

~~DEED JC 6/1/00~~

RECEIVED

SEP 5 2000

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

## NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUN 21 2000

DEPARTMENT OF WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are on the back of this form. Incomplete forms will be returned.

1. Water Right Number(s) 29-11445  
Adjudication Claim Number(s) \_\_\_\_\_
2. The following REQUIRED information must be submitted with this form.
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) MARK AND TERRI PORTER  
4915 APACHE AVE.  
POCATELLO, ID. 83204
4. New Owner/Claimant(s) BRYAN C TILLY  
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR  
New Mailing Address 2217 BANNOCK HWY  
City, State and ZIP Code POCATELLO, ID. 83204  
New Telephone Number (208) 234-4928
5. Date you acquired the property 29 APRIL 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Bryan C Tilly **MICROFILMED** Date 19 JUNE 2000  
Date \_\_\_\_\_
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

## INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

FA#29012

99008431

WARRANTY DEED

For Value Received MARK PORTER and TERI PORTER, husband and wife

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

BRYAN C. TILLY, an unmarried person

ACCEPTED AND APPROVED: BCT

whose address is: 2217 BANNOCK HIGHWAY, POCA TELLO, ID 83204

Hereinafter called the Grantee, the following described premises situated in BANNOCK County, ID, to-wit:

THE SOUTH HALF OF TRACT 6, MIRABELLA TRACTS, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF.

*Per Bannock County Assessor's Office*

*T 7 S R 34 E S 1 N E N W*

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: April 28, 1999

*Mark Porter*  
MARK PORTER

*Teri Porter*  
TERI PORTER

STATE OF IDAHO )  
: ss  
COUNTY OF BANNOCK )

NOTARY SEAL

On This 29th day of April, 1999, before me, a Notary Public in and for said State, personally appeared MARK PORTER and TERI PORTER, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

*Sheela Thoma*  
Notary Public of Idaho  
Residing at INKOM, ID  
Commission Expires: 08/09/99

MICROFILMED  
AUG 08 2001

NO 99008431  
RECORDED AT REQUEST OF  
FIRST AMERICAN TITLE  
'99 APR 29 PM 4 46  
OFFICIAL RECORD BOOK NO 737  
BANNOCK COUNTY IDAHO  
LARRY M. HANSEN RECORDER  
FEE 300 DEPUTY UK

95002882

# QUITCLAIM DEED

FOR VALUE RECEIVED

TERRI A. DICKERSON

do hereby convey, release, remise and forever quit claim unto

TERRI PORTER and MARK PORTER, wife and husband

the following described premises, to-wit: 2217 South Bannock Highway - Pocatello, Id. 83204

The South half of Tract 6, MIRABELLA TRACTS, BANNOCK COUNTY, IDAHO, as the same appears on the official plat thereof, filed in the office of the County Recorder of said County.

together with their appurtenances.

Dated: February 22, 1995

*Terri A. Dickerson*  
TERRI A. DICKERSON, now known as Terri Porter

STATE OF IDAHO, COUNTY OF BANNOCK  
On this 22nd day of February, 1995,  
before me, a notary public in and for said State, personally  
appeared

Terri A. Dickerson, now known as  
Terri Porter  
known to me to be the person  
who executed this instrument, and acknowledged to  
me that she executed the same

*[Signature]*  
Notary Public  
Pocatello, Idaho  
Comm. Expires 12-18-99

STATE OF Idaho  
I then  
request to

at this  
1995  
of Deeds

95002882  
FIRST AMERICAN TITLE  
FEB 26 1995

By *[Signature]*  
FEB 26 1995

INSTRUMENT NO.

First American Title Company of Pocatello, Inc.

MICROFILMED  
AUG 08 2001

94063446

For Value Received

BOB DEAN DICKERSON AND DOROTHY J. DICKERSON, HUSBAND AND WIFE

do hereby convey, release, remise and forever quit claim unto

TERI A. DICKERSON, A SINGLE PERSON

whose current address is 704 SOUTH ARTHUR, PCCATELLO, ID 83204 (MAILING AND PROPERTY)

the following described premises, to-wit:

THE SOUTHERLY ONE-HALF OF TRACT 6 OF MIRABELLA TRACTS, BANNOCK COUNTY IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER, BANNOCK COUNTY, IDAHO.

together with their appurtenances.

Date: FEBRUARY 25, 1994

Esth Jean Dickerson

BOB DEAN DICKERSON

Dorothy J. Dickerson

DOROTHY J. DICKERSON

STATE OF IDAHO, COUNTY OF RANNOCK

On this 25TH day of FEBRUARY, 19 94  
before me, a notary public in and for said State, personally  
appeared: BOB DEAN DICKERSON  
DOROTHY J. DICKERSON

known to be the person S who S name  
subscribed to the within instrument, and acknowledged to  
me that THEY executed the same.

Residing at ROCATELLO  
Comm. Expires 9/3/98

Notary Public  
Idaho

94003445

NO. \_\_\_\_\_  
PIONEER TITLE

'94 FEB 25 P4:35

OFFICE OF THE ATTORNEY GENERAL  
 PHOENIX, ARIZONA  
 LAURENCE J. HARRIS  
 302 12th Street, Suite 100  
 Phoenix, Arizona 85002

Furnished by the PIONEER TITLE CO., Pocahontas, Idaho

MICROFILMED  
AUG 08 2001

BANNOCK

HIGHWAY

6

375.

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Ralphs West

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Bryan G. Tilly

Gary Strand  
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D.5a

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Kent L. Jenkins

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94101594  
Linda M. Alaris  
Thomas

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J.C. Thomas

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STEVEN T. RADMAGHER

405: HIGHARDSON HILL  
LEALE  
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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 )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 29-11445

NAME AND ADDRESS: BOB D DICKERSON  
DOROTHY J DICKERSON  
PO BOX 2205  
POCATELLO, ID 83206

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 08/20/1972

POINT OF DIVERSION: T07S R34E S01 NENW Within Bannock County

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

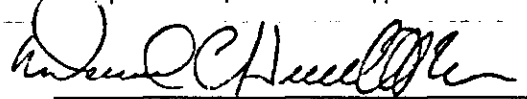
PLACE OF USE: Domestic Within Bannock County  
T07S R34E S01 NENW

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

MICROFILMED

AUG 08 2001



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

July 25, 2001

BRYAN C TILLY  
2217 BANNOCK HWY  
POCATELLO ID 83204

RE: Change of Ownership for Water Right 29-11445

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:klt

Enclosure

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