

TRANSFER REVIEW SHEET

Date Reviewed

ans #

71318

Right No(s) * 31-2308
Split? Y N Y N Y N Y N Y N Y NREA OF CONCERN: No/Yes ESPA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d
Add p/d

Change use period

Change p/u

Change nature of use

RightID's of From & To records correct? Y N (resolve with S.O.)
Check for Partial Decree issuance, etc. since time of application's entryPROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U yesLien Holder Release NO

GROUNDWATER:

DRILLING PERMIT

All wells Y N (contact GW)
DP upgrade req'd Y N
WMD
≤ 0.24 cfs/5 acres No MD
> 0.24 cfs/5 acres -067

WMD

≤ 0.24 cfs/5 acres No MD
> 0.24 cfs/5 acres -01M or 01QSUPPLEMENTAL
SUPPLEMENTAL-065-104 (where irrigation is the only use)
-100-105 (where there are other uses besides irrigation)

WITHIN ESPA

-113-114-116 (mitigation)
-115 (meas. Device)

USES:

STORAGE -18C-R02-01P-18B-NA
IRR ≤ 5 ac -R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac -R62/R63/R64/R65 (0.02 cfs/ac)
Volume only -R58/R59/R60/R61
STOCKWATER -R37 (all BLM/USFS)
MINING -054-106
FISH PROP -029 (70's basins only)-007-122-106
HEAT/COOL -R07 (injection well)
FIRE PROT. -077
DAIRY -082 (zoning if a concern)-106-WD8

USES:

POWER -17H-17K (+uses)-025-106
MUNICIPAL
Restricted area -022-075 RA FN -007-109-X64
Irr., GW supp to SW -102
DOMESTIC
Surface water -WB5 (Big Wood or Boise above Star Bridge)
-27A (Payette River)
-070-071-075 (no parks/common areas, etc.)
-WB5
>1 in restricted area
Irr use listed separate

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - >1 pd, measure all (use w/ WB4)
T18 - Special T17 & R43 combined -
multiple pds in WDProtested -020-X19
Water Quality -106-R07X27 - Number of acres/season in ppu
X35 - Combined totals of multiple rtsX49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

Apply one to chg'd & unchg'd

rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt
or Recomm yet)T19 - replaces C18
(if at Recommendation
or Partial Decree stage)T20 - use only on unchg'd rts
not subject to SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated ✓ Approval form printed ✓ Shape files created ✓Special Mailing Instructions (cc's, etc) ✓Final database update after approval ✓ *Comment to WR No(s). NA8-9-04 CS

71318

25
31-10351

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

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, 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
31-2308	Devel				

RECEIVED

JAN 20 2001

Department of Water Resources

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

- 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) are 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)

Tomlinson

4. New Owner/Claimant(s)

James ^{REB} Rigby + Terri ^{DANN} Rigby

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

2391 N 600 E

City, State and ZIP Code

Montevideo Idaho 83435

New Telephone Number

(208) 657-2521

5. Date you acquired the property

12/30/02

MICROFILMED
FEB 10 2004

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)

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 DC
Received by DC
Processed by _____ AJ

Date 1/12/2004
Date 1/12/2004
Date _____

Fee \$25
Receipt No. E029457
WR _____

DATE FEB 10 2004
MICROFILMED

J.R.R.
TDR

WARRANTY DEED

Order No.:3060213230

ALLIANCE TITLE & ESCROW CORP.

FOR VALUE RECEIVED

319116

Albert J. Tomlinson and Evelyn Tomlinson, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

James Rex Rigby and Terri Dawn Rigby, Husband and Wife

whose current address is

2391 North 600 East Montevue, ID 83435

the grantee(s), the following described premises, in Jefferson County, Idaho, TO WIT:

Township 7 North, Range 33, East of the Boise Meridian, Jefferson County, Idaho.

Section 8: Northeast Quarter

Section 9: Northwest Quarter

Excepting Therefrom: Beginning at the Northeast Corner of the Northwest Quarter of Section 9; thence West 178 feet; thence South 68 feet; thence West 152 feet; thence North 10 feet; thence West 180 feet; thence South 242 feet; thence East 180 feet; thence South 33 feet; thence East 330 feet; thence North 333 feet to the point of beginning.

Together with an easement for mainline purposes over and across the above referred to exception.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 12/30/2002

Albert J. Tomlinson
Albert J. Tomlinson

Evelyn Tomlinson
Evelyn Tomlinson

State of Idaho

}
}ss.

County of Jefferson

On this 31st day of December, 2002, before me, a Notary Public in and for said state, personally appeared Albert J. Tomlinson and Evelyn Tomlinson

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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



O. K. Jaff
Notary Public for the State of Idaho
Residing at: Rexbury, ID
Commission Expires: 1/31/2003

Instrument # 319116

RIGBY, JEFFERSON, IDAHO
2002-12-31 03:40:00 No. of Pages: 1
Recorded for: ALLIANCE TITLE & ESCROW
CONNIE M. KELLER Fee: 3.00
Ex-Officio Recorder Deputy
Inbox ID: WARRANTY DEED

RECEIVED BY

ASSESSOR

For PLATTING

Date: 1/3/03 Time: 3:40

MIDCITY ALLEY
FEB 10 2003

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 31-02308

NAME AND ADDRESS: ALBERT J TOMLINSON
EVELYN TOMLINSON
548 E 2300 N
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 3.66 CFS
1074.50 APY

PRIORITY DATE: 05/05/1952

POINT OF DIVERSION: T07N R33E S09 NENEWN Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.66 CFS 1074.50 APY

PLACE OF USE:	Irrigation	Within Jefferson County
	T07N R33E S08	NENE 38.0 NWNE 39.0 SENE 39.0 NWNW 38.0 SENW 40.0
	S09	NENW 34.0 SNNW 39.0
	307.0 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

FEB 10 2004

Trans # 71318

TRANSFER REVIEW SHEET

Date Reviewed _____

Light No(s) * 31-2308
 Split? Y N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes ESPA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
 Add p/d Change nature of use

LightID's of From & To records correct? Y N (resolve with S.O.)
 Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U yes Lien Holder Release No

GROUNDWATER:

DRILLING PERMIT

All wells - 046
 DP upgrade req'd Y N (contact GW)
 WMD - North/East/West
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL SUPPLEMENTAL

- 065-104 (where irrigation is the only use)
 - 100-105 (where there are other uses besides irrigation)

WITHIN ESPA

- 113-114-116 (mitigation)
 - 115 (meas. Device)

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 STOCKWATER - R37 (all BLM/USFS)
 MINING - 054-106
 FISH PROP - 029 (70's basins only)-007-122-106
 HEAT/COOL - R07 (injection well)
 FIRE PROT. - 077
 DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
 MUNICIPAL
 Restricted area - 022-075 RA FN - 007-109-X64
 Irr., GW supp to SW - 102
 DOMESTIC
 Surface water - WB5 (Big Wood or Boise above Star Bridge)
 - 27A (Payette River)
 > 1 in restricted area - 070-071-075 (no parks/common areas, etc)
 Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

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 multiple pds in WD

Protested - 020-X19
 Water Quality - 106-R07

X27 - Number of acres/season in ppu
 X35 - Combined totals of multiple rts

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OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated _____ Approval form printed ✓ Shape files created _____
 Special Mailing Instructions (cc's, etc) _____
 Final database update after approval ✓ *Comment to WR No(s) NA

8-9-04 CB

71318

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

71318

INITIAL REVIEW BY: DC

1. Right number 31-2308 Applicant Rigby

make folder

2. Type of right: ☒ Decree ☐ License ☐ Claim ☐ SRBA Recommendation

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s)
☐ Change place of use ☐ Other _____

return

4. Check:

a. ☒ Source ☐ Priority ☐ Amount ☐ Purpose ☐ Period of use

b. ☐ Description of original point of diversion.

c. ☐ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☐ Yes ☐ No

d. ☐ Check description of point(s) of diversion.

e. ☐ Check description of place of use

f. ☐ Check map (shows p.d. and p.u. after transfer).

g. ☐ Check for correct signature, notarization, and fee.

h. ☐ Check proof of ownership of right &/or land from which water is transferred.

i. ☐ Check for expansion in use of right. Comments NONE

j. ☐ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) NONE

k. ☐ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☐ Yes ☐ No

4. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By DC Date 7/9/09

Approval Updates Completed
8-9-04 CB

*All uses within Watermaster District require special conditions

71318



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

January 20, 2004

JAMES REX RIGBY
TERRI DAWN RIGBY
2391 N 600 E
MONTEVIEW ID 83435

RE: Change of Ownership for Water Right 31-2308

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,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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FEB 10 2004