

No Color

Documents

In File

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.

RECEIVED
SEP 16 2005
 Department of Water Resources
 Southern Region

RECEIVED
SEP 21 2005
DEPARTMENT OF
WATER RESOURCES

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which 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
36-12322	36-12322	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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) 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) Ted Leno
Rt. 4 Box 277 Rupert, ID
4. New Owner/Claimant(s) Brent & Emma Van Every
 Name Connector (Check one): ☐ and, ☒ or ☐ and/or
- New Mailing Address 684 East 400 North
- City, State and ZIP Code Rupert, ID 83350
- New Telephone Number () _____
5. Date you acquired the property September 16, 2005

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) [Signature]
(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 [Signature] Date 9/19/05 Fee 25.00
 Received by C. Beck Date 9/19/05 Receipt No. 5028000
 Processed by AJ Date _____ WR _____ Date _____

WARRANTY DEED

#19518

480299

For Value Received

Theodore Leno, Jr., Personal Representative of the Estate of Ted Leno, deceased

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Brent Van Every and Emma Van Every, husband and wife
Address: 684 East 400 North, Rupert, ID 83350

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

**TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

SECTION 33: A portion of the S½SE¼, more particularly described as follows:

Commencing at the Southeast corner of said Section 33, marked by a brass cap survey monument, and running thence along the South line thereof North 89°19'59" West 22.00 feet to a ½ inch rebar set thereon, and the TRUE POINT OF BEGINNING;

Thence continuing along said South section line North 89°19'59" West 894.93 feet to the intersection thereof with the East line of that real property conveyed from Ted Leno and Neva L. Leno to Robert Allen King and Janet King by the Warranty Deed recorded January 8, 1979 as Document No. 288386, Minidoka County records;

Thence along said East line North 0°22'18" West 27.09 feet to a ½ inch rebar set thereon;

Thence continuing along said East line North 0°22'18" West 191.93 feet to a ½ inch rebar at the Northeast of said lands of King;

Thence leaving said East line North 72°58'50" East 351.32 feet to a ½ inch rebar;

Thence North 61°21'58" East 164.03 feet to a ½ inch rebar;

Thence South 89°19'59" East 412.00 feet to a ½ inch rebar;

Thence South 0°37'25" East 406.09 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH Domestic and Stockwater rights under the State of Idaho Department of Water Resources Adjudication No. 36-12322.

GRANTOR RESERVES ALL WATER RIGHTS UNDER STATE OF IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION NOS. 36-7607 AND 36-12323.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2005 and subsequent years.

Assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September ~~14~~¹³, 2005

Estate of Ted Leno, deceased

By: Theodore Leno 9/13/2005

Theodore Leno, Personal Representative

STATE OF OREGON)

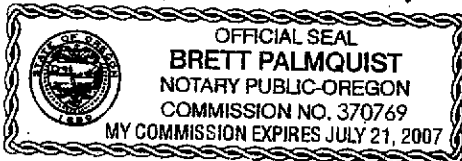
COUNTY OF Multnomah) ss.

On this 13th day of September, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Theodore Leno, Jr., known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Ted Leno, and acknowledged to me that her executed the same as such Personal Representative.

Brett Palmquist
Notary Public

Residing at: Multnomah County Oregon

My Commission expires: July 21, 2007



Instrument # 480299

MINIDOKA COUNTY, RUPERT, IDAHO

2005-09-15 09:51:30 No. of Pages: 2

Recorded for : RUPERT LAND TITLE

DUANE SMITH

Fee: 6.00

Ex-Officio Recorder Deputy W

Legal Description

Order Number: 19518

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 33: A portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southeast corner of said Section 33, marked by a brass cap survey monument, and running thence along the South line thereof North 89°19'59" West 22.00 feet to a $\frac{1}{2}$ inch rebar set thereon, and the TRUE POINT OF BEGINNING;

Thence continuing along said South section line North 89°19'59" West 894.93 feet to the intersection thereof with the East line of that real property conveyed from Ted Leno and Neva L. Leno to Robert Allen King and Janet King by the Warranty Deed recorded January 8, 1979 as Document No. 288386, Minidoka County records;

Thence along said East line North 0°22'18" West 27.09 feet to a $\frac{1}{2}$ inch rebar set thereon;

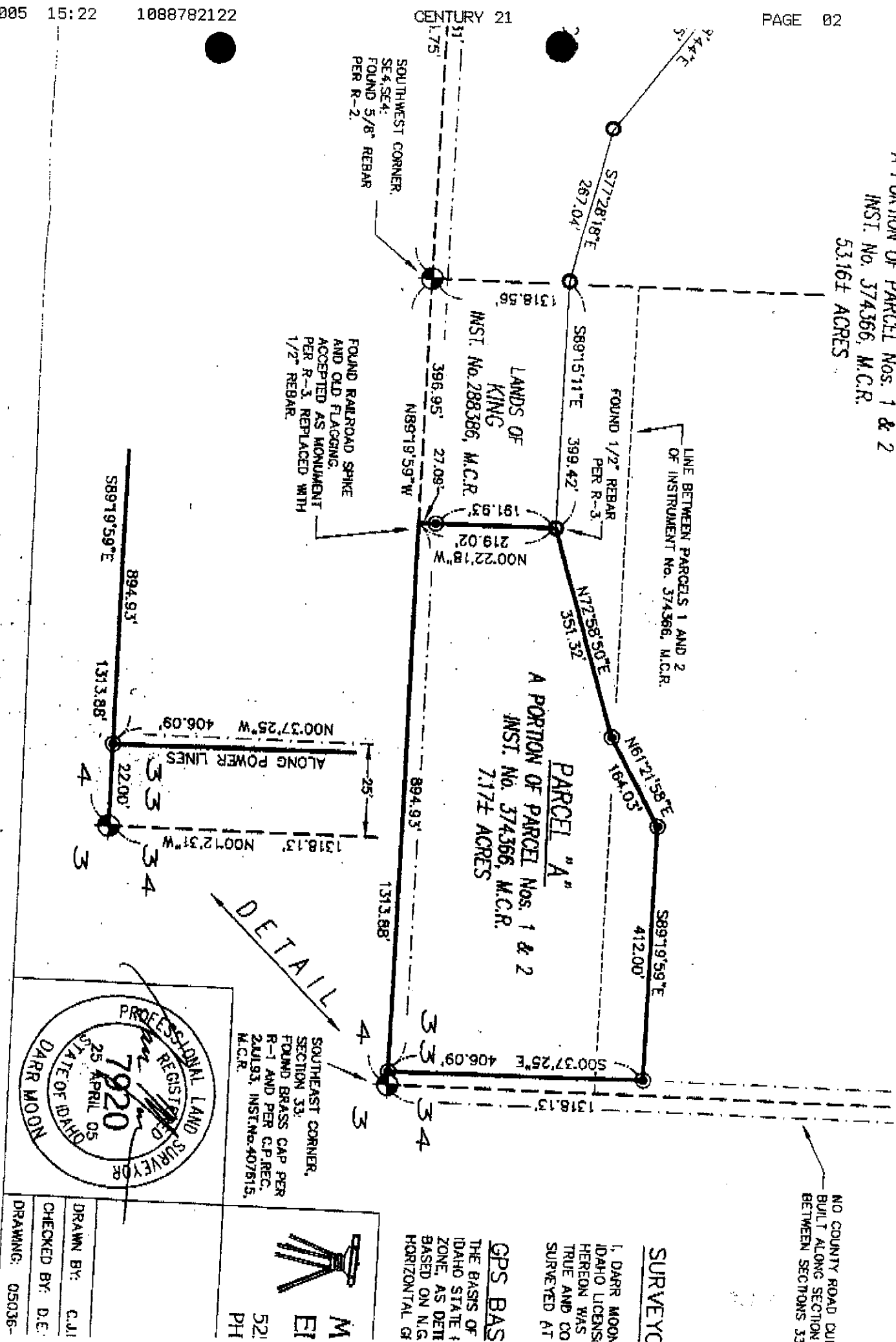
Thence continuing along said East line North 0°22'18" West 191.93 feet to a $\frac{1}{2}$ inch rebar at the Northeast of said lands of King;

Thence leaving said East line North 72°58'50" East 351.32 feet to a $\frac{1}{2}$ inch rebar;

Thence North 61°21'58" East 164.03 feet to a $\frac{1}{2}$ inch rebar;

Thence South 89°19'59" East 412.00 feet to a $\frac{1}{2}$ inch rebar;

Thence South 0°37'25" East 406.09 feet to the TRUE POINT OF BEGINNING.



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 36-12322

1996 DEC 10 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: TED LENO
NEVA L LENO
RT 4
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.16 CFS

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

PRIORITY DATE: 10/01/1973

POINT OF DIVERSION: T08S R25E S33 SESE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.12 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within MINIDOKA County
T08S R25E S33 SESE

DOMESTIC Within MINIDOKA County
T08S R25E S33 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.

DATED: DEC 1 1996


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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.

DATED: DEC 1 1996


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

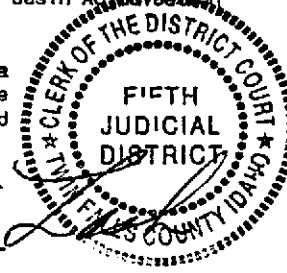
MICROFILMED

MAY 22 1997

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-12322

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



PAGE 1
NOV-26-1996



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.

September 30, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BRENT VAN EVERY
EMMA VAN EVERY
684 E 400 N
RUPERT ID 83350

RE: Change of Ownership for Water Right 36-12322

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,

for 
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klm
Enclosure