

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 47-11571

NAME AND ADDRESS: MARCELLA M POOLER
RICHARD L POOLER
RT 3 BOX 6362
TWIN FALLS, ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 07/01/1963

POINT OF DIVERSION: T10S R17E S01 SESENE Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOUSE	01-01 TO 12-31	0.06 CFS

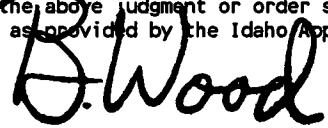
PLACE OF USE: Domestic Within Twin Falls County
T10S R17E S01 SENE

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.


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

RECEIVED
SEP 09 2004
Department of Water Resources
Southern Region

Form 42-248/42-1409(6) July, 2000

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.

RECEIVED
SEP 14 2004
Department of Water Resources

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
47-11571					

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) 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)

Marcella M. Podler

4. New Owner/Claimant(s)

David L. + Eliza J. Hansen

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

New Mailing Address

4059 N. 3300 E.

City, State and ZIP Code

Twin Falls, ID 83301

New Telephone Number

()

5. Date you acquired the property

7-30-04

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)

Elyse J. Hansen

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 <u>[Signature]</u>	Date <u>9/13/04</u>	Fee <u>\$25.00</u>	
Receipted by <u>[Signature]</u>	Date <u>9-27-04</u>	Receipt No. <u>C075295</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

Order No. T040704

WARRANTY DEED

For Value Received

MARCELLA M. POOLER, an unmarried woman

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

DAVID L. HANSEN AND ELIZA J. HANSEN, husband and wife

the grantee(s), whose current address is

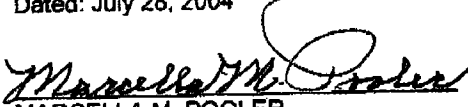
4059 NORTH 3300 EAST, TWIN FALLS, ID 83301

the following described premises, to-wit:

See Attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: July 28, 2004

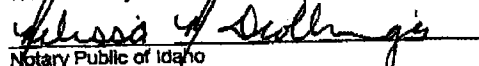

MARCELLA M. POOLER

STATE OF IDAHO

COUNTY OF TWIN FALLS

On This 28th day of July, in the year 2004, before me, a Notary Public in and for said State, personally appeared MARCELLA M. POOLER, 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.

WITNESS my hand and official seal.


Notary Public of Idaho
Residing at Twin Falls, Idaho
Commission Expires: December 10, 2005

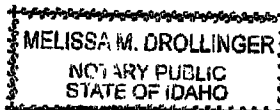


**EXHIBIT A
T040704**

A parcel of ground located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 10 South, Range 17 East of the Boise Meridian, Twin Falls County, Idaho and more particularly described as follows:

BEGINNING at a point on the East line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 1 located North a distance of 419.85 feet from the East quarter corner of said Section 1;
THENCE South 87°50'00" West a distance of 857.48 feet;
THENCE North a distance of 334.37 feet;
THENCE South 85°21'57" East a distance of 859.68 feet;
THENCE South along the East line of said NE $\frac{1}{4}$ of Section 1 a distance of 232.49 feet to the POINT OF BEGINNING.

SUBJECT TO a 50 foot county road right of way with the center line as follows:

BEGINNING at the Southeast corner of said property chord North 4°33'55" West a distance of 29.27 feet;
THENCE chord North 14°25'58" West a distance of 50.00 feet;
THENCE chord North 20°12'54" West a distance of 50.00 feet;
THENCE chord North 24°50'49" West a distance of 50.00 feet;
THENCE chord North 27°03'15" West a distance of 50.00 feet;
THENCE chord North 29°11'40" West a distance of 29.05 feet to a point on the North line of said property.