

South Half

SEE NORTH HALF



THESE ARE THE
FINDINGS OF THE
SURVEYOR, AND
THEY ARE NOT
GUARANTEED BY
THE STATE OF
IDAHO, IF ANY, WITH AN ACTUAL
SURVEY."

MICROFILMED
24 2000

MAR 11 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Southern Region 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.

1. Water Right No(s).: 36-13910
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 Keith Royce Amend
724 17th Avenue
Jerome, Idaho 83338
4. New Owner/Claimant(s) Filemon Alvarez and Luz Alvarez
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 396 Highway 81
Burley, Idaho 83318
City, State and ZIP Code _____
New Telephone Number (208) 678-8175
5. Date you acquired the property February 5, 1998
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 _____ 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) Filemon Alvarez
Luz Alvarez
(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..

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MAY 24 2000

WARRANTY DEED

THIS INDENTURE, made this 5th day of February, 1998, between KEITH ROYCE AMEND, single person, ("Grantor"), of 724 17th Avenue East, Jerome, Idaho 83338 and FILEMON ALVAREZ and LUZ ALVAREZ, husband and wife, whose address is 396 Highway 81, Burley, Idaho 83318, ("Grantee").

W I T N E S S E T H:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Jerome, State of Idaho, to-wit:

That property more particularly described on Exhibit A attached hereto and made a part hereof by reference.

SUBJECT TO: Accruing taxes, levies and assessments, the rights of A & B Irrigation District as evidenced by the land being within the boundaries of the District and as evidenced by recordings as Instrument Numbers 149779 and 130650, records of Jerome County.

TOGETHER with all water rights appurtenant thereto.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in

anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this
Deed the day and year first above written.


Keith Royce Amend

STATE OF IDAHO)
County of Cassia) ss

On this 3rd day of July, in the year 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared KEITH ROYCE AMEND, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public for Idaho

E. RUTH THRALL
NOTARY PUBLIC
STATE OF IDAHO
Residing at Burley, Idaho
My Commission Expires 5/10/99

Page 2 - Warranty Deed

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MAY 24 2000

REC'D
JAN 15 11 00 AM '38
JEN
FEES 2.00 013

980715

TOWNSHIP 10 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 12: That part of Tract "E", described as follows:

Beginning at the Southeast corner of said Tract "E";
Thence South $89^{\circ}35'$ West, 99.66 feet to the South quarter corner of said
Section 12;
Thence South $89^{\circ}25'$ West along the South boundary of Tract "E", 600.34 feet;
Thence North to an irrigation lateral;
Thence Northeasterly along said lateral to the East boundary of said Tract "E";
Thence South $0^{\circ}06'30''$ East along the East boundary of said Tract "E" to THE
TRUE POINT OF BEGINNING.

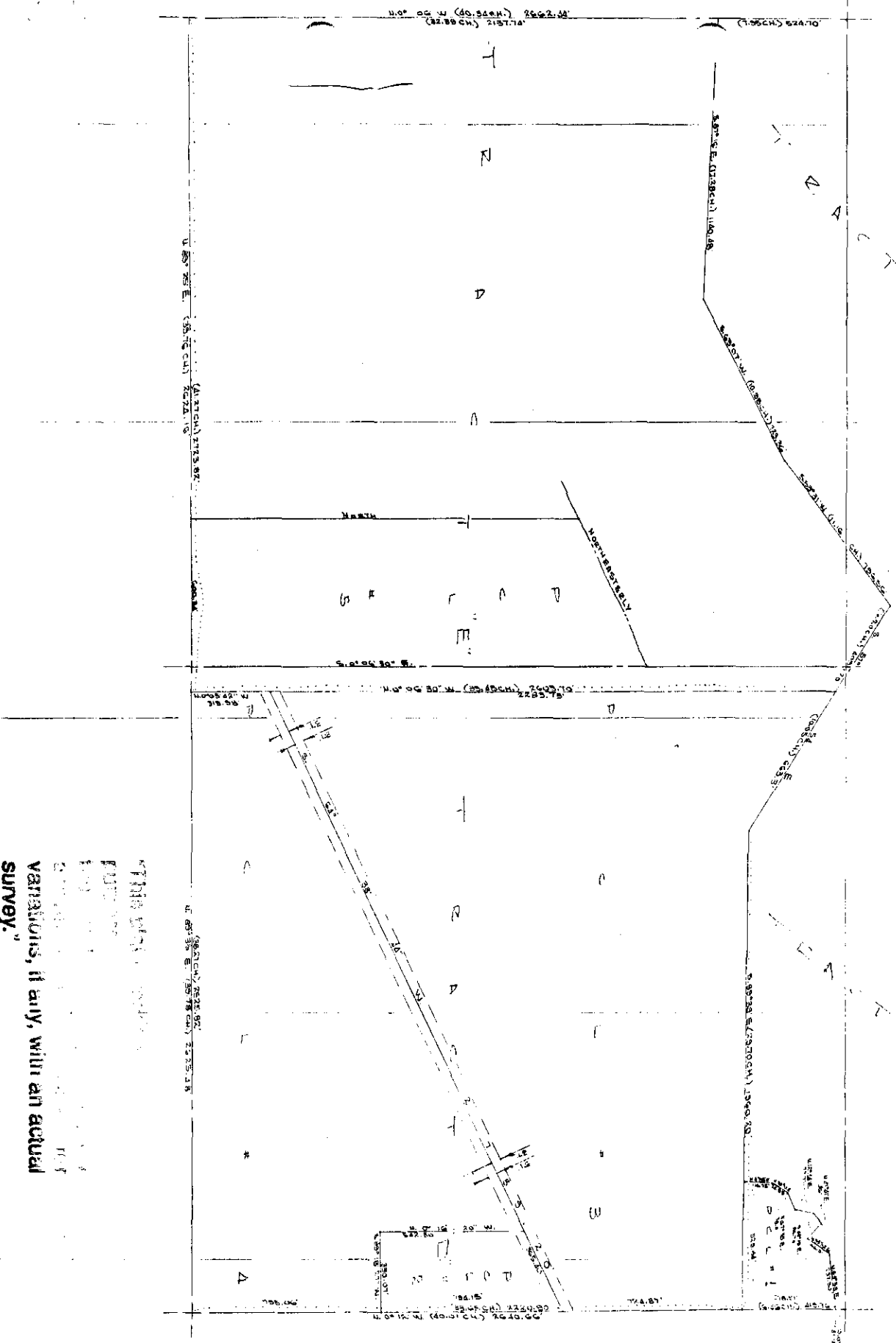
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Exhibit A

2000

SEE NORTH HALF

South Half



THIS MAP WAS
FILED FOR
RECORD IN
JANUARY 1964
IN BOOK 10
PAGE 104
VARIATIONS, IF ANY, WITH AN ACTUAL
SURVEY.

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2 4 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 36-13910

1996 NOV 26 PM 2:41
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: KEITH R AMEND
2944 E 1100 S
HAZELTON ID 83335

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 06/01/1976

POINT OF DIVERSION: T10S R21E S12 SESEW Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within JEROME County
T10S R21E S12 SESW

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: NOV 26 1996


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

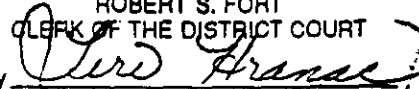
RULE 54(b) CERTIFICATE

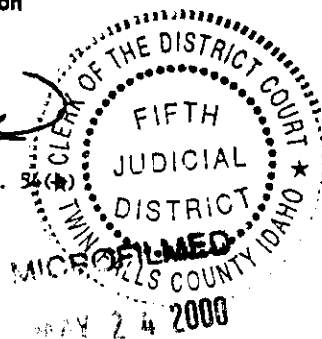
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

State of Idaho
County of Twin Falls ss.

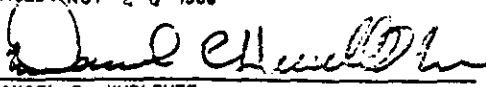
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-13910



DATED: NOV 26 1996


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

PAGE 1
NOV-5-1996

NOV 24 1997



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

July 6, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FILEMON ALVAREZ
LUZ ALVAREZ
396 HWY 81
BURLEY ID 83318

RE: Decreed Water Right 36-13910

Dear Mr. & Mrs. Alvarez:

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed 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 the department if you have questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Glen Saxton".

LGS L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

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MAY 24 2000

PARSONS, SMITH & STONE, LLP

ATTORNEYS AT LAW

137 WEST 13TH STREET

P. O. BOX 910

BURLEY, IDAHO 83318

WILLIAM A. PARSONS

RICHARD K. SMITH

RANDOLPH C. STONE

rcstone@cyberhighway.net

TELEPHONE
(208) 678-8382

FAX NO.
(208) 678-0146

March 10, 1998

RECEIVED

MAR 11 1998

Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore - Suite 200
Twin Falls, Idaho 83301

RE: Amend - Alvarez

Gentlemen:

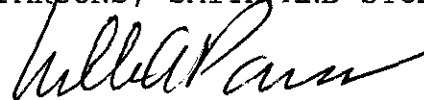
Enclosed please find Notice of Change of Water Right
Ownership, Warranty Deed and a plot of the property.

You have my authority to fill in the adjudication claim
number as I don't have that if it is applicable.

If I need to provide additional information please let me
know.

Very truly yours,

PARSONS, SMITH AND STONE, LLP



William A. Parsons

WAP:rt
Enc.

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MAY 24 2000

AJ5809NP
No. 36-13910

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/11/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KEITH R AMEND 2944 E 1100 S HAZELTON ID 83335	06/01/1976	DOMESTIC	01-01 12-31	0.04 CFS	
					TOTAL DIVERSION:	0.04 CFS
D	FRANCES M AMEND 1070 SOUTH 2900 EAST HAZELTON ID 83335 (208) 438-5690					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T10S R21E S12

SESESW

JEROME County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10S	21E	12	:																				

POU County: JEROME

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A36-13910

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RL10S21E124723

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 09/17/1993 User-ID: ROBERTSO Subject: OWNERSHIP CHANGE
Change of ownership received 9/13/93 JR

Date: 07/27/1995 User-ID: TFAWCETT Subject: OWNER CODE CORRECTED

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2 4 2000

AJ5809NP
No. 36-13910

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/11/98
PAGE: 2

=====
Comments: Date: 07/27/1995 User-ID: TFAWCETT Subject: OWNER CODE CORRECTED
DIRECTORS REPORT OWNER ENTERED WITH INCORRECT OWNER CODE WHEN
OWNERSHIP CHANGED. CODE CORRECTED TO "D" 7-27-95 TF.

Date: 10/14/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 10/18/96 DSHAFF 11/28/96 PD-DSHAF

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MAY 24 2000