

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
DEC 03 2004

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 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
37-194A					

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) Larry J Gerdes Arline Gerdes
1418 E 4225 N , Buhl, ID 83316
4. New Owner/Claimant(s) Russell Walgamott Jan Walgamott
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1533 4th Avenue West
- City, State and ZIP Code Gooding, ID 83330
- New Telephone Number ()
5. Date you acquired the property 11/29/04

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)
(include title if applicable)

Robert H. Hager
Jan W. Wagematt

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 _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

#GG-05822

For Value Received

Michael R. Ervin, also show of record as Mike Ervin, and Betty J. Ervin, husband and wife

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

Russell Walgamott and Jan Walgamott, husband and wife

Address: 1533 4th Aveune West, Gooding, ID 83330

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

See Attached Schedule A

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

2004 taxes are an accruing lien, the first one-half of which is not delinquent until after December 20, 2004.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by Elizabeth M. Dwyer, a widow to Idaho Power Company, a corporation, dated June 5, 1944, recorded October 23, 1944 in Book 5 of Misc., Page 450, as Instrument Number 91484, Gooding County records, affecting Lot 4 of Section 31, Township 5 South, Range 15, East of the Boise Meridian, Gooding County, Idaho

Easement and Well Agreement by and between Larry Gerdes and Arline Gerdes, husband and wife and Michael R. Ervin and Betty J. Ervin, husband and wife, dated April 15, 1996 and recorded April 16, 1996 as Instrument Number 165140, records of Gooding County, Idaho.

Public road which affects the Northerly 25.00 feet as set forth in Warranty Deed dated April 15, 1996, recorded April 16, 1996 as Instrument Number 165138 and re-recorded May 1, 1996 as Instrument Number 165369, records of Gooding County, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 22, 2004

Instrument # 208874

GOODING, GOODING, IDAHO

2004-11-29 04:39:45 No. of Pages: 4

Recorded for : LAND TITLE

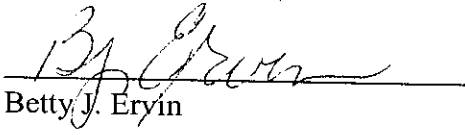
HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 12.00
[Signature]



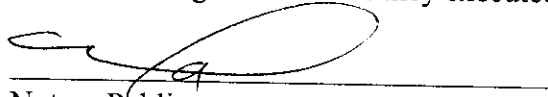
Michael R. Ervin

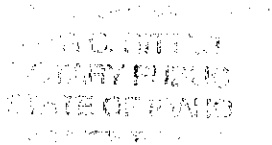


Betty J. Ervin

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 22 day of **November, 2004**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Michael R. Ervin and Betty J. Ervin**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public
Residing at: Hagerman, ID
My Commission expires: 10/8/10

RECEIVED
DEC 03 2004
Department of Water Resources
Southern Region

SCHEDULE A

Order Number: GG-05822

Parcel No. 1:

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

Section 31: A parcel of land located in Government Lot 4 more particularly described as follows:

Beginning at the Southwest corner of said Government Lot 4;
Thence North $0^{\circ}13'49''$ East a distance of 1,161.20 feet along the Westerly
boundary of said Government Lot 4 to center of 4th Avenue West;
Thence South $89^{\circ}52'18''$ East a distance of 649.94 feet along the center of said
4th Avenue West;
Thence South $1^{\circ}05'01''$ West a distance of 40.01 feet to the TRUE POINT OF
BEGINNING;
Thence South $89^{\circ}52'16''$ East a distance of 254.95 feet parallel with the center
of said 4th Avenue West;
Thence South $0^{\circ}40'56''$ West a distance of 158.14 feet;
Thence North $88^{\circ}26'06''$ West a distance of 256.03 feet;
Thence North $1^{\circ}05'01''$ East a distance of 151.74 feet to the TRUE POINT
OF BEGINNING.

Parcel No. 2:

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

Section 31: A parcel of land located in Government Lot 4 more particularly described as
follows:

Beginning at the point of intersection with the South boundary line of 4th
Avenue extended of the City of Gooding, according to the plat thereof
on file in the office of the County Recorder of Gooding County, Idaho,
and the West boundary of Section 31, Township 5 South, Range 15
East of the Boise Meridian;
Thence N $89^{\circ}42''$ East along the South boundary line of 4th Avenue extended,
1323.0 feet to the East boundary of said Lot 4;
Thence S $0^{\circ}18''$ East along the East boundary of said Lot 4, 230.48 feet;
Thence S $89^{\circ}42''$ West parallel with the South boundary line of 4th Avenue
extended 1323.0 feet to the West boundary of said Section 31;
Thence North along the West boundary of said Section 31, 230.48 feet to the
point of beginning.

- Continued -

CONTINUATION

SCHEDULE A

Order Number: GG-05822

EXCEPTING THEREFROM the following described parcel:

Beginning at the Southwest corner of said Government Lot 4;
Thence North $0^{\circ}13'49''$ East a distance of 1,161.20 feet along the Westerly
boundary of said Government Lot 4 to center of 4th Avenue West;
Thence South $89^{\circ}52'18''$ East a distance of 649.94 feet along the center of said
4th Avenue West;
Thence South $1^{\circ}05'01''$ West a distance of 40.01 feet to the TRUE POINT
OF BEGINNING;
Thence South $89^{\circ}52'16''$ East a distance of 254.95 feet parallel with the center
of said 4th Avenue West;
Thence South $0^{\circ}40'56''$ West a distance of 158.14 feet;
Thence North $88^{\circ}26'06''$ West a distance of 256.03 feet;
Thence North $1^{\circ}05'01''$ East a distance of 151.74 feet to the TRUE POINT
OF BEGINNING.

WARRANTY DEED

For Value Received

Larry J. Gerdes, 1418 East 4223 North Buhl, ID 83316
and Arline B. Gerdes, husband and wife

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

Mike Ervin 1533 4th Ave. West Gooding, ID 83330

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

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 31: A parcel of land located in Government Lot 4 more particularly described as follows:

Beginning at the point of intersection with the South boundary line of 4th Avenue extended of the City of Gooding, according to the plat thereof on file in the office of the County Recorder of Gooding County, Idaho, and the West boundary of Section 31, Township 5 South, Range 15 East of the Boise Meridian;

thence N 89°42' East along the South boundary line of 4th Avenue extended, 1323.0 feet to the East boundary of said Lot 4;

thence S 0°18' East along the East boundary of said Lot 4, 230.48 feet;

thence S 89°42' West parallel with the South boundary line of 4th Avenue extended 1323.0 feet to the West boundary of said Section 31;

thence North along the West boundary of said Section 31, 230.48 feet to the point of beginning.

Excepting therefrom the following described parcel:

Beginning at the Southwest corner of said Government Lot 4;

Thence North 0°13'49" East a distance of 1,161.20 feet along the Westerly boundary of said Government Lot 4 to center of 4th Avenue West;

Thence South 89°52'18" East a distance of 649.94 feet along the center of said 4th Avenue West;

Thence South 1°05'01" West a distance of 40.01 feet to the TRUE POINT OF BEGINNING;

Thence South 89°52'16" East a distance of 254.95 feet parallel with the center of said 4th Avenue West;

Thence South 0°40'56" West a distance of 158.14 feet;

Thence North 88°26'06" West a distance of 256.03 feet;

Thence North 1°05'01" East a distance of 151.74 feet to the TRUE POINT OF BEGINNING

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 25, 2004

Instrument # 208433

GOODING, GOODING, IDAHO

2004-10-25

04:11:20 No. of Pages: 1

Recorded for: MIKE ERVIN

HELEN EDWARDS

Ex-Officio Recorder Deputy

Feb. 2005

STATE OF IDAHO, COUNTY OF *Gooding*
On this *25th* day of *October*, *2004*
before me, a notary public in and for said State, personally appeared*Larry J. Gerdes and*
*Arline B. Gerdes*DONNA THOMAS
NOTARY PUBLIC
STATE OF IDAHOknown to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that *they* executed the same.*Donna Thomas*

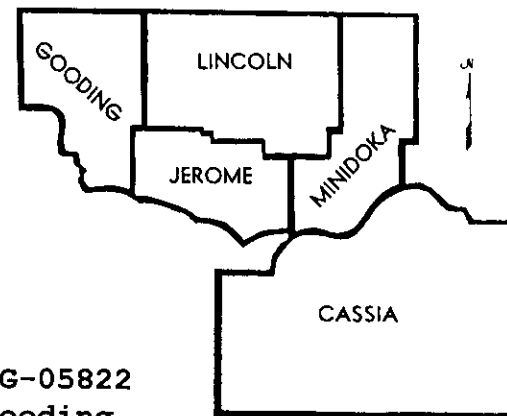
Notary Public

Residing at *Gooding*



Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: GG-05822
OFFICE: Gooding

December 2, 2004

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

RECEIVED

DEC 03 2004

Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
From Gerdes to Walgamott
Cert Mail 7003 2260 0007 6342 2330

Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on
on
for Water Right Number 37-194A
- Copy of Deed #208433 and #208874
- Copy of Map

Thank you,

LAND TITLE AND ESCROW, INC.

A handwritten signature in black ink, appearing to read "Brenda Evers", written over a horizontal line.

Brenda Evers
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: Russell Walgamott
1533 4th Ave West
Gooding, ID 83330



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

December 6, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RUSSELL AND JAN WALGAMOTT
1533 4TH AVE W
GOODING ID 83330

Re: SRBA Claim #37-194A

Dear Mr. and Mrs. Walgamott,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copy of the computer record of the claim noting the change in claimant. Review this record and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie Hahn', is written over a horizontal line.

Carrie Hahn
Office Specialist

Enc.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-194A
Date Received: 8/26/1988
Receipt No: S001757
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RUSSELL WALGAMOTT Phone:
1533 4TH AVE W
GOODING ID 83330

JAN WALGAMOTT Phone:
1533 4TH AVE W
GOODING ID 83330

2. Date of Priority: 04/01/1884

3. Source: LITTLE WOOD RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	15E	31	NE NE SE	GOODING	

5. Description of diverting works:

2HP PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.06	

7. Total Quantity Appropriated is:
0.06 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	31	SW	SW	IRRIGATION	7
Section Acres						7
Total Acres						7

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

PORTION OF 36-0194 DECREE.
PART OF SLOUGH DITCH ASSOC.
| ADDRESS CHANGE BY CLAIMANT LETTER.

15. Basis of Claim: Decreed