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Governor

Dean Sangrey
Interim director

IDAHO PARK AND
RECREATION BOARD

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Region five

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Region six

IDAHO DEPARTMENT OF
PARKS AND RECREATION

P.O. Box 83720
Boise, Idaho 83720-0065

(208) 334-4199

Fax (208) 334-3741

tdd 1-800-377-3529

Street address
5657 Warm Springs Avenue
www.idahoparks.org

June 9, 2004

Idaho Department of Water Resources
Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-6105

Attn: Mr. Allen Ruberry
Senior Water Resource Agent
Adjudication Bureau

RE: Ownership Change & Amended Claims: A21-81, A21-82, A21-4151, A01-126 & A21-135

Dear Mr. Ruberry:

Idaho Parks and Recreation would like to submit a Notice of Change in Water Right Ownership(s) & Amended Notice(s) of Claim for the above referenced numbers.

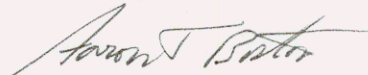
Please note that 18.5 additional irrigated acres are being claimed on A21-4151. Thus, a permissible place of use concept is claimed for irrigation on the included overlapping amended claims 21-81 & 21-82. A check for \$19 (\$1/acre) is enclosed to cover the additional irrigation fee.

These amended claims and ownership changes are being submitted to help clarify the historical use for SRBA review.

Please note the remarks on these claims, it explains the prorating for your split review, etc.

If you need any additional information or have other concerns please don't hesitate to contact me at 334-4180 X251 or Ron Howerton at 334-4180 X294.

Thank you very much,


Aaron T. Boston, P.E.
Development Engineer

Attachments:

Notice of Change in Water Right Ownership
Amended Notice of Claims: A21-81, A21-82, A21-4151, A01-126 & A21-135
Claim maps for each right
Deed of gift dated November 19, 1993
CC: File

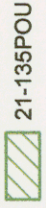
RECEIVED

JUN 14 2004

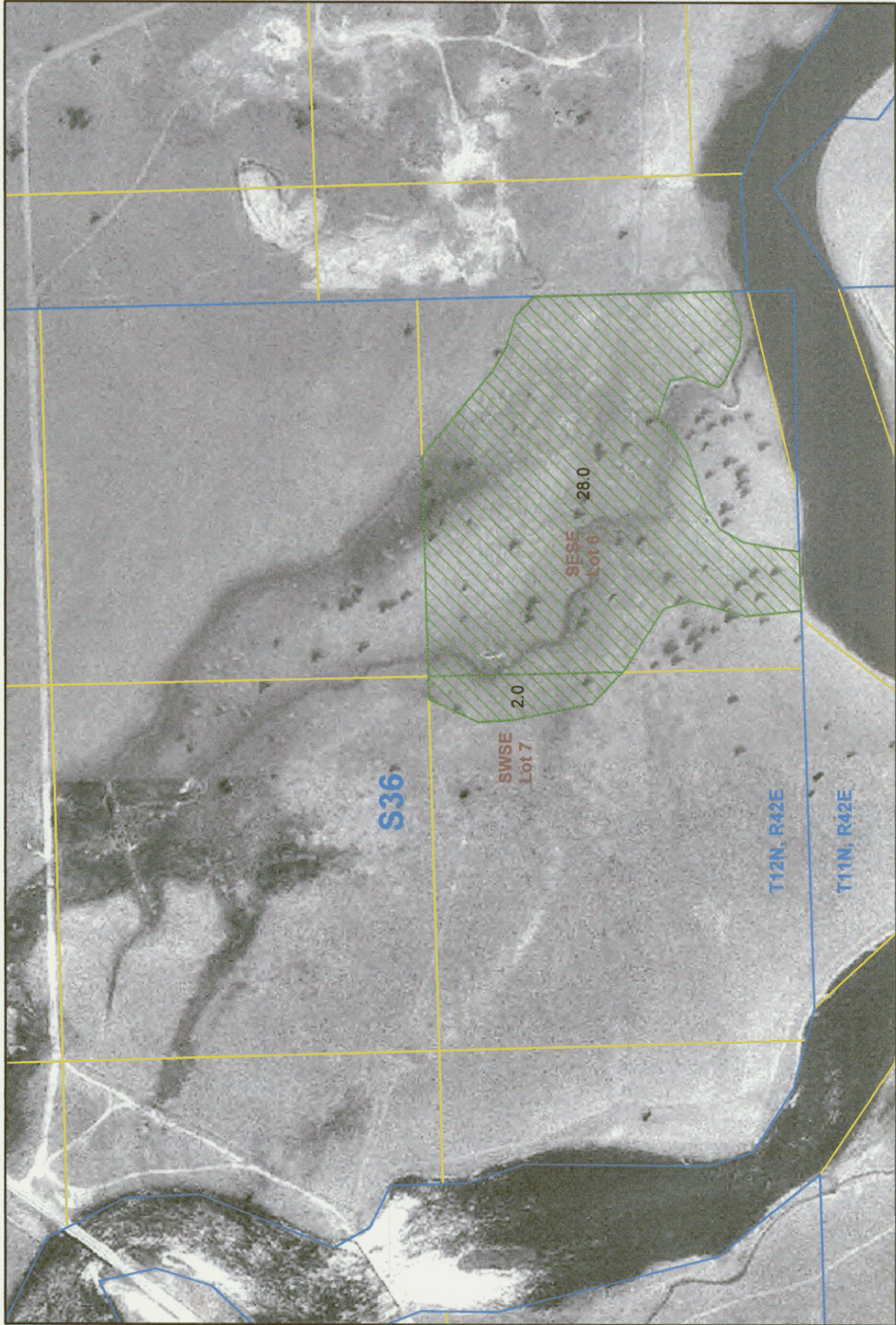
Department of Water Resources
Eastern Region

PARKS AND RECREATION AMENDED SPLIT OF CLAIM 21-135

Legend



30 ACRES



ATTACHMENT #2



DELOG
AR 6-16-04

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

RECEIVED

JUN 14 2004

Department of Water Resources
Eastern Region

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
<u>21-81</u>	<u>A21-81</u>	<u>N</u>	_____	_____	_____
<u>21-82</u>	<u>A21-82</u>	<u>N</u>	_____	_____	_____
<u>21-4151</u>	<u>A21-4151</u>	<u>N</u>	_____	_____	_____
<u>01-126</u>	<u>A01-126</u>	<u>Y</u>	_____	_____	_____
<u>21-135</u>	<u>A21-135</u>	<u>Y</u>	_____	_____	_____

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) IDAHO FOUNDATION FOR PARKS & LANDS INC
 5657 WARM SPRINGS AVE
 BOISE ID 83716-8700

4. New Owner/Claimant(s)
 New Mailing Address **STATE OF IDAHO**
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
 City, State and ZIP Code **BOISE ID 83720-0065**

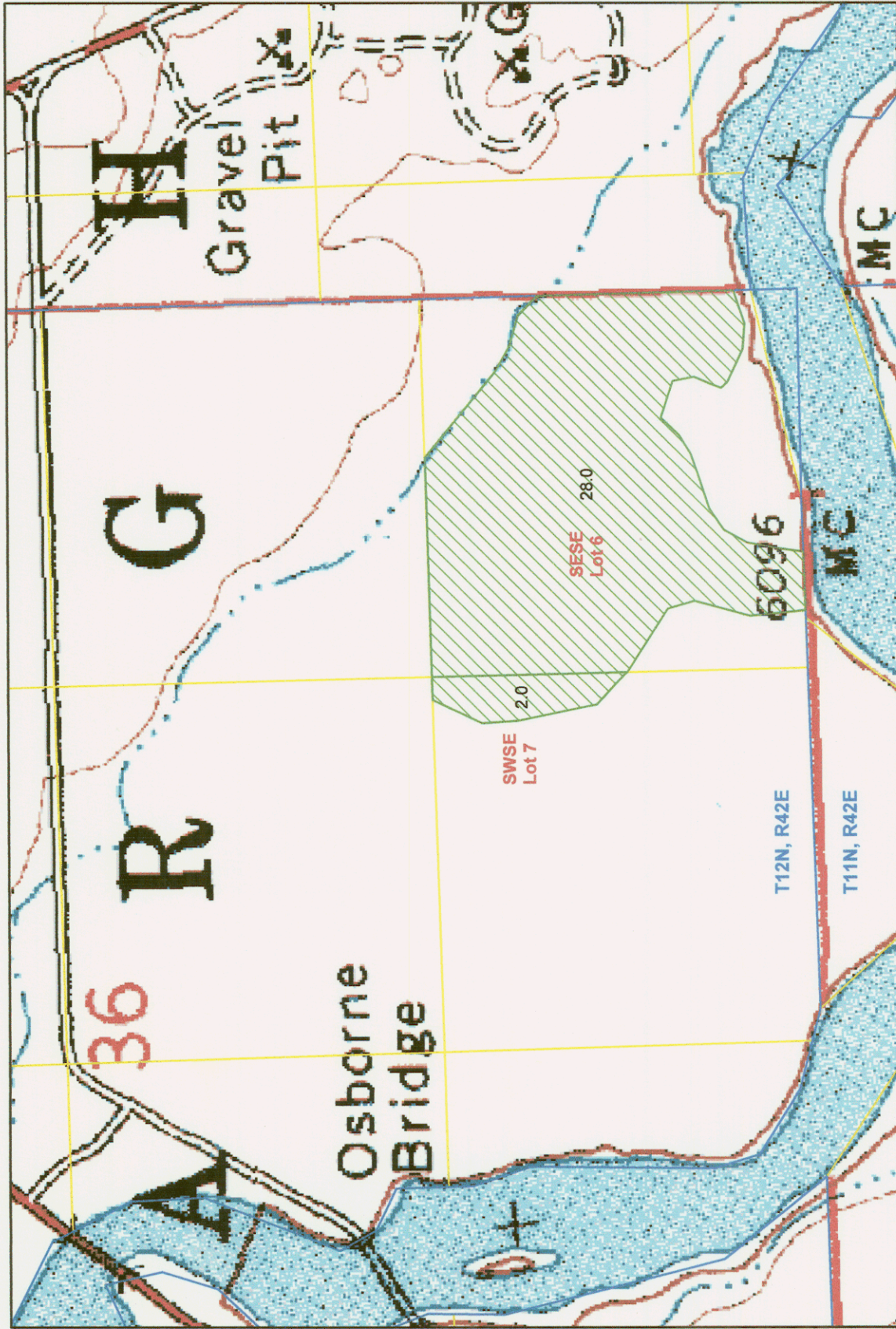
New Telephone Number **(208)334-4199**

5. Date you acquired the property **Deed of Gift dated: November 19, 1993**

Legend

21-135POU

30 ACRES



ATTACHMENT #1



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	Prorate see claim remarks	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

Amos J. Boster
DEVELOPMENT ENGINEER

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.

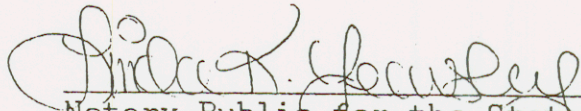
For Office Use Only

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

STATE OF IDAHO)
) ss.
COUNTY OF BOISE)

On this 16th day of November, 1993, before me, the undersigned, Notary Public in and for said State, personally appeared Dan K. Weilmunter, known to me to be the President of IDAHO FOUNDATION FOR PARKS & LANDS, Inc., and acknowledged to me that he executed the within and foregoing Gift Deed for and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Notary Public for the State of Idaho,
Residing at: Golden Valley, ID.

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of November, 1993, before me, a Notary Public, in and for said State, personally appeared Jerry L. Wray, known to me to be the Assistant Secretary of IDAHO FOUNDATION FOR PARKS & LANDS, Inc., and acknowledged to me that he executed the within and foregoing Gift Deed for and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for the State of Idaho,
Residing at Boise, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

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 the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication 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/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(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. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

Being the same premises conveyed to the Grantor by Indentures of Deed dated as of December 9, 1975, and recorded on December 23, 1975, and dated as of November 13, 1976, and recorded on December 13, 1976, with the Fremont County Recorder as Instrument No. 341786 and Instrument No. 346054, respectively.

TO HAVE AND TO HOLD said premises, with its appurtenances unto Grantee and its successors, forever, without warranty of the title, subject to current taxes, assessments, and all easements, restrictions and reservations.

IN WITNESS WHEREOF Idaho Foundation for Parks and Lands, Inc. has duly caused this Gift Deed to be subscribed in its corporate name by its President and its corporate seal to be affixed by its Assistant Secretary this 15th day of November, 1993.

IDAHO FOUNDATION FOR PARKS & LANDS, Inc.

By 
Don K. Weilmunster, President

ATTEST;

Jerry L. Wray, Ass't Secretary

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 83402-6105
(208) 525-7161

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

DEED OF GIFT

THIS INDENTURE, made this 19th day of November, 1993, by and between Idaho Foundation for Parks and Lands, Inc., a non-profit corporation, with an address at 1020 W. Franklin Street, Boise, ID 83702, as Grantor, and the STATE OF IDAHO, DEPARTMENT OF PARKS AND RECREATION, with an address at Statehouse Mail, Boise, ID 83720-8000 as Grantee.

WITNESSETH:

That Grantor, in consideration of the duty of public benefit owed by it to the State of Idaho and its citizens does by these presents, give, grant, alien and confirm unto Grantee and to its successors and assigns forever, all of the following real estate, situated in the county of Fremont, State of Idaho, being more particularly described as follows:

Lots 1, 3, 6, 7, 10 and 11 and the South half of the Northeast Quarter, and the Northeast Quarter of the Southwest Quarter of Section 1, Township 11 North, Range 42 East of the Boise Meridian; Lot 2, Section 6, Township 11 North, Range 43 East of the Boise Meridian; Lot 7, Section 31, Township 12 North, Range 43 East of the Boise Meridian; Lots 8 and 9, Section 31, Township 12 North, Range 43 East of the Boise Meridian; Lots 1 and 3, Section 6, Township 11 North, Range 43 East of the Boise Meridian; the Southwest Quarter of the Northwest Quarter of Section 5, Township 11 North, Range 43 East of the Boise Meridian; the Northeast Quarter, the Northeast Quarter of the Southeast Quarter, and the Southeast Quarter of the Northwest Quarter of Section 6, Township 11 North, Range 43 East of the Boise Meridian; Lot 4, Section 6, Township 11 North, Range 43 East of the Boise Meridian; Lot 6, Section 36, Township 12 North, Range 42 East of the Boise Meridian, Lots 4, 5, 7, 8 and 9 of Section 36, Township 12 North, Range 42 East of the Boise Meridian, containing 896.94 acres, more or less.

IDAHO FOUNDATION TO PARKS AND RECREATION

Legend

Irrigation

POU

01-126
21-4151,
81 & 82
21-135

