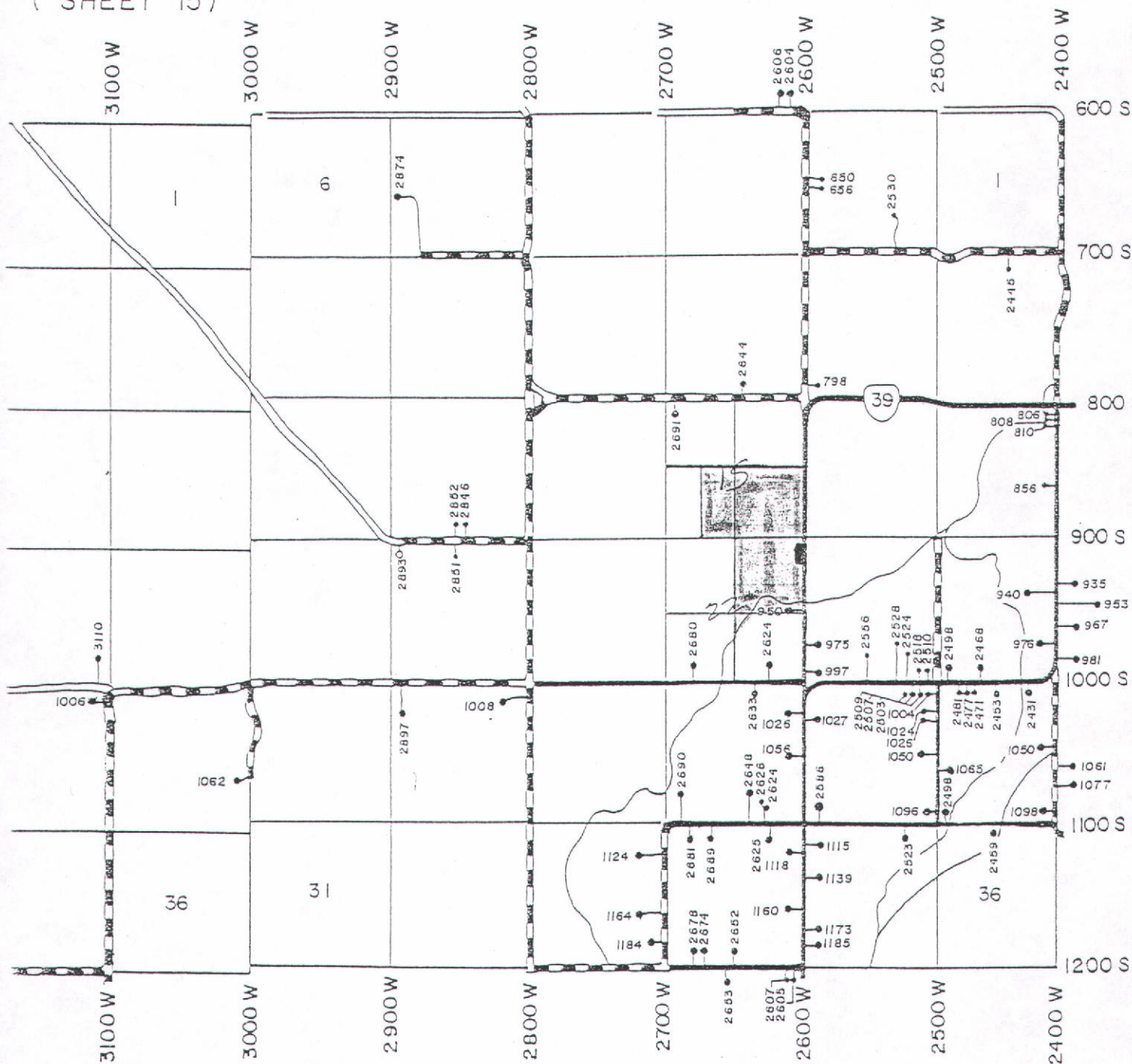


This plat is included solely for the purpose of assisting in locating said premises and the company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

ALLIANCE

TITLE & ESCROW CORP.

(SHEET 15)



(SHEET 24)

(SHEET 27)

T.4 S., R.30 & 31 E

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

Department of Water Resources

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
License No. 35-08112	WR license				
License No. A35-02175	renewal				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$50.00
- 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**.
 Sheriff's Certificate of Sale of Real Estate on Execution
- 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). **Plat**
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) Preston and Danielle George
2680 W. 1000 South, Aberdeen, Idaho 83210
4. New Owner/Claimant(s) Polly L. Heaney
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 950 South 2600 West
- City, State and ZIP Code Aberdeen, Idaho 83210
- New Telephone Number (208) 328-2395
5. Date you acquired the property May 23, 2002

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JUL 10 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) Polly L. Heaney by David G. Ballard
(include title if applicable) Attorney for Polly L. Heaney

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 gc Date 6-21-02 Fee \$50
 Received by gc Date 6-21-02 Receipt No. E027891
 Processed by _____ AJ Date _____ WR _____ Date _____

MICROFILMED

JUL 10 2002

David G. Ballard
ISB #2596
BOSCH, DAW & BALLARD
CHARTERED
225 N. 9th St., Suite 210
Boise, Idaho 83702
Telephone: (208) 344-8990
Facsimile: (208) 344-9140

Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM

POLLY L. HEANEY, an individual

Plaintiff,

vs.

PRESTON GEORGE and DANIELLE
GEORGE, husband and wife;

AMERICAN FALLS - ABERDEEN
GROUND WATER DISTRICT;

J.R. SIMPLOT COMPANY dba SIMPLOT
SOILBUILDERS;

BINGHAM COOPERATIVE, INC.;

ABERDEEN - AMERICAN FALLS
GROUND WATER DISTRICT;

and any person claiming under, by or
through PRESTON GEORGE and
DANIELLE GEORGE, husband and wife,

CASE NO. CV 01-1452

SHERIFF'S CERTIFICATE OF
SALE OF REAL ESTATE ON
EXECUTION

in and to the real property described as follows:

Township 4 South, Range 31, East Boise Meridian, Bingham County, Idaho

Section 15: SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM: That portion of the SE $\frac{1}{4}$ conveyed to the State of Idaho by Deed recorded August 3, 1976, as Instrument No. 214997, records of said County.

Township 4 South, Range 31, East Boise Meridian, Bingham County, Idaho

Section 22: NE $\frac{1}{4}$ and that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying North and West of the Highline Canal.

EXCEPTING THEREFROM: That portion of the NE $\frac{1}{4}$ conveyed to the State of Idaho by Deed recorded August 3, 1976, as Instrument No. 214997, records of said County.

ALSO EXCEPTING THEREFROM: Beginning at a point 137 feet South and 85 feet West of the Northeast corner of Section 22, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho, and running thence West perpendicular to Section line 300 feet; thence South parallel to section line 800 feet; thence East perpendicular to section line 300 feet; thence North parallel to section line 800 feet to the Point of Beginning.

A common address sometimes associated with this property is: 2680 W. 1000 S. Aberdeen, Idaho 83210,

Defendants.

I, C. Dayle Holm, Sheriff of the County of Bingham, State of Idaho, do hereby certify that by virtue of an Order of Sale on Foreclosure in the above entitled action entered January 9, 2002, by which I was commanded to make the amount of \$336,153.56 to satisfy the Amended Judgment and Decree of Foreclosure in said action, with interest thereon and costs, out of the real property

SHERIFF'S CERTIFICATE OF SALE OF REAL ESTATE ON EXECUTION - 2

G:\1765\BK01\Sheriff's Certificate of Sale-RE.wpd
May 7, 2002

MICROFILMED
JUL 10 2002

belonging to the Defendants, Preston George and Danielle George, husband and wife, and hereafter described, as by the said Order, reference being thereunto had, more fully appears; I have levied on, and on May 23, 2002 sold at public auction, in one lot or parcel, according to the statute in such cases made and provided, to Polly L. Heaney, who was the highest bidder, for the sum of \$ 290,158.32, including interest and costs, which was the whole price paid by him for the same, the real estate particularly described as follows, to-wit:

Township 4 South, Range 31, East Boise Meridian, Bingham County, Idaho

Section 15: SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM: That portion of the SE $\frac{1}{4}$ conveyed to the State of Idaho by Deed recorded August 3, 1976, as Instrument No. 214997, records of said County.

Township 4 South, Range 31, East Boise Meridian, Bingham County, Idaho

Section 22: NE $\frac{1}{4}$ and that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying North and West of the Highline Canal.

EXCEPTING THEREFROM: That portion of the NE $\frac{1}{4}$ conveyed to the State of Idaho by Deed recorded August 3, 1976, as Instrument No. 214997, records of said County.

ALSO EXCEPTING THEREFROM: Beginning at a point 137 feet South and 85 feet West of the Northeast corner of Section 22, Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho, and running thence West perpendicular to Section line 300 feet; thence South parallel to section line 800 feet; thence East perpendicular to section line 300 feet; thence North parallel to section line 800 feet to the Point of Beginning.

This real property lies generally north of 950 South 2600 West, Aberdeen, Bingham County, Idaho 83210, and west of Highway 39.

And that the said real estate is subject to redemption in one year, pursuant to the statute in such case made and provided.

Given under my hand, this 23 day of May, 2002.

Sheriff of Bingham County

By: C. Dayle Holm
C. Dayle Holm, Sheriff

SHERIFF'S CERTIFICATE OF SALE OF REAL ESTATE ON EXECUTION - 3

G:\1765\BK01\Sheriff's Certificate of Sale
May 7, 2002

JUL 10 2002

ALLIANCE
TITLE & ESCROW CORP.

T.4 S., R.30 & 31 F. MICROFILMED

JUL 9 2002

2002 JAN 31 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 35-02175**

On November 20, 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 35-02175 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

MICROFILMED

MAR 11 2003

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 35-02175

2002 JAN 31 PM 3:51
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: DANIELLE GEORGE
PRESTON GEORGE
2680 W 1000 S
ABERDEEN, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 2.00 CFS
400.00 AFY

PRIORITY DATE: 06/09/1950

POINT OF DIVERSION: T04S R31E S15 NWSWSE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.00 CFS 400.00 AFY

PLACE OF USE:	Irrigation	Within Bingham County
	T04S R31E S15	SWSE 35.0
	S22	NENE 20.0
	100.0 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

MICROFILMED

MAR 11 2003

SCANNED
MAR 03 2003

SRBA

SUBCASE SUMMARY REPORT 35-02175

[Return to SRBA Home Page](#)

SRBA
07-01-2002

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 35-02175 FILE#: 01129
CLAIMANT: GEORGE, DANIELLE
2680 W 1000 S

ABERDEEN ID 83210
STATUS: PD ISSUED SPECIAL MASTER: BURDICK, HON. ROGER S.
WATER SOURCE: GROUNDWATER,
ISSUES: SOURCE OF WATER
QUANTITY OF WATER USED
WATER RIGHT RECOMMENDATION
11

**** PARTIES INVOLVED ****

DANIELLE GEORGE	C ATTY: JEFFREY C. FEREDAY
STATE OF IDAHO	R ATTY: NATURAL RESOURCES DIV CHIEF
PRESTON GEORGE	C ATTY: JEFFREY C. FEREDAY

**** ROA ENTRIES ****

06-02-1999	OBJ 01 F/B TWIN FALLS CANAL COMPANY	RB	10-04-1999	0001
06-02-1999	OBJ 02 F/B NORTH SIDE CANAL COMPANY LTD			0002
08-10-1999	RESPONSE TO OBJ 0001 F/B STATE OF IDAHO			0001
08-10-1999	RESPONSE TO OBJ 0002 F/B STATE OF IDAHO			0001
08-30-1999	ORDER CONSOLIDATING ISSUES CONCERNING CANAL COMPANY OBJECTIONS (BASIN 35- PARTS 2 & 3) AND ORDER DESIGNATING LEAD SUBCASE AS 35-07200 SEE FILE #35-379		08-30-1999	
08-27-2001	ORDER DISMISSING OBJ 1 (SEE #35 07200)		08-27-2001	0001
08-27-2001	ORDER DISMISSING OBJ 2 (SEE #35 07200)		08-27-2001	0002
10-29-2001	ORDER VACATING CONSOLIDATION			
11-20-2001	REPORT & RECOMMENDATION OF MASTER	CB	12-28-2001	
11-20-2001	NOTICE OF ISSUANCE - MASTERS R&R			
11-20-2001	CERTIFICATE OF MAILING - MASTER R&R			
01-31-2002	ORDER ISSUING PARTIAL DECREE			
01-31-2002	CERTIFICATE OF MAILING - PARTIAL DECREE			
01-31-2002	PARTIAL DECREE FILED		01-31-2002	

[Return to SRBA Home Page](#)

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1 3 2002

SRBA

DIRECTORS REPORT 35-02175

[Return to SRBA Home Page](#)

IWT072

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 35-02175

Name and Address: DANIELLE GEORGE
PRESTON GEORGE
2680 W 1000 S
ABERDEEN, ID 83210

Source: GROUNDWATER

Quantity: 2.00 CFS
400.00 AFY

Priority Date: 06-09-1950

Diversion Point: T04S R31E S15 NWSWSE Within Bingham County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-01 TO 10-31	2.00 CFS
			400.00 AFY

Place of Use:	Irrigation	Within Bingham County
	T04S R31E S15	SWSE 35 SESE 5
	S22	NENE 20 NWNE 40
	100 Acres Total	

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - License

[Return to SRBA Home Page](#)

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JUL 10 2002



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

July 2, 2002

POLLY L HEANEY
950 S 2600 W
ABERDEEN ID 83210

RE: Change of Ownership for Water Rights 35-2175 and 35-8112

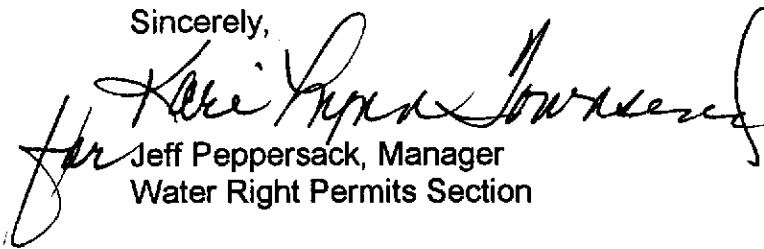
Dear Water Right Holder(s):

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,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
JUL 10 2002

**BOSCH
DAW &
BALLARD**
c h a r t e r e d

Attorneys

David G. Ballard
Allan R. Bosch, J.D.,
C.P.A., A.P.A.*
C. A. Daw
Robert L. Drozda, J.D.,
C.P.A., LL.M. (Tax) **
Robert Wreggelsworth,
J.D., C.P.A., A.P.A.

* Admitted in Idaho,
Nebraska and U.S. Tax Court

** Also admitted in California

RECEIVED

JUN 27 2002

Department of Water Resources

June 18, 2002

RECEIVED

JUN 20 2002

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

Re: Polly Heaney v. Preston George, et. al
Seventh District Court Case No. CV 01-1452
BDB File No. 1765.000

Dear Sir or Madam:

Herewith are original and two copies of Notice of Change in Water Right Ownership, as well as the required documentation and filing fee. Once you have received the Notice, please date stamp one copy and return it to our office in the envelope provided.

done
6/21/02

If you have any questions, please contact me at (208) 344-8990, ext. 105.

Sincerely,

Bosch, Daw & Ballard
Chartered

By: 
David G. Ballard

Encl.

cc: Polly Heaney

9th & Idaho Center
225 N. 9th St.
Suite 210
Boise, ID 83702

tel (208) 344-8990
fax (208) 344-9140

Internet E-mail to:
dbdb@micron.net

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JUL 10 2002