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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 65-04029

NAME AND ADDRESS: ALBERTA KLINGBACK
JOHN M KLINGBACK
6120 SPRING CREEK RD
EMMETT, ID 83617

SOURCE: SPRING TRIBUTARY: SPRING CREEK

QUANTITY: 0.03 CFS
1.40 AFY

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

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION: T07N R01W S02 SESE Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.03 CFS 1.40 AFY

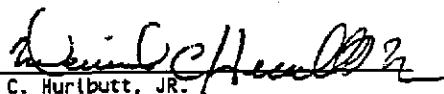
PLACE OF USE: Stockwater Within Gem County
T07N R01W S02 SESE

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. Huributt, JR.
Presiding Judge
Snake River Basin Adjudication

65-1487

MEMORANDUM

DATE: August 23, 2005
FROM: KARI LYNN TOWNSEND
TO: FILE 65-4029
RE: Telephone conversation

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James England phoned to discuss the ownership change for WR 65-4029. I explained that the support data he furnished clearly showed ownership on WR 65-1485. He agreed that he could have made an error in WR numbers when he filled out the ownership change request. Mr. England requested that I change the number on the O/C request form to 65-1485. He will send the \$25.00 filing fee and we can complete the request.



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

June 23, 2005

JAMES J ENGLAND
HAZEL C CORNEY-ENGLAND
4600 BUTTE RD
EMMETT ID 83617

RE: Change in Ownership for Water Right No. 65-4029

Dear Mr & Mrs. England:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership filed in October 2001. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

X **Evidence of Water Right Ownership:** copy of Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question. *We will require a Warranty Deed including legal description to provide sufficient evidence of ownership. The Mortgage and Deed of Trust submitted are insufficient.*

X **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 indicated in your notice. *The legal description on your Deed of Trust and Mortgage does not match that of the water right. In order to complete the change we will require additional evidence of ownership for the property shown on the water right.* I have enclosed a computer report of the water right for your reference with the missing portion highlighted.

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.

If you have questions, please contact Kari Lynn Townsend at 208-287-4952.

Sincerely,

Kandice L McDermott
Records Analyst

/klm
Enclosure