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**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. Department of Water Resources  
 Incomplete forms will be returned. Eastern Region

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 case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 35-02518              |                              |       |                       |                              |       |
| 35-08716              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$50
- 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)

ERNA Ruff  
550 W. Park, Am. Falls 83211

4. New Owner/Claimant(s)

Eugene Ruff  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 17

City, State and ZIP Code

American Falls, ID 83211

New Telephone Number

(208) 226-7372

5. Date you acquired the property

March 8<sup>th</sup> 1990

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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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s): Eugene Ruff  
(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 J. Moore Date 5-31-02 Fee \$50.00  
 Received by J. Moore Date 5-31-02 Receipt No. C062378  
 Processed by AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

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JAN 09 2003

# WARRANTY DEED OF GIFT

For Value Received

ERNA RUFF, a widow,

388147

the grantor , does hereby grant, bargain, sell and convey unto

EUGENE RUFF, as his sole and separate property,

whose current address is

~~3005 S. 2100 S.~~ 2202 S. 3200 W. ER  
Aberdeen, ID 83210

the grantee , the following described premises, in Bingham County Idaho, to wit:

The Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of  
Section Twenty-Seven (27), Township Six (6) South, Range Thirty  
(30) East, Boise Meridian.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,  
his heirs and assigns forever. And the said Grantor does hereby covenant to and  
with the said Grantee , that she is the owner in fee simple of said premises; that they are free  
from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: March 8, 1990.

Erna Ruff  
ERNA RUFF

STATE OF IDAHO, COUNTY OF Power  
On this 8th day of March, 19 90  
before me, a notary public in and for said State, personally  
appeared

ERNA RUFF

known to me to be the person whose name  
subscribed to the within instrument, and acknowledged to  
me that she executed the same.

Notary Public

Residing at 535 W. Park American Falls, Idaho  
Comm. Expires Feb 18, 1994

388147

BRINGHAM COUNTY RECORDER  
BLACKFOOT, IDAHO  
FEE 3.00 ER

1990 MAR 19 AM 8:31

RECORDED AT THE REQUEST OF

Dennis Jablonski  
Return to Eugene Ruff

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JAN 09 2003

**498145 GRANT DEED**

THIS INDENTURE is made this 8<sup>th</sup> day of March, 2001, between Frieda Pahl, Personal Representative of the Estate of Erna Ruff, deceased, the "Grantor", and Eugene Ruff and Meranda Jablonski, dba J & R Joint Venture, whose mailing address is 2202 South 3200 West, American Falls, Idaho, 83210, the "Grantee".

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto the Grantee, and to Grantee's heirs and assigns forever, all of the following described property in the County of Bingham, State of Idaho, to-wit:

Township 6 South, Range 30 E.B.M., Bingham County, Idaho Section 27: W1/2NE1/4

SUBJECT TO Easement Number 61188 for electric transmission line recorded July 21, 1958.

ALSO SUBJECT TO levies and assessments of American Falls-Aberdeen ground water district.

ALSO SUBJECT TO all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantor.

RECORDED AT THE REQUEST OF  
2001 MAR - 8 PM 3:42  
FEE 10.00 DEP 0

BINGHAM COUNTY RECORDER  
BLACKFOOT, IDAHO

FIRST AMERICAN TITLE COMPANY

MICROFILMED

JAN 09 2003

TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

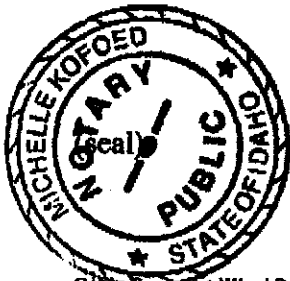
Frieda Pahl  
Frieda Pahl, Personal Representative of the  
Estate of Erna Ruff, deceased

Grantor

STATE OF IDAHO       )  
                                  )ss.  
County of Bingham    )

On this 8 day of March, 2001, before me, the undersigned, a notary public in and for said State, personally appeared Frieda Pahl, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Erna Ruff and acknowledged to me that she executed the same as such Personal Representative.

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



C:\My Documents\Word Perfect\Client Documents\53724\grant.ded.wpd

Michelle Kofoed  
Notary Public for Idaho  
Residing at Boise, Idaho  
My Commission Expires: 4-14-06

498145

## WARRANTY DEED

For Value Received

MERANDA M. JABLONSKI, dealing with her  
sole and separate property, formerly  
known as Meranda Ruff,

the grantor , does hereby grant, bargain, sell and convey unto

~~void~~  
~~388148~~EUGENE RUFF, as his sole and separate  
property,  
whose current address is  
2202 S. 3200 W.  
Aberdeen, ID 83210the grantee , the following described premises, in Bingham County Idaho, to wit:The Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of  
Section Twenty-Seven (27), Township Six (6) South, Range Thirty  
(30) East, Boise Meridian.

391999

BINGHAM COUNTY RECORDER  
BLACKSBY, IDAHO  
FEB 3 2 1990

1990 AUG 13 AM 9:32

RECORDED AT THE REQUEST OF  
*Eugene Ruff*TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,  
his heirs and assigns forever. And the said Grantor does hereby covenant to and  
with the said Grantee , that she is the owner in fee simple of said premises; that they are free  
from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: March 16, 1990.

391999

*Meranda M. Jablonski*  
MERANDA M. JABLONSKISTATE OF IDAHO, COUNTY OF Bannock  
On this 16<sup>th</sup> day of March, 19 90  
before me, a notary public in and for said State, personally  
appeared

Meranda M. Jablonski

known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to  
me that she executed the same.*John B. Kugler*  
Notary Public  
Residing at Pocatello, Idaho  
Comm. Expires July 13, 1993~~void~~  
~~388148~~BINGHAM COUNTY RECORDER  
BLACKSBY, IDAHO  
FEB 3 2 1990

1990 MAR 19 AM 8:31

RECORDED AT THE REQUEST OF  
*Meranda M. Jablonski*

Furnished by the AMERICAN LAND TITLE CO., Pocatello, Idaho

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*Return to Eugene Ruff*

JAN 09 2003

2002 FEB 15 PM 3:16

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

ORDER OF PARTIAL DECREE

For Water Right 35-02518

On November 28, 2001, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order I*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-02518 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 4, 2002.

*Roger Burdick*

ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 35-02518

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

FEB 15 2002

By \_\_\_\_\_ Clerk  
Deputy Clerk

NAME AND ADDRESS: ERNA RUFF  
550 W PARK  
AMERICAN FALLS, ID 83211

SOURCE: GROUNDWATER

QUANTITY: 2.52 CFS  
612.00 AFY

PRIORITY DATE: 11/12/1957

POINT OF DIVERSION: T06S R30E S27 NESWNE Within Bingham County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 2.52 CFS<br>612.00 AFY |

PLACE OF USE: Irrigation Within Bingham County  
T06S R30E S27 NENE 38.0 NWNE 40.0  
SWNE 36.0 SENE 39.0  
153.0 Acres Total

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.

*Roger Burdick*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

JAN 15 2004

2002 FEB 15 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 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 35-02518

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-02518 was mailed  
on February 15, 2002, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

ERNA RUFF  
Represented by:  
JEFFREY C. FEREDAY  
PO BOX 2720  
BOISE, ID 83701-2720  
Phone: 208-388-1200

STATE OF IDAHO  
Represented by:  
NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
02/15/02

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JAN 15 2004



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

January 8, 2003

EUGENE RUFF  
PO BOX 17  
AMERICAN FALLS ID 83211

RE: Change of Ownership for Water Rights 35-2518 and 35-8716

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records. Also enclosed is a receipt for the \$50.00 filing fee.

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,

Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosures

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JAN 09 2003



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 13, 2002

EUGENE RUFF  
PO BOX 17  
AMERICAN FALLS ID 83211

RE: Change in Ownership of Water Rights 35-02518 and 35-08716

Dear Mr. Ruff:

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:

- ✓ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question
- ✓ **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(s) indicated in your notice.

I have enclosed a copy of the water right(s) for your reference. Please note that your Warranty Deed shows evidence of your ownership for property **only** in the **NENE** but the water right licenses cover land in the **NWNE**, **SWNE** and **SENE** as well. If your ownership is only for the **NENE** the ownership of the water rights will have to be split. The filing fee required to split ownership of a water right is \$100.00 per water right. Since you have already sent \$50.00 an additional \$150.00 will be required to complete the splitting of the two water rights. The alternative is for you to provide proof of ownership of the remaining  $\frac{1}{4}$   $\frac{1}{4}$ 's. If you can do that, no additional fee will be required.

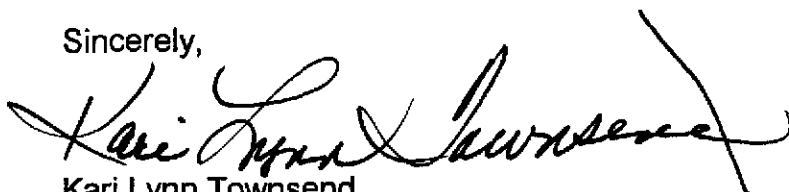
Because the Department cannot process the ownership change without proper documentation we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

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JAN 09 2003

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 any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", with a long, sweeping horizontal stroke extending to the right.

Kari Lynn Townsend  
Secretary

Enclosure(s)

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JAN 09 2003