

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 27 1999

WATER RESOURCES
WESTERN REGION

JUN 7 2001

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

DEPARTMENT OF WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

DEC 14 1999

WATER RESOURCES
WESTERN REGION

1. Water Right No(s): 65-06319
Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Zelma Pearce
4. New Owner/Claimant(s) Willis Myers and Judy Myers
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address _____
City, State and ZIP Code 10801 N. River Rd - Payette, Id.
New Telephone Number (208) 642-0179 83661
5. **Date you acquired the property** _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Willis C Myers
Judy Myers
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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 65-06319

NAME AND ADDRESS: ZELMA ELDORISE PEARCE
PO BOX 484
PAYETTE, ID 83661

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS
1.90 AFY

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

PRIORITY DATE: 04/01/1920

POINT OF DIVERSION: T09N R05W S27 SWNW Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	1.20 AFY
			0.02 CFS
			0.70 AFY

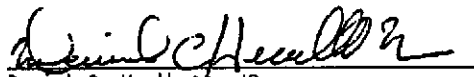
PLACE OF USE: Domestic Within Payette County
T09N R05W S27 SWNW
Stockwater Same as Other Use

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.

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.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

MEMORANDUM

DATE: April 20, 2006
TO: WR File 65-6319
FROM: Kandice McDermott
RE: Ownership Change

Letter was mailed to customer explaining the possibility of a claim. We have received no response, and the documents will be placed in the vault until further notice.

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WATER RESOURCES
WESTERN REGION

1. Water Right No(s): 65-06319
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Erin Reese
4. New Owner/Claimant(s) William Reese and Susan Reese
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address _____
City, State and ZIP Code 10201 N. Pioneer Rd. - Pocatello, ID
New Telephone Number 208) 642-0179 836-61
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) William E. Reese
Susan Reese
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.

2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.

3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.

4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.

5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

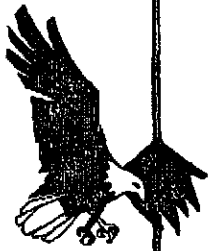
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.

8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190
 IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033
 IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450
 IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161



FIRST AMERICAN TITLE
31 SOUTH MAIN STREET
POST OFFICE BOX 345
PAYETTE, IDAHO 83661
(208) 642-3351
(208) 642-3590 FAX

DATE: June 29, 2001

TO: Idaho Department of Water Resources
ATTN: KariLynn
FAX: 327-7866

FROM: Kerry Brent

RE: #65-06319 Myers

Here is a copy of the deed, and it looks like the property is actually in T9N, R5W, Section 28, SESE.

Please call me and let me know if this satisfies your requirements, so I can let Mrs. Myers know that everything is taken care of.

Thanked!



HAPPY BIRTHDAY AMERICA!!
Have a great 4th of July!

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by DIANA PATRICK, as Personal Representative of the ESTATE OF ZELMA ELDORISE PEARCE, deceased, Grantor, to WILLIS C. MYERS and JUDY M. MYERS, husband and wife, Grantees, whose address is 10801 N. River Road, Payette, Idaho.

WHEREAS, Grantor is the Qualified Personal Representatives of said estate, filed as Probate Number SP-IE-97-00388*M, in Payette County, Idaho;

THEREFORE, for valuable consideration received, Grantors sell and convey to Grantees the following described real property in Payette County, Idaho:

In CALHOUN SUBDIVISION OF PAYETTE IDAHO as per Plat in Book 2,

Page 14, Plat Records, Payette, County, Idaho:

The West ½ of the South ½ of Block 5.

*Per Parcel at Payette County
Assessor's office on 7.16.01
T9N, R5W, S28, SESE - Kari Lynn*

TOGETHER with any and all water, water rights, ditches, ditch rights, minerals, mineral leases, and any and all irrigation rights appurtenant to said lands or in anywise connected therewith.

Dated: July 22, 1999

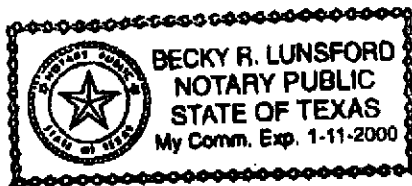


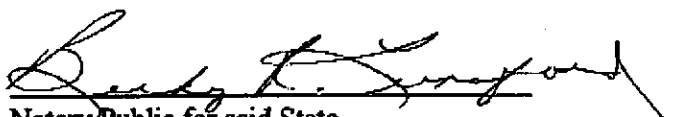
Diana Patrick, Personal Representative
of the Estate of Zelma Eldorise Pearce

STATE OF TEXAS)
: ss:
County of Harris)

On this 22 day of July, 1999, before me, a Notary Public in and for the State of Idaho, personally appeared DIANA PATRICK, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Zelma Eldorise Pearce, and acknowledged to me that she executed the same as such Personal Representative of the Estate of Zelma Eldorise Pearce.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above-written.




Notary Public for said State
Commission Expires:



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

July 12, 2005

WILLIS MYERS
JUDY MYERS
10801 N RIVER RD
PAYETTE ID 83661

RE: Water Right No. 65-6319
Change in Ownership

Dear Mr. & Mrs. Myers:

The Department of Water Resources acknowledges receipt of the information you submitted in support of your Notice of Change in Water Right Ownership filed on July 27, 1999 for the water right no referenced above. The Snake River Basin Adjudication (SRBA) Court issued a partial decree describing the water right with a place of use different than your property as described in the documentation you originally submitted.

In order to process your change in ownership, we need documentation to show that you own the water right or the property described as the place of use for the water right. If you believe that the SRBA Court issued the partial decree with an error in the description of the place of use, you may be able pursue one of the following options with the Court.

- 1) Motion to set-aside – a motion filed with the SRBA Court which, if granted, would provide a process to correct the partial decree. You would need to provide justification for the correction.
- 2) Motion to file late claim – a motion filed with the SRBA Court which, if granted, would allow you to file a new claim for your existing water use. A late claim would be investigated for validity and accuracy by the Department.

Please contact Danni Smith of this office at 287-4910 if you have questions related to the SRBA. Ms. Smith can assist you with the SRBA Court's processes.

As additional alternatives, you could pursue one of the following options with the Department.

- 1) New Appropriation – an application for permit filed with the Department to develop a new water right. If a permit is approved, the priority date is the date that the application is filed. Some areas of the state are closed to new development. Please note that a water right permit is not required for certain domestic uses from a ground water source.

- 2) Water Right Transfer – an application filed with the Department to change an existing water right. In this case, the purpose of the transfer would be to change the place of use (and possibly the point of diversion) to your property description. You would need to provide evidence of ownership or authorization from the current owner of record before the Department could process the application.

If you choose to file an application for permit or transfer with the Department, you may be able to apply any fees submitted with your Notice of Change in Water Right Ownership to the application. Please contact staff from the Water Right Permits section of this office if you have additional questions related to the applications described above.

Please let us know within 30 days how you plan to proceed. If we do not hear from you **within 30 days** we will return your Notice of Change in Water Right Ownership and all attachments and refund any fees submitted with your notice.

Sincerely,



Kandice McDermott
Records Analyst

/klm
Enclosure

MEMORANDUM

DATE: JULY 16, 2001
TO: FILE 65-06319
FROM: KARI LYNN TOWNSEND
RE: TELEPHONE CONVERSATION

Today I telephoned Kerry Brent at First American Title regarding the information she had faxed to me regarding the request for ownership change by Willis and Judy Myers for decreed water right 65-06319.

Kerry's information and the information that I got from Dorothy at Payette County Assessors office show the Myers property in T9N, R5W, **S28, SESE**. The decree shows same T and R but S27, SWNW.

Kerry has offered to do some more research on this and see if there is something else that they can offer to help clarify the legal description. I told Kerry we could have the legal dept. in AJ contact the Myers's with information on contacting the SRBA court if necessary.

8.8.01 - Kerry Brent @ 1st American Title phoned to say she had been unable to locate any further info to help clarify the discrepancy in the legal description. I told her I would forward the file to Garrett Baxter in our legal dept. for further handling. Kari Lynn 8.8.01



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

June 14, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WILLIS C MYERS
JUDY MYERS
10801 N RIVER RD
PAYETTE ID 83661

RE: Change in Ownership for Decreed Water Right 65-6319

Dear Mr. & Mrs. Myers:

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

- ✓ Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question. **Please include a legal description of the property.**

A letter dated March 27, 2001 (copy enclosed) was mailed to you from our Western Region office requesting a copy of the warranty deed showing the legal description. There had been no response to this letter by June 6, 2001 when the ownership change request was forwarded to this office for processing. The information on the copy of the tax inquiry that was provided does not match the legal description on the decreed water right. A copy of the Water Right report is enclosed for your information.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information 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 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 black ink, reading "Kari Lynn Townsend". The signature is fluid and cursive, with a large loop at the end of the last name.

Kari Lynn Townsend
Secretary

KLT:k

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2001

WILLIS MYERS
JUDY MYERS
10801 N RIVER RD
PAYETTE ID 83661

RE: Change of Ownership for Right No. 65-06319

Dear Mr. & Mrs. Myers:

First American Title Company has submitted ownership change information on your behalf for the above-mentioned right. The information they submitted did not show the legal description of the land you purchased from Zelma Pearce. To finalize this ownership change, please submit a copy of your warranty deed showing the legal description.

We apologize for the extended length of time it has taken our Department to respond to you. Please feel free to contact our office if you have any questions.

Sincerely,

Adjudication Staff
Western Region

Encl: Profile Report



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-7150
FAX (208) 334-2348

RECEIVED

DEC 14 1999

WATER RESOURCES
WESTERN REGION

December 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FIRST AMERICAN TITLE
PO BOX 345
PAYETTE ID 83661

RE: Notice of Change of Water Right Ownership No. 65-06319 for
Willis and Judy Myers

Dear Property Owners:

Enclosed is a copy of the above referenced Notice of Change of Water Right Ownership form that your office recently submitted. However, we cannot continue to process the ownership change without **proof of ownership**. This proof can be a copy of a warranty deed(s), sales contract or tax assessment in the Myers' name(s) which includes the legal description of the property by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range.

Please submit a copy of the proof of ownership, and we will be able to complete the ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

DB:d

Enclosures