



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 22, 2006

KARL J. DREHER
Director

BRECK BARTON
BRECK BARTON & ASSOCIATES
PO BOX 100
REXBURG ID 83440

RE: WATER RIGHT OWNERSHIP CHANGE 22-7593

Dear Mr. Barton

Enclosed is a copy of the completed ownership change from Barton to Pieper. If you want to be added as Mr. Pieper's attorney, please send me a letter to that affect.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure



Breck H. Barton, J.D.

*BRECK BARTON
& ASSOCIATES, P.A.
LAW OFFICES*

*70 North Center, Suite 2
P.O. Box 100
Rexburg, ID 83440*

*(208) 356-4880
FAX (208) 356-4882*

RECEIVED

May 11, 2006

MAY 16 2006

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Eastern Region
ATTN: Karl Dreher
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Right #: 22-7593

Dear Mr. Dreher:

The above right pertains to a well that watered my property at my old residence. This residence was sold approximately two years ago this May. I thought that I had made application for change of ownership to Richard Pieper, the new purchaser. Would you please make such change or, if there is any required paperwork I must sign to effectuate the change, forward a copy of the same to me so that your records might correctly indicate the current owner. Thank you for your courtesies.

Very Truly Yours,


Breck Barton

cc: Richard Pieper

BB/cz



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EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 13, 2006

RICHARD & LA JEAN PIEPER
976 MC JON LN
REXBURG ID 83440

RE: Notice of Change of Water Right Ownership (NCO) for 22-7593 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Pieper:

On March 29, 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: 22-7593

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

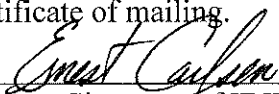
- ☐ Address change
- ☒ Substitution of Party BARTON-PIEPER
- ☐ I.C. § 42-222 transfer

- | | |
|---|--|
| ☐ 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: April 13, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4-14, 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:
BRECK & MAURIE BARTON
4700 W 1000 N
REXBURG ID 83440

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
RICHARD & LA JEAN PIEPER
976 MC JON LN
REXBURG ID 83440

4. One copy to:

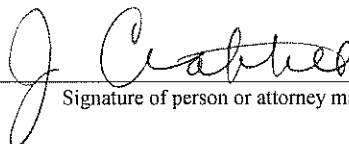
Each party in the subcase, or attorney of record
N/A

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

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

RECEIVED
MAR 29 2006
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 (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
22-7593 V1					

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)

Breck H. Barton / Maurie Barton
4700 W. 1000 N. Rexburg, ID 83440

4. New Owner/Claimant(s)

Richard L. Pieper / LaJean C. Pieper
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

976 McJon Lane

City, State and ZIP Code

Rexburg, ID 83440

New Telephone Number

208 656-9976

5. Date you acquired the property

30 July 2004

needs
MAP

OK
JC
4-13-06

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)

Richard L. Pieper
La Jean B. Pieper

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 _____

AFTER RECORDING MAIL TO:

Richard L. Pieper and LaJean C. Pieper
976 McJon Lane
Rexburg, ID 83440

Instrument # 313844

REXBURG, MADISON, IDAHO
2004-08-04 02:15:00 No. of Pages: 2
Recorded for : FIRST AMERICAN TITLE
MARILYN R. RASMUSSEN Fee: 6.00
Ex-Officio Recorder Deputy

WARRANTY DEED

File No.: **RX33949 (ns)**

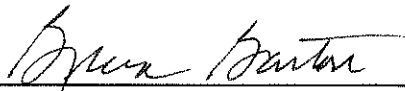
Date: **July 28, 2004**

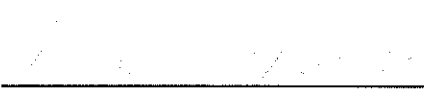
For Value Received, **Breck H. Barton and Maurie Barton, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Richard L. Pieper and LaJean C. Pieper**, hereinafter called the Grantee, whose current address is **976 McJon Lane, Rexburg, ID 83440**, the following described premises, situated in **Madison County, Idaho**, to-wit:

Lot 6, Block 1 of the First Amended Plat of J & M Subdivision, Madison County, Idaho as shown on the plat recorded November 14, 1979, Instrument No. 181440.

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 its 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.


Breck H. Barton


Maurie Barton

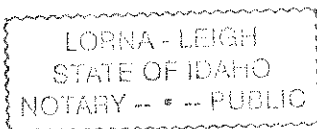
Date: 07/28/2004

Warranty Deed
- continued

File No.: RX33949 (ns)

STATE OF Idaho)
)
COUNTY OF Madison)

On this 30th day of July, 2004, before me, a Notary Public in and for said State, personally appeared **Breck H. Barton and Maurie Barton**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.





Notary Public for the State of Idaho

Residing at: Ellettsville, IN

My Commission Expires: 2-16-2007