



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 5, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SUSAN G ROBERTSON
29102 DAVIS RD
BRUNEAU ID 83604

RE: CHANGE OF OWNERSHIP FOR WATER RIGHTS 51-4000B, 51-12976, AND 51-12986
AND WATER SUPPLY LEASE APPLICATION FOR WATER RIGHT 51-12976

Dear Mrs. Robertson:

The Department of Water Resources ("Department") acknowledges receipt of correspondence changing ownership of the above referenced water right to you. Review of your notice indicates that additional information is required before the change can be processed. Through our recent telephone conversation, I understand that your husband, Mr. Eugene F. Robertson, is deceased and that your request is to remove his name as an owner of the water rights. Please provide a copy of his death certificate as confirmation.

On August 20, 2008, the Department received your application to lease water right 51-12976 to the Water Supply Bank ("Bank"). However, since the application was not signed, the Department is returning your application. If you still wish to offer this right for lease to the Bank, please sign and date the application and return it for consideration.

If you have any questions, please contact me at (208) 287-4943.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Marshall', is written over a horizontal line.

Aaron Marshall
Sr. Water Resource Agent

Enclosure(s)

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

RECEIVED
AUG 20 2008
DEPARTMENT OF
WATER RESOURCES

Name of Seller/Lessor Susan G./Eugene F. Robertson Phone 208-845-2106

Post office address 29102 Davis Rd. Bruneau, ID 83604

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by: Partial Decree attached

a. Decree No. 51-12976 Decreed to Susan G./Eugene F. Robertson
(Name)
in case of Case No. 39576 vs _____
dated May 21, 2004 in Twin Falls county of Fifth Judicial District
(Name of court)

b. License No. _____ issued by the Idaho Department of Water
Resources.

c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

a. Amount of water under right: 1.80 cubic feet per second &/or
_____ acre-feet per annum

b. Point of diversion: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25 Township 06S Range
04E, B.M. in Owyhee County.

Additional points T&S R04E Sec 36 SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	04E	25			40	10										34			90

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres 90

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

Copy of Deed Attached

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

Partial decree issued on May 21, 2004

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

NA

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

None

- e. If the water right is a permit, describe the work accomplished toward developing the right.

NA

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

X For lease for a period from Jan. 1, 2009 to Jan - 1, 2010
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

Current rental rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

Date _____

Signature _____

FOR DEPARTMENT USE ONLY

Received by KN Date 8/20/08 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

2004 MAY 21 PM 2:32

FILED N-GRBA
TWIN FALLS CO., IDAHO

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

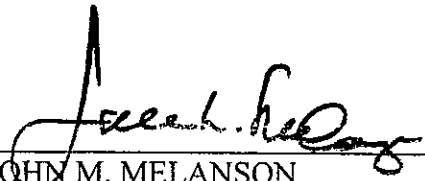
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 51-12976 & 51-12977
	)	
	)	

On July 25, 2003, an *Amended Special Master's Report and Recommendation* was filed for the above captioned water rights. No Challenges were filed to the *Amended 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 *Amended Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water rights 51-12976 and 51-12977 be **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED May 21, 2004.



JOHN M. MELANSON
Presiding Judge
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 51-12976

2004 MAY 21 PM 2:3
DISTRICT COURT-SRB
TWIN FALLS CO., IDAH
FILED *jm*

NAME AND ADDRESS: EUGENE F ROBERTSON
SUSAN G ROBERTSON
HC 85 BOX 139E
BRUNEAU, ID 83604

SOURCE: GROUNDWATER

QUANTITY: 3.175 CFS
612.00 AFY

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

PRIORITY DATE: 03/15/1956

POINT OF DIVERSION: T06S R04E S25 SWSWNW Within Owyhee County
S36 SWSWSW

TWO POINTS OF DIVERSION LOCATED IN T06S, R04E, S36, SWSW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	3.06 CFS
			612.00 AFY
	Stockwater	01-01 TO 12-31	0.115 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T06S R04E S25	SWNE 40.0
		SENE 40.0
		NESE 39.0
		NWSE 34.0
	153.0 Acres Total	

Stockwater	Within Owyhee County
Same as Irrigation	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER
USE 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
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).

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 51-12977

2004 MAY 21 PM 2:32

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *MM*

NAME AND ADDRESS: KENT KOHRING
VIRGINIA KOHRING
HC 85 BOX 140
BRUNEAU, ID 83604

SOURCE: GROUNDWATER

QUANTITY: 3.295 CFS
636.00 AFY

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

PRIORITY DATE: 03/15/1956

POINT OF DIVERSION: T06S R04E S25 SWSWNW Within Owyhee County
S36 SWSWSW

TWO POINTS OF DIVERSION LOCATED IN T06S, R04E, S36, SWSW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	3.18 CFS
	Stockwater	01-01 TO 12-31	0.115 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T06S R04E S24 SESE 38.0	
	S25 NENE 38.0	NWNE 36.0
		NENW 39.0
		SENEW 40.0
		NESW 40.0
	R05E S30 NENW 40.0	LOT 1 (NWNW) 40.0
	LOT 2 (SWNW) 40.0	SENEW 42.0
	471.0 Acres Total	
	Stockwater	Within Owyhee County
	Same as Irrigation	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 159 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 471 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-02214.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE 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
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).

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on May 21, 2004, with sufficient first-class postage to the following:

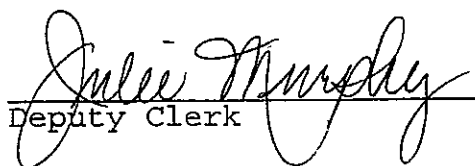
KENT KOHRING

Represented by:
JIM JONES
1275 SHORELINE LN
BOISE, ID 83702
Phone: 208-385-9200

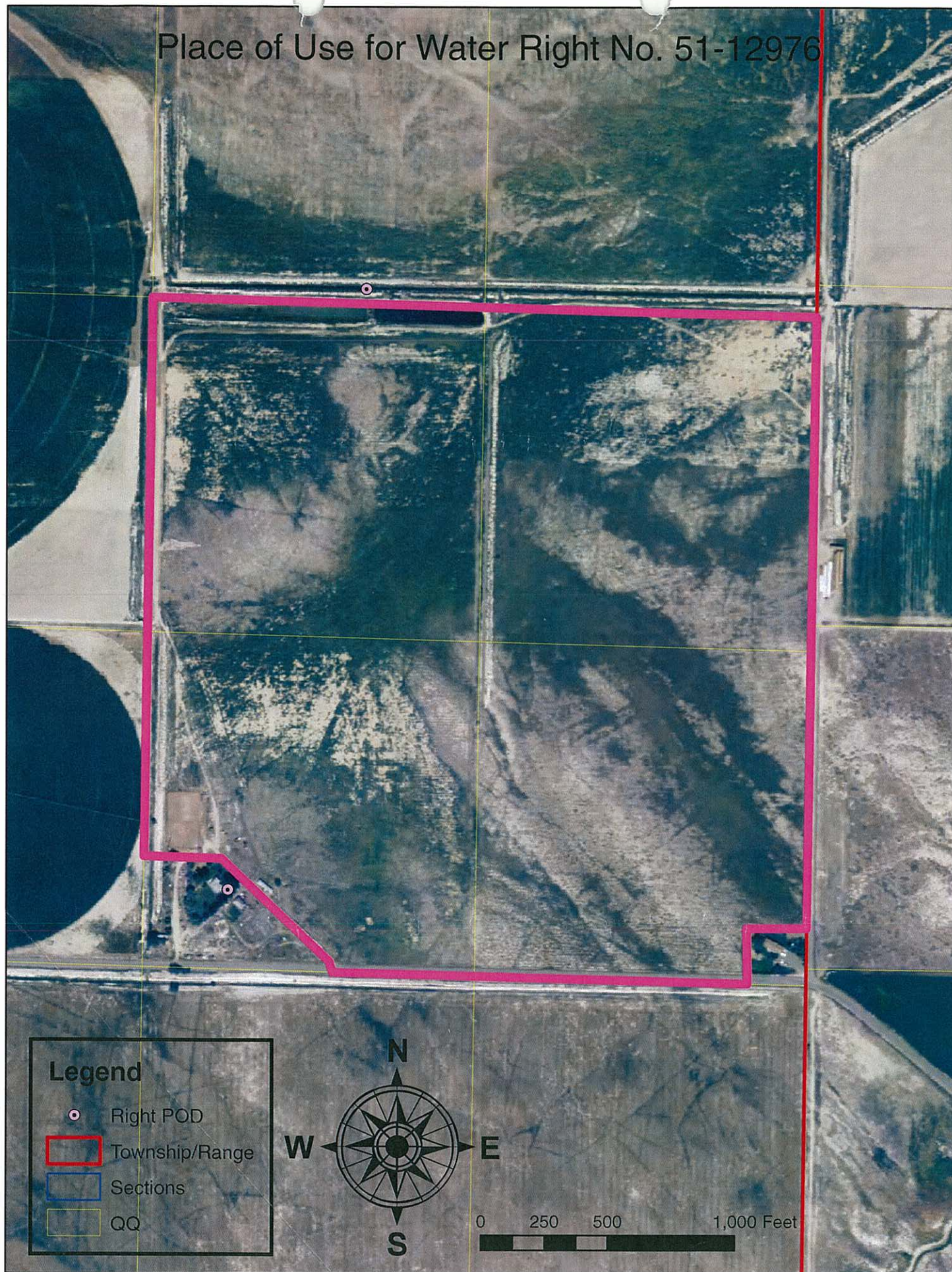
EUGENE F ROBERTSON
SUSAN G ROBERTSON
HC 85 BOX 139E
BRUNEAU, ID 83604

VIRGINIA KOHRING
HC 85 BOX 140
BRUNEAU, ID 83604

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



Place of Use for Water Right No. 51-12976



RECEIVED
AUG 19 2008
DEPARTMENT OF
WATER RESOURCES

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
0 51-12976					
10 51-12986					
10 51-04006B					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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) EUGENE FRANK ROBERTSON
Susan Gail Robertson

4. New Owner/Claimant(s) Susan Gail Robertson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 29102 Davis Rd.

City, State and ZIP Code Bruneau, Id. 83604

New Telephone Number (208) 845-2106 Email: _____

5. Date you acquired the property

Sept 13, 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) Susan H. Robertson
 (title if applicable)

 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature]
 Received by [Signature]
 Processed by _____ AJ

Date 8/20/00
 Date 8/20/00
 Date _____

Receipt Amt. 25.00
 Receipt No. C087429
 WR _____ Date _____