

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
NOV 21 2018
Department of Water Resources
Eastern Region

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?
22-440 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-441A OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
22-10164 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Tibbitts Produce Co. (Emil Tibbitts, Marilyn Tibbitts, Tom Tibbitts, Todd Tibbitts)
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Todd W. Tibbitts and Teresa Tibbitts
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 202 North Poudre OR 97867
Mailing address City State ZIP
- (208) 940-1059 twt @ easterterb.net
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: 11/13/2018

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.

SUPPORT DATA

IN FILE # 22-440

8. Signature: [Signature] Title, if applicable: _____ Date: 11/21/18
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable: _____ Date: 11/21/18
Signature of new owner/claimant

For IDWR Office Use Only:

Received by SC Date 11/21/18 Receipt No. ED44531 Receipt Amt. 75⁰⁰

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 JTB Processed by CR Date 12-3-2018

No. C 34076		Due no later than Oct 31, 2018 Annual Report Form		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. TIBBITTS PRODUCE CO., INC. ROBERT B POULSEN PO BOX 50225 IDAHO FALLS ID 83405		ROBERT B POULSEN 185 S CAPITAL AVE IDAHO FALLS ID 83402	
				3. <u>New</u> Registered Agent Signature:*	
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).					
Office Held	Name	Street or PO Address	City	State	Country Postal Code
PRESIDENT	MARILYN TIBBITTS	477 PLEASANT COUNTRY LANE	RIGBY	ID	USA 83442
SECRETARY	ROBERT B POULSEN	477 PLEASANT COUNTRY LANE	RIGBY	ID	USA 83442
DIRECTOR	DENNIS SMITH	477 PLEASANT COUNTRY LANE	RIGBY	ID	USA 83442
5. Organized Under the Laws of: ID C 34076		6. Annual Report must be signed.* Signature: Brandi Loeb Name (type or print): Brandi Loeb Date: 08/21/2018 Title: Acct Assistant			
Processed 08/21/2018		* Electronically provided signatures are accepted as original signatures.			

QUITCLAIM DEED

THIS INDENTURE, made this 5TH day of July, 2012, between TIBBITTS
PRODUCE CO. INC. a corporation licensed in the State of Idaho, the party of the first part;
and ERROL W. and MARILYN G. TIBBITTS, husband and wife of Rigby, Idaho; and,
Dennis R. Smith, an individual of Lima, Ohio, the party of the second part,

WITNESSETH, that the party of the first part, for good and valuable consideration,
to the party of the first part in hand paid by the party of the second part, the receipt whereof
is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM,
unto the said party of the second part, and to party of the second part's heirs and assigns,
forever, all the following described real estate, situated in Teton County, State of Idaho the
following undivided interest: Errol W. and Marilyn G. Tibbitts: 51.11%; and, Dennis R.
Smith: 48.89% to-wit:

(See attached Exhibit A)

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

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

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


ERROL W. TIBBITTS, President
TIBBITTS PRODUCE CO. INC.

STATE OF IDAHO)
County of Jefferson) :ss

On this 5th day of JULY, 2012, before me, a Notary Public in and for said State, personally appeared ERROL W. TIBBITTS, PRESIDENT OF TIBBITTS PRODUCE CO. INC., agent of said corporation known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same on behalf of said corporation.

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

(Seal)




Notary Public
Residing In: RIGBY ID
Commission Expires: 10/7/16

Township 5 North, Range 45 East, Boise Meridian

Section 6: Lot 3 (NE1/4NW1/4)

(39.73 acres)

S1/2 Lot 4 (S1/2NW1/4NW1/4)

(19.70 acres)

Township 6 North, Range 45 East, Boise Meridian

Section 31: E1/2 SW1/4

(80 acres)

INCLUDING ALL irrigation water rights and mineral rights owned by the
sellers.

EXHIBIT

A

Instrument # 243336

TETON COUNTY, IDAHO

11-4-2016 09:15:00 AM No. of Pages: 3

Recorded for : TIBBITTS, TOM

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Fee: 16.00

Index to: DEED, QUIT-CLAIM

QUIT CLAIM DEED

THIS INDENTURE, made this 29th day of Aug 2016, between Dennis R. Smith, an individual of Lima, Ohio, the party of the first part; and Thomas R. Tibbitts, an individual of Rigby, Idaho and Todd W. Tibbitts, and individual of North Powder, Oregon, the parties of the second part,

WITNESSETH, that the party of the first part, for good and valuable consideration, to the party of the first part in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever **QUITCLAIM**, unto the said parties of the second part, and to the parties of the second parts' heirs and assigns forever, all of the following described real estate, situated in Teton County, State of Idaho to the following undivided interest: Thomas R. Tibbitts – fifty and 00/100 percent (50.00%); and, Todd W. Tibbitts fifty and 00/100 percent (50.00%) to wit:

(See attached Exhibit A)

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

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

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


Dennis R. Smith

(SEAL)

STATE OF OHIO

)

:SS

COUNTY OF Allen)

On this 29th day of August 2016, before me, the undersigned, a Notary Public in and for the said State, personally appeared Dennis R. Smith, and individual and known or identified 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.

Tonya C. Sanchez

Notary Public

Residing at:

Commission Expires:

(SEAL)



TONYA C. SANCHEZ
Notary Public, State of Ohio
My Commission Expires
March 27, 2018

EXHIBIT A

PROPERTY

Township 5 North, Range 45 East, Boise Meridian

Section 6: Lot 3 (NE1/4NW1/4)

(39.73 acres)

S1/2 Lot 4 (S1/2NW1/4NW1/4)

(19.70 acres)

Township 6 North, Range 45 East, Boise Meridian

Section 31: E1/2SW1/4

(80.00 acres)

INCLUDING ALL irrigation water rights and mineral rights owned by the seller.

Instrument # 252497

TETON COUNTY, IDAHO

11-13-2018 03:59:18 PM No. of Pages: 7

Recorded for : TIBBITTS, TW ATTORNEY AT LAW

MARY LOU HANSEN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

QUIT CLAIM DEED

THIS INDENTURE, made this 31st day of August, between Marilyn Tibbitts, an individual of Rigby, Idaho, the party of the first part; and Todd W. Tibbitts and Teresa Tibbitts, husband and wife of North Powder, Oregon, the parties of the second part,

WITNESSETH, that the party of the first part, for good and valuable consideration, to the party of the first part in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever **QUITCLAIM**, unto the said parties of the second part, and to the parties of the second parts' heirs and assigns forever, all of the following described real estate, situated in Teton County, State of Idaho to the following undivided interest: Todd W. Tibbitts – fifty and 00/100 percent (50.00%); and, Teresa Tibbitts fifty and 00/100 percent (50.00%) to wit:

(See attached Exhibit A)

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

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

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


Marilyn Tibbitts

(SEAL)

STATE OF IDAHO

)

:ss

COUNTY OF JEFFERSON

)

On this 6th day of Sept, 2018, before me, the undersigned, a Notary Public in and for the said State, personally appeared Marilyn Tibbitts, and individual and known or identified 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.



A handwritten signature of Brandi Loeb in black ink, written over a horizontal line.

Notary Public

Residing at:

Commission Expires: 4-3-23

QUIT CLAIM DEED

THIS INDENTURE, made this ____ day of August, between Thomas R. Tibbitts, an individual of Rigby, Idaho, the party of the first part; and Todd W Tibbitts and Teresa Tibbitts, husband and wife of North Powder, Oregon, the parties of the second part,

WITNESSETH, that the party of the first part, for good and valuable consideration, to the party of the first part in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever **QUITCLAIM**, unto the said parties of the second part, and to the parties of the second parts' heirs and assigns forever, all of the following described real estate, situated in Teton County, State of Idaho to the following undivided interest: Todd W. Tibbitts – fifty and 00/100 percent (50.00%); and, Teresa Tibbitts fifty and 00/100 percent (50.00%) to wit:

(See attached Exhibit A)

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

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

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


Thomas R. Tibbitts

(SEAL)

STATE OF IDAHO

)

:ss

COUNTY OF JEFFERSON

)

On this 17 day of Sept, 2018, before me, the undersigned, a Notary Public in and for the said State, personally appeared Marilyn Tibbitts, and individual and known or identified 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)



A handwritten signature in black ink, appearing to read "April Orme", written over a horizontal line.

Notary Public

Residing at:

Commission Expires:

QUIT CLAIM DEED

THIS INDENTURE, MADE THIS 2nd day of November, between Todd Tibbitts, an individual of North Powder, Oregon, the party of the first part; and Todd W. Tibbitts and Teresa Tibbitts, husband and wife of North Powder, Oregon, the parties of the second part,

WITNESSETH, that the party of the first part, for good and valuable consideration, to the party of the first part in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever **QUITCLAIM**, unto the aid parties of the second part, and to the parties of the second parts' heirs and assigns forever, all of the following described real estate, situated in Teton County, State of Idaho to the following undivided interest: Todd W. Tibbitts - fifty and 00/100 percent (50.00%); and, Teresa Tibbitts fifty and 00/100 percent (50.00%) to wit:

(See attached Exhibit A)

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

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

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



Todd W. Tibbitts

(SEAL)

STATE OF Oregon)
COUNTY OF Baker) :ss

On this 2nd day of November, 2018, before me, the undersigned, a Notary Public in and for the said State, personally appeared Todd W. Tibbitts, an individual and known or identified 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.

Tessa Elise Hyland

Notary Public: Oregon
Residing at: Baker City, OR
Commission Expires: May, 03, 2021

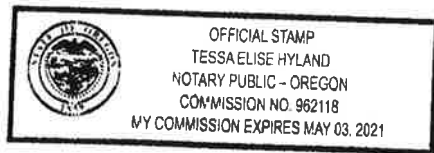


EXHIBIT A

PROPERTY

Township 5 North, Range 45 East, Boise Meridian

Section 6: Lot 3 (NE1/4NW1/4)

(39.73 acres)

S1/2 Lot 4 (S1/2NW1/4NW1/4)

(19.70 acres)

Township 6 North, Range 45 East, Boise Meridian

Section 31: E1/2SW1/4

(80.00 acres)

INCLUDING ALL irrigation water rights and mineral rights owned by the seller.

Instrument # 252494

TETON COUNTY, IDAHO

11-13-2018 03:32:00 PM No. of Pages: 2

Recorded for : TIBBETS, TW ATTORNEY AT LAW

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Index to: AFFIDAVIT

CAO Pb 01

AFFIDAVIT COLLECTING PERSONAL PROPERTY of DECEDENT - Idaho Small Estate

I/we swear/affirm under oath:

1. (Name of deceased) Errol W. Tibbitts, a resident of Jefferson County, ID
County, Idaho, died on (date) August 13, 2014, at (place) Idaho Falls, Idaho

2. The fair market value of the entire estate of the decedent, wherever located, which is subject to probate, less liens and encumbrances, does not exceed one hundred thousand dollars (\$100,000).
3. At least thirty (30) days have passed since the death of the decedent.
4. No application or petition for the appointment of a personal representative or for summary administration is pending or has been granted in any jurisdiction.
5. The undersigned is/are entitled to payment or delivery of the personal property of the decedent as successor(s) in the following respective listed proportion(s) upon the presentation of this affidavit as provided in Section 15-3-1201, of the Idaho Code:

Name of Successor

Proportion

Marilyn Tibbitts

100%

Marilyn Tibbitts
Signature of Affiant

Signature of Affiant

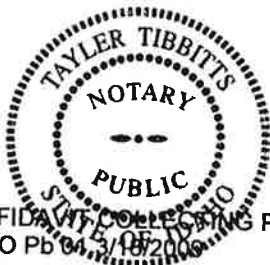
Signature of Affiant

Signature of Affiant

STATE OF IDAHO)

County of Jefferson) ss.

SUBSCRIBED AND SWORN before me on this 3rd day of November 2018



[Signature]

Notary Public for Idaho

Residing at Salmon, ID

Commission expires 3/29/22

STATE OF IDAHO
CERTIFICATION OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS
CERTIFICATE OF DEATH

Date Filed AUGUST 19, 2014

State File No. 2014-07656

DECEDENT - LEGAL NAME ERROL WAYNE TIBBITTS			
SEX MALE	SOCIAL SECURITY NUMBER [REDACTED]	AGE 76 YEARS	DATE OF BIRTH NOVEMBER 19, 1937
BIRTHPLACE RIGBY, IDAHO		PLACE OF RESIDENCE RIGBY, IDAHO	
MARITAL STATUS AT TIME OF DEATH MARRIED		NAME OF SURVIVING SPOUSE (If wife, maiden name) MARILYN GRAHAM	WAS DECEDENT EVER IN U.S. ARMED FORCES? YES
FATHER'S NAME WAYNE E. TIBBITTS			BIRTHPLACE UTAH
MOTHER'S MAIDEN NAME BESSIE LARETTA PARKINSON JONES			BIRTHPLACE UTAH
METHOD OF DISPOSITION BURIAL		FUNERAL SERVICE LICENSEE BRADLEY B. YOUNGSTROM	
NAME AND ADDRESS OF FUNERAL FACILITY ECKERSELL MEMORIAL CHAPEL, RIGBY, IDAHO			
DATE OF DEATH AUG. 13, 2014	TIME OF DEATH 9:00 P.M.	CITY, TOWN OR LOCATION OF DEATH IDAHO FALLS, IDAHO	COUNTY OF DEATH BONNEVILLE
CAUSE OF DEATH (underlying cause last) HEPATIC FAILURE			Approximate Interval Between Onset and Death
DUE TO (or as a consequence of): a.			
b.			
DUE TO (or as a consequence of): c.			
DUE TO (or as a consequence of): d.			
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE STATED			WAS AN AUTOPSY PERFORMED? NO
MANNER OF DEATH NATURAL	NAME OF CERTIFIER W. DAVID ADAMS, D.O.		TITLE PHYSICIAN
CORONER SUBSEQUENT CERTIFICATION IF NECESSARY			
EXTERNAL CAUSES ONLY			
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?
LOCATION WHERE INJURY OCCURRED			
DESCRIPTION OF HOW INJURY OCCURRED			

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

DATE ISSUED: AUGUST 19, 2014

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

James B. Aydelotte
JAMES B. AYDELOTTE
STATE REGISTRAR

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

December 03, 2018

TODD W TIBBITTS
TERESA TIBBITTS
PO BOX 202
NORTH POWDER OR 97867-0202

Re: Change in Ownership for Water Right No(s): 22-440, 22-441A, 22-10164

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) 525-7161.

Sincerely,

Cher Ramos
Technical Records Specialist I

Enclosure(s)

cc: Water District 01