of Section 33, Township 10 South, Range 41, East of the Boise Meridian.

in so far as the said water or water rights arise or are in or on the following described property located in Bannock County, State of Idaho, to-wit:

Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 34, Township 10 South, Range 41, East of the Boise Meridian.

as is evidenced by that certain License and Certificate of Water Right No. 535, issued by the Commissioner of Reclamation of the State of Idaho, at Boise, Idaho, on the 14th day of October, 1937, and in addition thereto, all of the reservoirs, pipes, ditches, right of water and easements or right of way or structures used in connection with or being a part of the same for the purpose of conveying said water from the point of diversion and intake in what known as "Frank's Canyon" and in, or over portions of Sections 33 and 34, Township 10 South, Range 41, East of the Boise Meridian, in Bannock County, State of Idaho.

And also 6,000 gallons per day of water which arises from springs in Section 27, Township 10 South, Range 41, East of the Boise Meridian, being a portion of the waters from said springs collectively known as Water Canyon, the rights being evidenced by the license and certificate of water right herein before described, and conveyed as hereinbefore stated for the purpose of augmenting the flow of water to the parties of the second part, to be placed in the pipe line of the parties of the second part, at the junction during the months beginning on the first day of November and ending on the first day of May, of each year, in perpetuity.

Said water to be delivered to the parties of the second part in said amount at the point of intersection of the pipe line conveying said water from said Section 27 with the pipe line hereinbefore described which has been installed and constructed for the purpose of conveying the water hereinbefore referred to from the springs in Section 34 which said intersection is now located in the Southwest Quarter of the Northeast Quarter of Section 33, Township 10 South, Range 41, East of the Boise Meridian, and to the extent of the amount of water herein described the said water rights and right of delivery of water from said Section 27 is hereby sold, transferred and conveyed unto the said parties of the second part:

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises together with the appurtenances and privileges thereunto incident unto the said parties of the second part and to their heirs and assigns forever and the said parties of the first part and their heirs and assigns do warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs and assigns and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

STATE OF IDAHO }
COUNTY OF BANNOCK } ss.

F.M. Christensen (Seal)

Bergetta Christensen (Seal)

On this 28 day of Dec, in the year 1938, before me, Alvin Whitehead, a Notary Public in and for said County and State, personally appeared, F. M. Christensen and Bergetta Christensen, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

379.

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

(SEAL)

Alvin Whitehead Notary Public
State of Idaho, Residing at
Grace, Idaho.

RECORDED OCT 21 1947 1:36 PM, in Book 100 of Deeds, page 369 RECORDS OF BANNOCK COUNTY
STATE OF IDAHO, At request of F. E. Tydeman.

Anna Keefe, Recorder

Fee \$1.80

INSTRUMENT NO. 255873

QUIT CLAIM DEED

THIS INDENTURE, Made the - day of March in the year of our Lord One Thousand Nine Hundred and Forty-seven between Lloyd Boyle of San Francisco, of the County of San Francisco, and State of California the party of the first part, and ELENORA BOYLE RICHMOND of Pocatello, of the County of Bannock and State of Idaho, the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of ONE DOLLAR and other valuable consideration lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever Quit claim unto the said party of the second part, and to her heirs and assigns all that certain piece or parcel of land situated in Bannock County, of the State of Idaho, particularly described as follows, to-wit:

The South One-half (S $\frac{1}{2}$) of Lot 9, and all of Lot 10, in Block 408, Pocatello Townsite, Bannock County, State of Idaho, as the same appears from the official plat of the survey thereof as returned to the General Land Office by the Surveyor General

This conveyance is made to the party of the second part, as her sole and separate property, including all rents, and income therefrom.

(U.S.L.R. .55¢ Attached and Cancelled.)

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

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

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

Signed, Sealed and Delivered in the Presence of

Lloyd Boyles
Witness Fred G. Ainslie

Lloyd Boyles (Seal)

STATE OF CALIFORNIA)
County of San FRANCISCO) ss.

May Ok FGA
On this 20th day of March in the year 1947, before me, Fred G. Ainslie, a Notary Public in and for said County and State personally appeared Lloyd Boyle known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

(SEAL)

Fred G. Ainslie Notary Public
FRED G. AINSLIE
Residence Notary Public in and for
the City and County of San Francisco
State of California My Commission
Expires August 27, 1947.

I hereby certify that this instrument was filed for record at Request of F. E. Tydeman, at 49 minutes past 12 PM, in Oct 23, A.D. 1947, in Book 100 of Deeds, page 370.

Anna Keefe, Recorder

Fee \$1.00

heirs and assigns forever and the said party of the first part and his heirs and assigns does warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said party of the first part, and his heirs and assigns and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

STATE OF IDAHO, }
COUNTY OF BANNOCK } ss.

Card Christensen (Seal)
Golda Christensen (Seal)

On this 28 day of Dec, in the year 1938, before me, Alvin Whitehead, a Notary Public in and for said County and State, personally appeared Card Christensen, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

(SEAL)

Alvin Whitehead Notary Public
STATE OF IDAHO,
Residence; Grace, Idaho

RECORDED OCT 21, 1947 1:34 PM, in Book 100 of Deeds, page 367. RECORDS OF BANNOCK COUNTY STATE OF IDAHO, at request of F. E. Tydeman,

Anna Keefe, Recorder

Fee \$1.80

INSTRUMENT NO. A255642

QUIT CLAIM DEED

This indenture, made this twentieth day of March 1942, between Frank M. Christensen and Bergetta Christensen, his wife, of Grace, Idaho, parties of the first part and Reso Nikelsen, of Grace, Idaho, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of \$1.00 and other valuable consideration to them in hand paid by the party of the second part, the receipt of which is hereby acknowledged, do by these presents, grant, bargain, sell and convey and confirm unto the said parties of the second part and to their heirs and assigns, all of their right title and interest in and to any water rights, springs, pipes, cisterns, easements, rights of way of any property or right of any kind or description, in and to that certain water system now owned by Charles Burke, Blaine Whitehead, Earl Whitehead, Parnell Whitehead, George Hulse, Charles W. Hubbard and Frank M. Christensen, the water right for said system being evidenced by that certain License and Certificate of Water Right No. 535, issued by the Commissioner of Reclamation of the State of Idaho, at Boise, Idaho on the 14th day of October 1937. Said system conveying water from what is known as "Frank Canyon" and in and over portions of Section 33 and 34, Township 10 South, Range 41 East of the Boise Meridian, in Bannock County, Idaho and other springs and sources in and near that vicinity, all of which is fully set forth in said permit, and including water from "Water Canyon".

Together with all and singular, the tenements, hereditaments, and appurtenances thereunto belonging and the rents, issues and profits thereof, including right and privileges, now arising by reason of said water system.

And the parties of the second part as and for further consideration for the transfer of the property herein described agree that they take title to said property subject to the privileges and duties now existing between the present owners of said water system and more particularly and written agreement or agreements that exist between the parties relative to the control, regulation, operation and maintenance thereof and agree to cooperate fully with said parties in the use of said system.

To have and to hold, all and singular, the said premises together with all appurtenances and privileges thereunto incident unto the parties of the second part their heirs and assigns forever.

In witness whereof, the said parties of the first part have hereunto set their hands and seals the day 31 day of March 1942.

STATE OF IDAHO }
COUNTY OF BANNOCK } ss.

F. M. Christensen (Seal)
Bergetta Christensen (Seal)

On this 31 day of March 1942, before me, a Notary Public, in and for the said county and state, personally appeared Frank M. Christensen and Bergetta Christensen, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and my official seal the day and year in this certificate first above written.

(SEAL)

Alvin Whitehead Notary Public
State of Idaho, Residence
Grace, Idaho.

F. E. TYDEMAN

ATTORNEY-AT-LAW
Portneuf Block
POCATELLO, IDAHO

December 29th, 1936.

Mr. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Some time ago a Notice of hearing on December 4, 1936, at Lava Hot Springs was given in connection with Permit No. 535.

I represent some parties who are interested in the purchase of part of this water for domestic purpose when the permit has been issued and I will appreciate having you give me the present status of the matter so that we can determine when it may be possible to complete the transaction for the purchase of a portion of this water.

Very truly yours,

F. E. Tydeman

FET/W

easement

THIS INDENTURE, made the 19th. day of October, in the year of our Lord, One thousand, nine Hundred and Thirty-eight, between Charles Burke and Mary S. Burke, husband and wife of Grace, County of Bannock, State of Idaho, the parties of the first part, and F. M. Christensen of Grace, County of Bannock, State of Idaho, the party of the second part;

WITNESSETH, that the said parties of the first part, for, and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States of America, to them in hand paid by the said party of the second part, and other valuable consideration, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever quitclaim unto the said party of the second part, and to his heirs, successors and assigns, all that certain lot, piece or parcel of land, situate, lying and being in the County of Bannock, State of Idaho, bounded, and particularly described as follows, to-wit:

Commencing at a point 195 feet north of the SE corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 28, Township ten south, Range 41 east of the Boise Meridian, Idaho; running thence north 44 degrees east 19 feet; bearing thence north, one degree east 560 feet; bearing thence north, 76 degrees east, 240 feet; thence north, bearing 85 degrees east, 2240 feet; thence north, bearing 52 degrees east, 165 feet to the south boundary line of Cache National Forest, the said line being the east boundary line of section 28; The line herein described is the center line where a pipe line is laid, and the lands herein conveyed is a strip eight feet wide, extending four feet at right angles from said center line to both sides thereof for the full length of said line, to be used exclusively in perpetuity for a pipe-line, and for the up-keep and maintenance thereof.

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

IN WITNESS WHEREOF the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Charles Burke (SEAL)
Mary S. Burke (SEAL)

F. E. Tydeman.

STATE OF IDAHO

COUNTY OF BANNOCK

} ss

On this eleventh day of January, in the year, 1939, before me a Notary Public, in and for the said State, personally appeared, Charles Burke and Mary S. Burke, husband and wife, known to me to be the persons whose names are subscribed to the within 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.

F. E. Tydeman
Notary Public
Residence, Pocatello, Idaho

(SEAL)
My Commission expires February 12, 1940

RECORDED JUL 27 1939 3 35PM., in Book 79 of Deeds page 365 Records of Bannock County State of Idaho. At Request of B T A Co.

Anna Keefe, Recorder

Fee 80¢

By Gretta W. Chambers, Deputy

INSTRUMENT NO. 803754

53863 - D4932 - F. M. Christensen
53864 - 31 - Card Christensen

QUITCLAIM DEED

THIS INDENTURE, made this 22nd day of May, 1939, between F. M. Christensen, also known as F. Melvin Christensen and Burgetta Olsen Christensen, husband and wife, of Bannock County, State of Idaho, parties of the first part, and Card Christensen whose wife is Golda Christensen, of Bannock County, Idaho, party of the second part,

WITNESSETH: that the parties of the first part for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grant unto the party of the second part, his successors and assigns, an easement over and across the Southeast Quarter of the Northwest Quarter of said Section 33, Township 10 South, Range 41, East of the Boise Meridian, to construct, operate, and maintain a pipeline between the pipeline hereinafter mentioned and the West Half of the Northeast Quarter of said Section 33, and the parties of the first part do by these presents remise, release and forever quitclaim unto the party of the second part and to his successors and assigns an undivided three-fourths interest in and to that certain right of way to operate and maintain a pipeline for the conveyance of water on, over and across portions of Section 33 and 28, Township 10 South, Range 41, East of the Boise Meridian, such right of way being described as follows:

A strip of land 10 feet wide being 5 feet wide on either side of a center line where said pipeline is laid described as beginning at a point 419 feet West of the Northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 33, thence North 5° East 2627 feet, thence North 44° East 40 feet, more or less, to a point on the North line of the Southwest Quarter of the Southwest Quarter of said Section 28, a distance of 190 feet West of the North-

east corner of said Southeast Quarter of the Southwest Quarter of Section 28, thence continuing North 44° East but following the curvature of the installed pipeline 271 feet, more or less, to the point where said pipeline intersects the East line of the Northeast Quarter of the Southwest Quarter of said Section 28 at a point 195 feet North of the Southeast corner of said Northeast Quarter of the Southwest Quarter of Section 28, thence a strip of land 8 feet wide being 4 feet wide on either side of the following described center line where said pipeline is laid, thence continuing North 44° East from said point which is 195 feet North of the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 28, a distance of 19 feet, thence North 1° East 560 feet, thence North 76° East 240 feet, thence North 85° East 2240 feet, thence North 62° East 165 feet to the South boundary line of Cache National Forest, said line being the East line of said Section 28. Bannock County, Idaho.

TO HAVE AND TO HOLD said easement and said undivided interest in right of way unto the party of the second part, his successors and assigns forever.

IN WITNESS WHEREOF, the parties of the first part have hereunto subscribed their names the day and year first above written.

F. Melvin Christensen
Burgetta Olsen Christensen

STATE OF IDAHO

COUNTY OF BANNOCK

ss.

On this 24 day of June, in the year 1939, before me, the undersigned, a notary public in and for the said County and State, personally appeared F. M. Christensen, also known as F. Melvin Christensen and Burgetta Olsen Christensen, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and my official seal the day and year first above written.

(SEAL)

L. Sumner Pond
Notary Public for the State of Idaho
Residing at Grace, Idaho.
My commission expires 12-17-42

RECORDED JUL 27 1939 3 52PM., in Book 79 of Deeds page 366 Records of Bannock County State of Ida o. At Request of B T A Co.

Anna Keefe, Recorder

Fee \$1.00

By Gretta W. Chambers, Deputy

INSTRUMENT NO. 203768

WARRANTY DEED

THIS INDENTURE, Made this 14th day of July, 1939, between Portneuf Lodge No. 18, A. F. & A. M. Limited, a corporation created and existing under and by virtue of the laws of the State of Idaho, with its principal place of business at Pocatello, Bannock County, State of Idaho, the party of the first part, and George H. Isaac, of the same place, the party of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of ONE DOLLAR and other valuable considerations, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents Grant, Bargain, Sell and Convey and Confirm unto the said party of the second part, and to his heirs and assigns forever, all those certain lots, pieces or parcels of land situate, lying and being in the City of Pocatello, County of Bannock, State of Idaho, and more particularly described as follows, to-wit:

Lots Sixteen (16) and Seventeen (17) in Block One Hundred Eighty-one (181) of the City of Pocatello, Bannock County, Idaho, according to the Official Plat of the Survey of said lands returned to the General Land Office by the Surveyor General;

(\$1.00 I. R. S. Attached to deed and cancelled.)

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part and to his heirs and assigns forever, and the said party of the first part hereby warrants the title to the said premises unto the said party of the second part against any and all claims; except that this deed is made subject to the taxes for the year 1939.

IN WITNESS WHEREOF the party of the first part herein has caused its corporate name to be hereunto subscribed and its corporate seal to be hereunto affixed by its President and Secretary, by resolution of its Board of Directors, the day and year first above written.

PORTNEUF LODGE NO. 18, A. F. & A. M. Limited,

By C. R. Galloway
President

(CORPORATE SEAL)

ATTEST:

J. K. Davis

Secretary.

50 foot strip of land

94

Instrument No. 198855

WARRANTY DEED

Mar 19 1937

RECEIVED

Bannock County Road Supervisor's Office
in the year of Our Lord

This Indenture, Made this 17th day of March, 1937, between Frank C. Christensen and Sarah E. Christensen, his wife, of the County of Bannock, State of Idaho, the parties of the first part, and Bannock County & Municipal Corporation, the parties of the second part.

WITNESSETH That the said party of the first part, for and in consideration of the sum of ONE HUNDRED FIFTY ONE AND SEVENTY CENTS (\$151.70) lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said party of the second part, and to its heirs and assigns forever All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

A strip of land 50 feet wide the center line of which is described as follows:

Commencing at the West $\frac{1}{4}$ corner of Section 33, T. 10 S., R. 41 E., B. M.; thence North along the west line of the said Section 33, 621.7 feet to the point of beginning; thence North $3^{\circ} 36'$ East, 2655.7 feet, more or less, to an intersection with the meridional center line of the said section 33, the point of ending.

The above described tract of land is a part of the S $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T. 10 S. R. 41 E., B. M., and contains 3.05 acres more or less.

Together with, all and singular, the tenements hereditaments and appurtenances therunto belonging or otherwise appertaining, and the rents, issues and profits thereof TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges therunto incident, unto the said party of the second part, and to its heirs and assigns forever And the said party of the first part, its heirs and assigns against the said party of the second part, and their heirs and assigns forever defend IN WITNESS WHEREOF, The said party of the first part have hereunto set their hand and seal on the day and year first above written

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Frank C. Christensen (SEAL)
Sarah E. Christensen (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO,

County of Bannock

On this 17th day of March, 1937, before me, Alvin Whitehead a Notary Public in and for said County and State, personally appeared Frank C. Christensen and Sarah E. Christensen, his wife known to me to be the person whose name is subscribed to the within 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 the certificate first above written

(SEAL)

Alvin Whitehead
Notary Public
Residence Grass, Idaho.

I hereby certify that this instrument was filed for record at the request of Bannock Co. at 08 minutes past 3 o'clock P. M. this 11 day of August A. D. 1937, in Book 78 of Deeds, at page 94. Fee, \$ 10.00 Anna Keefe Ex-Officio Recorder. By Deputy.

INSTRUMENT NO. 1181022

WARRANTY DEED

This Indenture, Made this **First** day of **October** in the year of Our Lord One Thousand Nine Hundred and **Thirty five**, between **Sarah E. Christensen and Frank C. Christensen, wife and husband,** of the first part, and **Grace** County of **Bannock** State of **Idaho**, the parties of the second part, and **Y. Melvin Christensen** County of **Bannock** State of **Idaho**, the party of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of

One

DOLLARS,

lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged

by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said party of the second part, and to his heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The South Half of the Northwest Quarter and the North Half of the Southwest Quarter of Section Thirty three, Township Ten South, Range Forty-one East of the Boise Meridian, in Bannock County, Idaho

(\$3.00 I. R. S. Attached and cancelled.)

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs warrant the said premises in the quiet and peaceable possession of the said party of the second part, and his heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these premises forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

L. Sumner Pond

Sarah E. Christensen

(SEAL)

Frank C. Christensen

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of **BANNOCK**

ss.

On this **7th** day of **November**, in the year 19**35**, before me, **L. Sumner Pond** a Notary Public in and for said County and State, personally appeared **Sarah E. Christensen and Frank C. Christensen, Wife and Husband** known to me to be the person whose name subscribed to the within 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 the certificate first above written.

L. Sumner Pond

Notary Public

(SEAL) My Commission Expires December 17, 1938

Residence **Grace, Idaho**

I hereby certify that this instrument was filed for record at the request of **B. T. & Co.** at **04** minutes past **2** o'clock P.M., this **30** day of **Nov.** A. D. 19 **35** in Book **70** of Deeds, at page **534**

Fee, \$ **1.00**

Anna Keefe

Ex-Officio Recorder,

By

Deputy.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 29, 2019

Ira Tibbitts or Cydney Tibbitts
2344 N Bench Road
Grace, ID 83241

RE: Ownership Records for Water Right 13-2002

Dear Mr. and Mrs. Tibbitts:

On April 11, 2019, you filed a Notice of Change in Water Right Ownership, seeking to update the ownership records for a 25-acre portion of water right 13-2002. As part of the notice, you provided copies of multiple deeds, tracing ownership of your property back to Frank C. Christensen, the current owner of record for the water right. Based on the information available to the Department, we cannot update the ownership records for water right 13-2002 at this time. This letter is intended to return your ownership change and suggest steps that you can take to confirm your ownership of a portion of the water right.

The Department of Reclamation (now known as the Department of Water Resources) issued License No. 535 on October 14, 1937. License No. 535 is now identified as water right 13-2002. Frank C. Christensen was the owner listed on the license. The license authorized the diversion of 2.00 cfs from three springs and described 25 irrigated acres in the SENW of Section 33, T10S, R41E. In October 1935, Frank C. and Sarah E. Christensen sold the SENW of Section 33 and other land to Frank M. Christensen.

The backfile for water right 13-2002 includes a 1936 letter from attorney F.E. Tydeman to the Department of Reclamation, stating that Tydeman represented parties who were interested in purchasing part of water right 13-2002 for domestic use. It appears Tydeman's clients were successful at obtaining a portion of the water right for domestic use. On March 4, 1938, F. M. Christensen executed a warranty deed wherein he conveyed "all of his right, title and interest in and to any water or water rights . . . which is [appurtenant] to . . . the South Half of the Northwest Quarter . . . of Section 33, Township 10 South Range 41 East . . . as is evidenced by that certain License and Certificate of Water Right No. 535" to seven individuals for domestic use.

When we spoke on the phone earlier this year, you mentioned that you currently divide water from the springs with Stanley Christensen. I contacted Mr. Christensen and he was able to provide a detailed description of the current water delivery system from the springs. According to Mr. Christensen, there is a large irrigation pipeline running from the springs. Water in the irrigation pipeline is divided $\frac{1}{4}$ to your property

and $\frac{3}{4}$ to the Christensen property. Many of the post-1960 deeds for your property refer to a $\frac{1}{4}$ interest in the culinary and irrigation spring. Mr. Christensen confirmed that there are also pipelines from the springs which supply domestic water to seven homes. None of these people, including Mr. Christensen, have ever attempted to update the ownership records for water right 13-2002.

The primary reason we cannot list you as a current owner of water right 13-2002 is that, in 1938, Frank M. Christensen conveyed away all of the portion of water right 13-2002 that was associated with his (your) property. It sounds like spring water has continued to be used to irrigate your property in spite of the 1938 deed.

Before we can complete your proposed ownership change, we need legal documents confirming your ownership of a portion of the water right. One way you could confirm your ownership interest would be to pursue a quiet title action in Idaho District Court. A district court judge has the jurisdiction over ownership of real property, including water rights. A judge could confirm your ownership interest. Another option would be to work with Mr. Christensen and the seven domestic water users to draft a water right agreement, describing how water right 13-2002 should be split between the current water users. In July 2019, Mr. Christensen mentioned that he would contact the other water users to begin drafting an agreement. When I spoke with him this morning, he said that he has not had time to initiate that project. Perhaps you can work with Mr. Christensen to prepare a water right agreement.

In addition to returning the ownership change notice, the Department will refund your filing fee. A refund check from the State of Idaho should arrive in the next couple of weeks. Please feel free to contact me with any questions.

Sincerely,



James Cefalo

Encl: Notice of Change in Water Right Ownership
Refund Request Documents

Cc: Stanley Christensen
664 Bench Lago Road
Grace, ID 83241

Barg, Jonie

From: Barg, Jonie
Sent: Tuesday, October 29, 2019 4:51 PM
To: Pline, Treva; Steed, Susan
Subject: Refund Request
Attachments: Receipt(1)

Good afternoon!!

I have a refund request as follows:

Receipt number: E044869
Amount: \$75.00
Payable to: Idaho Ag Credit
PO Box 985
Blackfoot ID 83221

Reason: Total filing fee received \$75.00 for an ownership change and a Security Interest in a Water Right. We did not receive sufficient evidence to add the security interest or change the ownership in the water rights. Therefore the applicant is entitled to a full refund (\$75.00).

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

Barg, Jonie

From: Barg, Jonie
Sent: Tuesday, October 29, 2019 4:54 PM
To: Pline, Treva; Steed, Susan
Subject: FW: Refund Request
Attachments: Receipt(2)

Sorry this should be for E045237.

Two refund requests for &75.00 for the same water right.

E045237 and E044869 both to Idaho AgCredit.

Thank you.



Jonie Barg
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~

From: Barg, Jonie
Sent: Tuesday, October 29, 2019 4:53 PM
To: Pline, Treva <Treva.Pline@idwr.idaho.gov>; Steed, Susan <Susan.Steed@idwr.idaho.gov>
Subject: Refund Request

Good afternoon!!

I have a refund request as follows:

Receipt number: E044869
Amount: \$75.00
Payable to: Idaho Ag Credit
PO Box 985
Blackfoot ID 83221

Reason: Total filing fee received \$75.00 for an additional filing fee for an ownership change. We did not receive sufficient evidence of ownership to complete the change in ownership. Therefore the applicant is entitled to a full refund (\$75.00).

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Barg, Jonie

E045237 \$ 75. -

From: Barg, Jonie
Sent: Monday, April 15, 2019 8:48 AM
To: 'Callison, Jenny'
Subject: Tibbitts Security Interest/Ownership Change

RE: Change in Ownership Water Right No. 13-2002

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Water Right Ownership:** Full chain of title. The current owner according the records filed with the department is Frank C Christensen. We received a Special Warranty Deed from Ira La Ron Tibbitts, Jeanne M Tibbitts Marital Trust and Ira LaRon Tibbitts Revocable Trust to Ira Brent Tibbitts and Cydney Lynn Tibbitt, however a full chain of title is required.

**** **Filing Fee:** Your application indicates a split is required. If Tibbitts did not receive the entire place of use of the water right and a split is required the filing fee is \$100.00 per water right rather than \$25.00. Therefore an additional \$75.00 is required.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,



Jonie Barg
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~

SCANNED

APR 15 2019