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MAY 11 2001

Department of Water Resources
Eastern Region

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, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
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WR/NO: A29-11793 - partial sever

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MAY 18 2001

Department of Water Resources

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 usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **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)

LA RAYNE C. HERHEI

P.O. Box 314, LAVA Hot Springs, ID 83246

4. New Owner/Claimant(s)

Tom Renee McBride

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

New Mailing Address

P.O. Box 291, 9915 Maughan Rd.

City, State and ZIP Code

LAVA Hot Springs, ID 83246

New Telephone Number

(208) 776-5532

5. Date you acquired the property

10-2-98

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AUG 26 2002

Form 42-128/02-1479/01 July, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s) Gene McBride
(include title if applicable)

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.

For Office Use Only

Received by gc Date 5/11/01 Fee \$25-
 Received by gc Date 5/11/01 Receipt No. E026700
 Processed by _____ AJ Date _____ WKED _____ Date _____

AUG 26 2002

WARRANTY DEED

For Value Received

LA RAYNE C. HERHEI, a single person

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

TOMMIE L. MCBRIDE and RENEE MCBRIDE, husband and wife

whose current address is

**9915 E. MAUGHAN ROAD
PO Box 291
LAVA HOT SPRINGS, ID 83246**

the grantee(s), the following described premises, in **BANNOCK County IDAHO**, to wit:

A PARCEL OF LAND IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 20, T. 9S., R. 38 E.B.M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 20, T.9 S., R. 38 E.B.M.; THENCE N. 89°52' W. ALONG THE SOUTH LINE OF SAID SECTION 20, A DISTANCE OF 312.9 FEET; THENCE N. 0°08' W. 415.08 FEET TO THE TRUE POINT OF BEGINNING; THENCE N. 89°52' W., 321.50 FEET; THENCE S. 0°08' E. 138.36 FEET; THENCE S. 89°52' E. 321.50 FEET; THENCE N. 0°08' W. 138.36 FEET TO THE TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/2/98

LaRayne C. Herhei
LA RAYNE C. HERHEI

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AUG 26 2002

STATE OF **ID**, COUNTY OF **CARIBOU**
On this **2ND** day of **OCTOBER, 1998**
before me, a Notary Public in and for said State, personally
appeared
LA RAYNE C. HERHEI

known to me to be the person(s) whose name(s)
subscribed to the within instruments and acknowledged to
me that they executed the same.

Teresa Rigby
Notary Public, **TERESA RIGBY**
Residing at **GRACE, ID**
Comm. Expires **JUNE 17, 2002**

NOTARY SEAL

98019638
NO
RECORDED AT REQUEST OF
ALLIANCE TITLE & ESCROW
'98 OCT 5 AM 11 20
OFFICIAL RECORD BOOK NO 722
BANNOCK COUNTY IDAHO
LARRY W. SHAN RECORDER
FEE 3.00 DEPUTY UK

AMERICAN LAND TITLE ASSOCIATION
OWNER'S POLICY
(10-17-92)

13 0040 106 00001850

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

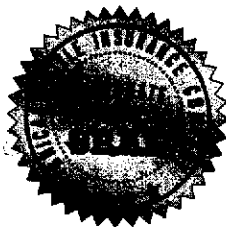
Issued by:
ALLIANCE TITLE AND
ESCROW CORPORATION
312 WEST CENTER STREET
POCATELLO, ID 83204
(208) 232-6163

CHICAGO TITLE INSURANCE COMPANY
By:

Richard L. Polla
President

By:

Thomas J. Adams
Secretary



MICROFILMED
JUN 25 2002

SCHEDULE A

Office File Number: 1-69379

Policy Number: 13 0040 106 00001850

Date of Policy: October 05, 1998, at 11:20 am

Amount of Insurance: \$52,000.00

Premium: \$387.00

1. Name of Insured:

TOMMIE L. MCBRIDE and RENEE MCBRIDE

2. The estate or interest in the land which is covered by this policy is:

FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

TOMMIE L. MCBRIDE and RENEE MCBRIDE, husband and wife

4. The land referred to in this policy is described as follows:

A PARCEL OF LAND IN THE SE¼ SE¼ OF SECTION 20, T. 9 S., R. 38 E.B.M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 20, T. 9 S., R. 38 E.B.M.; THENCE N. 89°52' W. ALONG THE SOUTH LINE OF SAID SECTION 20, A DISTANCE OF 312.9 FEET; THENCE N. 0°08' W. 415.08 FEET TO THE TRUE POINT OF BEGINNING; THENCE N. 89°52' W., 321.50 FEET; THENCE S. 0°08' E. 138.36 FEET; THENCE S. 89°52' E. 321.50 FEET; THENCE N. 0°08' W. 138.36 FEET TO THE TRUE POINT OF BEGINNING.

SCHEDULE A

Owner Form

OWNER.POL
9/19/96

Valid Only If Schedule B and Policy Cover Are Attached

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AUG 26 2002

SCHEDULE B

Policy Number: 13 0040 106 00001850

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements, or claims of easements, not shown by the public records.
- (4) Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
- (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

Special Exceptions:

7. Taxes, including any assessments collected therewith, for the year 1998 which are a lien not yet payable.

8. An Easement for the purpose shown below and rights incidental thereto as set forth in a document

Granted to: **UTAH POWER AND LIGHT COMPANY**

Purpose: **POLE LINES**

Recorded: **SEPTEMBER 6, 1917**

Book **34**, Page **44** of Official Records

9. Right, title and interest of the public in and to those portions of the above described premises falling within the bounds of roads or highways.

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10. A Deed of Trust and Assignment of Rents to secure an indebtedness in the amount shown below, and any other obligations secured thereby

Amount: \$41,600.00

Dated: October 02, 1998

Trustor/Grantor: TOMMIE L. MCBRIDE and RENEE MCBRIDE, husband and wife

Trustee: ALLIANCE TITLE AND ESCROW CORP.

Beneficiary: IRELAND BANK

Recorded: October 05, 1998

Instrument No.: 98019639 of Official Records.

END OF SCHEDULE B


Authorized Signatory

SCHEDULE B (STANDARD COVERAGE)

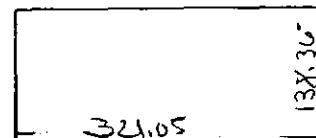
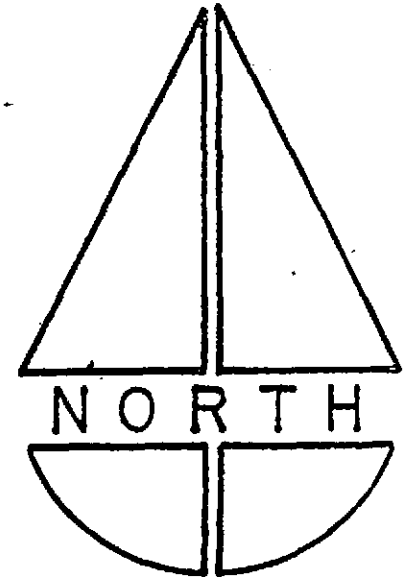
Owner Form.

OWNER.POL

9/19/96

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AUG 26 2002

SECTION 20
TOWNSHIP 9 S.
RANGE 38 E.B.M.
SCALE 1" = 200'



312.9'

ALLIANCE
TITLE & ESCROW CORP.

WHILE THIS IS A REPRESENTATION
OF THE PROPERTY DESCRIBED HEREIN,
THIS COMPANY ASSUMES NO LIABILITY
FOR VARIATIONS, IF ANY, WITH A SURVEY.

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 29-11793

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JUN 26 1998

Department of Water Resources
Adjudication Bureau

NAME AND ADDRESS: LA RAYNE C HERHEI
PO BOX 314
LAVA HOT SPRINGS, ID 83246

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1970

POINT OF DIVERSION: T09S R38E S20 SESE Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Bannock County
T09S R38E S20 SESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

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JUN 26 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 25, 2002

TOMMIE L MCBRIDE
RENEE MCBRIDE
PO BOX 291
9915 MAUGHAN RD
LAVA HOT SPRINGS ID 83246

RE: Change of Ownership for Water Right 29-11793

Dear Water Right Holder(s):

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

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:dg

Enclosure

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AUG 7 6 2002