

DEV

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 24 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

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?
37-00685A	Yes ☐		Yes ☐		Yes ☐
37-02613	Yes ☐		Yes ☐		Yes ☐
37-11698	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Ken & Cindy Ward

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Poppy Englehardt

Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and☐ or☐ and/or

10965 Highway 75

Mailing address

Bellevue

City

ID

State

83313

ZIP

208 788-1022

Telephone

poppy1766@me.com

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: July 18, 2011

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):
 - \$25 per undivided water right.
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

7. Signature:

Signature of new owner/claimant

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only

Received by

Date

Receipt No.

Receipt Amt.

Approved by

Processed by

Date

QUITCLAIM DEED

For Value Received

KENNETH C. WARD AND CYNTHIA L. WARD, husband and wife

Do hereby convey, release, remise and forever quitclaim unto

POPPY M. ENGLEHARDT, a married woman as her sole and separate property

Whose current address is 10965 State Highway 75, Bellevue, ID 83313

The following described premises, to-wit:

Partial Decree 9/24/2010 Water right #37-00685A *
Partial Decree 9/28/2010 Water right #37-02613 *
Partial Decree 1/5/2001 Water right #37-11698*

*As more particularly described in the attached exhibit "1" which is incorporated herein by this reference

Located at:

Lots 1 & 2, Block 1 of MANN-FORSTMANN SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof recorded October 25, 1984, as Instrument No. 257561, on file in the office of the County Recorder, Blaine County, Idaho.

Together with their appurtenances.

Dated this 18 day of July, 2011



Kenneth C. Ward


Cynthia L. Ward

State of: Idaho

County of: Blaine

On this 18th day of July, 2011, before me, the undersigned, a Notary Public, in and for said State, personally appeared **KENNETH C. WARD AND CYNTHIA L. WARD**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey
Commission Expires: 1/23/2015

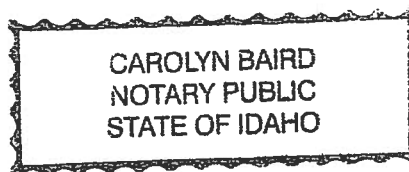


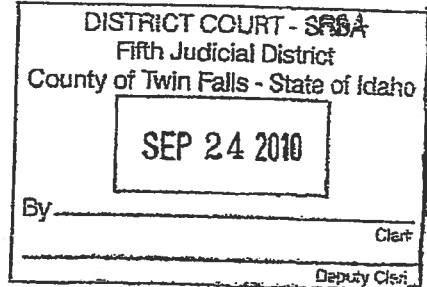
Exhibit "1"

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

Water Right 37-00685A



NAME AND ADDRESS: CYNTHIA L WARD
KENNETH C WARD
PO BOX 278
HAILEY, ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.80 CFS

PRIORITY DATE: 10/15/1984

POINT OF DIVERSION: T02N R18E S36 LOT 3 (NBSWNW) Within Blaine County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
1.80 CFS

PLACE OF USE:

Irrigation

T01N R18E S12

SENE 37.0

44.5 Acres Total

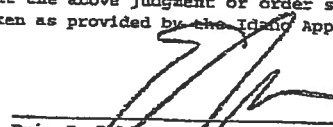
Within Blaine County
NESE 7.5

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. 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.


Eric J. Gileman
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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-02613

RECEIVED

SEP 28 2010

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: CYNTHIA L WARD
KENNETH C WARD
PO BOX 278
HAILEY, ID 83333

SOURCE: GROUND WATER

QUANTITY: 1.80 CFS
155.70 AFY

PRIORITY DATE: 05/21/1959

POINT OF DIVERSION: T01N R18E S12 NWSENE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.80 CFS 155.70 AFY

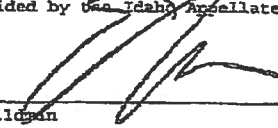
PLACE OF USE:	Irrigation	Within Blaine County
	T01N R18E S12 44.5 Acres Total	SENE 37.0 NESE 7.5

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

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NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
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Eric J. Wilgoin
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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-11698

NAME AND ADDRESS: GREGORY A MANN
PO BOX 269
BELLEVUE, ID 83313

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 07/07/1925

POINT OF DIVERSION: T01N R18E S12 NUSENE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Stockwater		Within Blaine County
	T01N R18E S12	SENE	
	Domestic		Within Blaine County
	T01N R18E S12	SENE	

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

December 2, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KENNETH C WARD
CYNTHIA L WARD
PO BOX 278
HAILEY ID 83333

RE: Change of Ownership for Water Right 37-11698

Dear Water Right Holder(s):

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

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klm
Enclosure



Google Earth Photograph, June 16, 2004



Google Earth Photograph, June 24, 2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 24, 2011

POPPY ENGLEHARDT
10965 HWY 75
BELLEVUE ID 83313

Re: Change in Water Right Ownership for Water Right 37-685A, 37-2613 and 37-11698

Dear Ms. Englehardt:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

☒ **Filing Fee** of \$25 per water right (\$75 total)

☐ **Evidence of Water Right Ownership:** copy of your Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

Because the Department cannot process the ownership change without proper fee, we will hold any action on your notice pending receipt of the necessary fee. If we do not receive the necessary fee within 30 days, we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water rights ownership and/or mailing address to the Department within 120 days of the change. Failing to report these changes could result in a \$100 late filing fee. Please feel free to contact this office if you have any questions.

Sincerely,

Trish Fawcett
Technical Records Specialist



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

RECEIVED

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 24, 2011

OCT 27 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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10965 HWY 75
BELLEVUE ID 83313

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Sincerely,

Trish Fawcett
Technical Records Specialist



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 31, 2011

POPPY M ENGLEHARDT
10965 HWY 75
BELLEVUE ID 83313

RE: Change of Ownership for Water Right 37-685A,37-2613, 37-11698

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. 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.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

Carrie Hahn
Clerk

Enclosures