

RECEIVED

OCT 11 2007

Form 42-248.42-1409(6) 12/2006

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 22 2007

WATER RESOURCES
WESTERN 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 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)
80 65-8935		NO			

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25

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)

Dennis M. Pomerleau

4. New Owner/Claimant(s)

Dwain K. Pomerleau

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

365 Pioneer Rd

City, State and ZIP Code

Howards Bend, ID

New Telephone Number

208) 793-2531

5. Date you acquired the property _____

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.

N/A

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) See attached _____
 (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 DB
 Received by DB
 Processed by _____ AJ

Date 10-11-07
 Date 10-22-07
 Date _____

Receipt Amt. \$25-
 Receipt No. W035928
 WR JA Date 11-20-07

SUSAN POMERLEAU
365 PIONEER RD. PH. 208-793-2531
HORSESHOE BEND, ID 83629

92-7014/3241
0070362541

5997

DATE 10-27-07

PAY TO THE ORDER OF *Water Resources* **COPY** *Twenty Five* **COPY** *25*
DOLLARS

 HomeLine #ARB-5500
RETAIL BANKING CENTER
P.O. BOX 190 • NAMPA, ID 83653-0190

MEMO *Susan Pomerleau* MP

⑆324170140⑆ 0070062944⑈ 5997

NOTE –

CHANGE OF OWNERSHIP FORM WAS SENT BACK FOR A SIGNATURE AND FILING FEE. BOTH TIMES IT WAS RETURNED TO IDWR, THE APPLICANT DID NOT SIGN THE FORM. THE FILING FEE WAS RECEIVED 10/22/2007.

REFER TO THE COPY OF THE CHECK FOR APPLICANT'S SIGNATURE.

DB

10/22/07

John P. Connolly
Connolly & Smyser, Chartered
134 South 5th
Boise, Idaho 83702
(208) 342-0777

Attorney for Defendant
Susan K. Pomerleau

NO. _____ FILED _____
A.M. 11:25 P.M.

MAY - 6 2002

J. DAVID NAVARRO, Clerk
DEPUTY

IN THE DISTRICT COURT FOR THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

DENNIS M. POMERLEAU,

Plaintiff,

vs.

SUSAN K. POMERLEAU,

Defendant.

Case No. CVDR 0100888D

DECREE OF DIVORCE

The above-captioned case came before the above entitled Court with Plaintiff having appeared by and through Dennis L. Cain of the law firm Beer & Cain, and Defendant having appeared by and through John P. Connolly, of the firm of Connolly & Smyser, Chartered. Due and proper service as required by law was made upon the Defendant. The causes were submitted for judgment by oral Stipulation. The Court considered all of the evidence from which it appears that the material allegations of the Complaint are true; the law and the premises being by the Court understood and considered,

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the bonds of matrimony heretofore existing between the parties hereto be, and the same are hereby, dissolved and forever held for naught, and the Plaintiff is granted an absolute Decree of Divorce from the Defendant upon the grounds of irrecon-

cilable differences thereby restoring the parties to the state of unmarried persons.

2. That prior to and during the existence of this marriage, the Plaintiff hereto had acquired items of separate property identified in Column E with an SH and awarded to the Plaintiff husband in Column F of Exhibit "A", which shall be confirmed as Plaintiff's sole and separate property.

3. That prior to and during the existence of this marriage, the Defendant hereto had acquired items of separate property identified in Column E with an SW and awarded to the Defendant wife, in Column G of Exhibit "A", which shall be confirmed as Defendant's sole and separate property.

4. That during the existence of this marriage, the parties hereto have acquired items of community property identified with a C in Column E of Exhibit "A". The Defendant shall be awarded, as Defendant's sole and separate property, the community property, identified as Defendant's, in Column G. The Plaintiff shall be awarded, as Plaintiff's sole and separate property, the community property identified as Plaintiff's in Column F.

5. That during the existence of this marriage the parties hereto have incurred certain community indebtedness, including but not limited to the debts listed on Exhibit "A", rows 177 through 185. Plaintiff shall pay the debts identified as Plaintiff's debts on Exhibit "A" in Column F, and indemnify Defendant from the same. Defendant shall pay the debts identified as the Defendant's debts on Exhibit "A" in Column G, and indemnify Plaintiff from the same.

6. The Defendant wife, Susan K. Pomerleau, is receiving as her sole and separate property the following real property:

- a. The community residence and 5 acres of land (item 57 on exhibit A) located at 365 Pioneer Road, Horseshoe Bend, Idaho more particularly described on Exhibit B which is attached hereto and incorporated herein as if set forth in full.
- b. The entire community interest in the Winfield Place (item 60 on exhibit A) located in Boise County, Idaho and more particularly described on Exhibit C which is attached hereto and incorporated herein as if set forth in full.
- c. The entire community interest in the rental home (item 61 on exhibit A) located at 118 3rd Street Circle, Horseshoe Bend, Boise County, Idaho and more particularly described on Exhibit D which is attached hereto and incorporated herein as if set forth in full.
- d. The entire community interest in the Aspen Timeshare (item 62 on exhibit A) located in Valley County, Idaho and more particularly described on Exhibit E which is attached hereto and incorporated herein as if set forth in full.
- e. The entire community interest of 20 acres of land (item 58 on exhibit A) located at Horseshoe Bend, Idaho more particularly described on Exhibit F which is attached hereto and incorporated herein as if set forth in full.

Plaintiff Husband shall immediately sign the quit claim deeds (attached as Exhibits B through F) transferring all of his right title and interest in the above properties to the Defendant Wife.

7. Plaintiff husband shall receive as his sole and separate property the 20 acres of land (item 58 on exhibit A) located at Horseshoe Bend, Idaho more particularly described on Exhibit G which is attached hereto and incorporated herein as if set forth in full.

Defendant wife shall immediately sign the quit claim deed (attached as Exhibit G) transferring all of her right title and interest in the above properties to the Plaintiff husband.

8. The Plaintiff husband owes an equalization payment of \$9,417.00 to Defendant wife, which is found on line 187 of Exhibit A. That equalization payment shall be paid by Plaintiff husband to Defendant wife no later than December 31, 2002. Interest shall be paid by Plaintiff husband to Defendant wife at the statutory judgment rate (8.75%) commencing the date of the filing of the Decree of Divorce.

DATED this 2nd day of May, 2002.


Magistrate Judge