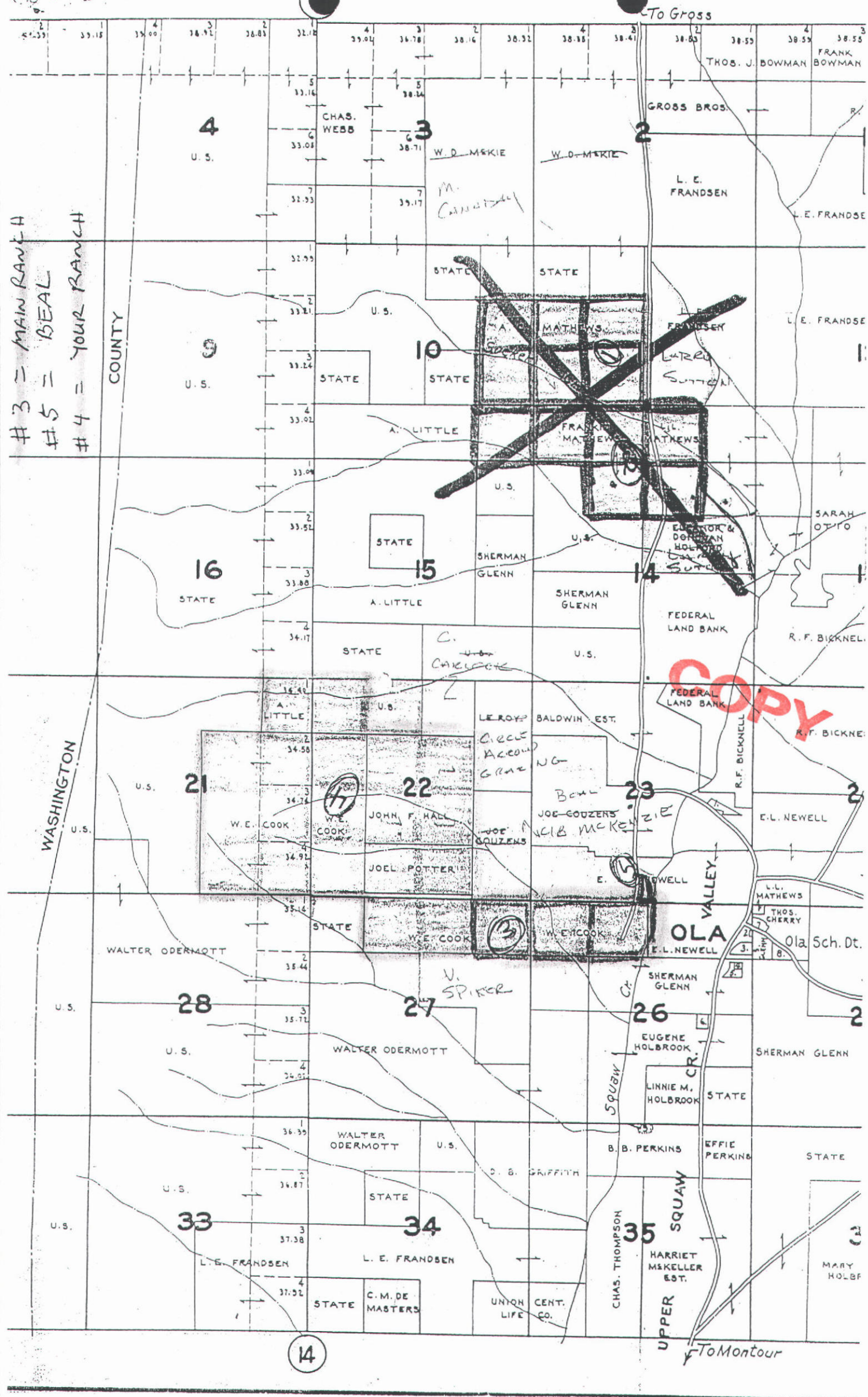


3-2-5 -



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 65-03009

NAME AND ADDRESS: DENNIS E DERBONNE
PO BOX 9
OLA, ID 83657

SOURCE: SPRING TRIBUTARY: SQUAW CREEK

QUANTITY: 0.10 CFS
2.70 AFY

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

PRIORITY DATE: 04/01/1900

POINT OF DIVERSION: T10N R01E S11 SESE Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.10 CFS 2.70 AFY

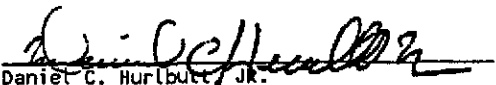
PLACE OF USE: Stockwater Within Gem County
T10N R01E S11 SWSE

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

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

December 12, 2001

JACK D MOOERS
BETTY L DERBONNE MOOERS
PO BOX 70
OLA ID 83657

RE: Change of Ownership for Decreed Water Right 65-03009

Dear Interested Parties:

Our letter of November 8, 2001 (copy enclosed) requesting the \$25.00 filing fee and legal description of the property as shown on the decreed water right which is required for the processing of an ownership change on water rights remains unanswered. Therefore, I am returning the ownership change request and warranty deed to you. A copy will be kept in our files for reference.

If, at a later date, you wish to reinstate this request you may send the enclosed paperwork along with the required \$25.00 filing fee and required support documentation and we will be happy to complete the request for you.

You may call our office at 327-7900 if you have any questions regarding this matter.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

Enclosures

RECEIVED

JUL - 9 2001

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

RECEIVED

JUL 10 2001

WATER RESOURCES
WESTERN REGION

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
<u>A65-03009</u>					

RECEIVED

JUL 12 2001

2. The following **REQUIRED** information must be submitted with this form:

Department of Water Resources

- 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)

DENNIS E. Derbonne
P.O. Box 9

4. New Owner/Claimant(s)

Ola, Id 83657
 Name Connector (Check one) ☐ and, ☐ or, ☐ and/or

New Mailing Address

Jack D. Mooers and/or Betty L. Derbonne
Mooers

City, State and ZIP Code

P.O. Box 70, Ola, Id. 83657

New Telephone Number

208-584-3728

5. Date you acquired the property

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)

Jack D. Moores

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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received

DENNIS E. DERBONNE, a married man as his sole and separate property

The grantor, do es hereby grant, bargain, sell and convey unto

BETTY LOU DERBONNE, a married woman as her sole and separate property.

the grantee, whose current address is 3940 Hancock, Suite 202, San Diego, CA. 92110

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

TOWNSHIP 10 North, Range 1 East, B.M., Gem County, Idaho

Section 21: The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and Government Lots 1, 2, 3 & 4.

Section 22: The W $\frac{1}{2}$ of the NW $\frac{1}{4}$, W $\frac{1}{2}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$.

Section 27: The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$.

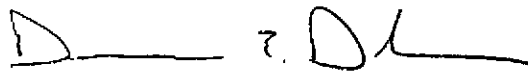
Together with all easements of record and of use.

COPY

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 es hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all incumbrances EXCEPT current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

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

Dated January 29, 1994


Dennis E. Derbonne

STATE OF IDAHO, COUNTY OF GEM
On this 29 day of January, 1994.

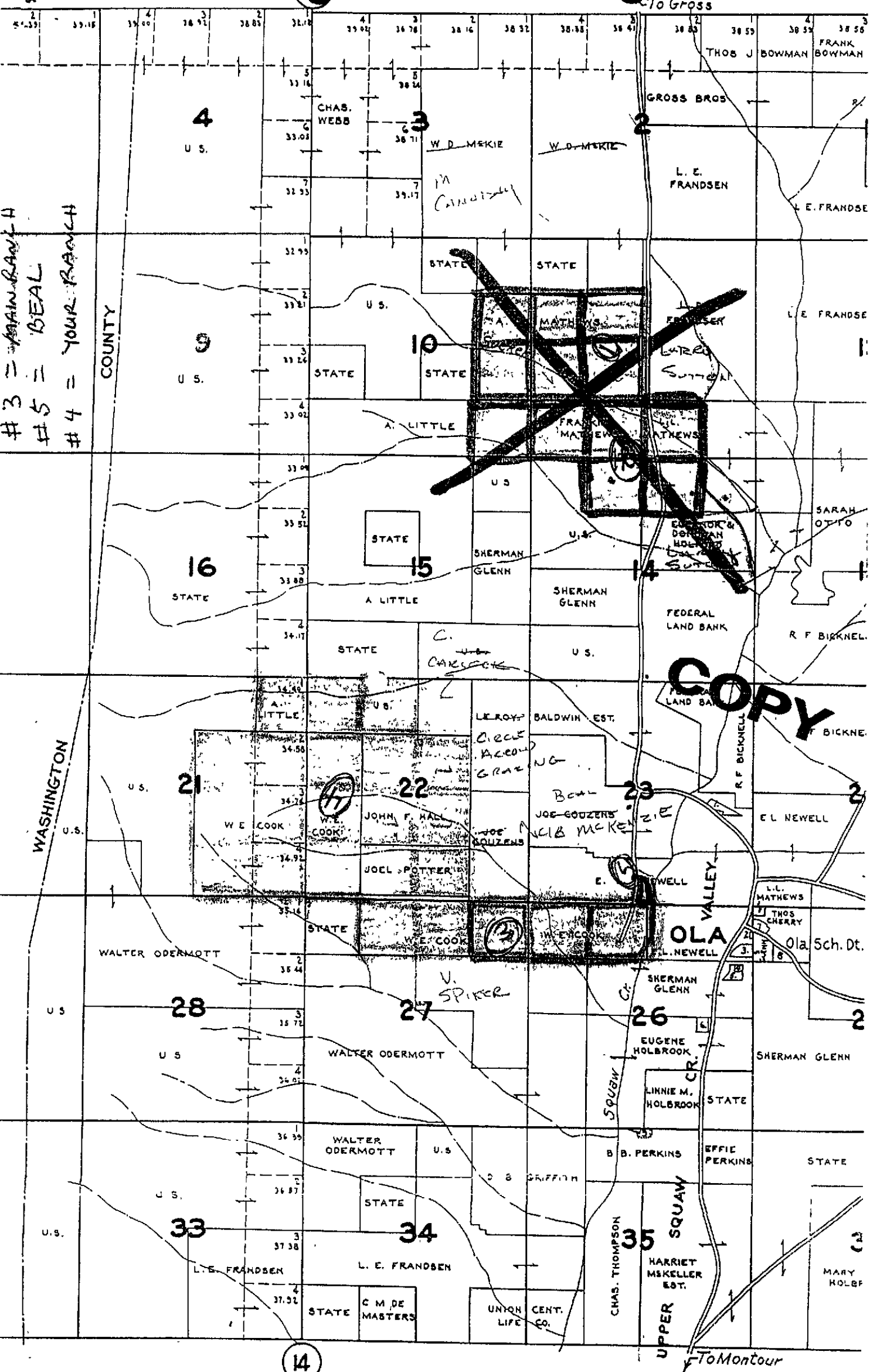
STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the

WASHINGTON & GEM COUNTIES, IDAHO

9-2-5 -

To Gross

#3 = MAIN RANCH
#5 = BEAL
#4 = YOUR RANCH





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

November 8, 2001

JACK D MOOERS
BETTY L DERBONNE MOOERS
PO BOX 70
OLA ID 83657

RE: Change in Ownership of Decreed Water Right No 65-3009

Dear Mr. & Mrs. Mooers.

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
- ☒ 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 indicated in your notice. I have enclosed a copy of the water right decree for your reference. The decree is issued in Township 10N, Range 1E, Section 11, SWSE, however none of the legal description shown on the warranty deed you provided includes Section 11

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.. We have determined that the filing fee for your notice will be \$25.00.

Because the Department cannot process the ownership change without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information and fees. 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 on the Internet to obtain the proper forms and instructions.

Please feel free to contact this office if you have any questions.

Sincerely,


Kari Lynn Townsend
Secretary

KLT:k

Enclosure(s)