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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 65-05268

NAME AND ADDRESS: EVERETT LINNE
FLORENCE LINNE
PO BOX 154
DONNELLY, ID 83615

SOURCE: UNNAMED STREAM TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.02 CFS
1.20 AFY

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

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION: T16N R03E S19 SENW Within Valley County

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

PLACE OF USE: Domestic T16N R03E S19 SENW Within Valley County

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



NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

FEB 25 1994
Department of Water Resources

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 1-31-94

LEGAL DESCRIPTION OF PROPERTY: Township 16 North Range 3 East
Section 19 1/4 of 1/4 of 1/4 Govt. Lot 5 BM.

Lot 14 Block Subdivision/Townsite Smiling Julie Subdivis
If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

RECEIVE

[] Water Right Number(s)
Assigned by IDWR: A65-05268-claim number

FEB 28 1994

WATER RESOURCES
WESTERN REGION

[] Name and Address of Former Owner/Claimant(s)(Seller): Evellett & Florence Linn

PO Box 154

Donnelly Idaho 83615

[] New Owner/Claimant (Purchaser): Vincent & Betty B. Derig

[] New Mailing Address: PO Box 184

Weiser, Idaho 83672

[] New Telephone Number: (208) 549-1184

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: Assignment of Deed of Trust; Deed of Recon
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s): Vincent & Betty B. Derig Date 2-23-94

Date 2-23-94

[] Signature of Former Owner/Claimant(s): _____ Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY

Initial Review and Date Entry

Date 2-28-94 By JS

Further Action Needed

Further Action Taken

Date _____ By _____

Final Review and Date Entry

Date _____ By _____

Claim Numbers of Split, if any

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

DEED OF RECONVEYANCE

MOUNTAIN TITLE & ESCROW COMPANY, INC.

an Idaho Corporation, as TRUSTEE in the Deed of Trust executed by

Vincent F. Derig and Betty B. Derig, husband and wife

In Drawer 3 of Mortgages, as Instrument No. 186598, assigned by 186788, Mortgage records of Valley County, Idaho, pursuant to the written request of the beneficiary, does hereby GRANT AND RECONVEY unto the Parties entitled thereto, without warranty, all the estate and interest derived to it by or through said Deed of Trust, in the lands therein described.

Lot 14, Smiling Julie Subdivision

The Corporate name subscribed by its President and attested by its Secretary is pursuant to a resolution authorizing the execution of this reconveyance duly adopted by its Board of Directors.

Dated: February 1, 1994

MOUNTAIN TITLE & ESCROW COMPANY, INC., TRUSTEE

By: Leonard L. Cole, Jr. President
Attest: Colleen L. Cole Secretary

STATE OF IDAHO
COUNTY OF VALLEY

On this 1st day of February in the year 1994, before me, Kathleen M. McDonald, a Notary Public in and for said State, personally appeared Colleen L. Cole, known to me to be the secretary of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Kathleen M. McDonald
Kathleen M. McDonald
Notary Public for the State of Idaho,
Residing at Cascade, Idaho
Commission expires 5-27-99

AB5-05268

FEB 4 9 35 AM '94
TYPE 02-2-94
LELAND & SONS
VALLEY COUNTY RECORDER
FEE \$10.00
JAN 27 1994

REQUESTED BY:
RECORDED

202028
MOUNTAIN TITLE & ESCROW



1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 28, 1994

Mr. & Mrs. Vincent Derig
P.O. Box 184
Weiser, ID 83672

RE: Snake River Basin Adjudication (SRBA)
Valley County - Claim #A65-05268

Dear Claimants:

IDWR has received the your notice of the change in ownership of the above-referenced water right claim. Our records have been changed accordingly.

A claim prepared from our computer database is enclosed for your review. If you have any questions, please contact us.

Yours truly,

Idaho Department of Water Resources
Adjudication Bureau

SO:region
Enclosure:

Copy of Claim Referenced Above
cc: Former Owners w/o Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

FEB 18 1994

WATER RESOURCE
WESTERN REGION

CECIL D. ANDRUS
GOVERNOR

B. KEITH HIGGINSON
DIRECTOR

*Vicent & Betty Davis
Box 184
Weiser Id 83672*

MAILING DATE: *2-14-94*

RESPONSE DATE: *2-29-94*

RE: NOTICE OF CLAIM NO(S): *A65-05268*

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

*Everett & Florence Hume
PO Box 154
Donnelly Id 83615*

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

State: region

Enclosures:

Change of Ownership Form
Change of Address Form

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 398

Ident. Number: A65-0526
Date Received: 10/11/1994
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: VINCENT F DERIG 208-549-1184
Address: PO BOX 184
WEISER ID 83672
AND
Name: BETTY B DERIG 208-549-1184
Address: PO BOX 184
WEISER ID 83672
2. Date of Priority: JUN 1, 1970
3. Source: TAMARACK FALLS CREEK Trib. to: CASCADE RESERVOIR
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	of	County
16N	03E	19		SE	NW		VALLEY
5. Description of diverting works:
BOX IN TAMARACK FALLS CR TO WHICH HOSE IS CONNECTED & RUNS---
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		1.20
7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 1.20 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	03E	19	SE NW		DOMEST	

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

NONE

14. Remarks:

LOT 14, SMILING JULIE SUBDIVISION.
DESCRIPTION CONT'D--GRAVITY FLOW TO CABIN AT LOCATION IN ITEM .
OWNERSHIP CHANGE REC'D 02/25/1994 SF.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 65-5268

WATER RIGHT NUMBER: 65-5268

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FLORENCE LINNE PO BOX 154 DONNELLY, ID 83615
Current Owner →	VINCENT F DERIG PO BOX 184 WEISER, ID 83672 (208)549-1184
Current Owner →	BETTY B DERIG PO BOX 184 WEISER, ID 83672 (208)549-1184
Original Owner	EVERETT LINNE PO BOX 154 DONNELLY, ID 83615

Priority Date: 06/01/1970

Basis: Decreed

Status: Closed

<u>Source</u>	<u>Tributary</u>
TAMARACK FALLS CREEK	CASCADE RESERVOIR

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.020 CFS	1.20 AF
	<u>Total Diversion:</u>	0.020 CFS	1.20 AF

Location of Point(s) of Diversion

TAMARACK FALLS CREEK	SE1/4NW1/4	Sec. 19, Twp 16N, Rge 03E, B.M.
VALLEY 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	
16N	03E	19								X									

Conditions of Approval:

- LOT 14, SMILING JULIE SUBDIVISION.
DESCRIPTION CONT'D--GRAVITY FLOW TO CABIN AT LOCATION IN ITEM 4. OWNERSHIP
CHANGE REC'D 02/25/1994 SF.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 65-5268

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 10/11/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 65
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-5268

WATER RIGHT NUMBER: 65-5268

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FLORENCE LINNE PO BOX 154 DONNELLY, ID 83615
Original Owner	EVERETT LINNE PO BOX 154 DONNELLY, ID 83615
Current Owner	VINCENT F DERIG PO BOX 184 WEISER, ID 83672 (208)549-1184
Current Owner	BETTY B DERIG PO BOX 184 WEISER, ID 83672 (208)549-1184

Priority Date: 06/01/1970

Basis: Decreed

Status: Active

Source

UNNAMED STREAM

Tributary

NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.020 CFS	1.20 AF
	<u>Total Diversion:</u>	0.020 CFS	1.20 AF

Location of Point(s) of Diversion

UNNAMED STREAM

SE1/4NW1/4

Sec. 19, Twp 16N, Rge 03E, B.M.

VALLEY County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16N	03E	19								X									

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-5268

3. PARCEL NO. 002480000140 PROPERTY ALSO KNOWN AS LOT 14, SMILING JULIE SUBDIVISION.
SOURCE IS ALSO KNOWN AS TAMARACK CREEK

Remarks:Comments:

1. DUNN1 8/14/1993 COPIED FROM REMARKS

Comment: DESCRIPTION CONTD--GRAVITY FLOW TO CABIN AT LOCATION IN ITEM 4.

2. kwalker 7/11/2005 Ownership change

Comment: Ownership change was completed in 1994 on this claim but the recommendation was never updated. Have updated ownership on this right. See copy of ownership change and miscellaneous correspondence in vault file.

Dates and Other Information:

Licensed Date:

Decreed Date: 9/4/1998

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: 65

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank: