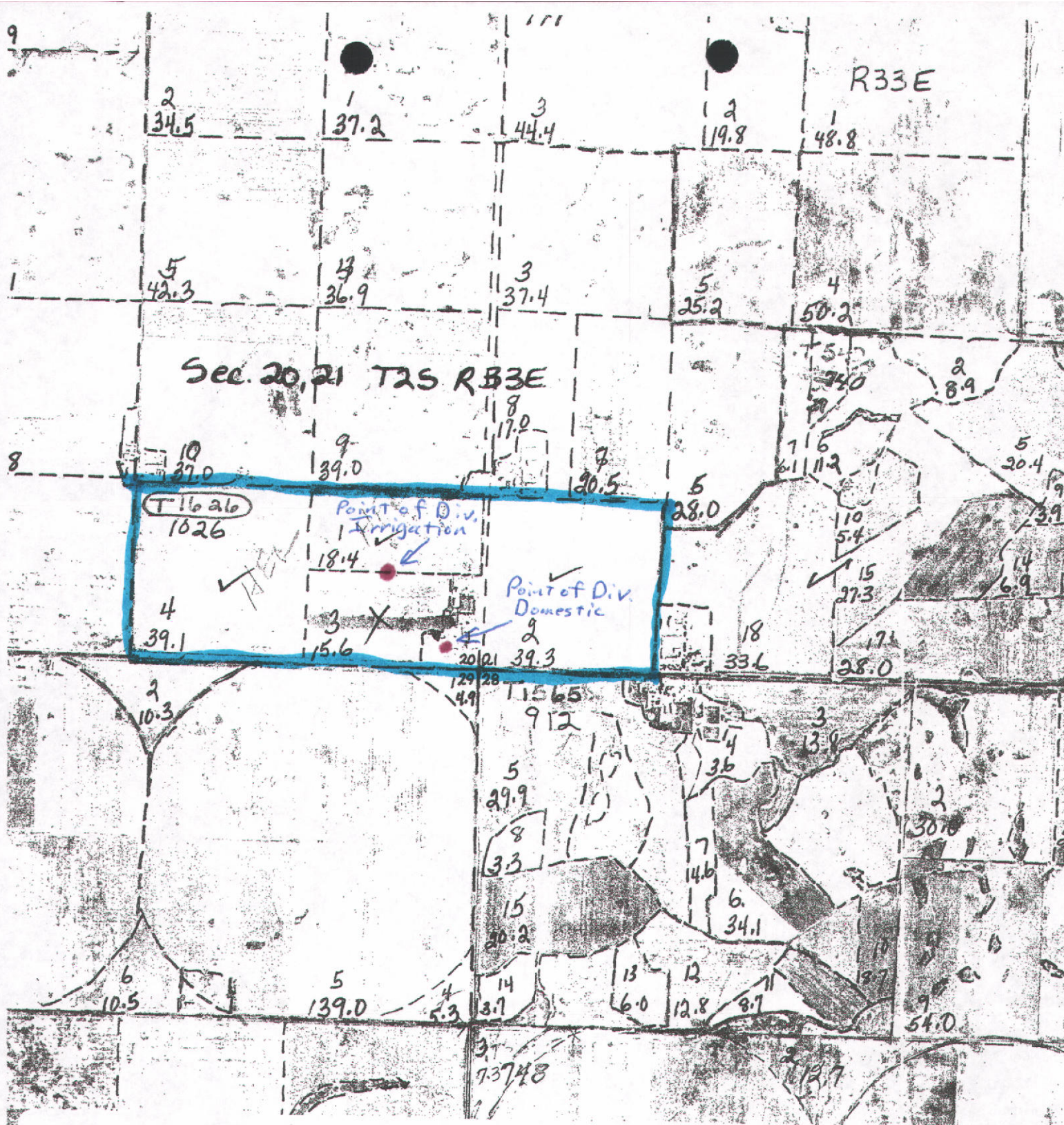




U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

TRACT 1626

CONSERVATION PLAN MAP

SCS - CPA - 16

2 - 81

Owner _____ Operator DOUGLAS MERRILL
County BINHAM State IDAHO Date 2-25-88
Approximate acres 57.5 (HEL) Approximate scale 1 inch = 1000 ft.
Cooperating with CENTRAL BINHAM SOIL Conservation District _____
Plan identification _____ Photo number G-10
Assisted by FRED MANWAKING USDA Soil Conservation Service

FEB 10 2004

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

RECEIVED

FEB 04 2003

Department of Water Resources
Eastern Region

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 (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
Irrigation → 35-2232B					
Domestic → 35-4172					

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) Douglas R. Merrill Carol Merrill
340 Lansing St. Apt 75 Blackfoot Id. 83221
4. New Owner/Claimant(s) Dan + Debbie Gilbert *
 Name Connector (Check one) ☒ and, ☐ or, ☐ and/or
- New Mailing Address 114 N 1600W
- City, State and ZIP Code Blackfoot Id 83221
- New Telephone Number 208 684-4796
5. Date you acquired the property 10/22/2002

* DANNY D. GILBERT
 DEBORAH L. GILBERT

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FEB 10 2004

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 <u>35-022328</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
<u>Irrigation</u>	<u>1.904 CFS</u>	<u>114 Acres</u>
Stock		
Domestic		
Other		
Total	<u>1.904 CFS</u>	

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 <u>35-4172</u>		
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		
<u>Domestic</u>		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) Cham & Stephanie Hillman
(include title if applicable) by (Cham Hillman) owner

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 JC Date 12-9-03 Fee \$50--
 Received by JC Date 12-9-03 Receipt No. E 029405
 Processed by AJ Date WR Date

MICROFILMED

FEB 10 2004

B46707

519615 **WARRANTY DEED**

For Value Received **DOUGLAS R MERRILL AND CAROL MERRILL, husband and wife**

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

DANNY D GILBERT AND DEBORAH L GILBERT, husband and wife

whose address is: **114 North 1600 West, Blackfoot, Idaho 83221**

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

PARCEL 1:

Towship 2 South, Range 33 E.B.M., Bingham County, Idaho

Section 20: S $\frac{1}{2}$ SE $\frac{1}{4}$. EXCEPT: County Roads on South and East.

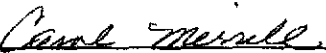
Section 21: SW $\frac{1}{4}$ SW $\frac{1}{4}$. EXCEPT: County Roads on South and West.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: November 26, 2002


Douglas R. Merrill


Carol Merrill

STATE OF Idaho

ss.

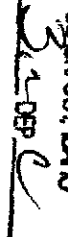
COUNTY OF BINGHAM

On this 26th day of November, 2002, before me Lori Day, personally appeared Douglas R. Merrill and Carol Merrill, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

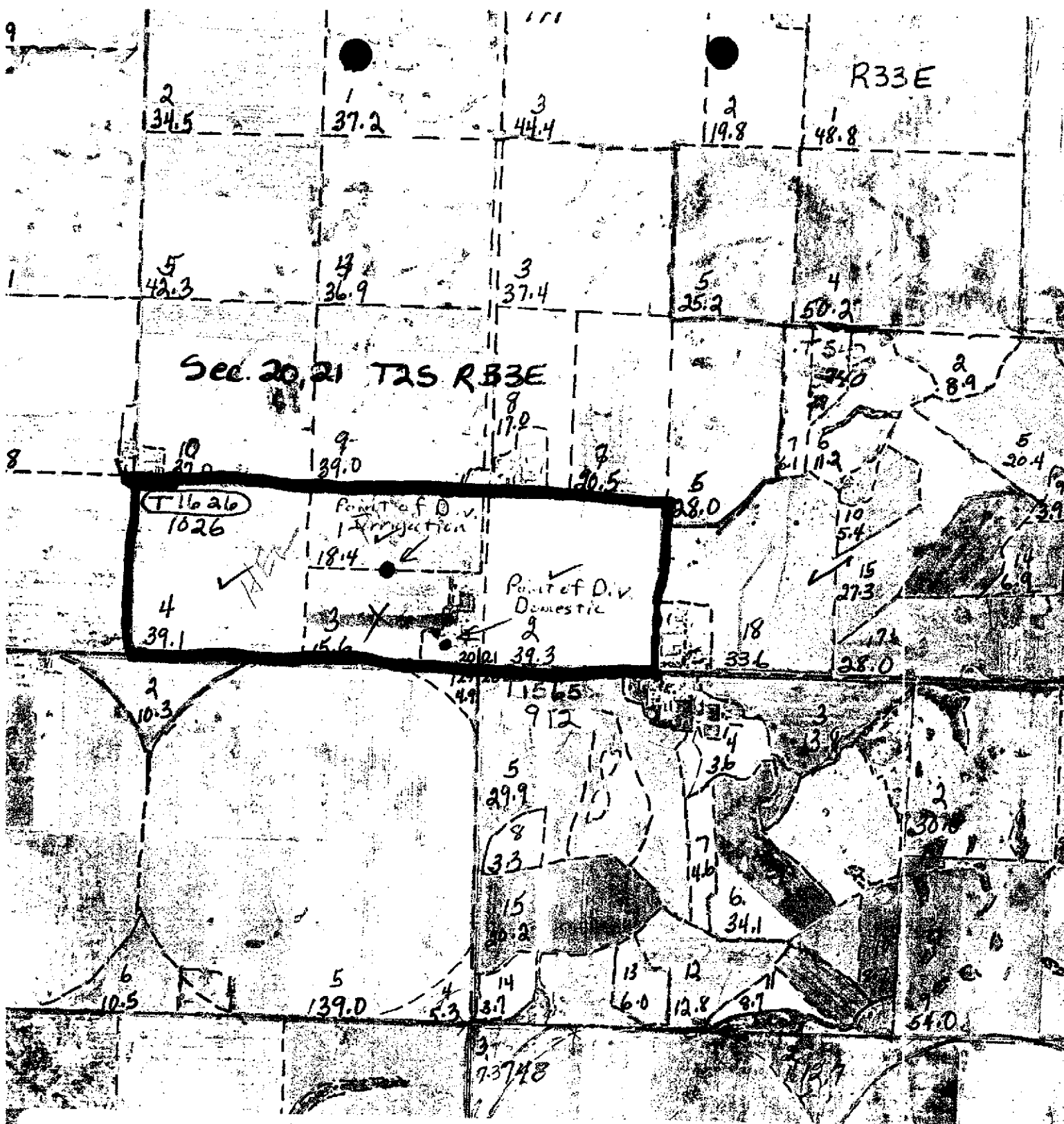
FIRST AMERICAN TITLE COMPANY

RECORDED AT THE REQUEST OF

2002 NOV 26 PM 4:42

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 3.15 DEP 

RECORDED
FEB 10 2003



U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

TRACT 1626

CONSERVATION PLAN MAP

SCS - CPA - 16

2 - 81

Owner _____ Operator DOUGLAS MERRILL
County BINHAM State IDAHO Date 2-25-88
Approximate acres 57.5 (H&L) Approximate scale 1 inch = 1000 ft.
Cooperating with CENTRAL BINHAM SOIL Conservation District _____
Plan identification _____ Photo number G-10
Assisted by FRED MANWAKING USDA Soil Conservation Service

12710 2700 32135 FEB 10 2001

2002 JAN 31 PM 3: 59

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHOIN 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 35-02232B

On November 27, 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 1*, 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 35-02232B is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 31, 2002.



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. 39876

Water Right 35-022325

200 JUN 31 PM 1:27

DISTRICT COURT-SENA
TWIN FALLS, IDAHO
FILED

NAME AND ADDRESS: CAROL MERRILL
DOUGLAS R MERRILL
204 N 1600 W
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 1.304 CFS
456.00 ACF

PRIORITY DATE: 06/26/1952

POINT OF DIVERSION: T02S R32E S20 SESESE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.90 CFS 456.00 ACF

PLACE OF USE:	Irrigation	Within Bingham County
	T02S R32E S20	SESE 30.0
	S21	SWSW 38.0
	111.0 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 42-1612(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
Presiding Judge of the
Snake River Basin Adjudication

2002 JAN 31 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 35-02232B

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 35-02232B was mailed
on January 31, 2002, with sufficient first-class postage prepaid
to the following:

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

CAROL MERRILL
DOUGLAS R MERRILL
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

SCANNED

JAN 27 2004

MICROFILMED

PAGE 1
FEB 10 2004
01/31/02



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 27, 2004

DANNY D GILBERT
DEBORAH GILBERT
114 N 1600 W
BLACKFOOT ID 83221

RE: Change of Ownership for Water Rights 35-2232B and 35-4172

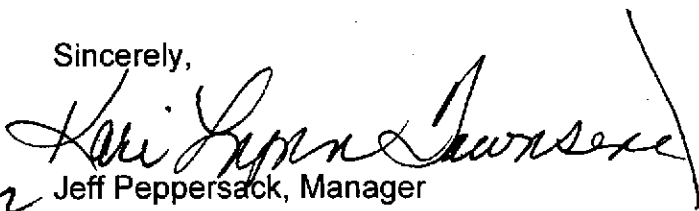
Dear Water Right Holder(s):

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.

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 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
FEB 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 5, 2004

RECEIVED
JAN 21 2004
Department of Water Resources

DAN & DEBBIE GILBERT
114 N 1600 W
BLACKFOOT ID 83221

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR 35-2232B
& 35-4142 HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

___ FEE OF \$25.00 PER WATER RIGHT per Idaho Code 42-248 and 42-1409(6)

___ SIGNATURE

X COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER
LEGAL DOCUMENT indicating your ownership of the property and water
rights in question,

___ LEGAL DESCRIPTION OF PROPERTY

___ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

___ USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO
with irrigated acres outlined and point(s) of diversion clearly marked.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE
ENTIRE PACKET TO :

Kari Lynn Townsend
Idaho Department of Water Resources
1301 N. Orchard
Boise, ID 83707

MICROFILMED
FEB 10 2004