





**STATE OF IDAHO**  
**IDAHO DEPARTMENT OF WATER RESOURCES**

**RECEIVED**

**JAN 18 2000**

Department of Water Resources

**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.

**RECEIVED**

**JAN 20 2000**

WATER RESOURCES  
WESTERN REGION

1. Water Right No(s).: 65-02836D  
 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: ROY W. KELLER & ROBERTA N. KELLER  
18 MIDDLE FORK CIR. GARDEN VALLEY, ID  
83622-5090
  
4. New Owner/Claimant(s): PATY A. ANDERSON OR WILLIAM D. AND VIRGINIA M. BROWN TRUST  
 Name Connector (Check one) ☐ and ☒ or ☐ and/or ☐  
 New Mailing Address: 148 E. S. SLOPE, EMME TT, ID. 83617  
 City, State and ZIP Code: EMME TT, ID. 83617  
 New Telephone Number: (208) 365-6870 OR 365-4617
  
5. Date you acquired the property: JULY 19, 1946
  
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 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): PATY A. ANDERSON OR VIRGINIA M. BROWN  
 (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..

## **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~~ 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

For Value Received, Roy W. Keller and Roberta N. Keller  
the Grantors, do hereby grant, bargain, sell and convey unto

Virginia M. Brown, Trustee or her successors in trust, of the  
William D. and Virginia M. Brown Trust, u/t/a dated the 24th day of  
February, 1992

whose address is: 148 East South Slope, Emmett, Idaho 83617  
the grantee, the following described premises, to-wit:

All that certain lot, piece or parcel of land situated in Valley  
county, Idaho and shown as Lot 4, Block 3, God's Acres Subdivision  
No. 3, a plat which is recorded in the office of the Recorder of  
Valley County, Idaho.

TO HAVE AND TO HOLD the premises with their appurtenances unto the  
said Grantees, their heirs and assigns forever. And the said  
Grantors do hereby covenant to and with the said Grantees, that  
they are the owners in fee simple of said premises that said  
premises are free from all encumbrances except the 1996 taxes and  
assessments and that they will warrant and defend the same from all  
lawful claims whatsoever.

Dated: 7-19-96

Roy W. Keller  
Roy W. Keller

Roberta N. Keller  
Roberta N. Keller

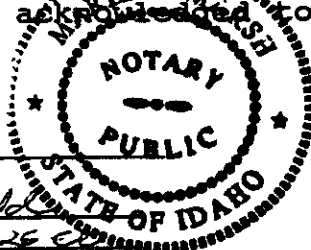
State of Idaho )  
                  ) ss  
County of Valley )

On the 19 day of July, 1996 before me, Maureen  
Maureen a notary public in and for said State,  
personally appeared Roy W. Keller and Roberta N. Keller  
known to me to be the persons whose names are subscribed to the  
within instrument, and acknowledged to me that they executed the  
same.

Maureen Maureen  
Notary Public

Residing at: Canada

Commission Expires: 5-26-00



Commission Expires 5-26-2000

MICROFILMED  
JUL 24 1997

# Wyers Title Insurance Corporation

## OWNER'S POLICY

CASE NUMBER

Keller/  
Brown

### SCHEDULE B

POLICY NUMBER

136-00-673838

#### 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:

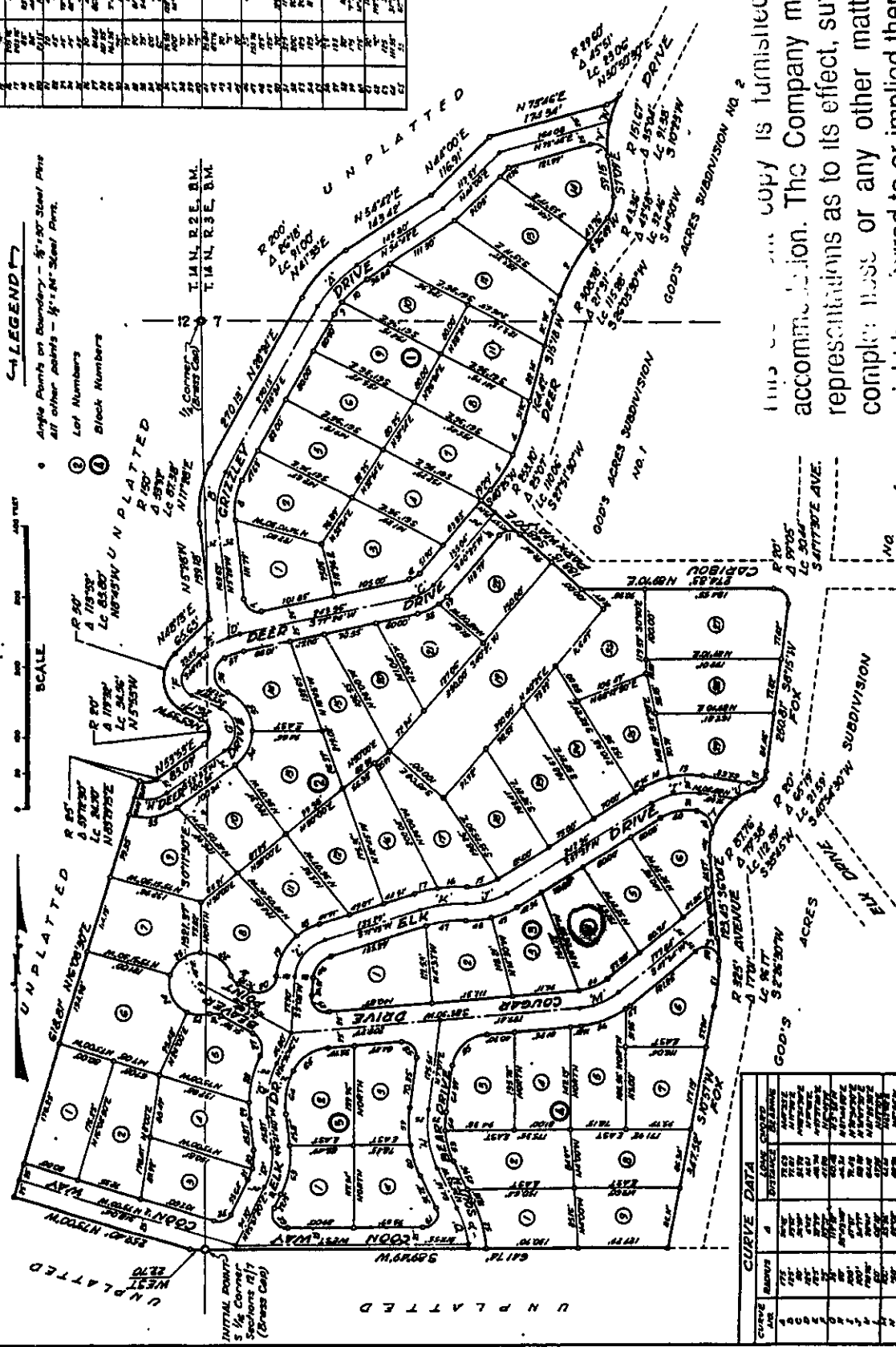
1. Rights or claims of parties in possession not shown by public records.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public record.
3. Easements, or claims of easements, not shown by 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. Unpatented mining claims; reservations or exceptions in patents or in Act authorizing the issuance thereof, water rights, claims or title to water.
6. Taxes for the year 1996 and subsequent years are a lien and not yet due and payable.
7. Assessment or liens by Valley County for garbage collection, as provided for by law.
8. GOD'S ACRES SUBDIVISION NO. 3 filings in the office of the Recorder of Valley County, Idaho as follows:  
Plat and Dedication, Instrument No. 75216 9. POWER LINE EASEMENT across NE4SW4 and GL 5 & 10, 25-14-3, recorded in the office of the Recorder of Valley County, Idaho in Book 6 of Miscellaneous at page 608 on January 27, 1945.

MAILED  
JAN 28 1997

# GOD'S ACRES SUBDIVISION NO. 3

## IN SECTION 7, T.14 N., R.3 E., B.M., & SECTION 12, T.14 N., R.2 E., B.M., VALLEY COUNTY, IDAHO.

TUDOR ENGINEERING COMPANY



This copy is furnished as an accommodation. The Company makes no representations as to its effect, sufficiency, completeness or any other matters that might be inferred therefrom.

| CURVE NO. | BEARING     | ANGLE   | CHORD | ARC LENGTH |
|-----------|-------------|---------|-------|------------|
| 1         | N 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 2         | S 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 3         | S 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 4         | N 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 5         | N 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 6         | S 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 7         | S 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 8         | N 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 9         | N 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 10        | S 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 11        | S 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 12        | N 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 13        | N 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 14        | S 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 15        | S 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 16        | N 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 17        | N 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 18        | S 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 19        | S 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 20        | N 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 21        | N 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 22        | S 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 23        | S 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 24        | N 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 25        | N 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 26        | S 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 27        | S 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 28        | N 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 29        | N 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 30        | S 89° 50' E | 90° 10' | 1.000 | 1.571      |
| 31        | S 89° 50' W | 90° 10' | 1.000 | 1.571      |
| 32        | N 89° 50' W | 90° 10' | 1.000 | 1.571      |

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| 4         | N 89° 50' W | 90° 10' | 1.000 | 1.571      |
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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 65-028360

NAME AND ADDRESS: ROBERTA N KELLER  
ROY W KELLER  
18 MIDDLE FORK CIR  
GARDEN VALLEY, ID 83622-5090

SOURCE: UNNAMED STREAM TRIBUTARY: CASCADE RESERVOIR  
QUANTITY: 0.01 CFS  
0.62 AFY

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

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF .36 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 36 AF FOR DOMESTIC USE.  
COMBINED RIGHT NOS.: 65-02836C, 65-02836E & 65-02836F.

PRIORITY DATE: 09/28/1964

POINT OF DIVERSION: T14N R02E S12 SENESE Within Valley County

|                               |                 |                |                      |
|-------------------------------|-----------------|----------------|----------------------|
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE  | QUANTITY             |
|                               | Domestic 1 HOME | 01-01 TO 12-31 | 0.01 CFS<br>0.62 AFY |

PLACE OF USE: Domestic Within Valley County  
T14N R03E S07 LOT 03 (NWSW)

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.

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.

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

MICROFILM



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

March 18, 2003

WILLIAM D & VIRGINIA M BROWN TRUST  
148 EAST SOUTH SLOPE  
EMMETT ID 83617

RE: Change of Ownership for Water Right 65-2836D

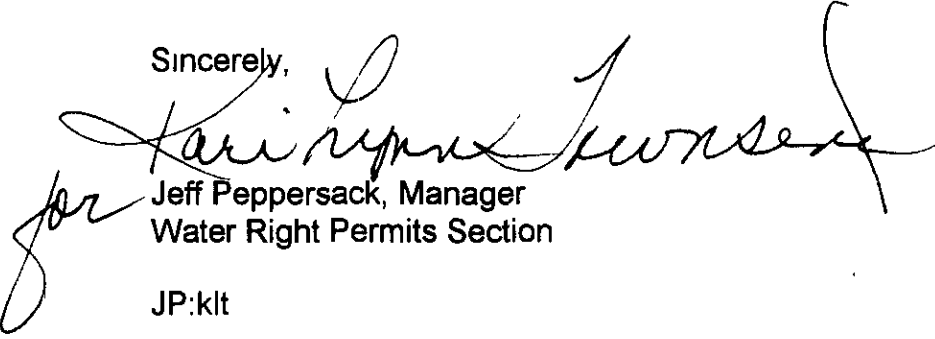
Dear Water Right Holder(s).

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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APR 11 2003