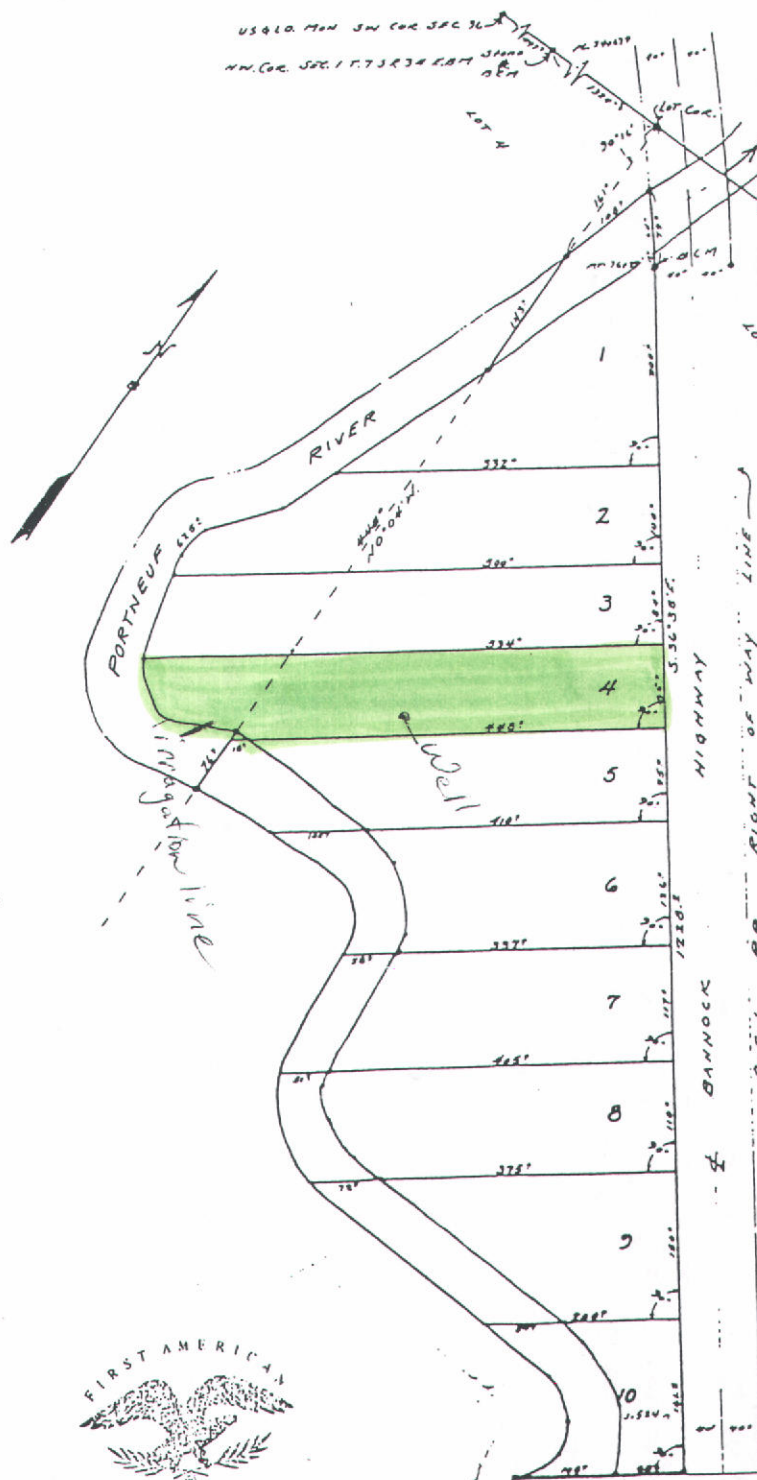


MIRABELLA TRACTS

SUBDIVISION IN LOTS 3 & 4 SEC. 1, T.7S, R.34E, B.M.



THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE PREMISES. THE COMPANY ASSUMES NO LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE ON THIS MAP.



TITLE

POCATELLO, IDAHO

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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.

RECEIVED
 AUG 02 2002

Department of Water Resources
 Eastern Region

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 division of the existing water right or adjudication claim record will be required.

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NOV - 4 2002

Department of Water Resources

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>29-11486</u>	<u>29-2224J</u>				

*partial
deed*

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) is 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)

Ronald Harris, Linda Harris

4. New Owner/Claimant(s)

Russell Tibbitts

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

New Mailing Address

2121 Bannock Hwy

City, State and ZIP Code

Pocatello, ID 83204

New Telephone Number

208-251-1021

5. Date you acquired the property

5-20-02

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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 <u>29-22245</u>		
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	<u>0.020 CFS</u>	<u>6 acres</u>
Stock		
Domestic		
Other		
Total	<u>0.020 CFS</u>	

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	<u>0.040 CFS</u>	<u>House & Garage</u>
Other		
Total	<u>0.040 CFS</u>	

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Russell R. Riddle

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 JC Date 8/2/02 Fee 25
 Received by JC Date 8/2/02 Receipt No. E028026
 Processed by _____ AJ Date _____ WR _____ Date _____

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WARRANTY DEED

20210300

For Value Received LINDA M. HARRIS, an unmarried person

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RUSSELL TIBBITTS, an unmarried man

whose address is: 2121 SOUTH BANNOCK HIGHWAY, POCATELLO, ID 83204

Hereinafter called the Grantee, the following described premises situated in Bannock County, Idaho, to-wit:

TRACT 3, MIRABELLA TRACTS, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF BANNOCK COUNTY, IDAHO.

EXCEPT THEREFROM:

A TRACT OF LAND LOCATED IN THE LOT 4, SECTION 1, TOWNSHIP 7 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF TRACT 3 MIRABELLA TRACTS, A SUBDIVISION IN BANNOCK COUNTY, WHICH POINT IS ON THE EASTERLY BANK OF THE PORTNEUF RIVER AS IT EXISTS SEPTEMBER 1, 1965; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY BOUNDARY OF SAID TRACT 3 128.0 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE PERMANENT RIGHT OF WAY OF THE PORTNEUF RIVER FLOOD CONTROL PROJECT AS SHOWN ON THE CORPS OF ENGINEER'S MAP ON FILE IN THE BANNOCK COUNTY ENGINEER'S OFFICE, WHICH POINT IS ON A CURVE HAVING A RADIUS OF 186.48 FEET AND A CENTRAL ANGLE OF 84°22' AND WHICH POINT LIES SOUTHWESTERLY 5.42 FEET FROM A POINT ON A CURVATURE; THENCE ALONG SAID RIGHT OF WAY LINE ALONG SAID CURVE TO THE LEFT 109.96 FEET TO THE SOUTHEASTERLY BOUNDARY LINE OF SAID TRACT 3; THENCE SOUTHWESTERLY 105.0 FEET ALONG THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 3 TO THE WESTERLY BOUNDARY OF SAID TRACT 3, WHICH IS ALSO THE EASTERLY BANK OF SAID PORTNEUF RIVER; THENCE DOWNSTREAM ALONG SAID EASTERLY BANK OF SAID PORTNEUF RIVER TO THE 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 their 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.

Dated: May 14, 2002

Linda M. Harris
LINDA M. HARRIS

STATE OF Idaho
COUNTY OF Bannock

NO. 20210300
Recorded at request of
FIRST AMERICAN TITLE
Date 5/20/02 2:11 P.M.
Official Recording Fee 812
Recording Charge Where in
30¢ (Initial) A

On this 15th day of May, 2002, before me S. M. Arseny, personally appeared LINDA M. HARRIS, known or identified to me (or proved to me on the oath of S. M. Arseny), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that SHE executed the same.

S. M. Arseny
Notary Public of Idaho
Residing at 3624 Fremont Ct. Moscow, Idaho
Commission Expires: July 14, 2004

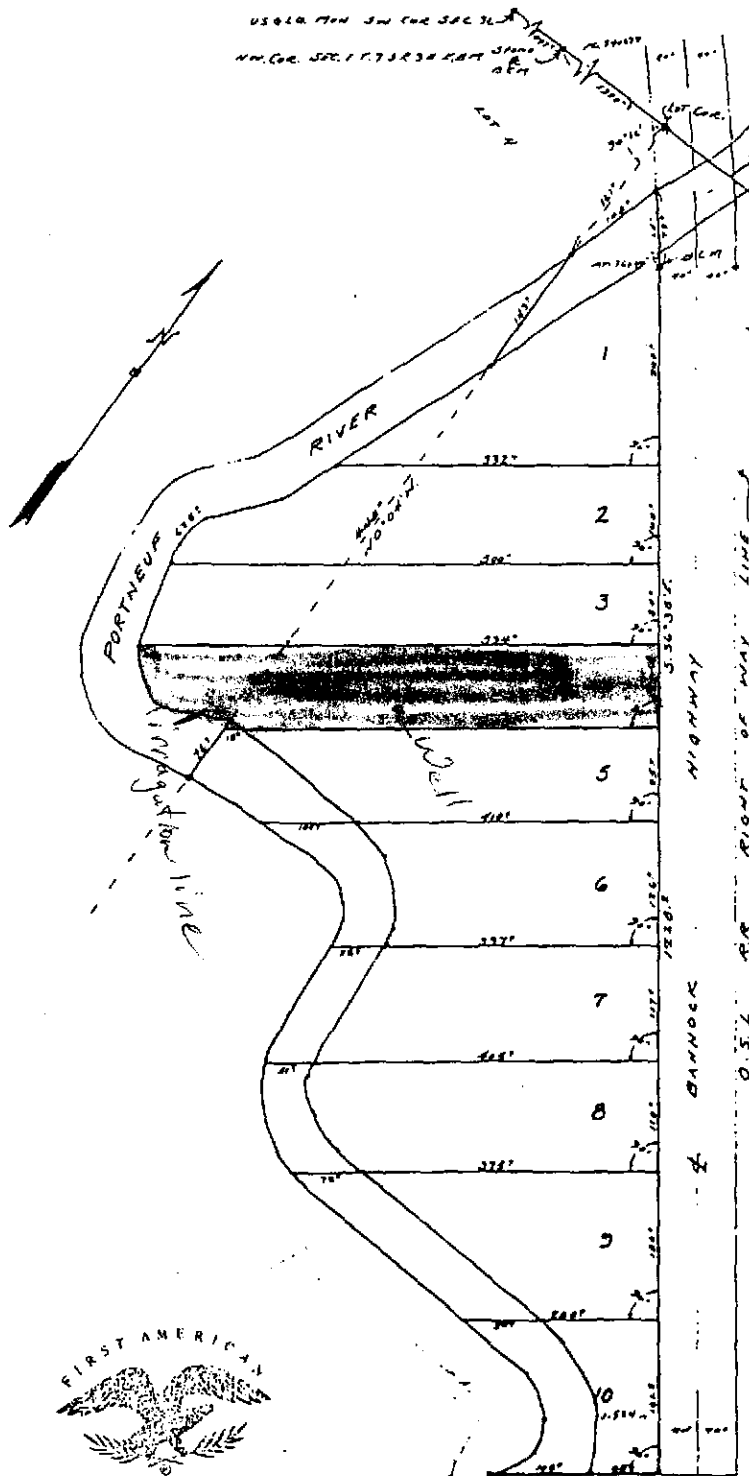
NOTARY SEAL

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MAY 22 2003

MIRABELLA TRACTS

SUBDIVISION IN LOTS 3 & 4 SEC. 1, T.7S, R.34E, B.M.



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POCATELLO, IDAHO

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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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 29-11486

NAME AND ADDRESS: LINDA M HARRIS
 RONALD HARRIS
 2121 S BANNOCK HWY
 POCATELLO, ID 83204

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 01/01/1940

POINT OF DIVERSION: T07S R34E S01 NENW Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 2 HOMES	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Bannock County
 T07S R34E S01 NENW

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 22 2003



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

May 30, 2003

RUSSELL TIBBITTS
2121 BANNOCK HWY
POCATELLO ID 83204

RE: Change of Ownership for Water Right 29-11486

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,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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