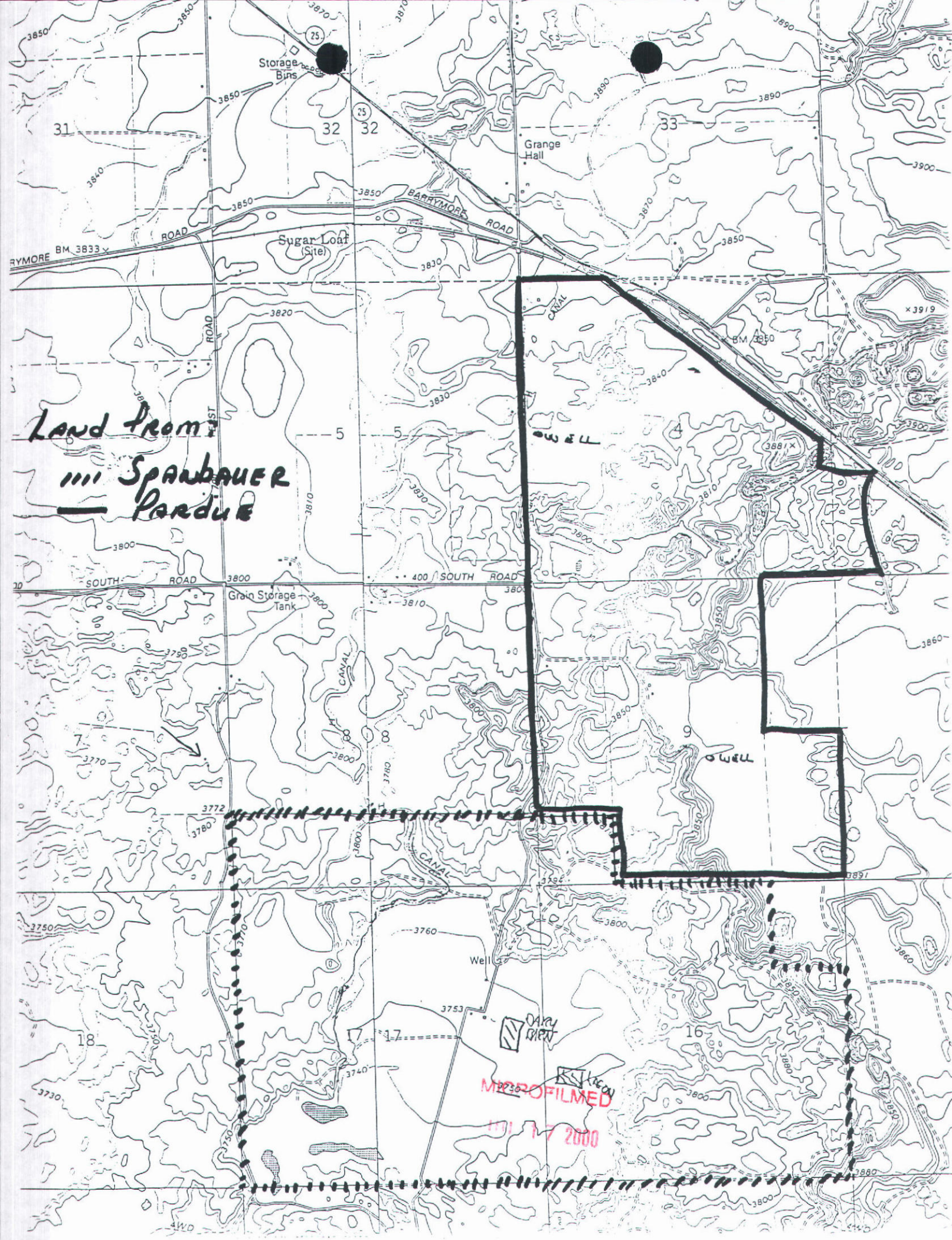




Land from
Spanbauer
- Purdue

MICROFILMED
1971 1/7 2000

STATE OF IDAHO

RECEIVED

RECEIVED JAN 31 1997

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP JAN 31 1997

Department of Water Resources
Southern Region

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 Number(s) _____
Adjudication Claim Number(s) A36-13968; A36-02539; (A36-07931)=A36-07931A, A36-07931B & A36-07931C
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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) JOHN SPANBAUER MARIE SPANBAUER
539 S 800 E
JEROME ID 83338
4. New Owner/Claimant(s) SIMON A. ROTH AND/OR MARY ELLEN ROTH
Name connector (Check one): [] AND, [] OR, [X] AND/OR
New Mailing Address 17400 N.E. 88th STREET
City, State and ZIP Code VANCOUVER WA 98682
New Telephone Number () -
5. Date you acquired the property 2/6/1995
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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s) Simon A. Roth Date 1-25-97
Mary Ellen Roth Date 1-25-97
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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JAN 17 2000

WARRANTY DEED

FOR VALUE RECEIVED,

JOHN F. SPANBAUER and MARIE A. SPANBAUER, as the Co-Trustees of the JOHN F. AND MARIE A. SPANBAUER TRUST, the "Grantor", do hereby grant, bargain, sell and convey unto SIMON A. ROTH and MARY ELLEN ROTH, husband and wife, husband and wife, whose address is 17400 N.E. 88th St. Vancouver, Washington 98682, the following described premises located in Jerome County, Idaho, to wit:

TOWNSHIP 9 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Parcel No. 1:

SECTION 8: S $\frac{1}{2}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$;SECTION 9: SW $\frac{1}{4}$ SW $\frac{1}{4}$;SECTION 16: NW $\frac{1}{4}$; S $\frac{1}{2}$ W $\frac{1}{4}$;

SECTION 17: All;

Parcel No. 2:

SECTION 16: NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$

REC
Land Title & Escrow, Inc.
FEB 5 4 52 PM '97
JEROME COUNTY, IDAHO
FEE \$200.00
JAN 22 1997

95048.0

SUBJECT TO encumbrances, easements and rights-of-way as follows:

1. Taxes for 1995 and subsequent years, a lien, but not yet due and payable.
2. Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.
3. Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.
4. Right of way for road, canals, laterals and waste ditches as contained in an Agreement by

WARRANTY DEED - 1

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- and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 page 589, Jerome County records.
5. Power Line Easement given by Ernest Egan and Nettie Egan, husband and wife to Idaho Power Company, a corporation, dated March 22, 1940, recorded September 7, 1940 in Book 120 Page 210 as Instrument Number 77896, Jerome County records, affecting the E $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 9 South, Range 18, East Boise Meridian.
 6. Power Line Easement given by William K. Hill and Virginia Hill, husband and wife, to Idaho Power Company, a corporation, dated April 26, 1973, recorded March 26, 1974 in Book 184 Page 841 as Instrument Number 204938, Jerome County records, affecting the S $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 9 South, Range 18, East Boise Meridian.
 7. Terms and conditions of an Easement given by John Spanbauer and Marie Spanbauer, husband and wife, Grantors, to William R. Hill and Virginia A. Hill, husband and wife, Grantees, dated March 13, 1980, recorded March 14, 1980 as Instrument Number 248219, Jerome County records, wherein there is granted unto the Grantees a perpetual non-exclusive easement under, over, through and across the North 25 feet of the S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 8, Township 9 South, Range 18, East Boise Meridian, for a transmission line for electric energy and a 6-inch pipeline for the use and benefit of the real property of William R. Hill and Virginia A. Hill, located on the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 9 South, Range 18, East Boise Meridian.
 8. Terms, conditions, and provisions of the trust under which title is vested. (NOTE: Affidavit Re: Trust and Trustees Powers was recorded April 22, 1991, as Instrument Number 911301, Jerome County records).

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided.

DATED THIS 6th day of February, 1995.

JOHN F. AND MARIE A. SPANBAUER TRUST

John F. Spanbauer Trustee Marie A. Spanbauer Trustee
JOHN F. SPANBAUER, Trustee MARIE A. SPANBAUER, Trustee

WARRANTY DEED - 2
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1997 17 2000

PAGE 003

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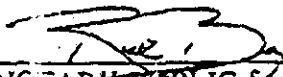
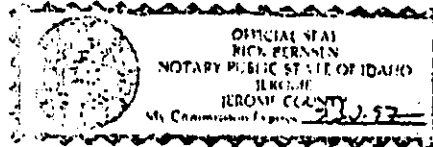
STATE OF IDAHO)

ss:

County of Jerome)

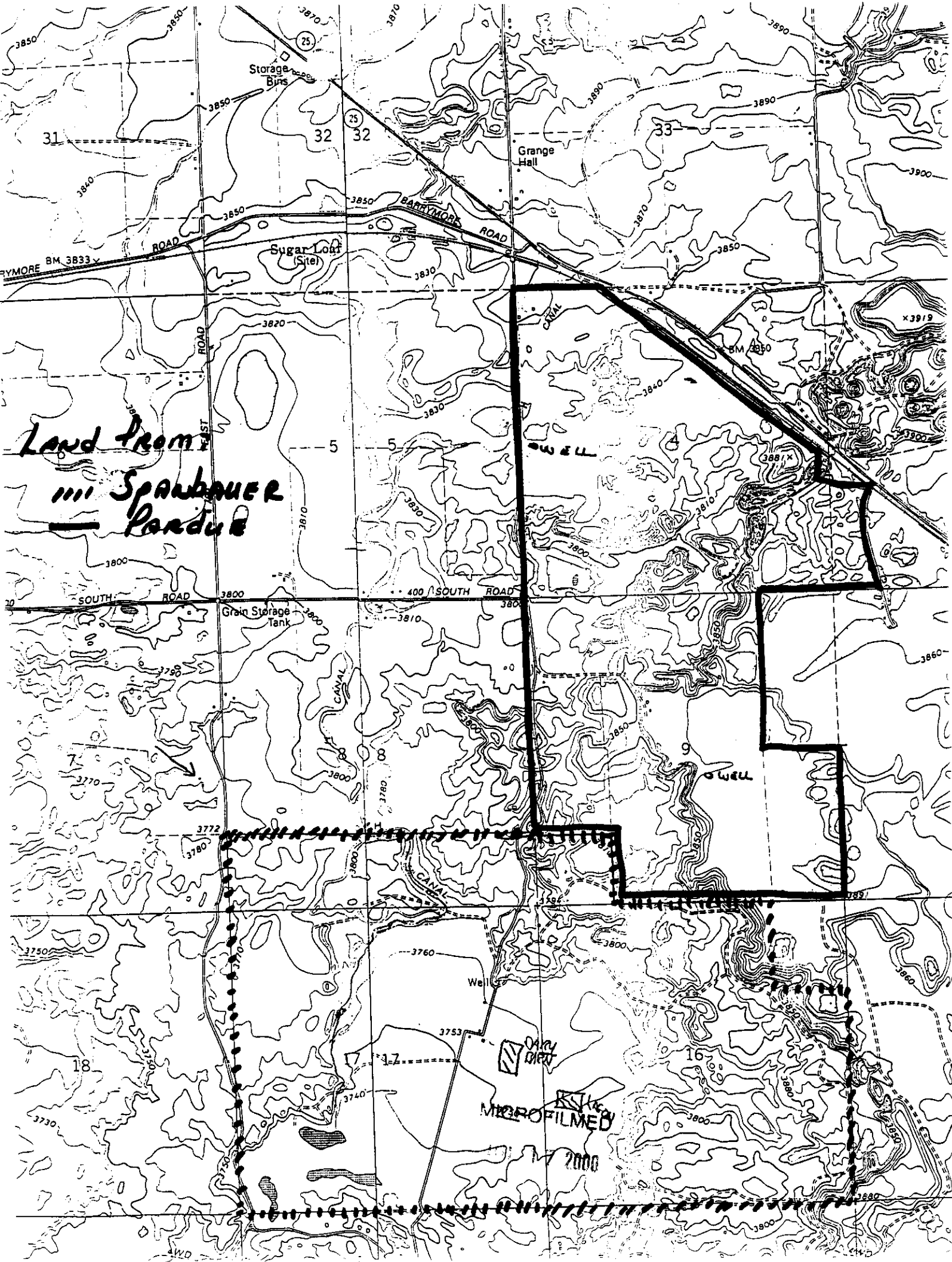
On this 6th day of February, 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN F. SPANBAUER and MARIE A. SPANBAUER, Co-Trustees of the JOHN F. AND MARIE A. SPANBAUER TRUST, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same in such capacity.

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


NOTARY PUBLIC for IdahoResiding at: Jerome, IdahoCommission Expires: 7-30-97

WARRANTY DEED - 3
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MICROFILMED
JUL 17 2000



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 36-13968

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: MARIE SPANBAUER
JOHN SPANBAUER
539 S 800 E
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS

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

PRIORITY DATE: 12/31/1900

POINT OF DIVERSION: T09S R18E S17 SWSENE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.05 CFS
	DOMESTIC 2 HOMES	01-01 12-31	0.05 CFS

PLACE OF USE: STOCKWATER Within JEROME County
T09S R18E S17 SENE

DOMESTIC Within JEROME County
T09S R18E S17 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.

DATED: DEC 10 1996



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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RULE 54(b) CERTIFICATE

JUN 04 1997

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.

DATED: DEC 10 1996



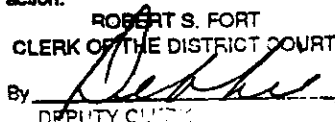
DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

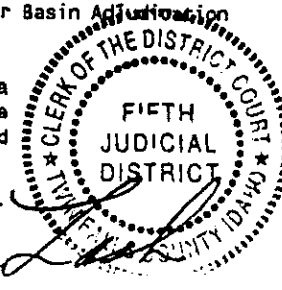
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-13968

MICROFILMED

JUN 17 2000

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

May 29, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SIMON A ROTH
MARY ELLEN ROTH
17400 NE 88TH ST
VANCOUVER WA 98682

RE: SRBA Claim(s) 36-02539, 36-07931A, 36-07931B, 36-07931C

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: John Spanbauer

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JUL 17 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SIMON A ROTH
MARY ELLEN ROTH
17400 N E 88TH ST
VANCOUVER WA 98682

RE: Decreed Water Right 36-13968

Dear Mr. & Mrs. Roth:

The Department is in receipt of the correspondence changing the ownership of the above referenced decreed water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

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1999 17 2000