

No Color  
Documents  
In File

RECEIVED

NOV 9 1999

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

Department of Water Resources

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

*OK to Sign 11/11/99*

*This info on receipt issued to us 12/14/1998*

1. Water Right No(s): A57-10239  
Adjudication Claim No(s): ? PROGRAM ACCT. 0410162 9337 6490 (RECEIPT-NO. M002180)

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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)  
**OR**  
C. If your water right or adjudication claim 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 RICHARD-DECEASED JEANNE P EVANS  
RT.1 Box 96 (DUNLAP) MARSING, ID. 83639

4. ☒ New Owner/Claimant(s) Nathan Fells

☒ New Mailing Address RT. 1 Box 96  
Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

☒ City, State and ZIP Code Marsing, Id 83639

☒ New Telephone Number 208 896-5517

5. ☒ Date you acquired the property 10/12/99

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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.

|                                                          |                                                     |
|----------------------------------------------------------|-----------------------------------------------------|
| Number of acres you irrigate with this water right _____ | Number and type of stock _____                      |
| Diversion rate in CFS _____                              | Number of homes you acquired _____ Other uses _____ |

7. ☒ Signature of New Owner(s) or Claimant(s) Nathan Fells

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 **NOTED** by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

## 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 portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes 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 Northern Region  
1910 Northwest Blvd., Suite 210  
Coeur d'Alene, ID 83814-2615  
(208) 769-1450

IDWR Southern Region  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301-3380  
(208) 736-3033

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

PC31887

P03094

## WARRANTY DEED

FOR VALUE RECEIVED Jeanne P. Evans, an unmarried person

the Grantor, does hereby grant, bargain, sell and convey unto Nathan W. Eells, a single unmarried man

the Grantee, whose address is Rt. 1, Box 96, Marsing, ID, 83639

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

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 said premises are free from all encumbrances; except for general taxes and assessments for the year 1999 and subsequent years, covenants, conditions, restrictions and easements of record; and that she will warrant and defend the same from all lawful claims whatsoever.

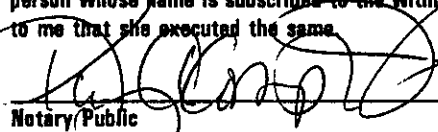
DATED: October 11, 1999

  
Jeanne P. Evans

STATE OF IDAHO

COUNTY OF CANYON

On this 12th day of October in the year 1999, before me, a Notary Public, personally appeared Jeanne P. Evans known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

  
Notary Public  
Residing at Wilder  
My commission expires 1-27-05

PIONEER TITLE COMPANY  
OF CANYON COUNTY

100 10TH AVE SOUTH  
NAMPA, IDAHO 83651

423 SOUTH KIMBALL  
CALDWELL, ID 83605

MICROFILMED  
JUN 19 2000

PO3094

Exhibit "A"

A part of the Northeast Quarter of Section 29, Township 3 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, more particularly described to wit:

COMMENCING at the Northwest corner of the Northeast Quarter of the Northeast Quarter of Section 29, Township 3 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence

South 89° 53'00" East 357.80 feet along the North boundary of the said Northeast Quarter of the Northeast Quarter, to the INITIAL POINT; thence continuing along the said North boundary

South 89° 53'00" East 100.00 feet; thence leaving the said North boundary

South 0° 07'00" West 435.60 feet; thence

North 89° 53'00" West 100 feet along a line parallel to the said North boundary; thence

North 0° 07'00" East 435.60 feet to the INITIAL POINT.

MICROFILMED

JUN 19 2000

This already a copy for → Send w/other papers  
to State of Id.  
Dept. of water resources

↓  
(after form is  
signed by state  
(ch of owner of water  
right))

making  
copy of signing  
sent to V. Collier

MICROFILMED

JUN 19 2000

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 57-10239

1996 DEC 10 PM 2:15

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME & ADDRESS: RICHARD D EVANS  
JEANNE P EVANS  
RT 1 BOX 96  
MARSING ID 83639

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 09/29/1975

POINT OF DIVERSION: T03N R04W S29 NWNE Within Owyhee County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|-------------------------------|-----------------|---------------|----------|
|                               | DOMESTIC 1 HOME | 01-01 12-31   | 0.02 CFS |

PLACE OF USE: DOMESTIC Within Owyhee County  
T03N R04W S29 NENE

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 10 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 10 1996

MICROFILMED

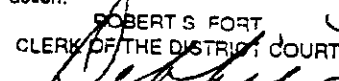
JUN 13 2006

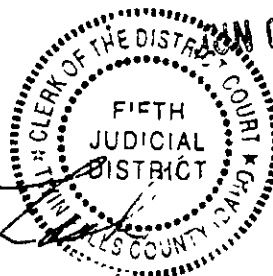
  
DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication

MICROFILMED

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 57-10239

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



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
North Orchard Street, P.O. Box 83720  
Boise, Idaho 83720-0098

Return Service Requested

RECEIVED

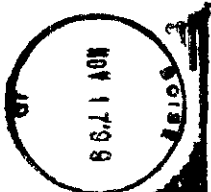
NOV 23 1999

Department of Water Resources

#57-10239

11.24.99 - mail, resent  
ret

POSTED  
1ST CLASS



PB METER  
7089135

0.463  
MED

MICROFILMED  
JUN 19 2000

JEANNE P EVANS

RT 1 BOX 96

MARSING ID 83639

EVANS  
RETURN TO SENDER  
1124 N MICHIGAN AVE  
CALDWELL ID 83605-2319

AUTORETURN

Postnet barcode



**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

November 18, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

NATHAN EELLS  
RT 1 BOX 96  
MARSING ID 83639

RE: Decreed Water Right 57-10239

Dear Mr. Eells:

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,

A handwritten signature in dark ink, appearing to read 'Jeff Peppersack'.

Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED  
JUN 19 2000