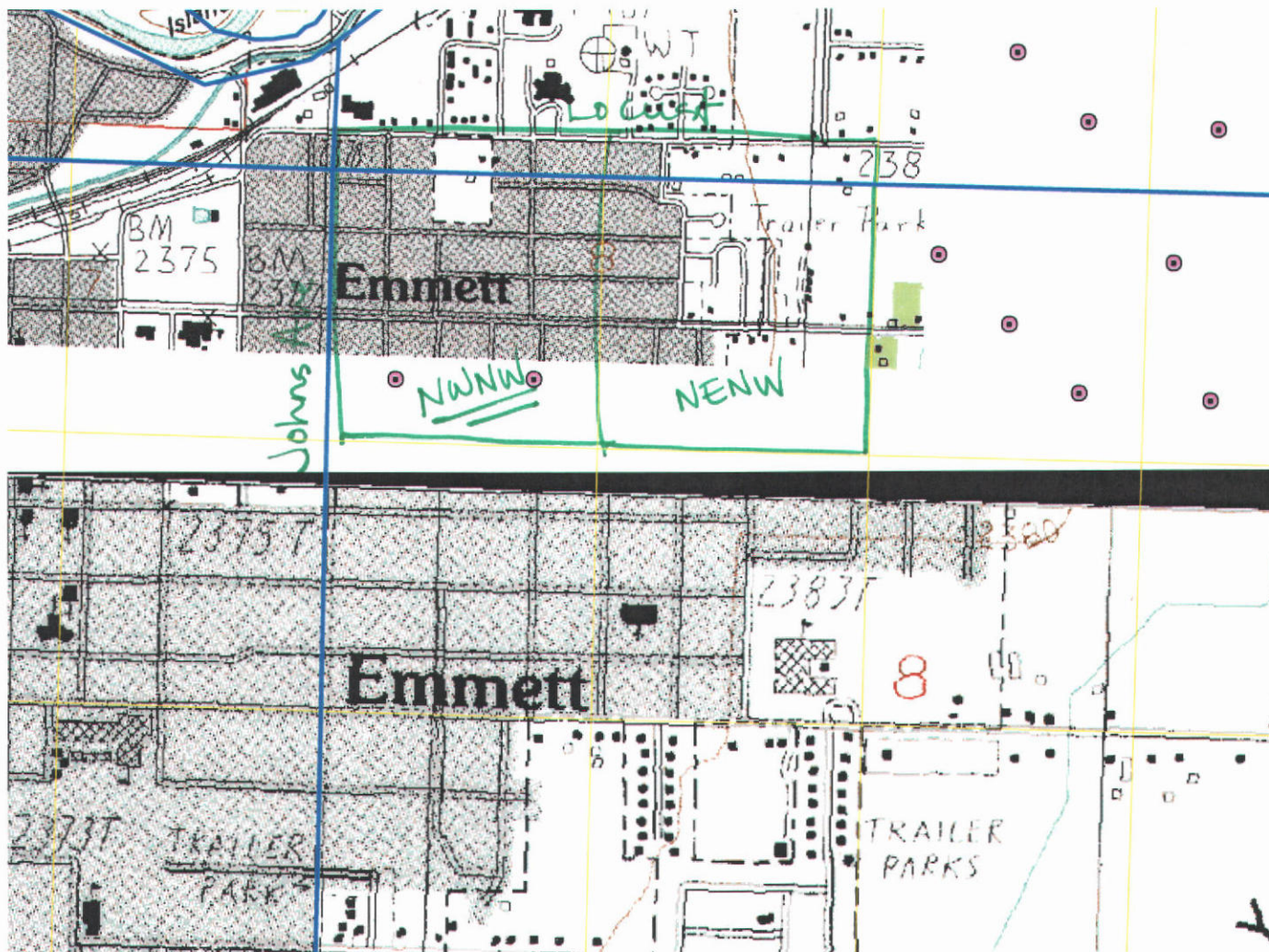




0.2 0 0.2 0.4 Miles

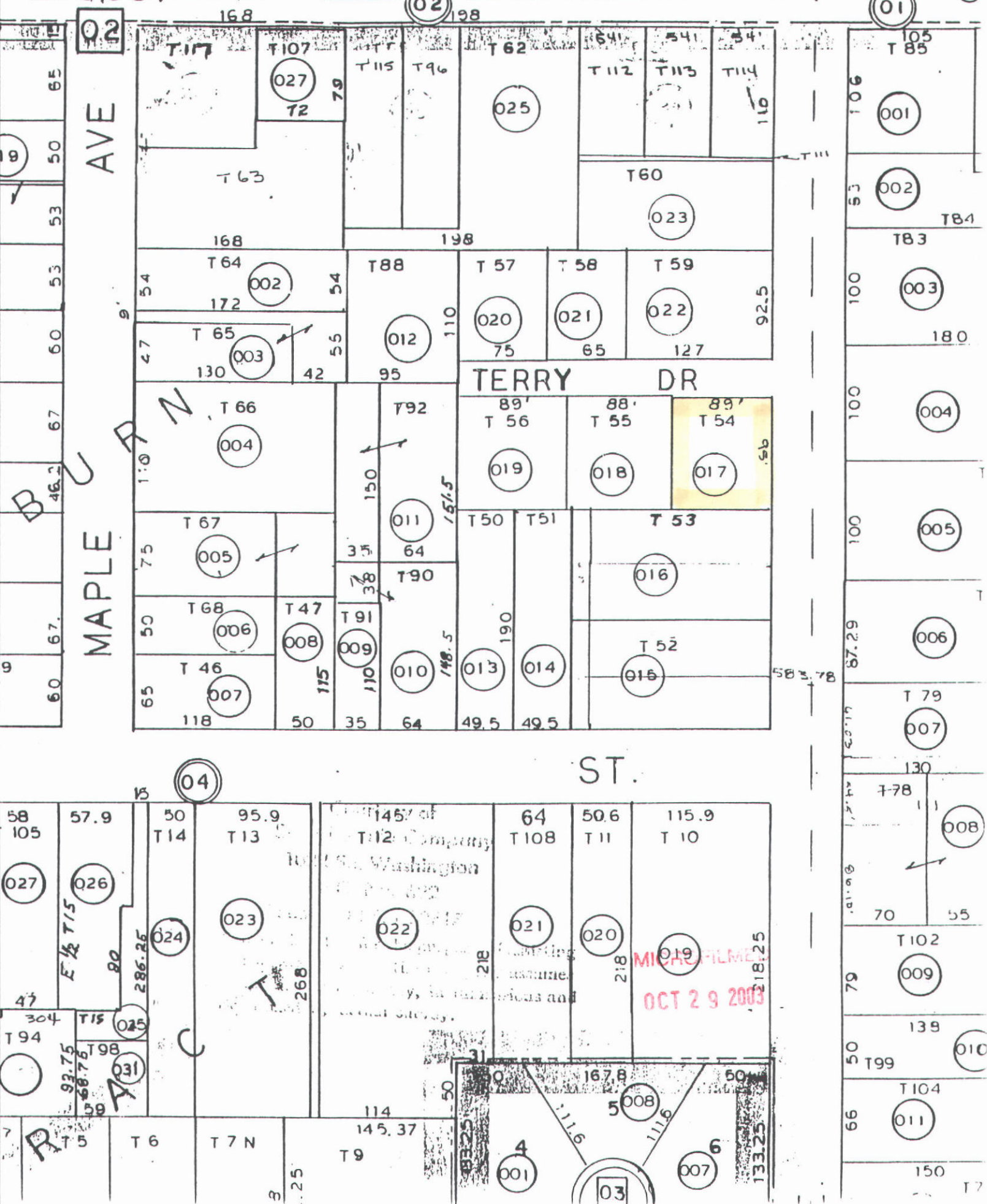


MICROFILMED

OCT 29 2003

LOCUST

S



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 65-21638

NAME AND ADDRESS: KENNETH R BEAN
PEARL S BEAN
815 TERRY DR
EMMETT, ID 83617

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/19/1977

POINT OF DIVERSION: T06N R01W S08 NENENW Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	04-01 TO 10-31	0.04 CFS

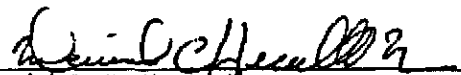
PLACE OF USE: Domestic T06N R01W S08 NENW Within Gem County

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

MICROFILMED

OCT 23 2003

Memorandum

To: IDWR
From: James F. Zokan
Date: 10/15/2003
Re: Water Right 65-21638

Sandra L. Wayland-Leacock called on 10/15/03 to notify IDWR that she has sold the property that she thought was associated with water right 65-21638. She said she sold the property approximately 3 years ago and the people she sold it to have sold it since. She also mentioned that the well did not work due to a broken pump. The City of Emmett water and sewer serviced the property. The only reason she was going to use the well was for landscaping/gardening.

IDWR does not need to pursue any further investigation of this water right until the new owner comes forward.

MICROFILMED

OCT 24 2003

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Dep

APR 15 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

APR 02 1998

WATER RESOURCES
WESTERN REGIONWATER RESOURCES
WESTERN REGIONPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): AL5-21638
Adjudication Claim No(s): W609025
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 _____
4. New Owner/Claimant(s) SANDRA L WAYLAND LEACH
Name Connector (Check one). ☐ and, ☐ or, ☐ and/or
New Mailing Address 515 TERRY DR
City, State and ZIP Code EMMETT ID 83617
New Telephone Number (208) 358-7792
5. Date you acquired the property October 15th 1977
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 1 Number and type of stock _____Diversion rate in CFS _____ Number of homes 1 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) Sandra L. Wayland-Leach

(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

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.

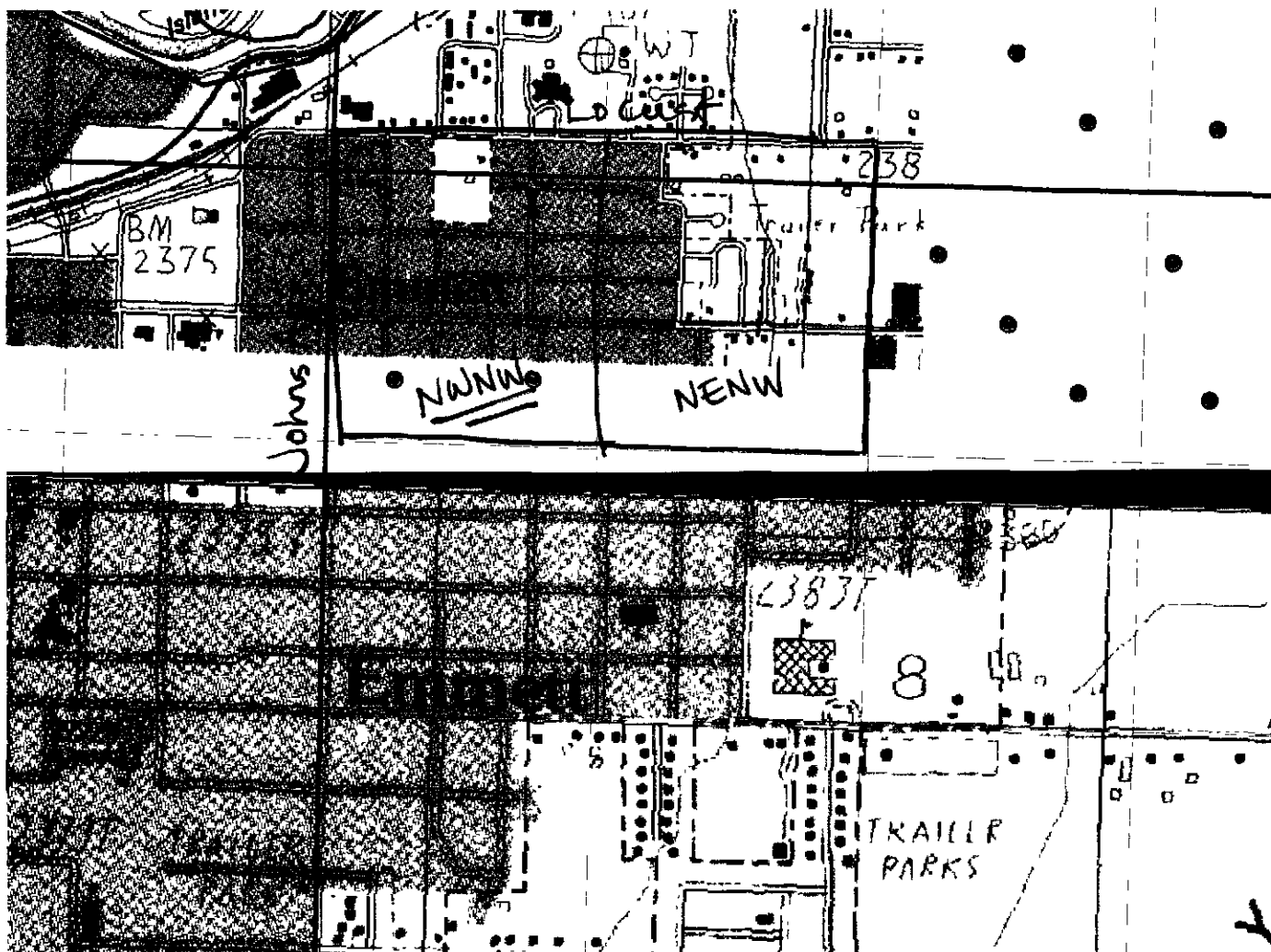
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

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.

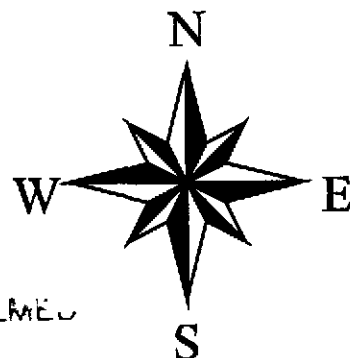
7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.

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



0.2 0 0.2 0.4 Miles



MICROFILMED

SEP 29 2003

OWNERS POLICY

SCHEDULE A

File No.: 3-20511

Amount of Insurance: \$65,400.00

Policy Number: 130046106000444

Premium Amount: \$339.25

Date of Policy: October 15, 1997 at 3:55 P.M.

1. Name of Insured:

THE WAYLAND FAMILY TRUST, dated March 8, 1991

2. The estate or interest in the land which is covered by this Policy is:
Fee Simple

3. Title to the estate or interest in the land is vested in:
THE WAYLAND FAMILY TRUST, dated March 8, 1991

4. The land referred to in this Policy is described as follows:

A tract of land in the NW 1/4 of the NW 1/4 of Section 8, Township 6 North, Range 1 West, B.M., Gem County, Idaho, described as follows:

BEGINNING at the Northwest corner of Section 8, T. 6 N., R. 1 W., B.M.; thence East on Section line 990 feet; thence South parallel to the West line of said Section, 330 feet to the REAL POINT OF BEGINNING; thence West parallel to the North line of said Section, 119 feet; thence South parallel to the West line of said Section, 110 feet; thence East parallel to the North line of said Section, 119 feet; thence North parallel to the West line of said Section, 110 feet, to the said REAL POINT OF BEGINNING.

LESS the North 15 feet and
LESS the East 30 feet.

MICROFILMED

OCT 29 2003

This Policy valid only if Schedule B is attached.

OWNERS POLICY
SCHEDULE B
(Standard Coverage)

File No.: 3-20511

Policy No.: 130046106000444

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements, or claims of easements, not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
- (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown on the records of such agency or by the public records.

Special Exceptions:

1. General taxes as extended on the regular tax roll for the year 1997, which are a lien not yet due or payable.

2. An easement for the purpose shown below and rights incidental thereto as contained in a document.

For:	Public Utilities
In Favor of:	IDAHO POWER COMPANY
Recorded:	March 17, 1960
Instrument No./Book-Page:	80060 of Official Records

END OF SCHEDULE B

MICROFILMED

NOV 24 2003

RECEIVED NO	191906
PAGE	1 OF 3

DEED OF GIFT

THIS INDENTURE, made the 9th day of December, 1997, between JAMES H. WAYLAND, trustee of The Wayland Family Trust, dated March 8, 1991, of the County of Gem, State of Idaho, Grantor, and SANDRA LEE WAYLAND LEACOCK, a married woman as her sole and separate property, whose current address is 815 Terry Drive, Emmett, ID 83617, as Grantee, witnesseth:

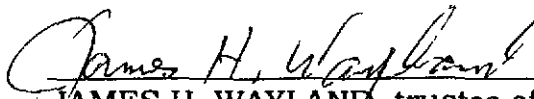
That the said Grantor, for and in consideration of the natural love and affection Grantor has for the Grantee, does by these presents, give, grant, alien and confirm unto the said Grantee, as Grantee's sole and separate property, all of the following described real estate situate in Gem County, State of Idaho, to-wit:

See Exhibit A which is attached hereto and incorporated herein by reference as if set out in full.

Together with all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, and the reversion or reversions, remainder and remainders, rents, issues and profits thereof, and the rents and profits thereof shall be applied to Grantees' sole and separate use.

To have and to hold, all and singular the premises, together with appurtenances, unto the said Grantee, Grantee's heirs and assigns forever, as the separate property of the Grantee and not in any wise community property. The conveyance of the property to the Grantee shall be as separate property and, in accordance with Idaho Code Section 32-906(1), all income, rents, issues, profits, gains and appreciation of the property shall be the separate property of Grantee.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand the day and year first above written.


JAMES H. WAYLAND, trustee of
The Wayland Family Trust,
dated March 8, 1991

MICHAEL
NOTARY PUBLIC
1997

INSTRU. NO. 192906

PAGES 2 of 3

STATE OF IDAHO

County of Gem

ss.

On this 9th day of December, 1997, before me, the undersigned, a Notary Public for Idaho, personally appeared JAMES H. WAYLAND, trustee of The Wayland Family Trust dated March 8, 1991, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Dawn Putzier

Notary Public for Idaho

Residing at Emmett, Idaho

My Commission Expires 11-10-99

INSTRUMENT NO. 197906
 PAGES 3 of 3

Exhibit A

A tract of land in the NW 1/4 of the NW 1/4 of Section 8, Township 6 North Range 1 West, B.M., Gem County, Idaho, described as follows:

BEGINNING at the Northwest corner of Section 8, T. 6 N., R. 1 W., B.M.; thence

East on Section line 990 feet; thence

South parallel to the West line of said Section, 330 feet to the REAL POINT OF BEGINNING; thence

West parallel to the North line of said Section, 119 feet; thence

South parallel to the West line of said Section, 110 feet; thence

East parallel to the North line of said Section, 119 feet; thence

North parallel to the West line of said Section, 110 feet, to the said REAL POINT OF BEGINNING.

LESS the North 15 feet and

LESS the East 30 feet.

197906

Gem County, IDAHO) ss

Recorded at request of

H. Ronald Bjorkman

Time 1:38 PM

Date December 9, 1997

Instru. No. 197906

Recorded as a Deed

Thelma R. Kolodziej, Clerk

Ex-officio Recorder

By: Judy Bjorkman
Deputy

Fees \$ 9.00

MIC...

DEC 10 1997

3-20511

Warranty Deed

For Value Received LESLIE M. BALLARD, a widow

the grantor, does hereby grant, bargain, sell and convey unto JAMES H. WAYLAND, TRUSTEE FOR THE WAYLAND FAMILY TRUST, dated March 8, 1991,

whose current address is 100 Evergreen Drive, Emmett, Idaho 83617

the grantee is, the following described premises, in GEM County Idaho, to wit:

A tract of land in the NW 1/4 of the NW 1/4 of Section 8, Township 6 North, Range 1 West, S.M., Gem County, Idaho, described as follows:

BEGINNING at the Northwest corner of Section 8, T. 6 N., R. 1 W., S.M.; thence East on Section line 990 feet; thence South parallel to the West line of said Section, 330 feet to the REAL POINT OF BEGINNING; thence West parallel to the North line of said Section, 119 feet; thence South parallel to the West line of said Section, 110 feet; thence East parallel to the North line of said Section, 119 feet; thence North parallel to the West line of said Section, 110 feet, to the said REAL POINT OF BEGINNING.

LESS the North 15 feet and
LESS the East 30 feet.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee & their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the grantee owns in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: October 15, 1997

Leslie M. Ballard
Leslie M. Ballard

STATE OF IDAHO, COUNTY OF GEM
On this 15th day of October 1997
before me, a Notary Public in and for the said State, personally appeared

Leslie M. Ballard,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public
Emmett
Comm. Expires 6-30-2000

Mail to: James H. Wayland
100 Evergreen Drive
Emmett, Idaho 83617

Fee \$ 3.00

By: *Julia R. Kolodziej*
Deputy

Trish R. Kolodziej, Clerk & Recorder

Recorded as a Deed

Index No. 197048

Date October 15, 1997

Time 3:55 PM

Recorded at request of

Alliance Title & Escrow

Gem County, ID-110) ss

197048

Post-it Fax Note	7671	Date	8/3/98	# of pages	3
To	DEMOISE	From	John Doe & wife		
Called	WATSON	Co.	LEWIS		
Phone #	334-2348	Phone #	365-4486		
Fax #	365-4841	Fax #			

9-20139

INSTRU. NO. 195145PAGES 1 of 2

Warranty Deed

For Value Received

KENNETH R. BEAN, a married man as his sole and separate property

the grantor, do hereby grant, bargain, sell and convey unto

LESLIE M. BALLARD, a widow

whose current address is 110 S. Pine
615 Perry Drive, Emmett, Idaho, 83617

the grantee, the following described premises, in Gem County Idaho, to wit:

see Exhibit "A" attached hereto and made a part hereof

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor, do hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: 27 May 1997

Kenneth R. Bean
Kenneth R. Bean

MICHAEL

195145
23 2003

Nevada
STATE OF IDAHO COUNTY OF LYDA
On this 29 day of May, 1997
before me, a notary public in and for said State, personally appeared
Kenneth R. Bean

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Michael P. Kelley
Notary Public
Residing at 22 Aug 208 Vennington NV 89447 3883
Comm. Expires Sept 9 1998

Fees \$ 6.00

By: Michael P. Kelley Deputy

Thekla R. Kolodziej, Clerk

Ex-Officio Recorder

Recorded as a Deed

Instr. No. 195145

Date June 2, 1997

Time 3:52 PM

Recorded at request of

Alliance Title & Escrow

Gem County, IDAHO)

195145



NOTARY PUBLIC - STATE OF NEVADA
Appointment Recorded in Nevada County
MY APPOINTMENT EXPIRES SEPT. 9, 1998

ALLIANCE

People's Financial
Rita Campbell
19 S. Main St.
Emmett, ID 83617

EXHIBIT A

INSTRU. NO. 12545PAGES 2 of 2

3/3

A tract of land in the NW 1/4 of the NW 1/4 of Section 8, Township 6 North, Range 1 West, B.M., Cam County, Idaho, described as follows:

BEGINNING at the Northwest corner of Section 8, T. 6 N., R. 1 W., B.M.;
thence

East on Section line 990 feet; thence

South parallel to the West line of said Section, 330 feet to the REAL POINT
OF BEGINNING; thence

West parallel to the North line of said Section, 119 feet; thence

South parallel to the West line of said Section, 110 feet; thence

East parallel to the North line of said Section, 119 feet; thence

North parallel to the West line of said Section, 110 feet, to the said REAL
POINT OF BEGINNING.

LESS the North 15 feet and

LESS the East 30 feet.

MAILED
JUL 24 2003



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

October 6, 2003

SANDRA L WAYLAND-LEACOCK
815 TERRY DR.
EMMETT ID 83617

RE: Change in Ownership for Decreed Water Right No. 65-21638

Dear Ms. Wayland-Leacock:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

☒ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

☒ **Legal Description of Property**

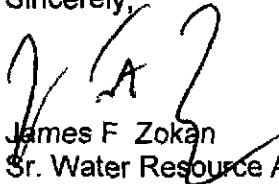
During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. The water right is located in T6N, R1W, S8, NE ¼ of the NW ¼, the warranty deed that you sent us shows the land you own in T6N, R1W, S8, NW ¼ of the NW ¼. I have enclosed a copy of the water right and the deed you sent us, for your reference.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within **30 days** we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact me at 208-327-5452, if you have any questions.

Sincerely,


James F. Zokan
Sr. Water Resource Agent

Enclosure(s)

MICROFILM

2003 10 06