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Documents
In File

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

RECEIVED**MAY 29 1998****WATER RESOURCES**
WATER RESOURCES

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

1. Water Right or Adjudication Claim No(s): 65-08530
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 Hugh Kennedy
HC 71 Box 4258 Cascade Idaho 83611
4. New Owner/Claimant(s) James H. Kennedy
 Name Connector (Check one) ☐ and ☐ or ☐ and/or
 New Mailing Address P.O. Box 341
 City, State and ZIP Code Middleton Idaho 83644
 New Telephone Number (208) 585-3332
5. Date you acquired the property Dec 1995
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) James H. Kennedy

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this 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.

MICHAEL

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., Suite 200
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

ORDER NO. 95054249 JG

** Re-Recorded to Correct Legal Description

TRUSTEE'S DEED

159118

BOISE COUNTY, IDAHO SS
REQUEST

Alliance Title

95 JAN 10 PM 1:28

This Deed, made by William C. Kennedy, as Trustee of the Pearl Kennedy Family Trust, under Trust Agreement dated April 25, 1988, hereinafter "Grantor", to James H. Kennedy, hereinafter "Grantee", whose current address is P. O. Box 341, Middleton, ID 83644 *Shirley George #12.00/ck*

WITNESSETH

Whereas, Grantor is the Trustee of the Pearl Kennedy Family Trust, and

Whereas, Grantee is a beneficiary of the Pearl Kennedy Family Trust.

Now, therefore, Grantor hereby conveys to Grantee, all right, title and interest in and to the following described real property:

(see Exhibit A, being a portion of Section 27, Township 7 North, Range 2 East, attached hereto and made a part hereof)

To have and hold, all and singular, the above described premises, together with all water rights and appurtenances;

Subject to any and all easements, rights-of-way, taxes, liens, covenants, restrictions, reservations, assessments, and encumbrances of record.

Dated: Dec 20, 1995

WILLIAM C. KENNEDY, as Trustee of the Pearl Kennedy Family Trust

William C. Kennedy
WILLIAM C. KENNEDY, Trustee

158713

BOISE COUNTY, IDAHO SS
REQUEST

Alliance Title

95 DEC 21 PM 3:49

Shirley George #12.00/ck

STATE OF IDAHO, County of Ada, ss.

On this 20th day of December in the year of 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared William C. Kennedy, as Trustee of the Pearl Kennedy Family Trust under Trust Agreement dated April 25, 1988 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

Continued:

Trustee of the Pearl Kennedy Family Trust.

Signature: _____

Name: _____

(Type or Print)

My Commission Expires _____

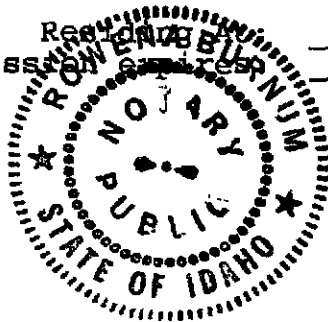


EXHIBIT "A"

Lots 3 and 4, North and South of Highway, of Section 27,
Township 7 North, Range 2 East, Boise Meridian, Boise
County, Idaho

EXCEPT THEREFROM:

That portion of said premises deeded to the State of Idaho
for public right of way in deed recorded July 31, 1936, as
Instrument No. 43045, filed in Book 48 of Deeds at Page 89.

ALSO EXCEPT THEREFROM:

A tract of land in the Southwest Quarter of the Northeast
Quarter of Section 27, Township 7 North, Range 2 East, Boise
Meridian, Boise County, Idaho, more particularly described
as follows:

COMMENCING at the quarter section corner common to Sections
26 and 27, Township 7 North, Range 2 East of the Boise
Meridian; thence
North 1 degrees 15'57" West along the section line, 1,328.60
feet to a brass cap monument at the North 1/16 section
corner common to said Sections 26 and 27; thence
South 83 degrees 51'16" West 2,314.79 feet to a steel pin at
the Southeasterly corner of the reservoir site, the
REAL POINT OF BEGINNING; thence
South 89 degrees 03' West 200.00 feet to a steel pin; thence
North 0 degrees 57' West 200.00 feet to a steel pin
approximately 25 feet Southerly from the fence line
along the Northerly boundary line of the Southwest
Quarter of the Northeast Quarter of said Section 27;
thence
North 89 degrees 03' East along a line parallel to said fence
line and approximately 25 feet Southerly therefrom,
200.00 feet to a steel pin; thence
South 0 degrees 57' East 200.00 feet to the REAL POINT OF
BEGINNING.

ALSO EXCEPT THEREFROM:

A strip of land 30 feet wide West of the Southeast Quarter
of the Northeast Quarter of Section 27, Township 7 North,
Range 2 East, Boise Meridian, said strip is a part of Lot 3,
Southwest Quarter of the Northeast Quarter of Section 27,
same township and range. Said tract is parallel with and
adjacent to the Southeast Quarter of the Northeast Quarter
of Section 27, Township 7 North, Range 2 East, Boise
Meridian, and extends from the South line of the Northwest
Quarter of the Northeast Quarter of Section 27, Township 7
North, Range 2 East, Boise Meridian, to the North right of
way line of State Highway 52.

MICROFILMED

Continuation of Exhibit A

Order No.:95054249 PW

ALSO EXCEPT THEREFROM:

That parcel of land described in Quitclaim Deed recorded July 28, 1993 as Instrument No. 148173, records of Boise County, Idaho.

ALSO EXCEPT THEREFROM:

That parcel of land described in Trustee's Quitclaim Deed recorded December 27, 1995 as Instrument No. 158767, records of Boise County, Idaho.

MICROFILM

MAR 17 2001

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 65-08530

NAME AND ADDRESS: HUGH KENNEDY
HC 71 BOX 4258
CASCADE, ID 83611

SOURCE:	SPRING	TRIBUTARY: PAYETTE RIVER
QUANTITY:	0.02 CFS	
	0.70 AFY	

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

PRIORITY DATE: 04/01/1941

POINT OF DIVERSION: T07N R02E S27 LOT 03 (SWNE) Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
			0.70 AFY

PLACE OF USE: Stockwater Within Boise County
T07N R02E S27 LOT 03 (SWNE)

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.

Quintin Heath

Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

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SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 65-08530

PAGE 1
Oct-20-1998

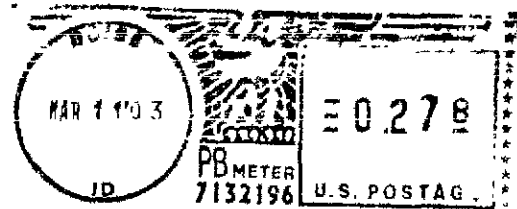
WJL 65-8530

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

☒ Unable to Deliver
☐ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☐ Attempted - Not Known
☐ No Such Street ☐ Number
☐ No Mail Receptacle
☐ Box Closed - No Order
☐ Return for better Address
☐ Postage Due

REGISTERED
FIRST CLASS



RECEIVED

MAR 13 2003

Department of Water Resources

AAAGTMS 53644



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

March 10, 2003

JAMES H KENNEDY
PO BOX 341
MIDDLETON ID 83644

RE: Change of Ownership for Water Right 65-8530

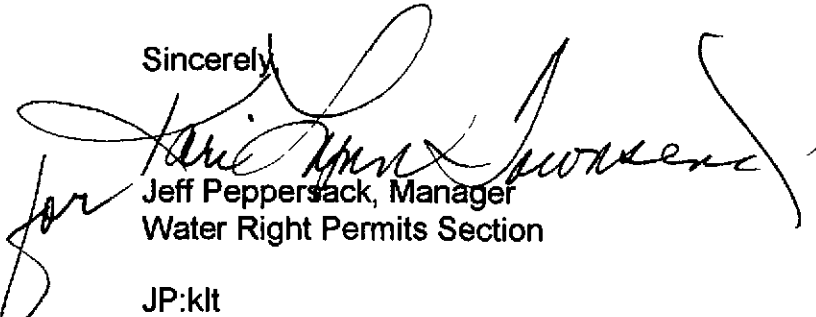
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced 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 this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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MAR 11 2003