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STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

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MAY 20 2003

WATER RESOURCES  
SOUTHERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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 No(s): #65-3857  
Adjudication Claim No(s): \_\_\_\_\_
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 Adolf + Hermine Heinrich  
Box 636 Lake Fork Id 83635
4. New Owner/Claimant(s) Justin + Shirley Florence  
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or  
New Mailing Address PO Box 35  
City, State and ZIP Code Lake Fork Id 83635  
New Telephone Number (208) 634-7209
5. Date you acquired the property 10/2001
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) Shirley Florence  
(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..

Receipt # C076134 - 12.14.04 - \$25.00

## 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

WARRANTY DEED

RECEIVED  
DEC 14 2004  
DEPARTMENT OF  
WATER RESOURCES

FOR VALUE RECEIVED, HERMINE A. HEINRICH, the grantor, does hereby grant, sell and convey unto JUSTIN FLORENCE and SHIRLEY FLORENCE, husband and wife, the grantees, whose address is P. O. Box 35, Lake Fork, Idaho 83635, the following described premises, to-wit:

Approximately 6 acres lying on the North East corner of the Northwest 1/4 of Section 5 Township 17 North, Range 3, E. B.M. being that part of the Northwest 1/4 of Section 5 that lies East and North of the right-of-way of the Union Pacific Railroad,

Together with:

West half of the Northeast Quarter of Section 5, Township 17 North of Range 3 East, Boise Meridian;

(All the above AKA RP17N03E050606A - Gov't. Lot 2; Pt. of Gov't Lot 3, East of R/R; Less R/R - S5 T17N R3E)

with all appurtenances.

SUBJECT TO:

1. Life Estate in grantor, measured by her life, limited to the use of the residential improvements and immediately abutting realty and access to the county road.
2. Any and all easements or restrictions of record or in use.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all incumbrances, and that she will warrant and defend the same from all lawful claims whatsoever.

DATED: September 1st, 1995

Hermine A. Heinrich  
HERMINE A. HEINRICH

STATE OF IDAHO

County of Valley

)  
) ss.  
)

On this 16 day of SEPTEMBER, 1995, before me, MICHAEL R. ANDERSON a Notary Public in and for said State, personally appeared HERMINE A. HEINRICH, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that she executed the same.

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

Michael R. Anderson  
Notary Public for Idaho  
Residing at: Malad  
My Commission Expires: 1-29-99

213209  
TYPE: Deed #10  
LELAND HEINRICH  
VALLEY COUNTY RECORDER  
BY: [Signature]  
FEE: 6.00  
'95 SEP 1 PM 4 00  
CENTRAL IDAHO TITLE  
REQUESTED BY  
RECORDED

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 65-03857

NAME AND ADDRESS: ADOLF HEINRICH  
PO BOX 636  
LAKE FORK, ID 83635

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS  
1.60 AFY

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

PRIORITY DATE: 05/15/1945

POINT OF DIVERSION: T17N R03E S05 NWNE Within Valley County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE  | QUANTITY |
|-------------------------------|-----------------|----------------|----------|
|                               | Domestic 1 HOME | 01-01 TO 12-31 | 0.04 CFS |
|                               |                 |                | 1.20 AFY |
|                               | Stockwater      | 01-01 TO 12-31 | 0.02 CFS |
|                               |                 |                | 0.40 AFY |

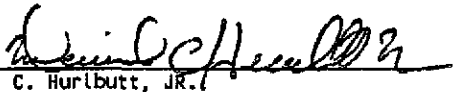
|               |               |      |                      |
|---------------|---------------|------|----------------------|
| PLACE OF USE: | Stockwater    |      | Within Valley County |
|               | T17N R03E S05 | NWNE |                      |
|               | Domestic      |      | Within Valley County |
|               | T17N R03E S05 | NWNE |                      |

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



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](http://www.idwr.idaho.gov)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 15, 2004

SHIRLEY M FLORENCE  
JUSTIN FLORENCE  
PO BOX 35  
LAKE FORK ID 83635

RE: Change of Ownership for Water Right 65-3857

Dear Water Right Holders:

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,

A handwritten signature in black ink, appearing to read 'Jeff Peppersack', is written over a horizontal line.

For Jeff Peppersack, Manager  
Water Right Permits Section

JP:eja

Enclosures



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](http://www.idwr.idaho.gov)

October 25, 2004

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

JUSTIN FLORENCE  
SHIRLEY FLORENCE  
PO BOX 35  
LAKE FORK ID 83635

RE: Change in Ownership for 65-03857

Dear Mr. & Mrs. Florence:

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:

☒ **Filing Fee** of \$25 per water right

☒ **Evidence of Water Right Ownership:** copy of **Warranty 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**

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$25.

Because the Department cannot process the ownership change without proper documentation and fees, we will hold any action on your notice pending their receipt. If we do not receive the necessary information and fees **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.

If you have any questions regarding this matter, please call Kari Lynn Townsend at 208-287-4952.

Sincerely,

E. Justin Aldridge  
Technical Review