

No Color

Documents

In File

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUN 05 1998

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

JUN 09 1998

Department of Water Resources

1. Water Right No(s): _____
Adjudication Claim No(s): 61-11862
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: Terry & Michelle Clawson
4675 N 10 W Mtn. Home, Id.
4. New Owner/Claimant(s): Don & Cynthia Roberson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address: 4675 N 10 W
City, State and ZIP Code: Mtn. Home, Id. 83647
New Telephone Number: (208) 587-5466 (h) 587-3331 (w)
5. Date you acquired the property: 4-24-97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): Cynthia A. Roberson
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED

JUN 19 2000

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

RETURN TO:

WASHINGTON FEDERAL SAVINGS
310 American Legion Boulevard
P.O. Box 728
Mountain Home, ID 83647
Attn: Fran Hicks

FA-6663

[Space Above This Line For Recording Data]

VA #112681

LENDER 1945146

DEED OF TRUST

THIS LOAN IS NOT ASSUMABLE WITHOUT THE APPROVAL OF THE
DEPARTMENT OF VETERANS AFFAIRS OR ITS AUTHORIZED AGENT.

THIS DEED OF TRUST ("Security Instrument") is made on April 24, 1997

The grantor is Donald R. Roberson and Cynthia A. Roberson, husband and wife

("Borrower"). The trustee is

First American Title Company

Washington Federal Savings and its successors and assigns, as their interest may appear of record, which is organized and existing under the laws of The United States of America, and whose address is
425 Pike Street
Seattle, WA 98101

("Lender"). Borrower owes Lender the principal sum of

Seventy-Five Thousand Nine Hundred Thirty and no/100-----
Dollars (U.S. \$ 75,930.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on May 1, 2027.

This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument, and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in

Elmore County, Idaho

Lot 12 in Block 1 of SOMEDAY SUBDIVISION, Elmore County, Idaho, according to the official plat thereof, filed for record in the office of the County Recorder, Elmore County, Idaho.

which has the address of 4675 North Tenth West Street
[Street]

Mountain Home
[City]

Idaho 83647 ("Property Address");
[Zip Code]

IDAHO -- Single Family -- Uniform Instrument
ITEM 2430 (9506)

(Page 1 of 6 pages)

MICROFILMED

JUN 19 2000

Call 1-800-530-9393 Fax 616-791 1111

61-11862

JAMES P HAYDON
ELMORE COUNTY ASSESSOR
150 S 4TH E. STE. 2
MOUNTAIN HOME, ID 83647

IMPORTANT NOTICE PLEASE READ

CATEGORY DESCRIPTION
15 RUR SUB RES
37 BLDG RES SUB

TAX CODE
LOTS/ACRES
3-00
1.590 AC

MARKET VALUE
46,397

1.590

46,397*

U.S. POSTAGE
TAXPAYER'S

VALUATION

ASSESSMENT NOTICE
TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT
IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 22, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS 4675 N 10TH
PARCEL NUMBER RP 001090010120 A
LOT 12 BLK 1
SOMEDAY SUB

Mail To.

W 83647

ROBERSON DONALD R & CYNTHIA

4675 N 10TH W
MTN HOME

ID 83647

03

|||||

MICROFILMED

JUN 19 2000

61-11862

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 61-11862

1998 JAN 30 PM 4:16

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME & ADDRESS: MICHELLE R CLAWSON
TERRY L CLAWSON
4675 N 10TH W
MOUNTAIN HOME ID 83647

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 12/31/1960

POINT OF DIVERSION: T03S R06E S11 NWSW Within ELMORE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within ELMORE County
T03S R06E S11 NWSW

DOMESTIC Within ELMORE County
T03S R06E S11 NWSW

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.

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.


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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 61-11862

PAGE 1
JAN-15-1998

MICROFILMED

FEB 9 - 1999

0-1-1-1

2000 1 5 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 30, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DON ROBERSON
CYNTHIA ROBERSON
4675 N 10 W
MOUNTAIN HOME ID 83647

RE: Decreed Water Right 61-11862

Dear Mr. & Mrs. Roberson:

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed 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 the department if you have questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
JUN 19 2000

CONVERSATION MEMORANDUM

DATE 6/5/98
FILE 61-11862

NAME OF PARTY Cynthia Roberson
EMPLOYEE RE

RE: Own. Change + 2nd Well

Change in own filed with copy of
1st pg. of deed plus 1998 tax notice.

Also - 2nd well added before 1987, probably
in late 1970's. Not claimed in IRBA
process.

NEW owners can

1) file "Transfer APPL." (\$100) to add
2nd well to right. *

or 2) can use both wells for domestic
stock without step 1 since use is
exempted from water rights (I.C. 42-111).

* if this - call 334-2190 for help.

MICROFILMED
JUN 19 2000