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In File

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 82-10046

200 JUL 21 PM 4:23

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

NAME AND ADDRESS: BARBARA THOMPSON
JERRY THOMPSON
PO BOX 354
ELK CITY, ID 83525

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 09/27/1924

POINT OF DIVERSION: T29N R08E S11 SESW Within Idaho County

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

PLACE OF USE: -- Domestic Within Idaho County
T29N R08E S11 SESW

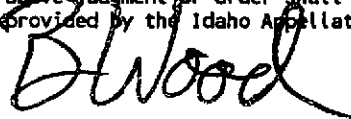
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

MAR 29 2004



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.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 27, 2005

JERRY THOMPSON
PO BOX 314
GRANGEVILLE ID 83530-0314

3-16-05 response
-10

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #82-12098 and Decree 82-10046

Dear Claimant:

cc: W.A. 3-16-05
-10

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by February 14, 2005. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098



RECEIVED
JAN 27 2005
DEPARTMENT OF
WATER RESOURCES

82-12098

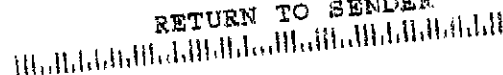
82-10046-RD. 7-21-00

THOM 354

JERRY THOMPSON
PO BOX 354

THOM354 835252024 1104 15 01/25/05
FORWARD TIME EXP RTN TO SEND
THOMPSON/JERRY W
PO BOX 314
GRANGEVILLE ID 83530-0314

RETURN TO SENDER



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 82-10046

WATER RIGHT NUMBER: 82-10046

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JERRY THOMPSON PO BOX 354 ELK CITY, ID 83525 (208)842-2326
Directors Report Owner	LLOYD I JONES HC 66 BOX 246 KOOSKIA, ID 83539 (208)926-7783
Previous Owner	BARBARA THOMPSON PO BOX 354 ELK CITY, ID 83525 (208)842-2326

Priority Date: 09/27/1924

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 11, Twp 29N, Rge 08E, B.M.
IDAHO County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29N	08E	11												X					

Conditions of Approval:

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 82-10046

3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. RP29N08E115670A

Comments:

1. SSHERMAN 12/6/1999 OWNERSHIP CHANGE
Comment: JONES TO THOMPSON.

2. kwalker 10/27/2003 Divorce Decree

~~Comment:~~ A copy of a divorce decree was submitted which states Jerry Thompson has received the property under this right as his own through divorce of 5/14/2003. Have removed Barbara Thompson as a current owner of this right. See copy of divorce decree in file 82-10046.

Dates and Other Information:

Licensed Date:

Decreed Date: 7/21/2000

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: And

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

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MAR 29 2004

Dennis L. Albers

ATTORNEY AT LAW
P.O. BOX 314
GRANGEVILLE, IDAHO 83530

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OCT 27 2003

Department of Water Resources
GRANGEVILLE OFFICE
401 W. NORTH
Phone (208) 983-2310
Fax (208) 983-1401

KAMIAH OFFICE
Phone (208) 935-2161

24 October, 2003

Kay Walker
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Dear Ms. Walker:

Re: Jerry W. Thompson Estate
Water Right Nos. 82-10046 & A82-12098

As per our phone conversation yesterday, you will find for reference purposes a certified copy of Mr. Thompson's Divorce Decree and copies of documents from you concerning the two water rights. Please give me a call if you have questions.

Thank you.

Yours truly,

Dictated by Dennis L. Albers
and mailed without signature
in his absence to avoid delay.

DENNIS L. ALBERS

DLA:law

Enclosures

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Department of Water Resources

IDAHO COUNTY DISTRICT COURT
FILED
AT 11:30 O'CLOCK A.M.

MAY 14 2003

ROSE E. GEHRING
CLERK OF DISTRICT COURT
Kathy Johnson DEPUTY

DENNIS L. ALBERS
Attorney at Law
P. O. Box 314
Grangeville, ID 83530-0314
(208) 983-2310
(208) 983-1401 - Fax
ISB #1437

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

JERRY W. THOMPSON,	)	
	)	Case No. CV 34446
Plaintiff,	)	
	)	
vs.	)	DECREE OF DIVORCE
	)	
BARBARA E. THOMPSON,	)	
	)	
Defendant.	)	

The above-entitled action came on regularly for hearing in open court at Grangeville, Idaho, before the Honorable Michael J. Griffin, Magistrate, on the 14th day of May, 2003. The plaintiff appeared in person and was represented by his attorney of record, Dennis L. Albers, of Grangeville, Idaho, with the defendant not being represented or personally making an appearance in this matter. The court at that time reviewed the file and found that the defendant had been served with Summons/Complaint on the 26th day of February, 2003. That more than twenty (20) days have now elapsed since said service and acceptance of those documents.

The file further reflects that the parties entered into a Stipulation modifying who received the 1986 Blazer, but that Stipulation was not intended as an appearance at this time and that default could be taken as soon as the twenty days expired, which is now the case. The court

DECREE OF DIVORCE - 1

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concluded that more than twenty days have now elapsed since said acceptance of service on the defendant and the defendant is now in default and his default has been entered.

It further appears that the defendant is not in the military service of the United States of America nor is she under orders to report for induction into the military service of any nation in which the United States of America is allied.

Therefore, witnesses were sworn and examined on behalf of the plaintiff and the court now being first fully advised in the premises now makes the following findings and decrees:

That the court has jurisdiction over the defendant and the subject matter of this action. That the court further finds that the defendant has failed to formally plead, answer or defend and her default has been entered for such failure to plead. That the allegations contained in the plaintiff's Complaint, as modified by the parties' Stipulation, are found by the court to be true as alleged and that all of said allegations by reference thereto are hereby incorporated by this decree as findings of fact.

That the court concludes from those findings of fact that the plaintiff is entitled to a Decree of Divorce from the defendant upon the grounds of irreconcilable differences.

**NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING PREMISES,
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

FIRST: That the court has jurisdiction of the parties and the subject matter of this action.

SECOND: That the bonds of matrimony, now and heretofore existing between the plaintiff, Jerry W. Thompson, and the defendant, Barbara E. Thompson, be, and the same are hereby dissolved and the parties are released from each other and from all matrimonial obligations and they are thus restored to the status of single and unmarried persons; that the

plaintiff is thus given and granted an absolute Decree of Divorce from the defendant upon the grounds of irreconcilable differences.

THIRD: That the defendant, Barbara E. Thompson, should receive the following property:

A Ford Ranger vehicle subject to a debt thereon and she is hereby ordered to pay the debt on that vehicle in the event she desires to keep it and to hold the husband harmless on account of that debt.

The defendant is likewise awarded any funds taken from the parties' savings and checking accounts prior to the filing of the Complaint in this matter.

The defendant should likewise receive the parties' State and Federal Income Tax refunds for the year 2002, which would be filed in 2003 when received.

She should also receive her earnings that she has been making from Seubert's Home Health Care and any checking accounts under her control, together with her personal things that were in the plaintiff's home in Elk City, Idaho, her clothes; a computer; 2 bookshelves; a corner shelf; a computer desk; a child's desk; her sewing machines and sewing table; satellite system; a washer and the remaining portions of her waterbed.

FOURTH: That the plaintiff, Jerry W. Thompson, should receive the following items:

Two (2) end tables; a coffee table; a chest and dresser; a refrigerator; the parties' mobile home; the plaintiff's checking account at Sterling Savings in the approximate amount of \$2.00; those things personal to the plaintiff; and the 1986 Chevy Blazer which was the subject of the parties' Stipulation.

The plaintiff should also receive the limited equity in a 1996 Ford pickup financed through IDAHY Federal Credit Union and he is ordered to pay that debt in the event he desires to keep that vehicle and should hold the wife harmless on account of that debt.

The plaintiff should also receive a mule named Darky.

It is hereby ordered that the plaintiff shall have the following items of separate property confirmed to him that he brought to the marriage. Those items include all of his household furniture, fixtures, and equipment that he had before the marriage, including a bedroom set, a dryer, a TV, microwaves and other miscellaneous small items, the plaintiff's Time Certificates of Deposit at Sterling Savings in the approximate amount of \$4,000.00 for one and \$5,000.00 for the other.

The plaintiff is hereby awarded likewise all right, title and interest in the real estate, which was the parties' home but which was the plaintiff's prior to the parties marriage, which is described as follows, to wit:

Township 29 North, Range 8 East, ³⁵⁵Section 11, 35.308 acres, being more particularly described as Tax #329 LESS Tax #~~335~~, Idaho County, Idaho, according to the Assessor's tract plat thereof with a more specific metes and bounds description being described in Exhibit A, attached hereto and hereby incorporated by this reference.

FIFTH: It is hereby ordered pursuant to the agreement of the parties that \$2,500.00 that the plaintiff loaned to Ricky Hansel and another \$2,500.00 that the plaintiff loaned to the defendant are cancelled, and the plaintiff shall not have any right to collect either of those debts from Ricky Hansel or from the defendant, Barbara Thompson.

SIXTH: The plaintiff, Jerry W. Thompson, is ordered to pay the following debts:

- a) The Elk City Store;
- b) Val's Corner Convenience Store;
- c) Les Schwab Tire Center; and,
- d) The debt on the 1996 Ford pickup and any bill relating to the Blazer.

The defendant is hereby ordered to pay any debt for her light bill on her rental in Elk City, Idaho, together with telephone and water bills on that rental.

Each person that is ordered to pay a debt shall hold the other harmless on account of that debt in all respects.

DONE in Open Court this 14th day of May, 2003.

Michael J. Griffin

MICHAEL J. GRIFFIN,
Magistrate

Clerk's Certificate of Mailing:

I, the undersigned, Deputy Clerk, of the above-entitled court, do hereby certify that a true and correct copy of the foregoing DIVORCE DECREE was mailed by regular first class mail, postage prepaid, at the U.S. Post Office this 14th day of May, 2003, to:

Mark Snyder
P.O. Box 626
Kamiah, ID 83536

Dennis L. Albers – delivered to tray
Attorney at Law

ROSE E. GEHRING

By **Kathy Johnson**
Deputy Clerk

A parcel of land in the Southeast quarter (SE ¼) of the Southwest Quarter (SW ¼); the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) all in Section 11; Township 29 North; Range 8 East; Boise Meridian; Idaho County ID and further described as follows:

The True Point of Beginning being the Quarter Section Corner between Section 11 and 14; thence North 0° 39' West 1068.58 feet; thence South 89° 15' West 1408.70 feet; thence South 15° 48' West 666.45 feet; thence South 42° 41' East 212.00 feet; thence South 79° 33' East 201.30 feet; thence South 0° 53' East 266.78 feet; thence North 89° 53' East 1108.00 feet to the True Point of Beginning.

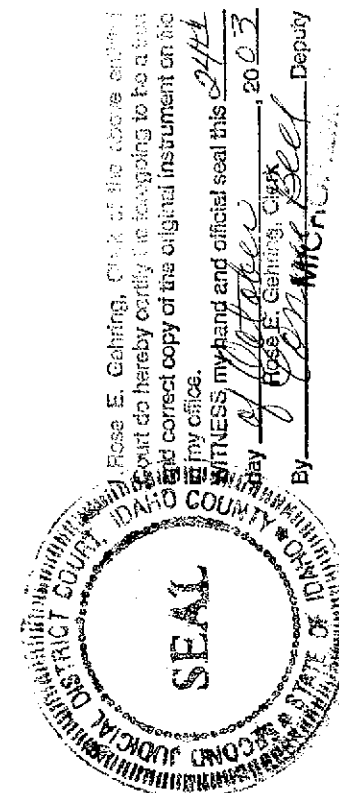
LESS TAX #355:

Township 29 North, Range 8 East, Boise Meridian, Idaho County, Idaho
Section 11; A parcel of land located in the SE ¼ SW ¼, more particularly described as follows:
Commencing at the ¼ corner common to Sections 11 and 14, a 2 inch pipe monument;
Thence S 89° 53' W, 1208.74 feet;
Thence N 07° 19' E, 221.00 feet to THE TRUE POINT OF BEGINNING.
Thence N 79° 33' W, 201.30 feet;
Thence N 52° 37' E, 50.50 feet;
Thence S 07° 05' 28" E, 171.78 to THE TRUE POINT OF BEGINNING.

0.86 AC per Greenbriar

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MAR 29 2004



IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: DEC-7-1999
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 82-10046

NAME & ADDRESS: BARBARA THOMPSON
JERRY THOMPSON
PO BOX 354
ELK CITY ID 83525

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 09/27/1924

POINT OF DIVERSION: T29N R08E S11 SESW Within IDAHO County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within IDAHO County
T29N R08E S11 SESW

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.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP29N08E115670A

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Department of Water Resources

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