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NOV 21 2008
DEPARTMENT OF WATER RESOURCES

**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)
PD 35-2309					
LIC 35-8858					

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)

Gary R. Fielding

4020 Canterbury Way

Idaho Falls, ID 83404

4. New Owner/Claimant(s)

Dennis and Kenea Leavitt

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

220 N 740 W

City, State and ZIP Code

Blackfoot, ID 83221

New Telephone Number

(208) 684-4842

Email: **SUPPORT DATA**

5. Date you acquired the property

10/16/08

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)

[Signature]
[Signature]

(title if applicable)

(title if applicable)

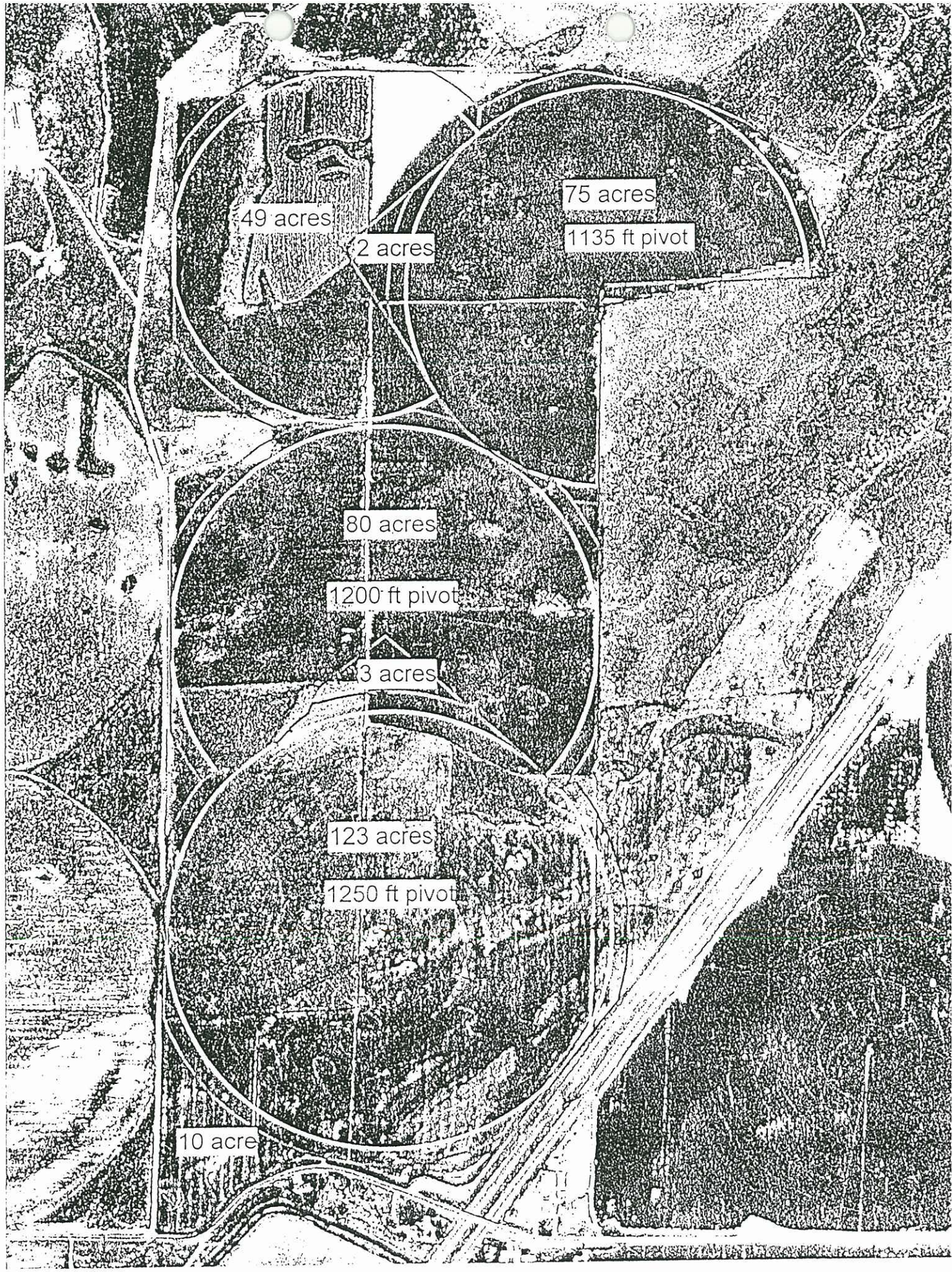
IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____
 Received by SRF
 Processed by _____ AJ

Date _____
 Date 11-21-08
 Date _____

Receipt Amt. 50.00
 Receipt No. 6087760
 WR _____ Date _____



49 acres

2 acres

75 acres

1135 ft pivot

80 acres

1200 ft pivot

3 acres

123 acres

1250 ft pivot

10 acre

Rerecorded to correct
Instrument No. 599894

Instrument # 600747

RECORDING REQUESTED BY:
Baker & Harris
AND WHEN RECORDED MAIL TO:
Baker & Harris
266 W Bridge
Blackfoot, ID 83221

BINGHAM COUNTY
11-12-2008 02:26:54 No. of Pages: 2
Recorded for : #6013 BAKER & HARRIS
SARA J. STAUB Fee: 6.00
Ex-Officio Recorder Deputy *VW*

space above this line for Recorder's use only

WARRANTY DEED

This Correction Warranty Deed amends, corrects and supersedes that certain Warranty Deed recorded as Instrument No. 599894, records of County Recorder, Bingham County, Idaho.

For Value Received, Gary R. Fielding and Kathy Fielding, do hereby grant, bargain, sell, and convey unto Dennis Leavitt and Kenea Leavitt, of 220 N 740 W, Blackfoot, ID 83221, the Grantees, the following-described premises, to-wit:

TRACT I

Lot 4, and the Southeast 1/4 of the Southwest 1/4; and the Southwest 1/4 of the Southeast 1/4, EXCEPTING beginning at the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 30 of Township 1 South, Range 36 E.B.M.; thence East 80 rods, more or less, to the Northeast corner of said Southwest Quarter of the Southeast Quarter; thence South 595.0 feet; thence Northwesterly in a direct line 1,448.0 feet, more or less, to the point of beginning, and

Lots 1 and 2 and the East 1/2 of the Northwest Quarter of Section 31, Township 1 South, Range 36 E.B.M.

TOGETHER WITH 110 shares of the New Lava Side Ditch Company, and all other water and water rights, ditches and ditch rights appertaining thereto, and SUBJECT to all easements and rights of way apparent thereon or of record.

TRACT II

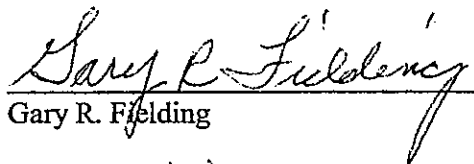
Lots 3 and 4 and the East 1/2 of the Southwest 1/4 of Section 31, Township 1 South, Range 36 E.B.M., in Bingham County, Idaho. EXCEPTING THEREFROM beginning 33 feet North and 856 feet West of the South 1/4 corner of said Section 31 and running thence North 26° East 121 feet; thence North 51° West 58 feet to the east bank of a ditch; thence North 26°50' East along the east bank of said ditch 133.0 feet; thence North 85° West 507.0 feet, more or less, to the West line of the Southeast 1/4 of the Southwest 1/4 of said Section 31; thence South 87.0 feet to the County Road; thence South 47°31' East 323 feet along said road; thence East 200.0 feet to the point of beginning; ALSO EXCEPTING therefrom beginning at a point 248.0 feet East of the Southwest corner of said Section 31; thence following the center line of the County Road North 42°15' East 380.0 feet; thence North 65°57' East 390.0 feet; thence South 47°15' East 340.0 feet to the East line of said Lot 4, thence South 220.0 feet to the Southeast corner of said Lot 4, thence West 865.0 feet to the point of beginning. ALSO LESS AND EXCEPTING the highway and right of way for Interstate Highway No. 15, and also that portion of said Section 31 lying South and East of U. S. Interstate 15.

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

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this ____ day of November, 2008.


Gary R. Fielding


Kathy Fielding

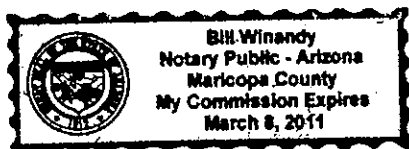
STATE OF Arizona

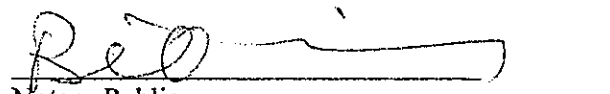
ss:

County of Maricopa

On this 6 day of November, 2008, before me, the undersigned, a Notary Public in and for the said State, personally appeared Gary R. Fielding and Kathy Fielding, 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 first above written.




Notary Public
Residing at Wells Fargo Chandler, AZ
My Commission Expires March 8, 2011

600747