

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 24 2011

DEPT. OF WATER RESOURCES
SOUTHERN 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
45-7454	Yes ☒		Yes ☐		Yes ☐
45-7688	Yes ☒		Yes ☐		Yes ☐
45-11034	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Dell & Susan Mitchell

Name of each new owner as listed on the conveyance document

New owner continued

Name connector ☐ and ☐ or ☐ and/or

999 E 300 N

Mailing address

Declo

City

654-2451

Telephone

ID

State

83323

ZIP

D-Mitchell@D.L.Evans.Com

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: _____

6. 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.

SUPPORT DATA

IN FILE # 45-7454

7. Signature:

Dell Mitchell

Signature of new owner/claimant

owner

Title, if applicable

3-24-11

Date

- Signature:

Susan Mitchell

Signature of new owner/claimant

owner

Title, if applicable

Mar 24 2011

Date

For IDWR Office Use Only:

Received by

Chloe

Date

3/24/11

Receipt No.

5031845

Receipt Amt.

7500

Approved by

Processed by

Date

QUITCLAIM DEED

303970

303970

EC-1424

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN

RECORDER
FEE 9.00 DEPUTY *[Signature]*

For Value Received

Lynn N. Mitchell and Jan D. Mitchell, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

Dell N. Mitchell and Susan L. Mitchell, husband and wife

**ADDRESS: 999 East 300 North
Declo, Idaho 83323**

2005 SEP 7 AM 9 52

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

See attached Exhibit "A" for legal description

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including 1.48 cfs in State of Idaho, Department of Water Resources Adjudication No. 45-7454 and .79 cfs in State of Idaho, Department of Water Resources Adjudication No. 45-7688.

TO HAVE AND TO HOLD the said promises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: September 2, 2005

[Signature]
Lynn N. Mitchell

[Signature]
Jan D. Mitchell

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 2nd day of Sept., 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **Lynn N. Mitchell and Jan D. Mitchell**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 2-5-08

Nancy Garrett
Notary Public
State of Idaho

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: Commencing at the Southeast corner of the SE¼SW¼ of Section 1, the True Point of Beginning;
Thence West 924 feet;
Thence North 1320 feet;
Thence East 924 feet;
Thence South 1320 feet to the Point of Beginning.

EXCEPT the following described tracts:

Tract No. 1:

Commencing at the Southeast corner of the SE¼SW¼ of said Section 1, thence West 30 feet to the True Point of Beginning;
Thence North 435.6 feet;
Thence West 200 feet;
Thence South 435.6 feet;
Thence East 200 feet to the Point of Beginning.

Tract No. 2:

Commencing at the Southeast corner of the SE¼SW¼ of said Section 1, thence West 230 feet to the True Point of Beginning;
Thence North 435.6 feet;
Thence West 200 feet;
Thence South 435.6 feet;
Thence East 200 feet to the True Point of Beginning.

Tract No. 3:

Commencing at the 5/8 inch rebar and aluminum cap marking the South quarter corner of said Section 1 and running thence along the south line thereof North 89°43'02" West 430.00 feet to a ½ inch rebar marking the southwest corner of that real property conveyed to Lynn and Jan Mitchell by the Warranty Deed recorded December 22, 1976 as Instrument No. 95105, Cassia County records, last said rebar being the True Point of Beginning;
Thence along the West line of last said lands of Mitchell North 0°03'23" East 435.60 feet to a ½ inch rebar at the Northwest corner thereof;
Thence North 89°43'02" West 459.00 feet to a ½ inch rebar;
Thence South 0°03'23" West 435.60 feet to a ½ inch rebar on said South line of Section 1;
Thence along said South line South 89°43'02" East 459.00 feet to the True Point of Beginning.

TAX
4334A

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

- Section 1: That part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying on the East side of the Minidoka Southside Canal
EXCEPT the West 30 feet;
That part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying on the Southeast side of the Minidoka Southside Canal.

TAX 9203
E
Portion
OF
RP 1501

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

- Section 1: A portion of the Northeast quarter of the Southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), and more particularly described as follows:

Commencing at the 5/8 inch rebar and aluminum cap marking the West quarter corner of said Section 1, and running thence along the North line of the Southwest quarter thereof South 89°40'08" East 1309.20 feet to the iron pipe and brass cap marking the northwest corner of the aforesaid Northeast quarter of the Southwest quarter of Section 1, and the True Point of Beginning;

Thence along the North line of said Northeast quarter of the Southwest quarter of Section 1 South 89°40'27" East 905.18 feet to a 1/2 inch rebar set at the intersection thereof with the western top of bank of the Main South Side Irrigation Canal;

Thence continuing along last said North line South 89°40'27" East 44.34 feet to the intersection thereof with the centerline of said irrigation canal;

Thence Southwesterly along said centerline along a curve to the right said curve having a central angle of 19°03'58", a radius of 500.00 feet, an arc length of 199.66 feet, a chord bearing of South 17°40'54" West, and a chord length 198.74 feet, to the intersection thereof with the Southeasterly extension of the centerline of the No. 311 Irrigation lateral;

Thence along said extension, and along said lateral centerline as follows:

North 62°47'07" West 69.39 feet;

North 75°12'05" West 34.77 feet;

North 86°02'39" West 540.75 feet, and

North 84°52'11" West 255.91 feet to the intersection thereof with the West line of the aforesaid Northeast quarter of the Southwest quarter of Section 1;

Thence along said West line North 0°19'24" East 93.95 feet to the True Point of Beginning.

TAX
9202

301781

QUITCLAIM DEED

For Value Received

LYNN N. MITCHELL and JAN R. MITCHELL, husband and wife,
do hereby convey, release, remise and forever quitclaim unto
DELL MITCHELL and SUSAN L. MITCHELL, husband and wife,
whose current address is
999 E. 300 N., Declo, Idaho 83323
the following described premises, to-wit:

The SW1/4 of the SE1/4 of Section 1, Township 10 South,
Range 24 EBM, all lying in Cassia County, Idaho;
EXCLUDING THEREFROM: The following described property:

Commencing at the SW corner of the above described
property which shall be the Point of Beginning running
thence North 280 feet; running thence 800 East; running
thence 280 feet South to the south section line of
Section 1, running West back to the point of beginning.

Tax
5652

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 30 DEPUTY 40
2005 APR 26 PM 10 01
RECORDED AT THE REQUEST OF
CASSIA COUNTY ABSTRACT

301781

together with their appurtenances.

Dated: April 21, 2005

Lynn N. Mitchell
Lynn N. Mitchell

Jan R. Mitchell
Jan R. Mitchell

STATE OF IDAHO, COUNTY OF CASSIA
On this 25th day of April, 2005
before me, a Notary Public in and for the said State, personally
appeared

Lynn N. Mitchell and Jan R.
Mitchell

FRED C. BELL
NOTARY PUBLIC
STATE OF IDAHO

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Fred C. Bell
Notary Public,
Idaho

Residing at Burley
Comm. Expires 8/28/06

INSTRUMENT NO.

THIS BLANK FURNISHED BY CASSIA COUNTY ABSTRACT COMPANY

301551

QUITCLAIM DEED

For Value Received IDAHO, GOLD PRODUCE, a partnership consisting of NILE ZETLAND MITCHELL AND NORENE MITCHELL, H&W; DELL NILE MITCHELL AND SUSAN L. MITCHELL, H&W and LYNN NALDER MITCHELL AND JAN MITCHELL, H&W

do hereby convey, release, remise and forever quit claim unto
DELL N. MITCHELL AND SUSAN L. MITCHELL, husband and wife AND LYNN N. MITCHELL AND
JAN MITCHELL, husband and wife

Route 1 Box 38B, Declo, Idaho 83323
the following described premises, to-wit:

TOWNSHIP 10 SOUTH, RANGE 24 EAST, BOISE MERIDIAN

Section 1: SE $\frac{1}{4}$ SW $\frac{1}{4}$ LESS the East 924 feet thereof;

ALSO

That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying South and East of the Canal.

ALL IN CASSIA COUNTY, STATE OF IDAHO

TAX 4333A
5526

STATE OF IDAHO)
) ss.
County of Cassia)

On this 15th day of April 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Lynn Nalder Mitchell and Jan Mitchell, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

SUE ELLEN KELLER
NOTARY PUBLIC
STATE OF IDAHO

(SEAL)

Sue Ellen Keller
Notary Public for Idaho
Residing at Albion, Idaho
Commission Expires: 4/9/2011

together with their appurtenances.

Dated: March 30, 1993

Dell Nile Mitchell
Dell Nile Mitchell

Lynn Nalder Mitchell
Lynn Nalder Mitchell

Nile Zetland Mitchell
Nile Zetland Mitchell

Norene Mitchell
Norene Mitchell

Susan L. Mitchell
Susan L. Mitchell

Jan Mitchell
Jan Mitchell

STATE OF IDAHO, COUNTY OF CASSIA:

On this 30 day of March, 1993, before me, a notary public in and for said State, personally appeared Nile Zetland Mitchell and Norene Mitchell; Dell Nile Mitchell and Susan L. Mitchell and Lynn Nalder Mitchell and Jan Mitchell, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Sue Ellen Keller
Notary Public for Idaho

For Recording Only

RECORDED AT THE REQUEST OF
DELL N. MITCHELL
999 E 300 N
Declo, ID. 83323

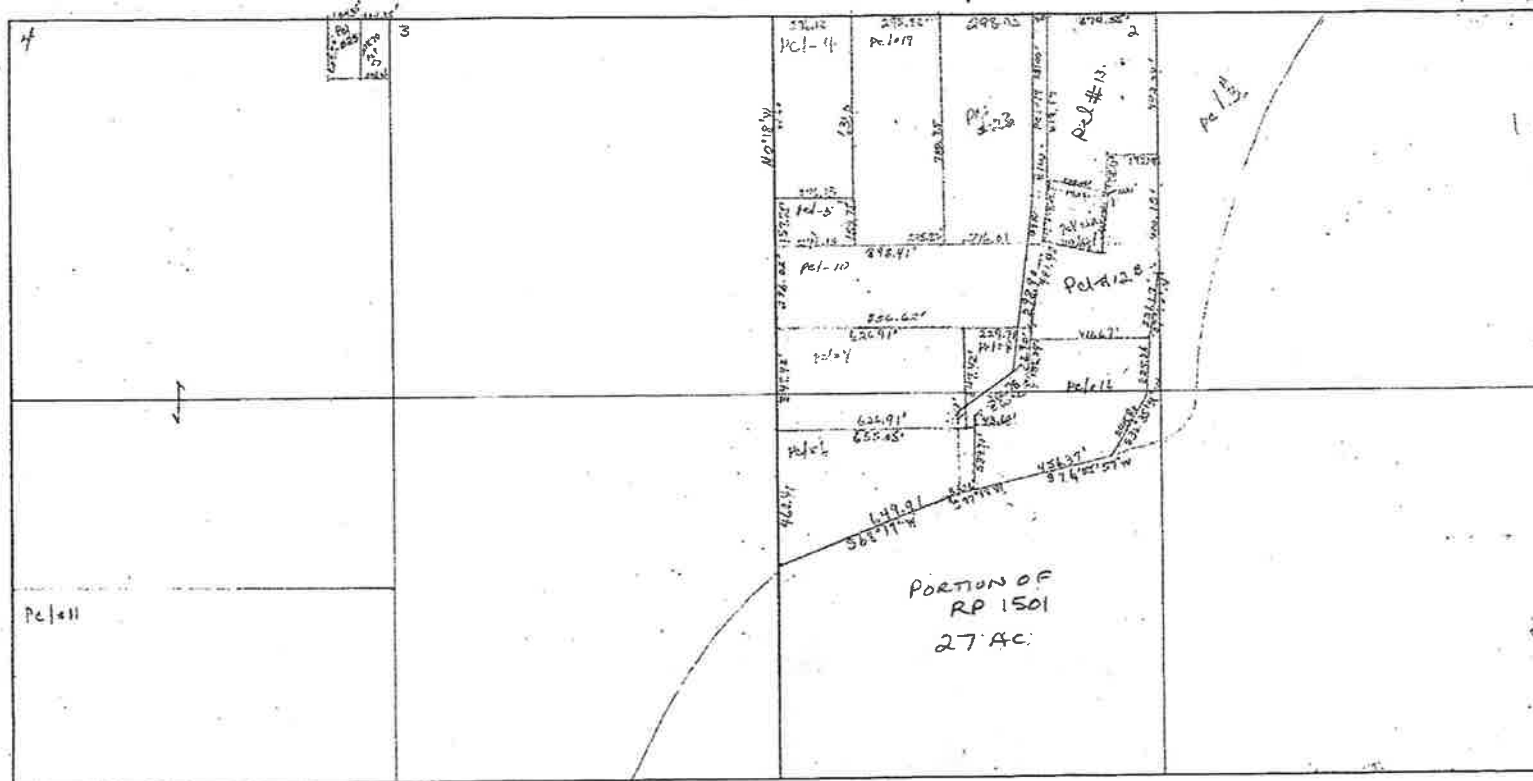
2005 APR 15 PM 3 09
CASSIA COUNTY, IDAHO
LARRY A. NICKELSEN
RECORDER
FEE 300 DEPUTY *Jan*

301551

Residing at Albion

Idaho Comm Expires 4-9-11

NORTH
HALF



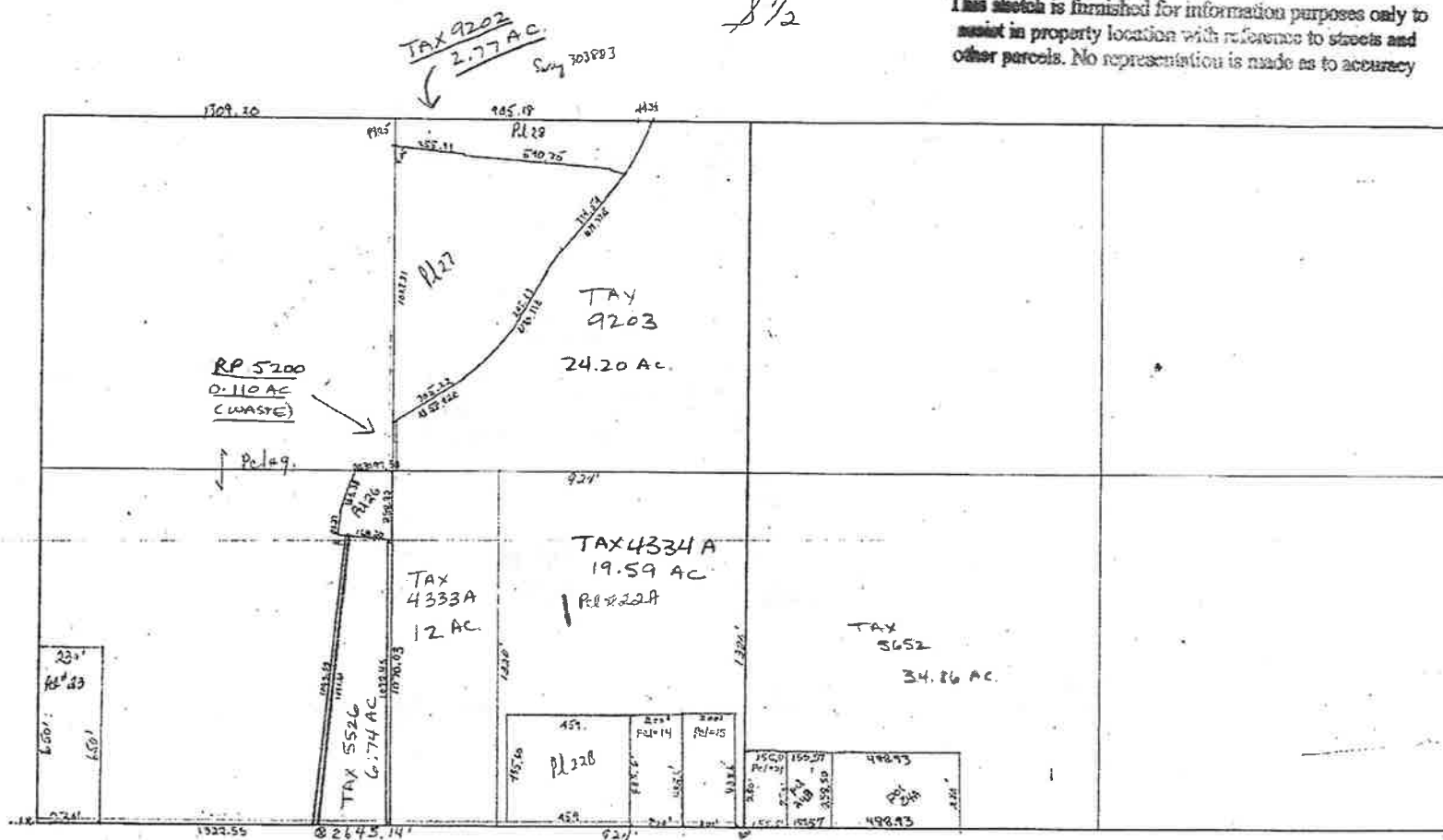
PORTION OF
RP 1501
27 AC.

SCALE
1" = 400'

This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy

8 1/2

This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy



1" = 400'

Sung 702174



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 1341 Fillmore St, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 15, 2011

DELL MITCHELL
SUSAN MITCHELL
999 E 300 N
DECLO ID 83323

RE: Change of Ownership for Water Right Nos. 45-7454, 45-7688, 45-11034

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, 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 this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', written in dark ink.

Trish Fawcett
Technical Records Specialist

Enclosure(s)