

No Color
Documents
In File

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

RECEIVED

NOV 24 2004

DEPARTMENT OF WATER RESOURCES

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
72-10225A			72-16110		
72-10225B					
72-4888A					
72-00153					
7200154					

- 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)

Dale & Velle Hammond
11224 Edge Hill Dr., Boise, ID 83707

- 4 New Owner/Claimant(s)

Frank P. Wilkey

Name Connector (Check one) ☐ and, ☐ or, ☐ and/or

New Mailing Address

601 Riverside Ave., 12th Floor

City, State and ZIP Code

Jacksonville, FL 32204

New Telephone Number

904 854-8177

- 5 Date you acquired the property

8/9/04

SUPPORT DATA

IN FILE # 72-153

- 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)
(include title if applicable)

X Mark P. Willey

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 H Date 12.13.04 Fee \$25.00 x 6 = \$150.00
 Received by M Date 12.13.04 Receipt No. C076111
 Processed by _____ AJ Date _____ WR _____ Date _____

Order No. 54380

QUITCLAIM DEED

FOR VALUE RECEIVED

DALE HAMMOND and VELLA HAMMOND, husband and wife

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

FRANK P. WILLEY, an unmarried man

whose address is: **601 Riverside Avenue, 12th Floor, Jacksonville, FL 32204**

the following described premises situated in **Custer** County, Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

together with their appurtenances.

Dated: **July 29, 2004**



DALE HAMMOND



VELLA HAMMOND

State of Idaho

}

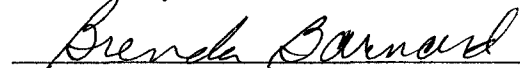
}ss.

County of Ada

}

On this 29th day of July, in the year 2004, before me, the undersigned, personally appeared **DALE HAMMOND AND VELLA HAMMOND**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



Notary Public

Commission Expires: 2/18/2005

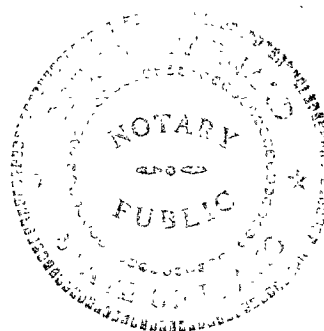


EXHIBIT 'A'

LEGAL DESCRIPTION:

All of HES 264 and HES 823, Tract A and Tract B, Township 17 North, Range 19 E.B.M., Custer County, Idaho.

EXCEPT: A fraction of HES 823, Tract A, located in Section 29, Township 17 North, Range 19 E.B.M., described as follows: Beginning at corner 6 of HES 823, Tract A; thence N. 30°48'24" E. 311.15 feet to corner 7 of HES 823 Tract A; thence S. 59°43'41" E. 229.21 feet to corner 8 of HES 823 Tract A; thence S. 25°19'17" W. 250 feet to a point on the property line between corners 8 and 9 of HES 823 Tract A; thence N. 73°28'35" W. 261.17 feet to corner 6 of HES 823, Tract A, the Real Point of Beginning.

ALSO EXCEPT: A fraction of HES 823, Tract A, located in Section 29, Township 17 North, Range 19 E.B.M., described as follows: Beginning at corner 6 of HES 823, Tract A; thence S. 73°28'35" E. 261.17 feet to a point on the property line between corners 8 and 9 of HES 823, Tract A, said point bears S. 25°19'17" W. 250 feet from corner 8 of HES 823, Tract A; thence along the property line of HES 823, Tract A S. 25°19'17" W. 207.11 feet to corner 9 of HES 823, Tract A; thence along the property line of HES 823 Tract A, S. 25°17'01" W. 160.00 feet to a point on the property line between corners 9 and 10 of HES 823, Tract A; thence N. 65°29'57" W. 403.75 feet to a point on the property line between corners 4 and 5 of HES 823, Tract A, which bears S. 59°12'25" W. 160.00 feet from corner 5 of HES 823, Tract A; thence along the property line of HES 823, Tract A, N. 59°12'25" E. 160.00 feet to corner 5 of HES 823, Tract A; thence along the property line of HES 823, Tract A, N. 41°02'02" E. 207.89 feet, to corner 6 of HES 823, Tract A, the Point of Beginning.

ALSO EXCEPT: A fraction of HES 823, Tract B, located in Section 29, Township 17 North, Range 19 E.B.M., described as follows: Commencing at corner 18 of said HES 823, Tract B, thence S. 9°05' E. 535.92 feet to corner 19 of said HES 823; thence S. 50°15' W. 406.4 feet along the South line of said HES 823; thence N. 9°05' W. 535.92 feet; thence N. 50°15' E. 406.4 feet to the Point of Beginning.

ALSO EXCEPT: A fraction of HES 823, Tract B, located in Section 29, Township 17 North, Range 19 E.B.M., described as follows: Beginning at corner 16 of HES 823, Tract B; thence N. 2°39' E. 726.0 feet to corner 17; thence S. 57°31' E. 778.14 feet to corner 18; thence S. 50°15' W. 406.40 feet; thence S. 9°05' E. 535.92 feet; thence S. 50°15' W. 1002.10 feet to corner 23; thence N. 9°05' W. 1153.50 feet to corner 24; thence S. 88°02' E. 485.90 feet to corner 16, the Point of Beginning.

TOGETHER WITH BUT NOT LIMITED TO THE FOLLOWING DESCRIBED WATER RIGHTS:

WATER RIGHT NO 72-10225A
WATER RIGHT NO. 72-10225B
WATER RIGHT NO. 72-4188A
WATER RIGHT NO. 72-00153
WATER RIGHT NO. 72-00154
WATER RIGHT NO. 72-16110

Initials: _____

Order No. 54380

WARRANTY DEED

FOR VALUE RECEIVED AN AS RELINQUISHED PROPERTY IN AN IRC 1031 TAX DEFERRED EXCHANGE

DALE HAMMOND and VELLA HAMMOND, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

FRANK P. WILLEY, an unmarried man

GRANTEE(s) whose address is: **601 Riverside Avenue, 12th Floor, Jacksonville, FL 32204**

the following described real property in **Custer** County, Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 29, 2004



DALE HAMMOND



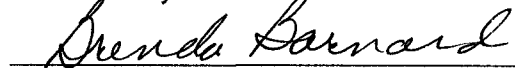
VELLA HAMMOND

State of Idaho

County of Ada

On this 29th day of July in the year 2004, before me, the undersigned, personally appeared **DALE HAMMOND and VELLA HAMMOND** known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same.

WITNESS my hand and official seal



Notary Public

Commission Expires: 2/18/05

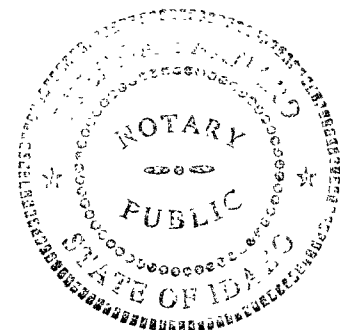


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Initials: _____

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
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 72-00153

NAME AND ADDRESS: DALE HAMMOND
VELLA HAMMOND
11224 EDGE HILL DR
BOISE, ID 83709

SOURCE: CORRAL CREEK TRIBUTARY: MORGAN CREEK

QUANTITY: 1.16 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6.30 CFS. COMBINED RIGHT NOS.: 72-00153,
72-00154, 72-16110, AND 72-04188A.

PRIORITY DATE: 05/01/1910

POINT OF DIVERSION: T17N R19E S21 NENWNW Within Custer County
S29 NESENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.16 CFS

PLACE OF USE:	Irrigation		Within Custer County
	T17N R19E S20	NESE 2.8	SWSE 0.6
		SESE 21.0	
	S21	SWNW 6.5	NWSW 16.0
		SWSW 1.0	
	S29	NENE 9.2	NWNE 18.0
		SWNE 4.8	SWNW 2.4
		SENW 12.0	NESW 0.7
		NWSW 13.0	
	108.0 Acres Total		

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 108 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00153, 72-00154 & 72-16110.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 264.
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.

A handwritten signature in black ink, appearing to read "B Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 15, 2004

FRANK P WILLEY
601 RIVERSIDE AVE 12TH FLOOR
JACKSONVILLE FL 32204

RE: Change of Ownership for Water Rights 72-153, 72-154, 72-4188A, 72-10225A,
72-10225B, 72-16110

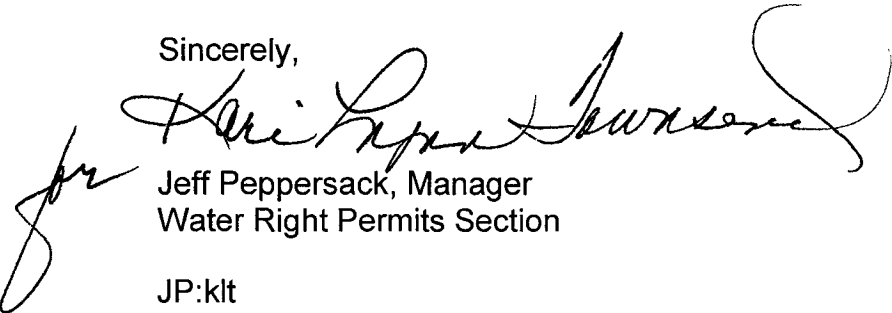
Dear Water Right Holder(s):

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

Enclosure

cc: AMERI TITLE (Receipt # C076111 enclosed)
ATTN: KARA D CARTER
PO BOX 188
KETCHUM ID 83340



November 23, 2004

Cari Lynn Townsend
P.O. Box 83720
Boise, ID 83720-0098

Re: Order No. 54380

Dear Ms. Townsend:

Attached are the copies of the documents I sent to Twin Falls. I would like to request some special attention on this file, if possible. I understand you are backed up, but I would greatly appreciate your help on this file.

- Warranty Deed/Quitclaim Deed
- Application for Change in Water Right Ownership

Should you have any questions, please feel free to call me.

Sincerely,



Kara D. Carter
Escrow Assistant

kdc

Attachments