

THIS RIGHT IS A SPLIT

PER APPROVED

TRANSFER NO. 67033

36-15663

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 10 2002

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-15663

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: RANDA RENDA
RICHARD RENDA
2805 S 900 E
HAGERMAN, ID 83332

SOURCE: WEATHERBY SPRINGS TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 0.01 CFS
1.00 AFY

PRIORITY DATE: 03/08/1902

POINT OF DIVERSION: T07S R14E S30 SENESW Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-30	0.01 CFS 1.00 AFY

PLACE OF USE: Irrigation Within Gooding County
T07S R13E S27 NENE 0.3
0.3 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF WATER UNDER THIS RIGHT MAY BE AFFECTED BY AN AGREEMENT BETWEEN THE PROTESTANT AND THE RIGHT HOLDER. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 36-A, BILLINGSLEY CREEK.

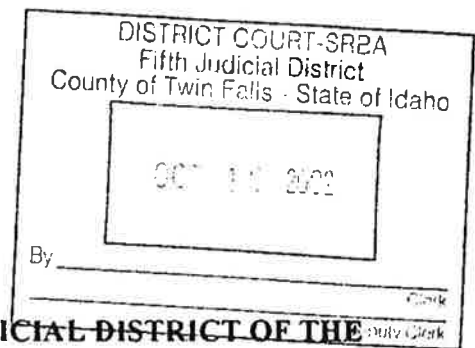
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



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) ORDER OF PARTIAL DECREE
)
) For Water Right 36-15663
)

On June 6, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-15663 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED October 10, 2002


ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

2002 OCT 10 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

)
)
)
)
)
CERTIFICATE OF MAILING

Water Right(s): 36-15663

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-15663 was mailed
on October 10, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

RANDA RENDA
RICHARD RENDA
2805 S 900 E
HAGERMAN, ID 83332

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/10/02

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Adjudication Recommendation 36-15663 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDA P MESSER 2805 S 900 E HAGERMAN, ID 83332 (208) 320-0211
Directors Report Owner	WILLIAM B SHAPPEE 2805 S 900 E PO BOX 358 HAGERMAN, ID 83332-0358 (208) 837-4640
Previous Owner	RANDA RENDA 2805 S 900 E HAGERMAN, ID 83332
Previous Owner	RICHARD A RENDA 2805 S 900 E HAGERMAN, ID 83332

Priority Date: 3/8/1902

Basis: Decreed

Status: Closed

Source
WEATHERBY SPRINGS

Tributary
BILLINGSLEY CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	11/30	0.010 CFS	1.0 AF
	<u>Total Diversion</u>		0.010 CFS	1.0 AF

Source and Point(s) of Diversion

WEATHERBY SPRINGS SENESW Sec. 30, Twp 07S, Rge 14E, GOODING County

Place Of Use

IRRIGATION within GOODING County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	27	0.3																0.3

POU Total Acres: 0.3

Conditions of Approval:

- | | | | |
|----|-----|---------|---|
| 1. | C18 | General | THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT |
|----|-----|---------|---|

IDAHO DEPARTMENT OF WATER RESOURCES

Proof Report

2.	General	AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE. USE OF WATER UNDER THIS RIGHT MAY BE AFFECTED BY AN AGREEMENT BETWEEN THE PROTESTANT AND THE RIGHT HOLDER.
3.	B09 General	THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 36-A, BILLINGSLEY CREEK..
4.	P21 Explanatory	THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-33H.

Dates and Other Information

Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 36A
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits

N/A

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	11/9/2001	jroberts	11/9/2001	jroberts	Closed

Verification Log

<u>Element</u>	<u>Date</u>	<u>User</u>	<u>Log Text</u>
Summary	11/9/2001	jroberts	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

SubCase:

SubCaseNumber: 36-15663
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed:
Objection Status:

Water Supply Bank:

N/A

2002 MAY 24 AM 11:24
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

**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	)	Subcase No. 36-15663
	)	
Case No. 39576	)	
	)	
_____	)	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

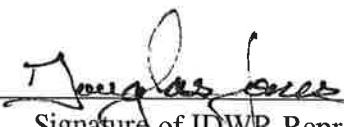
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 5/23/02



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/24, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
William Shappee
1158 Riverview Dr
Bellevue ID 83313
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Richard Renda
Randa Renda
2805 S 900 E
Hagerman ID 83332
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy 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

05/14/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-15663

NAME AND ADDRESS: RANDA RENDA
2805 S 900 E
HAGERMAN ID 83332

RICHARD A RENDA
2805 S 900 E
HAGERMAN ID 83332

SOURCE: WEATHERBY SPRINGS

TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 0.010 CFS
1.00 AFY

PRIORITY DATE: 03/08/1902

POINT OF
DIVERSION: T07S R14E S30 SENESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	0.010 CFS 1.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T07S R13E S27 NENE 0.3

0.25 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF WATER UNDER THIS RIGHT MAY BE AFFECTED BY AN AGREEMENT
BETWEEN THE PROTESTANT AND THE RIGHT HOLDER.
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER
DISTRICT 36-A, BILLINGSLEY CREEK..
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-33H.



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

May 24, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD RENDA
RANDA RENDA
2805 S 900 E
HAGERMAN ID 83332

RE: SRBA Claim(s) 36-15663

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: William Shappee

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.

RECEIVED
APR 18 2002
Department of Water Resources
Southern Region

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
36-15663					
36-15479					

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**.

Name and Address of Former Owner/Claimant(s)	<u>William B. Shappee</u>
	<u>1158 Riverview Dr. Bellevue, ID</u>
New Owner/Claimant(s)	<u>Richard A. Renda and Randa Renda</u>
	Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address	<u>2805 South 900 East, Hagerman, ID 83332</u>
City, State and ZIP Code	<u></u>
New Telephone Number	() <u></u>
Date you acquired the property	<u>04-11-02</u>

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)

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 <u>[Signature]</u>	Date <u>4/18/02</u>	Fee <u>25.00</u>
Received by <u>[Signature]</u>	Date <u>4/18/02</u>	Receipt No. <u>502482.1</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

MAR-25-02 MON 5:24 PM JAMI MARTINGMA.C0000

FAX NO. 120 376024

P. 4

water right # 36-15663

01/25/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-15663

NAME AND ADDRESS: WILLIAM B SHAPPEE
2805 S 900 E
PO BOX 358
HAGERMAN ID 83332-0358

SOURCE: WEATHERBY SPRINGS

TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 0.010 CFS
1.00 APY

PRIORITY DATE: 03/08/1902

POINT OF
DIVERSION:

T07S R14E S30 SE1/4 Within GOODING County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

02/15 11/30

0.010 CFS

1.00 APY

PLACE OF USE: IRRIGATION Within GOODING County

T07S R13E S27

NONE

0.3

0.25 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF WATER UNDER THIS RIGHT MAY BE AFFECTED BY AN AGREEMENT
BETWEEN THE PROTESTANT AND THE RIGHT HOLDER.THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER
DISTRICT 36-A, BILLINGSLEY CREEK..THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Ground water right (Domestic well)
36-15479 #

05/17/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-15479
NAME AND ADDRESS: WILLIAM B SHAPPEZ
2805 S 900 E
PO BOX 358
HAGERMAN ID 83332-0358

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

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

PRIORITY DATE: 11/01/1993

POINT OF
DIVERSION:

T07S R13E S27 NENENE Within GOODING County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USE
DOMESTICPERIOD OF USE
01/01 12/31QUANTITY
0.060 CFS

PLACE OF USE:

DOMESTIC Within GOODING County
T07S R13E S27 NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

WARRANTY DEED

#CL-829

For Value Received

WILLIAM B. SHAPPEE, a single man

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

RICHARD A. RENDA and RANDA RENDA, husband and wife
Address: 2805 South 900 East, Hagerman, ID 83332

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

SEE ATTACHED SCHEDULE A

SUBJECT TO:

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

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to water right #36-15663 and water right #36-15479, Idaho Department of Water Resources AND 3.0 shares of Big Bend Ditch Company.

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.

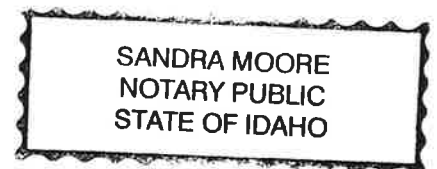
Dated: April 4, 2002


WILLIAM B. SHAPPEE

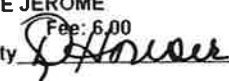
STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 11 day of April, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared **WILLIAM B. SHAPPEE**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public
Residing at: Jerome
My Commission expires: 02-15-06



Instrument # 194797

GOODING, GOODING, IDAHO
2002-04-11 03:51:57 No. of Pages: 2
Recorded for : LAND TITLE JEROME
HELEN EDWARDS Fee: 6.00
Ex-Officio Recorder Deputy 

CONTINUATION

SCHEDULE A

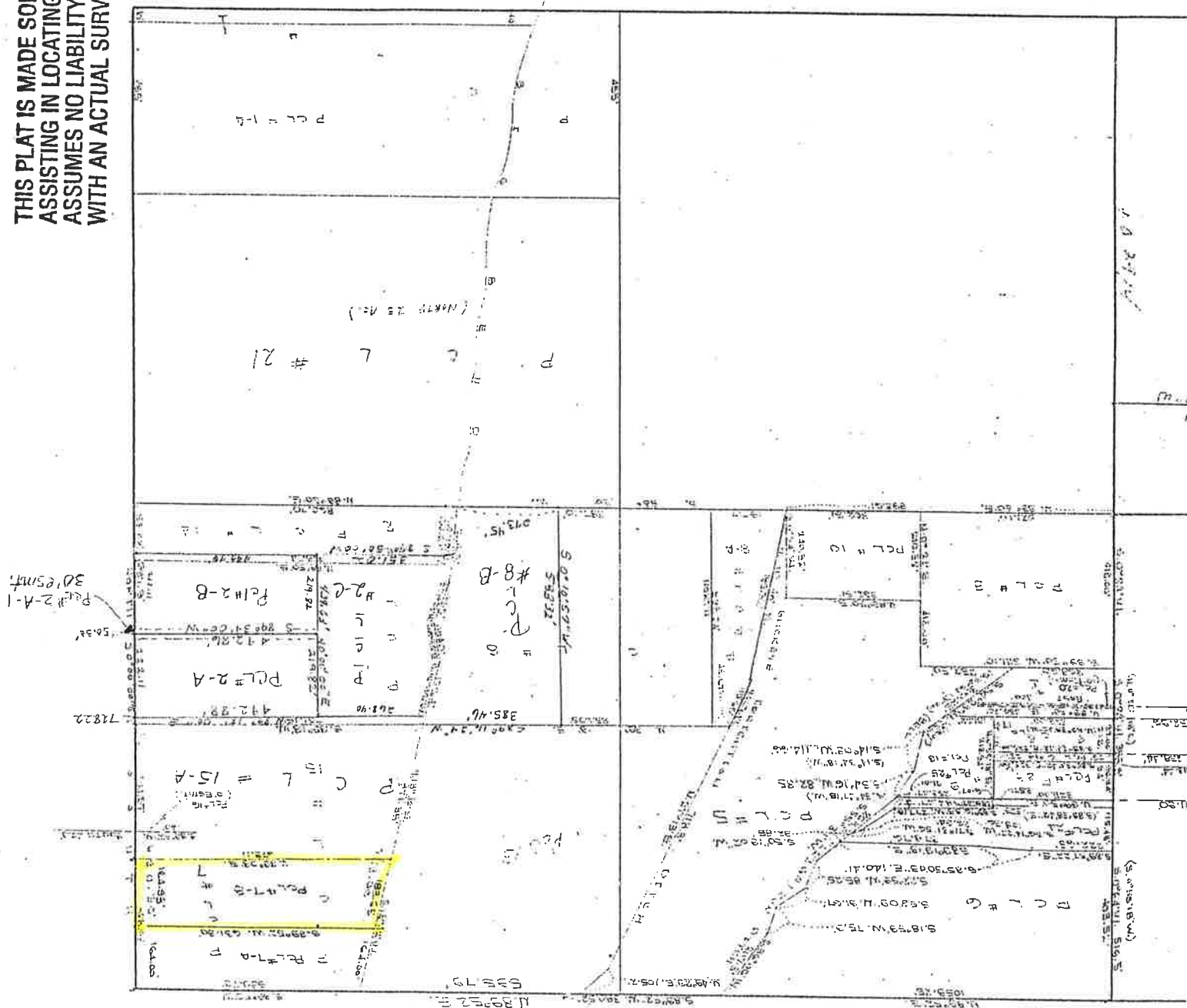
Order Number: GG-03375

TOWNSHIP 7 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

Section 27: Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

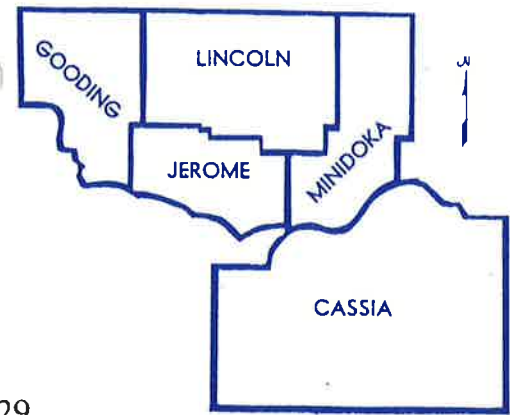
Beginning at the Northeast corner of said Section 27;
Thence South 164 feet along the East line of Section 27 to the TRUE POINT OF
BEGINNING;
Thence continuing South 164.93 feet along the East line of Section 27;
Thence South 89°08' West, 673.11 feet;
Thence North 13°42' East, 183.65 feet;
Thence North 89°52' East, 631.9 feet to the TRUE POINT OF BEGINNING.

NORTH
HALF

$$(x \text{ Pol } q, \text{ Pol } t \text{ Pol } u)$$


Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO:
OFFICE: CL-829
Jerome

April 17, 2002

IDWR Southern Region
1341 Fillmore St. Suite 200
Twin Falls, ID 83301-3380

RE: Richard Renda

To whom it may concern:

Enclosed please find the following:

1. Notice of Change in Water Right Ownership
2. copy of Right Number 36-15663
3. copy of Right Number 36-15479
4. copy of the Warranty Deed
5. legal description, and plot map
6. Check #4480 in the amount of \$25.00

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Very truly yours,

LAND TITLE AND ESCROW, INC.

A handwritten signature in blue ink that reads "Shellie Georgio".

Shellie Georgio, Escrow Assistant

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1189

RECEIVED
APR 18 2002
Department of Water Resources
Southern Region

COPY

2002 JAN 25 PM 2: 23

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

**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	)	Subcase No: 36-00033H, 36-00033J,
	)	36-0003K, 36-15663, 36-15564
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

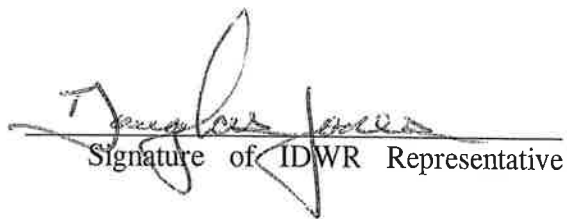
☒ Change in Ownership	☒ Split of Water Right
☐ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ Nature of Use

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: _____

1/25/02


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1/25, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

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

2. One Copy to:

Claimant or attorney of record:

Niko Tzanakakis
Gwen Tzanakakis
2809 S 900 E
Hagerman ID 83332

William B Shappee
PO Box 358
Hagerman ID 83332

Charles Shappee
Brenda Shappee
PO Box 663
Bellevue ID 83313

3. One Copy to:

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

4. One Copy to:

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



Signature of person or attorney mailing the form

1/25/02

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

COMBINED RIGHT NUMBERS: 36-00033H, 36-0033J, 36-0033K

These rights were combined in order to facilitate the filing of an Administrative Proceeding per I.C. §42-222.

The approved transfer then split the combined right. The new split right numbers are now known as:

SPLIT RIGHT NUMBERS: 36-15663 and 36-15664

01/25/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-15663

NAME AND ADDRESS: WILLIAM B SHAPPEE
2805 S 900 E
PO BOX 358
HAGERMAN ID 83332-0358

SOURCE: WEATHERBY SPRINGS

TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 0.010 CFS
1.00 AFY

PRIORITY DATE: 03/08/1902

POINT OF
DIVERSION:
T07S R14E S30 SENESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	0.010 CFS 1.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S27 NENE 0.3

0.25 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF WATER UNDER THIS RIGHT MAY BE AFFECTED BY AN AGREEMENT
BETWEEN THE PROTESTANT AND THE RIGHT HOLDER.
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER
DISTRICT 36-A, BILLINGSLEY CREEK..
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/25/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-15664

NAME AND ADDRESS: NIKO TZANAKAKIS
2809 S 900 E
HAGERMAN ID 83332

GWENDOLYN PEARSON TZANAKAKIS
2809 S 900 E
HAGERMAN ID 83332

SOURCE: WEATHERBY SPRINGS

TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 0.240 CFS
22.80 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-8158 IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 22.8 AF.

PRIORITY DATE: 03/08/1902

POINT OF
DIVERSION:

T07S R14E S30 SENESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	0.240 CFS 22.80 AFY

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S27 NENE 5.7

5.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-8158 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 5.7 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF WATER UNDER THIS RIGHT MAY BE AFFECTED BY AN AGREEMENT
BETWEEN THE PROTESTANT AND THE RIGHT HOLDER.
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER
DISTRICT 36-A, BILLINGSLEY CREEK.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



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

January 25, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NIKO TZANAKAKIS
GWEN TZANAKAKIS
1809 S 900 E
HAGERMAN ID 83332

RE: SRBA Claim(s) 36-00033H, 36-00033J, 36-00033K

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: William Shappee
Charles and Brenda Shappee

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 67033

RECEIVED

MAY 22 2001

Department of Water Resources
Southern Region

This is to certify that: NIKO A TZANAKAKIS AND
GWENDOLYN PEARSON TZANAKAKIS
2809 S 900 E
HAGERMAN ID 83332
(208)837-6343

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
36-15662	AJC/Decreed	03/08/1902	0.25 cfs		9.5	9.5	WEATHERBY SPRINGS

Purpose of Transfer (Changes Proposed)

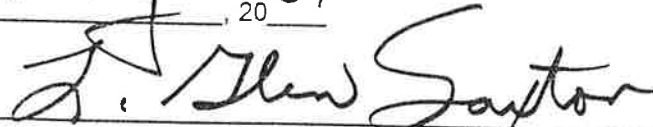
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-15662	YES	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-15662	36-15664	0.24 cfs	22.8 af	5.7	5.7	36-15663	0.01 cfs	1.0 af	.25	.25
TOTALS		0.24 cfs	22.8 af	5.7	5.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15663
As Modified by Transfer No. 67033

In accordance with the approval of Transfer No. 67033, Water Right No. 36-15663 is now described as follows.

Right Holder: WILLIAM B SHAPPEE
 PO BOX 358
 HAGERMAN ID 83332

Priority Date: 03/08/1902

Source: WEATHERBY SPRINGS **Tributary:** BILLINGSLEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	11/30	0.01 CFS	1.0 AF
			0.01 CFS	1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

WEATHERBY SPRINGS SENESW Sec. 30 Twp 07S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07S	13E	27	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	.25

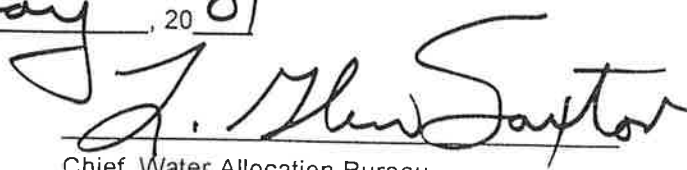
Total Acres: 0.25

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 36-A, Billingsley Creek.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right may be affected by an agreement between the protestant and the right holder.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14th day of May, 2001


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15664
As Modified by Transfer No. 67033

In accordance with the approval of Transfer No. 67033, Water Right No. 36-15664 is now described as follows.

Right Holder: NIKO A TZANAKAKIS AND
GWENDOLYN PEARSON TZANAKAKIS
2809 S 900 E
HAGERMAN ID 83332

Priority Date: 03/08/1902

Source: WEATHERBY SPRINGS

Tributary: BILLINGSLEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15 to	11/30	0.24 CFS	22.8 AF
			0.24 CFS	22.8 AF

LOCATION OF POINT(S) OF DIVERSION:

WEATHERBY SPRINGS SENESW Sec. 30 Twp 07S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 13E 27	5.7																5.7

Total Acres: 5.7

CONDITIONS OF APPROVAL

1. Rights 36-15664 and 36-8158 when combined shall not exceed a total annual maximum diversion volume of 22.8 af at the field headgate and the irrigation of 5.7 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 36-A, Billingsley Creek.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.

WATER RIGHT NO. 36-15664
As Modified by Transfer No. 67033

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14th day of May, 2001


Chief, Water Allocation Bureau