

Water District 11

Form 42-248/42-1409(6) 10/07

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEV

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
13-7254	WR OK	Agent approval		received	

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Bob Henderson
3655 N. 1600 E
Preston, Id 83263

4. New Owner/Claimant(s) Tom Lucin
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 4409 N. Hwy 34

City, State and ZIP Code Preston, Id 83263

New Telephone Number (208) 852-1041 Email: TLucin@PLMW.com

RECEIVED

APR 17 2008

Department of Water Resources
Eastern Region

5. Date you acquired the property MARCH 19, 2008

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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

7. Signature(s) of New Owner(s) or Claimant(s) Tony Lucero

 (title if applicable)

 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by JR
 Receipted by JR
 Processed by _____ AJ

Date 4-17-08
 Date 4-17-08
 Date _____

Receipt Amt. 25.00
 Receipt No. E033971
 WR _____ Date _____

240904 1-3

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
28 West Oneida
Preston, ID 83263

Recorded at the request of
First American Title
____ a.m. MAR 10 2008 p.m. 3:36
V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY IDAHO

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **245319-PR (mh)**

Date: **March 12, 2008**

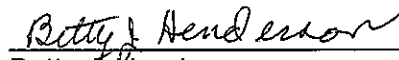
For Value Received, **Robert G. Henderson and Betty J. Henderson, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Thomas A. Lucia and Judith M. Lucia, husband and wife**, hereinafter called the Grantee, whose current address is **4409 North Hwy. 34, Preston, ID 83263**, the following described premises, situated in **Franklin County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

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

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

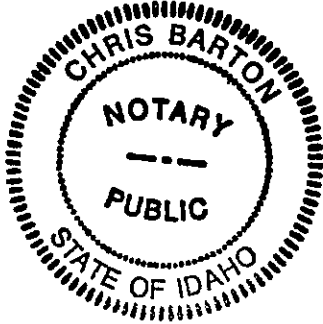

Robert G. Henderson


Betty J. Henderson

STATE OF Idaho)
)
) ss.
COUNTY OF Franklin)

240904 2-3

On this **Seventeenth day of March, 2008**, before me, a Notary Public in and for said State, personally appeared **Robert G. Henderson and Betty J. Henderson**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



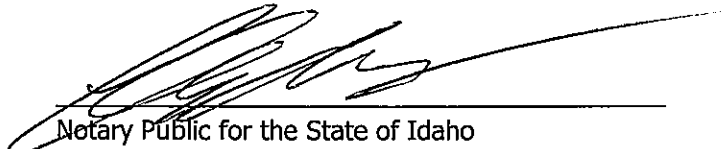

Notary Public for the State of Idaho
Residing at: Preston, Idaho
My Commission Expires: 11/13/2012

EXHIBIT A

Beginning at a point 35 rods South of the Southwest corner of Lot 3, Section 30, Township 14 south, Range 40 East of the Boise Meridian, Franklin County, Idaho, thence East 380 feet, more or less, to the West side of the State highway right of way, thence Northwesterly along said highway right of way 1,100 feet, more or less, to the West line of said Lot 3, thence South 1,020 feet, more or less, to the Point of Beginning.

ALSO that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 14 south, Range 39 East of the Boise Meridian, Franklin County, Idaho, described as follows: Beginning at a point 35 rods South of the Southwest corner of Lot 3, Section 30, Township 14 south, Range 40 East of the Boise Meridian, said point being the NW corner of Parcel 1 of Survey recorded May 29, 2007 under Instrument No. 237909, thence N 89°25'23" W to the Northerly bank of the Bear River, thence Northwesterly along said Bear River bank to the Southeast corner of a parcel conveyed to Monte T. Lorrigan and Alice Elizabeth Lorrigan by Warranty Deed recorded March 21, 2001 under Instrument No. 212621, thence North 330 feet along the East line of said Lorrigan parcel to the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, thence East 857 feet, more or less, to the East line of Said Section 25, thence South to the Point of Beginning.

Together with all rights to the existing well located on the above described property.

Also Together with an easement for pumping water to and from the existing beaver pond located on land to the South of the above described property.

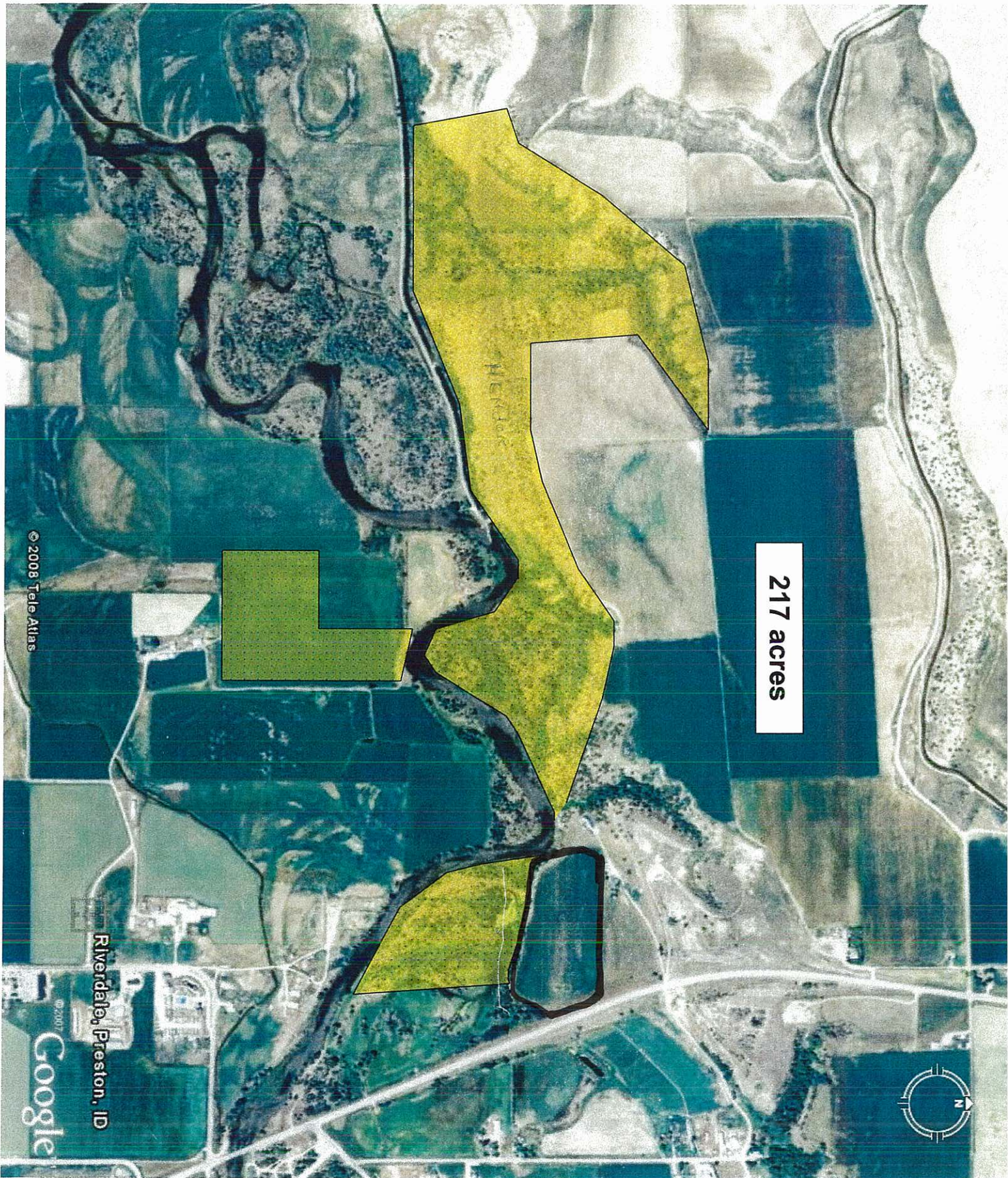
Also Together with an easement described as follows: Commencing 230 feet more or less South of the Northwest corner of Section 31, Township 14 South, Range 40 East of the Boise Meridian, and running thence Southeasterly along the North bank of the Bear River to the State Highway. The right of way is intended to cover land on the North side of the Bear River at least 16 wide, and to be used by the Grantees to and from the State Highway to lands of the Grantees; and si to be used for right of way purposes of every name and nature except driving livestock across the right of way above named.

This is intended as an Easement granting to the party of the second part the right to travel over and across this property, with the understanding that the Grantees shall at all times, when entering or leaving this property, close the gates behind them, as there is a gate at either end of the property.

Also Together with an easement over the East 16 feet of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 lying North of the Bear River and the East 16 feet of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25 of Township 14 South, Range 39 East of the Boise Meridian.

BH 12/14 _____

HENDERSON PROPERTY
RIVERDALE



217 acres

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Riverdale, Preston, ID

Google



Lot No.

24

25

Craig Thomas
52-482
164149

160A

T7

Twin Lakes Canal

T4

Calvin L. Sharp
193895

T3

T2

R. Scott Workman Etal
176851

105A

Indefinite line

T9

Robert Henderson
135174

180R

111R

14A

123795

25

T5

Betty Henderson Etal
46-300
186252

146A

W.C. Canal

25

36

Vacant

Bear River

Ariel W. Meek

T5

25

36

30

31

Bea

Ar

M