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SEP - 8 2000

Department of Water Resources

200 SEP -6 AM 11: 23

DISTRICT CLERK-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

ORDER OF PARTIAL DECREE

For Water Right 77-10004

On June 30, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *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 *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 77-10004 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED SEP 6 2000.

B Wood

BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

FEB 24 2004

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 77-10004

200 SEP -6 AM 11:23
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: JERRY D TRIPLETT
RT 2 BOX 130
KAMIAH, ID 83536

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/01/1987

POINT OF DIVERSION: T26N R08E S37 WNW Within Idaho County

THE POINT OF DIVERSION OF THIS WATER RIGHT IS ON PATENTED
PRIVATE LAND, PART OF MINERAL SURVEY 1416 - CROOKED CREEK PLACER
KNOWN AS LOT 27 BLOCK D OF DIXIE SUBDIVISION.

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 T26N R08E S34 WNW Within Idaho County

THE PLACE OF USE OF THIS WATER RIGHT IS ON PATENTED PRIVATE
LAND, PART OF MINERAL SURVEY 1416 - CROOKED CREEK PLACER KNOWN
AS LOTS 24-27 BLOCK D OF DIXIE SUBDIVISION.

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

FEB 24 2004

2000 SEP 06 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): 77-10004

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 77-10004 was mailed
on September 06, 2000, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

JERRY D TRIPLETT
RT 2 BOX 130
KAMIAH, ID 83536
Phone: 208-935-0436

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

MICROFILM

FEB 24 2004

PAGE 1
09/06/00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 11, 2004

G L WALDENMYER
PO BOX 94
DIXIE ID 83525

RE: Change of Ownership for Water Right 77-10004

Dear Mr. Waldenmyer:

Our letter of December 2, 2003 (copy enclosed) requesting the required filing fee and support data remains unanswered. Therefore, I am returning the ownership change request. A copy of your ownership change information will be kept in our files for reference.

If, at a later date, you wish to reinstate this request you may send the enclosed ownership change request form along with the required filing fees and we will be happy to complete the request for you.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,



Kari Lynn Townsend
Secretary

KLT:k

Enclosures

MICROFILMED
FEB 24 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 2, 2003

1-6-04

2ND Request

G L WALDENMYER
PO BOX 94
DIXIE ID 83525

RE: Change in Ownership of Decreed Water Right 77-10004

Dear Mr. Waldenmyer:

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

☒ Legal Description of Property

During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. According to the Idaho County Assessor's office, the land covered by the Warranty Deed you provided is in the **SWNW** of **T26N, R8E, S34**. The land on the decreed water right is in the **NWNW** of the same **T, R, S**. Please provide our office with support data showing your ownership of the land in the **NWNW** as indicated on the decree. I have enclosed a copy of the decreed water right for your information and convenience.

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. We have determined that the filing fee for your notice will be **\$25.00**.

Because the Department cannot process the ownership change without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees 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 right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kari Lynn Townsend", written in black ink.

Kari Lynn Townsend
Secretary

KLT:k

Enclosure

MICROFILMED
FEB 24 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 2, 2003

G L WALDENMYER
PO BOX 94
DIXIE ID 83525

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☒ **Legal Description of Property**

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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. We have determined that the filing fee for your notice will be **\$25.00**.

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MICROFILMED
FEB 24 2004

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If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kari Lynn Townsend", written in dark ink.

Kari Lynn Townsend
Secretary

KLT:k

Enclosure

MICROFILMED
FEB 24 2004

G.L. (Waldy) Waldenmyer

"Get legally high in Dixie"

(elevation - 5640 ft.)

CUNDIXE



P.O. Box 94

Phone

Dixie, ID 83525

208-842-2310

FEB 24 2005

MACROFILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 24 2003

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

WATER RESOURCES
WESTERN REGION

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	77-10004				

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 NOV 19 2003
 Department of Water Resources

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 usually attached to your deed or on file with the county).

OR

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 **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)

Jerry Triplett
Rt 2 Box 130 Kamiah, Id 83534

4. New Owner/Claimant(s)

Ed Waldenmyer
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 94

City, State and ZIP Code

Dixie, Idaho

New Telephone Number

(208) 842-2310

5. Date you acquired the property

10-26-99

MICROFILMED

OCT 24 2004

COPY

Kari-Lynn -
 Jeff told me
 to file this on the
 pump + microfilm
 it. - Gail

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

COPY

7. Signature of New Owner(s) or Claimant(s) See front of page - line 4 for
(include title if applicable) Signature

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.

MICROFILMED

For Office Use Only

Received by DH Date 10-24-03 Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SEP 21 2004

WARRANTY DEED

JERRY TRIPLETT, as GRANTOR herein, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto GEORGE L. WALDENMYER, of PO Box 94, Dixie, ID 83525, GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of IDAHO, State of Idaho, TO WIT:

Lots 24, 25, 26 and 27 in Block "D" in the Town of Dixie, Idaho County, State of Idaho, as Shown by the recorded plat thereof.

TOGETHER with all improvements, water rights, ditches, easements, hereditaments and appurtenances thereto.

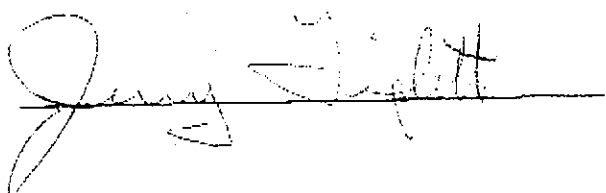
SUBJECT TO: The lien for current taxes, Reservation of mineral rights contained Quitclaim Deed from Randall to Robinson, recorded October 17, 1938 as Inst. No. 124256 of the Idaho County Records; Covenants and Restrictions affecting dedication of Dixie Subdivision, recorded June 29, 1971 as Inst. No. 241534 of the Idaho County Records.

GRANTOR, does hereby covenant, warrant, and shall defend the quiet and peaceable possession of said premises by the GRANTEE and grantee's heirs and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, GRANTOR has executed this instrument October ²⁶~~2~~, 1999.

JERRY TRIPLETT



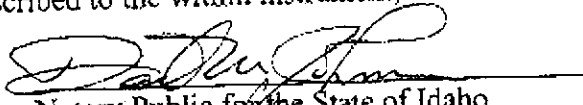
MICROFILMED

-- 9 2 4 2004

COPY

STATE OF IDAHO)
) s.s.
COUNTY OF LEWIS,)

On this 26th day of October 1999, before me, a Notary Public in and for the State of Idaho, personally appeared Jerry Triplett, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public for the State of Idaho
Residing at Agua Fria Rd
My commission expires: 5/20/03

NOTARY SEAL

DANIEL M. JOHNSON
NOTARY PUBLIC
STATE OF IDAHO

MICROFILMED
FEB 24 2004

COPY

Townsend, KariLynn

From: Holly Cox [hcox@IdahoCounty.Org]
Sent: Monday, November 24, 2003 9:52 AM
To: Townsend, KariLynn
Subject: RE: Land description

Well, I got to thinking (that's dangerous for me!!!) I pulled the Metzger Maps and found what appears to be the Mineral Survey 1416, which, to the best of my ability, the parcels you are inquiring about appear, to me, to be in the SW4NW4 of Section 34, T26N, R8E. The Metzger Maps are CRUDE, but being the only reference I have, I have made that determination. Talk to ya later....Holly

-----Original Message-----

From: Townsend, KariLynn [mailto:KTOWNSEN@idwr.state.id.us]
Sent: Friday, November 21, 2003 3:34 PM
To: Holly Cox
Subject: RE: Land description

Good Morning, Holly . . .

Kim advised me to contact you for a "translation" of a land description that is on a warranty deed relating to a water right ownership change. The warranty deed lists the land as: Lots 24, 25, 26 and 27 in Block "D" in the Town of Dixie, Idaho County, State of Idaho, as shown by the recorded plat thereof.

I need to get township, range, section and 1/4 1/4 information in order to match it up with our records which show the land in T26N, R8E, S34, NWNW.

I'm hoping that your map records will show the same thing. If you have any questions about this you can e-mail me or my telephone number is 208-327-7941.

Thanks in advance for any help you can offer.

Kari Lynn Townsend
Secretary, Water Right Permits Section

*Holly - at Idaho County
to do map work on
Town of Dixie*

MICROFILMED
FEB 24 2004

208-983-2742

Hcox@IdahoCounty.org

Townsend, KariLynn

From: Holly Cox [hcox@IdahoCounty.Org]
Sent: Monday, November 24, 2003 9:46 AM
To: Townsend, KariLynn
Subject: RE: Land description

KariLynn, Unfortunately, the only information I can provide on Dixie is that it is part of Mineral Surety No. 1416, located in Township 26N, Range 8E. The Official Plat does not even indicate the section, much less the quarter-quarter. You seem to have more information than I have. Since we only assess what people actually own, and the plat is THE legal description, we don't keep track of which quarter-quarter or section the land lies in. For assessment purposes, the Lot, Block and Subdivision name is sufficient for assessing the property. Sorry I can't be of more help. Holly

-----Original Message-----

From: Townsend, KariLynn [mailto:KTOWNSEN@idwr.state.id.us]
Sent: Friday, November 21, 2003 3:34 PM
To: Holly Cox
Subject: RE: Land description

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Kari Lynn Townsend
Secretary, Water Right Permits Section