

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 26 2015

Notice of Change in Water Right Ownership

DEPT OF WATER RESOURCES
SOUTHERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
36-11597	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Emanuel Kerbs and Wanda Allen Kerbs
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rio Vista Equipment, LLC an undivided 76.7712% interest & Thomas A. Rudy and Arlene
Name of each new owner as listed on the conveyance document
J. Rudy, an undivided 23.2288% interest
New owner continued ☐ Name connector ☒ and ☐ or ☐ and/or
P. O. Box 608
Mailing address
Burley, ID 83318
City State ZIP

Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: October, 2015

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - o \$25 per undivided water right.
 - o \$100 per split water right.
 - o No fee is required for pending adjudication claims.

7. Signature: By: Neil King Member 10/ /2015
Signature of new owner/claimant Title, if applicable Date
Neil King
Signature: Thomas A. Rudy Member 10/ /2015
Signature of new owner/claimant Title, if applicable Date
Thomas A. Rudy

For IDWR Office Use Only:

Received by DM Date 10-26-2015 Receipt No. 5035071 Receipt Amt. \$25 -
Approved by _____ Processed by _____ Date _____



ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

Instrument # 533684
MINIDOKA COUNTY, RUPERT, IDAHO
10-22-2016 02:50:12 PM No. of Pages: 2
Recorded for: TITLEONE - BURLEY
PATTY TEMPLE Fee: \$13.00
Ex-Officio Recorder Deputy Susan Aston
Electronically Recorded by Simplifile

Order Number: 15256396

Warranty Deed

For value received,

Ellen Sue Vorachek formerly known as Ellen Kerbs also known as Ellen Sue Kerbs as Trustee of the The Wanda A. Kerbs Irrevocable Trust

the grantor, does hereby grant, bargain, sell, and convey unto

Rio Vista Equipment, LLC, an Idaho limited liability company an undivided 76.7712% interest and Thomas A. Rudy and Arlene J. Rudy an undivided 23.2288% interest

whose current address is P.O. Box 608 , Burley, Idaho 83318

the grantee, the following described premises, in Minidoka County, Idaho, to wit:

TOWNSHIP 9 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 11: E $\frac{1}{2}$ SE $\frac{1}{4}$

To have and to hold the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: October 15, 2015



Order Number: 15256396

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Ellen Sue Vorachek formerly known as Ellen Kerbs also known as Ellen Sue Kerbs as Trustee of the The Wanda A. Kerbs Irrevocable Trust

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MINIDOKA COUNTY, IDAHO**

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Dated: October 15, 2015

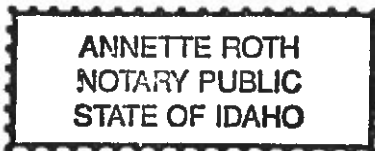
The Wanda A. Kerbs Irrevocable Trust

BY: Ellen Sue Vorachek
Ellen Sue Vorachek formerly known as
Ellen Kerbs, also known as Ellen Sue Kerbs Trustee

State of Idaho, County of Cassia, ss.

On this 16 day of October in the year of 2015, before me, the undersigned, a notary public in and for said state personally appeared Ellen Sue Vorachek formerly known as Ellen Kerbs also known as Ellen Sue Kerbs, known or identified to me to be the person whose name is subscribed to the within instrument, as trustee of The Wanda A. Kerbs Irrevocable Trust and acknowledged to me that she executed the same as trustee.

Annette Roth
Notary Public
My Commission Expires: 8-4-2017
(seal)



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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

1996 NOV 22 AM 9:34

Water Right 36-11597

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: EMANUEL KERBS
WANDA ALLEN KERBS
RT 2 BOX 478
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 03/01/1944

POINT OF DIVERSION: T09S R23E S11 SESESE Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31
01-01 12-31

QUANTITY
0.02 CFS
0.04 CFS

PLACE OF USE: STOCKWATER Within MINIDOKA County
T09S R23E S11 SESE

DOMESTIC Within MINIDOKA County
T09S R23E S11 SESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: NOV 22 1996

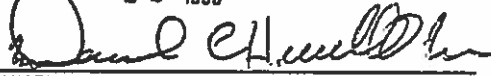


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

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.

DATED: NOV 22 1996



DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

1996 NOV 22 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): 36-11597

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 36-11597 was mailed
on November 22, 1996, with sufficient first-class postage prepaid
to the following:

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

EMANUEL & WANDA ALLEN KERBS
RT 2 BOX 478
RUPERT, ID 83350

DIANA DELANEY
Chief Deputy Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 26, 2015

RIO VISTA EQUIPMENT LLC
THOMAS A & ARLENE J RUDY
PO BOX 608
BURLEY ID 83318

RE: Change of Ownership for Water Right Nos. 36-11597

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: TitleOne (File 15256396)



RECEIVED

OCT 26 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

October 23, 2015

Trish Fawcett
ID Dept. of Water Resources
650 Addison Avenue West
Suite 500
Twin Falls, ID 83301

RE: TitleOne File No. 15256396

Dear Trish:

Enclosed with this letter please find the following:

1. The original executed Notice of Change In Water Right Ownership.
2. A copy of the Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 36-11597.
3. A copy of the recorded Warranty Deed.
4. Land Title and Escrow, Inc. dba TitleOne's check no. 4358 payable to Idaho Department of Water Resources in the amount of \$25.00 for the water transfer.

Would you please make the necessary changes to indicate the new owner as Rio Vista Equipment, LLC an undivided 76.7712% interest and Thomas A. Rudy and Arlene J. Rudy, an undivided 23.2288% interest. Please send a receipted copy to this office.

Thank you.

Very truly yours,
TITLEONE

Nancy Garrett
Administrative Assistant

AR/nrg
Enc.