



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION
June 1, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

M MAXINE SAUREY
PO BOX 101
CHESTER ID

RE: Notice of Change of Water Right Ownership (NCO) for 21-161, 21-162 and
Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On May 19, 2006, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

Enclosure

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

)

Water Rights: 21-161, 21-162

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party SAUREY, KEITH – SAUREY M MAXINE
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 12, 2006

Ewert M. Coulsero

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 2, 2006, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
KEITH C SAUREY (DECEASED)

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
M MAXINE SAUREY
PO BOX 101
CHESTER ID 83421

4. One copy to:

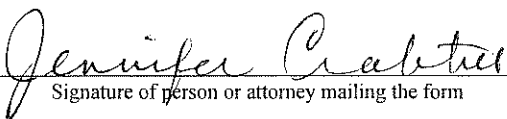
Each party in the subcase, or attorney of record
RAY RIGBY
PO BOX 250
REXBURG ID 83440

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

Crabtree, Jennifer

From: McHugh, Candice
Sent: Thursday, June 01, 2006 11:56 AM
To: Crabtree, Jennifer
Cc: Carlsen, Ernie
Subject: FW: Ownership Question

Jennifer,

I referred your question to our real estate expert. Here's his response. At this point, we should just add Mrs. Saurey, but we could mention to her that she should amend the deed.

Candice

-----Original Message-----

From: Homan, John
Sent: Thursday, June 01, 2006 11:21 AM
To: McHugh, Candice
Subject: RE: Ownership Question

As it now sits, the only name IDWR should list as owner is Mrs. Saurey. If the desire is to convey Mr. Saurey's property to Mrs. Saurey and her five children, the deed should so state who the grantees are by name. (Each of the 5 children by name). Next best language would be Mrs Saurey and her children/issue as grantees - Worst choice is Mrs. Saurey and "her heirs". Needless to say "her heirs" could include many more people than the 5 children. In this case Mrs. Saurey and the 5 named children were the grantors not the grantees. Perhaps, going back and amending the deed is the best way to eliminate the potential trouble with this matter.

-----Original Message-----

From: McHugh, Candice
Sent: Thursday, June 01, 2006 10:17 AM
To: Homan, John
Subject: FW: Ownership Question

Can we add the 5 children given the fact that the deed just says "her heirs?" Should we require that she file an affidavit that the 5 names are her children?

-----Original Message-----

From: Crabtree, Jennifer
Sent: Thursday, June 01, 2006 10:00 AM
To: McHugh, Candice
Subject: Ownership Question

Good morning. Here's a question for you. Mr and Mrs. Saurey are owners of two water rights. Mr. Saurey died. The deed conveys the property from Mrs. Saurey, as personal representative of Mr. Saurey, and also includes the name of 5 children. They all convey to "Mrs. Saurey and her heirs". The ownership change forms indicates all the children and the mom want to be listed as owners. Is this because the children are the generic heirs referred to in the deed? Or should I just put the new owner as Mrs. Saurey? How specifically do I read the deed? Thanks, Jen

Law Offices

***RIGBY, THATCHER, ANDRUS
RIGBY & MOELLER, Chartered***

*Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Gregory W. Moeller
Reed E. Andrus*

*P.O. Box 250
25 North Second East
Rexburg, ID 83440*

*Telephone: (208) 356-3633
Facsimile: (208) 356-0768
E-Mail: jrigby@rigby-thatcher.com*

May 18, 2006

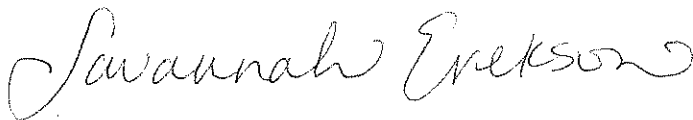
IDWR Eastern Region
900 N. Skyline Dr. Ste. A
Idaho Falls, ID 83402-1718

**Re: Notice of Change in Water Right Ownership
Saurey Water Right Nos. A21-00161 and A21-00162**

To Whom It May Concern:

Enclosed herewith please find the original Notice of Change in Water Right Ownership, attached to which is a copy of the relevant Quitclaim Deed dated November 17, 2003, as well as a check in the amount of \$50.00 for the filing fee. Please feel free to contact our office with any questions you may have.

Thank you,



Savannah Erikson
Assistant to Ray W. Rigby

/sje
Enclosures

F:\WP6\DK\Saurey.113

RECEIVED
MAY 19 2006
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 (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
<u>A21-00161</u>	_____	___	_____	_____	___
<u>A21-00162</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) 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) Keith C. Saurey and M. Maxine Saurey
P.O. Box 84, Chester, ID 83421
4. New Owner/Claimant(s) Keith T. Saurey, Tauna Saurey, Landon Saurey,
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or Courtney Saurey Harris, and
Keith & Tauna Saurey, P.O. Box 101 Tyler Saurey
 New Mailing Address _____
 City, State and ZIP Code Chester, ID 83421
 New Telephone Number (208) 624-7900
5. Date you acquired the property November 17, 2003

*Just put in
 name of
 Maxine Saurey
 in deed +
 advice from
 our attorneys.
 JC
 6-1-06*

RECEIVED
MAY 19 2006
 Department of Water Resources
 Eastern Region

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)

Tauna Saurey Keith T. Saurey
Tauna Saurey and Keith T. Saurey
 also for Landon Saurey, Courtney Saurey Harris, & Tyler Saurey

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

QUITCLAIM DEED

485176
17 NOV 13
16:01 O'Clock P M
ADOT/MADE
9. FROM LUTHER RECORDS
Recorded at Request of Deputy
Rigby, Thatcher Andrews

THIS INDENTURE, Made this 17th day of November, 2003, between, **M. MAXINE SAUREY**, a single person, of H.B. 66, Box 18, Island Park, ID 83429, individually and as Personal Representative of the Estate of Keith C. Saurey; **LANDON SAUREY**, of Box 101, Chester, ID 83421; **COURTNEY SAUREY HARRIS**, formerly **COURTNEY SAUREY**, of 1945 E. 200 N., Rexburg, ID 83440; **TYLER SAUREY**, of Box 101, Chester, ID 83421, and **KEITH T "KIM" SAUREY**, as natural guardian of Tyler Saurey, and **KEITH T. "KIM" SAUREY** and **TAUNA SAUREY**, of P.O. Box 101, Chester, ID 83421, the parties of the first part, and **M. MAXINE SAUREY**, a single person, of H. B. 66, Box 18, Island Park, ID 83429, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One and No/100 Dollars, lawful money of the United States of America, and other valuable consideration, in hand paid by the party of the second part, the receipt of which is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to her heirs and assigns, forever, all of the interest of the parties of the first part in and to the following described real property, to-wit:

A tract of land lying in Fremont County, State of Idaho, in the south half of Section 31, Township 15 North, Range 44 East of the Boise Meridian, and being a portion of the Homestead Entry Survey No. 126, being more particularly described as follows:

Beginning at a point 1392.6 feet (1122" and 270.60") west of the East quarter section corner of Section 31, Township 15 North, Range 44 E.B.M. and running thence west along the latitudinal centerline of said section 31, TWP. and RGE. aforesaid, a distance of 462 feet; thence south 644 feet, more or less, to the centerline of a Forest Service road known as Meadow Creek Road; thence in a

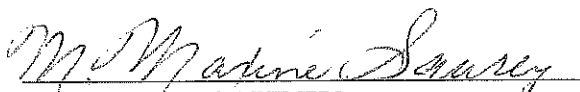
easterly-southeasterly direction along the centerline of said road a distance of 478 feet, more or less, to a point 830.42 feet south of the point of beginning; and thence north 830.42 feet to the point of beginning.

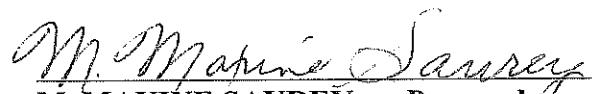
TOGETHER with all water rights and ditch rights appurtenant thereto,

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT TO: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

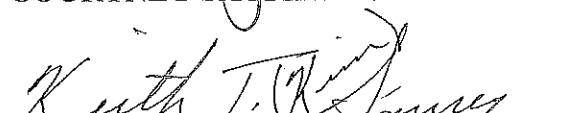
IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seals the day and year first above written.

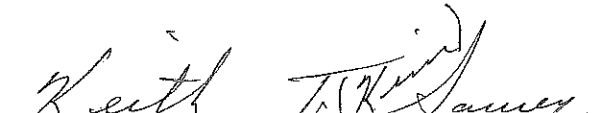

M. MAXINE SAUREY

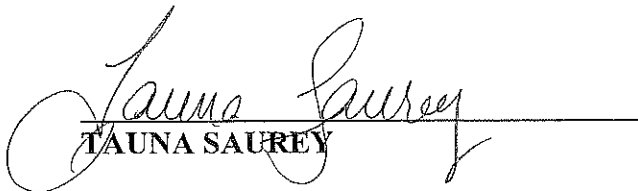

M. MAXINE SAUREY, as Personal
Representative of the estate of
Keith C. Saurey

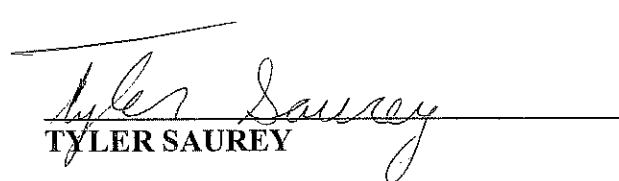

COURTNEY SAUREY HARRIS


LANDON SAUREY


KEITH T. "KIM" SAUREY, as
Natural Guardian of Tyler Saurey


KEITH T. "KIM" SAUREY


TAUNA SAUREY


TYLER SAUREY

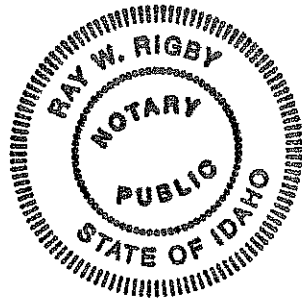
Acknowledgment

STATE OF Idaho,)

ss.

County of Madison.)

On this 17th day of November, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared M. MAXINE SAUREY individually and as Personal Representative of the estate of Keith C. Saurey, LANDON SAUREY, COURTNEY SAUREY HARRIS, TYLER SAUREY, KEITH T. SAUREY as the Natural Guardian of TYLER SAUREY, and KEITH T. "KIM" SAUREY, and TAUNA SAUREY, his wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Ray W. Rigby
Notary Public for IDAHO
Residing at: Seaburg, Idaho
My Commission Expires: 3-12-05



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

May 19, 2006

KARL J. DREHER
Director

RIGBY THATCHER ANDRUS
RIGBY MOELLER
PO BOX 250
REXBURG ID 83440

RE: RETURNED CHECK 24079 & WATER RIGHTS 21-161, 21-162

Dear Mr. Rigby:

I am returning the above referenced check because a fee is not necessary to change the ownership on these rights.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure