

WD #01

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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)
22-12580	OK				

RECEIVED

FEB 16 2010

Department of Water Resources
Eastern Region

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)

Cyrus Fay Harris
Donna R Harris
3342 N Salem RD Rexburg, ID 83440

4. New Owner/Claimant(s)

Don F + Leann R Harris
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

4431 N 2000 W

City, State and ZIP Code

Rexburg, ID 83440

New Telephone Number

(208) 356-8106 Email: dhlaserleveling@msn.com

5. Date you acquired the property

2-4-2005

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)

Don Harris
Leann R Harris

(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 *[Signature]*
 Received by *[Signature]*
 Processed by _____ AJ

Date 2-11-10
 Date 2-11-10
 Date _____

Receipt Amt. \$25.00
 Receipt No. E035599
 WR _____ Date _____

GRANT DEED

THIS INDENTURE, Made this 4th day of February, 2005, between **Donna Ruth Harris**, a widowed woman, of 3342 N. Salem Rd., Rexburg, ID 83440, as the party of the first part; and **Don F. Harris**, a married man, of 4431 N. 2000 W., Rexburg, ID 83440, the party of the second part.

WITNESSETH, that the said party of the first part does by these presents, grant, convey, distribute and confirm unto the said party of the second part, all of the right, title and interest of the party of the first part, in and to the following described real property located in Madison County, State of Idaho, to-wit:

The West Half Northeast Quarter, the East Half Northwest Quarter and the North Half Southeast Quarter of Section 35, Township 7 North, Range 39 East, Boise Meridian, Madison County, Idaho.

TOGETHER With one share of the capital stock of Roxana Canal Company and 5.45 c.f.s. of water in the Sommer-Saurey Ditch and five shares of the capital stock of Consolidated Canal Company Water.

TOGETHER With 180 a.f. of storage rights in the Fremont-Madison Irrigation District.

I acknowledge that all buildings and miscellaneous personal property located on the said property are owned by the said Don F. Harris.

Commencing at the Southwest corner of Lot 4 of Section 31, Township 7 North, Range 40 East, Boise Meridian, Madison County, Idaho, and running thence East 62 rods; thence North 44 rods; thence West 62 rods; and thence South 44 rods; thence East 2 rods; thence South 80 Rods; thence West 64 rods; thence North 80 rods, to the point of beginning, same being parts of the Southwest Quarter of the Southwest Quarter of Section 31 aforesaid and of Lot 4, of Section 6, Township 6 North, Range 40 East of the Boise Meridian to the point of beginning.

TOGETHER With one share of the capital stock of the Roxana Canal Company, 2 shares of the capital stock of Salem-Union Canal Company and 2 shares of the North Salem Agricultural & Milling Canal Company, Ltd.

TOGETHER With all storage rights in Fremont-Madison Irrigation District.

TOGETHER With all buildings and miscellaneous property and the house located on the premises, and all furniture and fixtures therein.

TOGETHER WITH all water rights thereto, and all and singular the other 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, unto the said party of the second part, and to his heirs and assigns forever.

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

Donna Ruth Harris
Donna Ruth Harris

Acknowledgment

STATE OF IDAHO,)

ss.

County of Madison.)

On this 4th day of February, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **Donna Ruth Harris**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.



Ray W. Rigby
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 03-12-2005

DECEMBER 1974

CONSERVATION PLAN MAP

Owner Fay Harris Operator _____
County Madison State Idaho Date 1-82
Approximate acres 240 Approximate scale 8" = 1 mi.
Cooperating with Madison Soil Conservation District
Plan identification _____ Photo number 171-1132
Assisted by M.W. Burgener USDA Soil Conservation Service

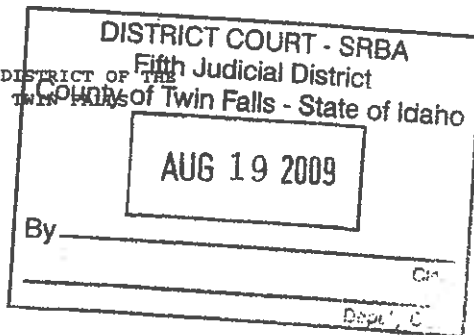
R. 39 E.

26 25
35 36

T. 7 N.



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS



In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-12580

NAME AND ADDRESS: CYRUS FAY HARRIS
DONNA R HARRIS
3342 N SALEM RD
REXBURG, ID 83440

*Change to Don F. Harris
Leann R Harris
4431 N 2000 W
Rexburg, ID 83440*

SOURCE: UNNAMED SLOUGH TRIBUTARY: TETON RIVER

QUANTITY: 1.54 CFS

PRIORITY DATE: 01/01/1924

POINT OF DIVERSION: T07N R39E S35 SENWNE Within Madison County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.54 CFS

PLACE OF USE:	Irrigation	Within Madison County
	T07N R39E S35	NWNE 34.0 SWNE 8.5 NENW 33.0 SENW 1.7
	77.2 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication