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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

MAY 04 2005

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. WESTERN REGION 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
61-11928 V1	61-22928 V1	-AJ			

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MAY 1 2005
Department of Water Resources

2. The following **REQUIRED** information must be submitted with this form:
- The appropriate **FILING FEE**. See instructions for fee amounts.
 - 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**.
 - 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) KATHI J. Mc MOWIGLE RUSTIN
RT 1 Box 679 B MTW Home Id. 83647
4. New Owner/Claimant(s) DAVID H. KELLERMAN
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 6050 NE 18TH AVE
- City, State and ZIP Code MTW Home Id. 83647
- New Telephone Number (208) 587-7305
5. Date you acquired the property 7 Feb 2002

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) David H Kellerman
(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>[Signature]</u>	Date <u>5/7/02</u>	Fee <u>\$25-</u>
Received by <u>[Signature]</u>	Date <u>5/8/02</u>	Receipt No. <u>W029133</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

Kathy Jo Lyon, who acquired title as Kathi Jo Rustin aka Kathi Jo McMonigle
aka Kathi Jo Booth and James Lyon, wife and husband

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
David H. Kellerman, an unmarried man

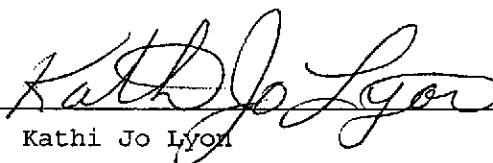
GRANTEE(S), whose current address is: 6050 NE 18th Ave. Mountain Home, Id 83647
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

A parcel of land being the South 1/2 of U.S. Government Lot 6 and the North
165 feet of U.S. Government Lot 7, Section 6, Township 3 South, Range 7 East,
Boise Meridian, Elmore County, Idaho, said parcel being more particularly
described as follows:

Commencing at the Brass Cap marking the 1/4 corner common to Section 12,
T.3S., R.6E., and Section 7, T.3S., R.7E., B.M., Elmore County, Idaho; thence
N 00°02'12" E 2645.77 feet to the Brass Cap marking the corner common to said
Section 12 and Section 1, and said Section 6 and Section 7; thence
N 00°02'07" E 1157.66 feet along the line common to said Sections 1 and 6 to
an iron pin marking the POINT OF BEGINNING; thence along the following
courses and distances to iron pins; continuing
N 00°02'07" E 826.33 feet to the Northwest corner of the corner of the South
1/2 of said U.S. Government Lot 6; thence
S 88°22'22" E 1283.90 feet to the Northeast corner of said South 1/2 of U.S.
Government Lot 6; thence
S 00°11'48" W 826.32 feet along the East line of said U.S. Government Lot 6;
thence
N 88°22'14" W 1281.58 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all
encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done
by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements,
(if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the
current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all
lawful claims whatsoever. , except those of record.

Dated:

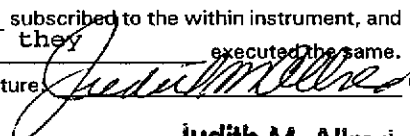

Kathi Jo Lyon


James Lyon

STATE OF Idaho, County of Elmore, ss.

On this 7th day of February
in the year of 2002, before me, the undersigned, a Notary
Public in and for said State, personally appeared
Kathi Jo Lyon and James Lyon

known or identified to me to be the person s whose name
are subscribed to the within instrument, and
acknowledged to me that they executed the same.

Signature 

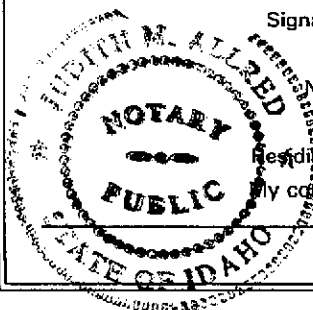
Name:

Judith M. Allred

(type or print)

Residing at: Moutain Home

My commission expires: 05-22-06



61-11928
is a split of this one
Dennis

2000 OCT 26 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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 61-07185C

NAME AND ADDRESS: CARYL F YEKEL
JOHNNY YEKEL
RT1 BOX 679A
MOUNTAIN HOME, ID 83647

SOURCE: GROUNDWATER

QUANTITY: 0.19 CFS
103.40 AFY

PRIORITY DATE: 05/22/1974

POINT OF DIVERSION: T03S R07E S06 LOT 07 (SWSW) Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.19 CFS 100.60 AFY
	Stockwater	01-01 TO 12-31	0.03 CFS 0.40 AFY
	Domestic 2 HOMES	01-01 TO 12-31	0.06 CFS 2.40 AFY

PLACE OF USE: Irrigation Within Elmore County
T03S R07E S06 LOT 06 (NWSW)18.0 LOT 07 (SWSW) 8.0
26.0 Acres Total

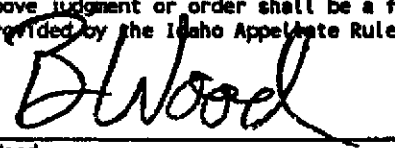
Domestic Within Elmore County
T03S R07E S06 LOT 07 (SWSW)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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

February 24, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAVID H KELLERMAN
6050 NE 18TH AVE
MTN HOME ID 83647

RE: Change in Ownership for Water Right 61-11928

Dear Water Right Holder(s)

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,

Kandis McPeters
for Jeff Peppersack, Manager
Water Rights Permit Section

JP:klm
Enclosure



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

January 27, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAVID H KELLERMAN
6050 NE 18TH AVE
MTN HOME ID 83647

RE: Change in Ownership for Water Right No. 61-11928

Dear Mr. Kellerman:

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:

- 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. The Deed of Trust you submitted is insufficient evidence of ownership.
- X **Legal Description of Property**

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 (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Kandice L. McDermott
Records Analyst

/klm