

Form 42-246/42-1409(6) 10/07

DE ✓

**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) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 35-23220          |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |

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)

John Randy Leavitt

3814 E 214 N

Rigby, ID 83442

4. New Owner/Claimant(s) Department of Water Resources  
 State of Idaho

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

New Mailing Address

Mark and Rhonda Leavitt

City, State and ZIP Code

484 N 700 W Blackfoot ID 83221

New Telephone Number

(208) 684-4056

Email: leavittfarms@ida.net

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5. Date you acquired the property June 18, 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<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| 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) Mark Leavitt (title if applicable)  
Rhonda Leavitt (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 BMK Date 7/2/08  
 Received by \_\_\_\_\_ Date \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_

Receipt Amt. \$25.00  
 Receipt No. E034208  
 WR \_\_\_\_\_ Date \_\_\_\_\_

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
168 West Pacific/P.O. Box 868  
Blackfoot, ID 83221

**Instrument # 506820**

**BINHAM COUNTY**

**6-23-2008 11:15:37 No. of Pages: 2**

**Recorded for : FIRST AMERICAN TITLE COMPANY**

**SARA J. STAUB**

**Fee: \$0.00**

**Ex-Officio Recorder Deputy**

Space Above This Line for Recorder's Use Only

## **WARRANTY DEED**

File No.: **258402-B (Id)**

Date: **June 18, 2008**

For Value Received, **John Randy Leavitt and Sally B. Leavitt, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Mark Leavitt and Rhonda Leavitt, husband and wife**, hereinafter called the Grantee, whose current address is **695 West 600 North, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

**A TRACT OF LAND LOCATED IN THE SW¼SE¼ OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS FOLLOWS:**  
**COMMENCING AT THE SE CORNER OF SECTION 36, BEING MARKED BY A MOUND OF ROCK;**  
**THENCE N. 89°46'46" W. (THE E. LINE OF SECTION 36 BEING THE BASIS OF BEARING-**  
**NORTH), ALONG THE S. LINE OF SECTION 36, A DISTANCE OF 2635.59 FEET TO THE S¼**  
**CORNER OF SECTION 36; THENCE N. 00°00'45" W. ALONG THE MERIDIONAL CENTERLINE**  
**OF SECTION 36, A DISTANCE OF 625 FEET TO ½ INCH IRON ROD SAID POINT BEING THE**  
**TRUE POINT OF BEGINNING; THENCE CONTINUING N. 00°00'45" W., ALONG THE**  
**MERIDIONAL CENTERLINE OF SECTION 36, A DISTANCE OF 540 FEET TO A ½ INCH IRON**  
**ROD WITH A YELLOW PLASTIC CAP; THENCE S. 39°26'41" E. A DISTANCE OF 580.68 FEET;**  
**THENCE S. 76°03'15" W. A DISTANCE OF 380 FEET TO THE TRUE POINT OF BEGINNING.**

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.

Date: 06/18/2008

Warranty Deed  
- continued

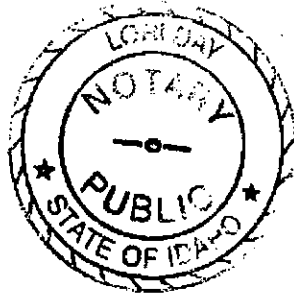
File No.: 258402-B (1d)

John Randy Leavitt  
John Randy Leavitt

Sally B. Leavitt  
Sally B. Leavitt

STATE OF Idaho )  
SS.  
COUNTY OF Bingham )

On this **20th day of June, 2008**, before me, a Notary Public in and for said State, personally appeared **John Randy Leavitt and Sally B. Leavitt**, 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.



[Signature]  
Notary Public for the State of Idaho  
Residing at Blackfoot, Idaho  
My Commission Expires: 10/21/2009