

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 47-13933

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. RP 09S14E224820 200 WATERFOWL
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

Comments:

Water Supply Bank:

147-07452

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

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

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, 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
47-13933	47-7452				

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) are 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) Fred Featherston
RT3 Box 294
4. New Owner/Claimant(s) Buhl, Idaho 83316
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
 New Mailing Address Colleen Featherston McClure and Roy E. McClure
1238 E 4325 N
 City, State and ZIP Code Buhl, Idaho 83316
 New Telephone Number 544-7796 ~~(208) 543-4805~~ ^{cell} 208-320-0591
5. Date you acquired the property August 18, 1989

TL

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	_____	_____

7. Signature of New Owner(s) or Claimant(s) Colleen Leatherston - McClure
(include title if applicable) _____

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.

For Office Use Only

Received by <u>RKC</u>	Date <u>6-7-06</u>	Fee <u>25</u> ^{CL}
Receipted by <u>RKC</u>	Date <u>6-7-06</u>	Receipt No. <u>5028699</u>
Processed by _____	AJ Date _____	WR _____ Date _____

DISTRICT COURT
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 12 2004

By _____ Clerk

Deputy Clerk

JOHN S. RITCHIE
COLEMAN, RITCHIE & ROBERTSON
Attorneys at Law
156 2nd Avenue West
P. O. Box 525
Twin Falls, ID 83303-0525
Telephone: (208)734-1224
Fax: (208)734-3983
Idaho State Bar No. 1790

Attorney for Plaintiff and Counterdefendant

RECEIVED

FEB 9 6 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

COLLEEN M. FEATHERSTON,

Plaintiff and
Counterdefendant,

vs.

FRED W. FEATHERSTON,

Defendant and
Counterclaimant.

Case No. CV-03-2455

DECREE OF DIVORCE

This matter came before the Court for trial on Wednesday, December 17, 2003, at 10:00 o'clock a.m., the Honorable Charles P. Brumbach, Magistrate, presiding. The plaintiff and counterdefendant ("plaintiff") was present in Court and was represented by her attorney, John S.

Ritchie of the firm of Coleman, Ritchie & Robertson. The defendant and counterclaimant ("defendant") was not present in Court, but was a party to the proceedings by speaker phone and was represented by his attorney of record, Steven L. Herndon of the firm of Reardon, Merris & Herndon.

Testimony was presented to the Court by the plaintiff and Exhibits A through N were offered and admitted as exhibits. The defendant did not testify or offer any exhibits, but did concur with stipulations entered into by the parties.

NOW, THEREFORE, the Court having jurisdiction over the parties and over the subject matter of this action; and having considered the testimony and evidence presented by the parties and the stipulations of the parties in open Court; and good cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. That the plaintiff is granted an absolute decree of divorce from the defendant on the grounds of irreconcilable differences effective December 17, 2003.

2. That the plaintiff is awarded as her sole and separate property, free and clear of any claims of the defendant, the following:

a. Home and approximately six (6) acres of land located at 1238 East 4325

North, Buhl, Idaho, 83316, particularly described as follows:

Township 9 South, Range 14 E., B.M., Twin Falls
County, Idaho

Section 22: A tract of land situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
described as follows:

BEGINNING at the Southeast corner of the said NE $\frac{1}{4}$
SW $\frac{1}{4}$;

THENCE West 180 feet to the TRUE POINT OF
BEGINNING;

THENCE West 782 feet to the center of Mud Creek;
THENCE in a general Northeasterly direction in the
center of Mud Creek 293 feet;
THENCE North 160 feet;
THENCE East 600 feet;
THENCE South 400 feet to the TRUE POINT OF BEGINNING.
SUBJECT TO: Right of way for roadway across the
Southerly 20 feet of the NE¼ SW¼.

For the purposes of the divorce the real property shall be valued at \$111,000.00 (plaintiff's Exhibit D). That property is subject to an indebtedness to Wells Fargo Home Mortgage, Inc., in the amount of \$60,984.23 (plaintiff's Exhibit G). Accordingly, there is equity in the property of \$50,015.77.

b. All property on plaintiff's Exhibit N attached hereto marked with a "C" with the exception of the 1991 Chevy Lumina which shall be awarded to the defendant. The total value of the tangible personal property awarded to the plaintiff is \$19,930.00.

c. Barbecue = \$0.00.

d. New compressor = \$400.00.

e. .22 rifle = \$0.00.

f. Thrift Savings Plan = \$40,500.01 (plaintiff's Exhibit J).

3. That the defendant is awarded as his sole and separate property, free and clear of any claims of the plaintiff, the following:

a. All property on plaintiff's Exhibit N attached hereto not marked with a

"C" together with the 1991 Chevy Lumina. The total value of the tangible personal property awarded to the defendant is \$5,506.00.

b. 10 Koi fish = \$0.00 to be picked up within a reasonable time.

c. All firearms except the .22 rifle for delivery to his grandson = \$0.00.

4. That the plaintiff has a retirement account with the United States Postal Service with a current value of \$2,903.70. The Court shall enter a Qualified Domestic Relations Order equally dividing that retirement account between the plaintiff and the defendant as of December 17, 2003.

5. That the plaintiff will pay, and hold the defendant harmless therefrom, the following debts:

a. Mayer & Associates, Inc. - \$400.00 (plaintiff's Exhibit F)

b. Bank of America - \$6,515.96 (plaintiff's Exhibit H)

c. NALC MasterCard - \$13,470.85 (plaintiff's Exhibit I)

d. Thrift Savings Plan loan - \$16,817.43 (plaintiff's Exhibit J)

e. Any other debt incurred by the plaintiff after November 11, 2004.

TOTAL: \$44,120.20

6. That the defendant will pay, and hold the plaintiff harmless therefrom, the following debts:

a. All debts owing to George Vickers, Payette, Idaho, which debt is the sole and separate property obligation of the defendant.

b. Any other debt incurred by the defendant after November 11, 2004.

TOTAL: \$0.00

7. That in order to equalize the division of the property and debts based upon the foregoing values, the plaintiff shall pay the defendant \$30,609.79. That amount is computed as follows:

	<u>PLAINTIFF</u>	<u>DEFENDANT</u>
REAL PROPERTY	111,000.00	0.00
PERSONAL PROPERTY	19,930.00	5,506.00
	400.00	
	<u>40,500.01</u>	
	171,830.01	5,506.00
DEBTS	(60,984.23)	(0.00)
	<u>(44,120.20)</u>	
	66,725.58	5,506.00

Difference = \$61,219.58. One-half = \$30,609.79.

8. That payment shall be made to the defendant by the plaintiff refinancing the real property described above within a reasonable time. The defendant shall sign all documents requested by the lender as part of the refinancing and payment shall be made directly by the closing agent to the defendant. If the plaintiff is unable to refinance the real property within a reasonable time, then it shall be sold and the net sale proceeds received from the sale shall be used in place of the \$111,000.00 value in determining the amount owed to the defendant from the sale proceeds. That the defendant shall make arrangements to have all tangible personal property awarded to him picked up within a reasonable time after refinancing or sale of the real property.

CERTIFICATE OF MAILING

I hereby certify that on this 27th day of December, 2003, I served the foregoing proposed DECREE OF DIVORCE by causing to be deposited a copy thereof in the post office at Twin Falls, Idaho, enclosed in an envelope with postage prepaid, addressed to the following:

Steven L. Herndon
Reardon, Merris & Herndon, LLP
Attorneys at Law
PO Box 1732
Boise ID 83701-1732

via fax


JOHN S. RITCHIE

NOTICE OF FILING & MAILING ORDER

Notice is hereby given by the Clerk of the above-entitled Court, pursuant to Rule 77(d) of Idaho Rules of Civil Procedure, that the foregoing DECREE OF DIVORCE was filed on the 12 day of January, 2004, and was served to the following parties on the 12 day of January, 2004:

Plaintiff and Counterdefendant:

John S. Ritchie
Coleman, Ritchie & Robertson
Attorneys at Law
PO Box 525
Twin Falls ID 83303-0525

Hand Deliver _____
U.S. Mail _____
Court Folder ✓
(Twin Falls Only)

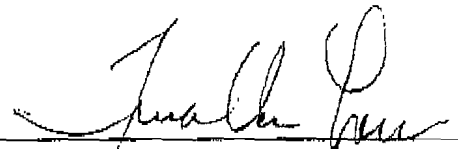
Defendant and Counterclaimant:

Steven L. Herndon
Reardon, Merris & Herndon, LLP
Attorneys at Law
PO Box 1732
Boise ID 83701-1732

Hand Deliver _____
U.S. Mail ✓
Court Folder ✓
(Twin Falls Only)

CLERK OF THE DISTRICT COURT

By


Deputy Clerk

COLEMAN'S PROPOSAL

Inventory List

ITEM	SIZE	MODEL OR SERIAL #	AMOUNT
Cement Mixer		167	\$50.00
Incubator		1202	\$100.00
Bird Cages		Manufactured and homemade	\$25.00
Tool Box		Craftsman 3 door metal	\$5.00
Rototiller	5 horse	Craftsman (Broken, repaired by David)	\$50.00
Compressor		519155732 (Broken, repaired by David)	\$50.00
Tablesaw		119299040	\$100.00
Radial Arm Saw		Craftsman	\$100.00
Heating & AC supplies		Elbows, duct, boots, vents, etc.	\$250.00
Wheel Barrow			\$15.00
Netting		Heavy guage	\$50.00
1 1/2 square roofing	?	15 years	\$0.00
Keyhole saw/finish saw	hand held	OLD	\$15.00
Log saw/meat saw	hand held	OLD	\$20.00
Large roll of wire		AA 8000 AL XLPE 600V	\$15.00
Large dog kennel	Pet porter		\$20.00
Miscellaneous socket fittings		Metric and regular	\$250.00
Flex conduit			\$5.00
Miscellaneous rolls of wire	14 1/2' out of 500'		\$5.00
Miscellaneous rolls of wire	3/4 of a 500' roll	Thermostat wire	\$5.00
Miscellaneous rolls of wire	1/2 roll	telephone wire	\$5.00
Miscellaneous rolls of wire	1/2 roll-250' 400v		\$15.00
Pex portable tubing	1/2 roll	cts-od 100 PSI @180 F/160 PSI @73 F[NSF-PW]	\$0.00
Miscellaneous copper fittings and tubing			\$130.00
Case for portercable saw	saw missing	737 or 738	\$0.00
Tool Box		WaterLoo 2400	\$15.00
Lastrator and bands			\$5.00
10 piece combination ignition wrench set		No 943441	\$30.00
Hex key set		946696	\$8.00
replacement parts for H & AC			\$200.00
6-Thermostats			\$75.00
2-Suction lines and gauges			\$50.00
Thermacouple			\$5.00
2-Pressure gauge			\$20.00
1-Pressure switch			\$75.00
Skull cordless screw driver			\$5.00
Blower /vac		Black & Decker 9V1500	\$35.00
Gas weed eater		Craftsman 356798461	\$50.00
22 pistol	broken		\$5.00
Cometone		12486	\$20.00
Wedge chisels	hand held	17948867 734660	\$70.00
Bit drivers			\$50.00
Wrenches, etc.			\$5.00

5.00
10.00
15.00
20.00
25.00
30.00
35.00
40.00
45.00
50.00
55.00
60.00
65.00
70.00
75.00
80.00
85.00
90.00
95.00
100.00

Inventory List

Thread chasers-odds & ends			\$20.00	
Air compressor	12V	900130250	\$15.00	
GL5 Gear lube	5 gallon bucket		\$10.00	
4-Car jacks			\$8.00	
Handyman jack			\$100.00	c
Circular saw	7 1/2"	Sears	\$20.00	
Refrigerant	can't sell	Gantron 22	\$0.00	
Wrench	2 3/4"		\$40.00	
Oil filter wrench			\$5.00	
Fishing pole			\$10.00	
tackle box & tackle			\$10.00	
7-gas cans	4-5 gallon 3-2 gallon		\$55.00	c
Fence insulators			\$5.00	c
Galvanized wire	2 rolls	?	\$0.00	
Sander	4 x 24	Craftsman 1522620 (handle broken)	\$20.00	
Sledge hammer			\$5.00	
3-Fishing reels			\$15.00	
Water filter	new		\$30.00	
2-pairs knee pads			\$5.00	
Grease gun			\$5.00	
Torch			\$20.00	
Welder	broken		\$0.00	
Setaline tank & gauges			\$50.00	
Oil burner ignition kit			\$25.00	
O ring splicing kit			\$20.00	
Electric boat motor		MinaKota	\$200.00	
Life preservers set			\$50.00	c
Sheet metal			\$500.00	
Work bench vise			\$20.00	
3-wood clamps			\$75.00	
Jumper cables			\$5.00	
2-boxes of misc. PVC fittings			\$35.00	c
4' aluminum ladder	inheritance		\$0.00	c
Miscellaneous yard tools		2-rakes, 2-scoop shovels, 1-cement shovel, 1-snow shovel, 2 irrigation, 2-potatoe forks, 2-push brooms	\$100.00	c
Pole sander			\$15.00	c
odds & ends		screws, hinges, handles, nails, bolts, staples, rivets, electrical switches, boxes, etc.	\$40.00	c
Fender		Power Wizard 920727632	\$20.00	
Fender		Elitzen 85098	\$30.00	
Miscellaneous yard maintenance		bug and weed killer, fertilizer, etc.	\$20.00	c
Electric chain saw	X-mas present to Colleen	Craftsman	\$0.00	c
Brown heater		Craftsman 351-18205	\$30.00	
Water-atomizer trap	medium		\$5.00	

490.00

Inventory List

Router and bits		Craftsman	\$30.00	C
Refrigerant gauges			\$15.00	
2-metal ladders	10'		\$200.00	
wood ladder	2'		\$20.00	
Sander (vibrator)	small	422 SN1330-11-93	\$15.00	
Shotgun shell case			\$15.00	
Rifle shell case			\$20.00	
Miscellaneous trowels			\$30.00	
Electric grinder	5"	Porter Cable 7645	\$25.00	
Finishing nailer (air)		Porter Cable FN250A	\$75.00	
Sander	7"	Craftsman A9847	\$25.00	
Cutout tool		Porter Cable	\$25.00	
Copper ring crimper set	?	Marshall	\$0.00	
Tap and Hex Die super set			\$80.00	
Measuring tape	100"	Keelson	\$20.00	
Table and 2-chairs			\$25.00	C
Microwave and stand	16 years old		\$50.00	C
Pots and pans			\$30.00	C
bowls			\$5.00	C
2-dinnerware sets			\$35.00	C
cups and glasses	odds and ends no sets		\$5.00	C
Eating utensils			\$10.00	C
Knife set			\$30.00	C
Baking pans			\$30.00	C
Mixer			\$5.00	C
Blender			\$10.00	C
Toaster			\$5.00	C
Waffle iron			\$5.00	C
Cheese shredder			\$5.00	C
Noodle maker			\$10.00	C
4-swivel chairs			\$40.00	C
Entertainment center			\$50.00	C
Television			\$30.00	C
CD player w/speakers			\$100.00	C
Refrigerator			\$500.00	C
Washer & dryer	6 years old		\$400.00	C
2 book shelves			\$20.00	C
2-queen beds			\$40.00	C
1 head board			\$10.00	C
Book case w/ encyclopedias	?		\$0.00	C
Wicker chest			\$30.00	C
2-dressers			\$40.00	C
2-desks	metal and formica		\$20.00	C
Computer w/all accessories	broken		\$50.00	
Computer disks/programs			\$50.00	
Kroy vacuum			\$50.00	C
Shop vac			\$20.00	C
Household tools		pliers, hammers, wrenches, wire cutters, etc.	\$100.00	C
Rocking chair			\$50.00	C
End tables			\$20.00	C
antique plants			\$10.00	C

1890.00

Inventory List

Desk chair			\$0.00	
box fan			\$5.00	c
file cabinet			\$10.00	c
tiger saw			\$40.00	
Circular saw		Black & Decker	\$15.00	
\$500 set of Dewalt tools			\$250.00	
Battery charger	broken		\$0.00	
Big drill w/cord			\$30.00	
Small drill w/cord			\$40.00	
Clocks			\$5.00	c
Pictures			\$10.00	c
Wall hangings, etc.			\$10.00	c
3-step stool type ladders			\$20.00	c
4-plastic lawn chairs			\$10.00	c
Porch swing			\$10.00	c
Antique Curio Cabinet		holds music box collection (gifts to Colleen)	\$125.00	c
2-riding lawn mowers			\$600.00	c
Lawn mower trailer			\$50.00	c
Weed sprayer (trailer)			\$50.00	c
1986 Nissan Stanza Wagon	does not run		\$150.00	c
1987 Nissan Stanza Wagon	does not run		\$150.00	c
1997 Subaru (right hand drive)	in shop for 3 years, man won't relinquish		\$0.00	c
1991 Chevy Lumina			\$1,000.00	c
2001 Jeep Sahara			\$16,000.00	c
Paddle boat			\$100.00	c
Utility trailer			\$150.00	c
Utility hand truck			\$30.00	c
Iron fencing			\$30.00	
300' roll of wire fencing		for bird cages	\$200.00	
Bicycles	Odds and ends		\$20.00	
Hot tub			\$200.00	c
		TOTAL	\$25,438.00	

18,685.00

Total: 20,930.00



Title:

Date: 02-05-2007

Scale: 1 inch = 2000 feet

File:

Tract 1: 5.881 Acres: 256160 Sq Feet: Closure = n22.1022w 16.79 Feet: Precision = 1/133: Perimeter = 2235 Feet

001=/se,ne,~~n~~w,22.09s,14e ^{SUB}

004=n40.00e 293

007=s00.00w 400

002=/s90.00w 180

005=n00.00e 160

003=s90.00w 782

006=n90.00e 600



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

February 20, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

COLLEEN FEATHERSTON
1238 E 4325 N
BUHL ID 83316

RE: Change of Ownership for Water Right 47-13933

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie Hahn', is written over a horizontal line.

Carrie Hahn
Clerk

Enclosure