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Form 42-240/42-1400(6) February 1, 1997

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FEB 26 1999

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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FEB 26 1999

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Department of Water Resources

1. Water Right No(s).: 36-13356
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 Douglas D. Clark and Virginia L. Clark
RT. 1, Box 229, Rupert, ID 83350
4. New Owner/Claimant(s) Douglas D. Clark, Jr.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 4848 Rose Way, Union City, CA 94580
City, State and ZIP Code Union City, CA 94580
New Telephone Number (510) 489-3257
5. Date you acquired the property Feb. 2, 1999
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 .04 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) Douglas D. Clark Jr.

(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..

MICROFILMED

JUL 17 2000

DEED OF PERSONAL REPRESENTATIVE

Recorded
439 728
Minidoka City Recorder
on 2-2-99

THIS DEED made the 2nd day of February, 1999, by JAMES A. DOWNS, Personal Representative of the Estate of Douglas D. Clark and Virginia L. Clark, husband and wife, deceased, herein called the First Party, Grantor, and DOUGLAS D. CLARK, JR., herein called the Second Party, Grantee, whose present address is 4848 Rose Way, Union city, CA 94580.

WITNESSETH:

That the First Party, by virtue of the power and authority to him given and vested and by reason thereof and for value received, has granted, conveyed and confirmed, and by these presents does grant, remise, convey and confirm, unto the Second Party, Grantee and his heirs forever, all of the following described real property located in Minidoka County, Idaho, to-wit:

The real property described on the 2 page Exhibit "A", consisting of 2 Tracts of real property, attached hereto and by this reference made a part of this Deed.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and the reversion, remainder and remainders, rents, issues and profits thereof, and also all the estate, right, title and interest, property, possession, claim and demand whatsoever, which the said Douglas D. Clark and Virginia L. Clark, husband and wife, decedents, had in their lifetime, and at the time of their decease, and which the First Party has, by virtue of his appointment as Personal Representative of the Estate of Douglas D. Clark and Virginia L. Clark, deceased, in and to the above-described premises, with appurtenances.

TO HAVE AND TO HOLD all and singular the above-granted premises, together with appurtenances, and every part thereof, unto the Second Party, his heirs and assigns forever.

IN WITNESS WHEREOF the First Party has hereunto set my hand the day and year first above written.

ESTATE OF DOUGLAS D. CLARK
and VIRGINIA L. CLARK, Husband
and Wife, Deceased

By: 5/JAMES A DOWNS
James A. Downs
Personal Representative

MICROFILMED

JUL 17 2000

STATE OF IDAHO

County of Minidoka

)
) ss.
)

On the 2nd day of February, 1999, before me the undersigned Notary Public in and for said State, personally appeared James A. Downs, Personal Representative of the Estate of Douglas D. Clark and Virginia L. Clark, husband and wife, deceased, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

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

(SEAL)

S/William T. Goodman
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/24/04

MICROFILMED
JUL 17 2000

EXHIBIT "A"

TRACT NO. 1:
TOWNSHIP 9 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 28: W½NE½NW½.

SAVE AND EXCEPT the following described parcel:

Beginning at the Northwest corner of said NE½NW½; thence South for 40 feet; thence East along the South boundary line of U. S. Highway 30 North for 100 feet to a point, which point shall be known as the TRUE POINT OF BEGINNING;
Thence East along the South boundary line of said U. S. Highway 30 North for 60 feet, more or less;
Thence South for 200 feet;
Thence West for 60 feet, more or less;
Thence North for 200 feet to the TRUE POINT OF BEGINNING.

ALSO SAVE AND EXCEPT the following described parcel:

Beginning at the Northwest corner of said NE½NW½; thence South for 40 feet to a point, which point shall be known as the TRUE POINT OF BEGINNING;
Thence East along the South boundary line of U. S. Highway 30 North for 100 feet;
Thence South for 200 feet;
Thence West for 100 feet to a point on the West boundary line of said NE½NW½;
Thence North along said West boundary line for 200 feet to the TRUE POINT OF BEGINNING. This property is also known as Day's First Addition to Rupert, Idaho, according to the official plat thereof now on file in the office of the County Recorder, Minidoka County, Idaho, recorded May 19, 1953, in Book 8 of Miscellaneous, page 79, Minidoka County records.

ALSO SAVE AND EXCEPT the following described parcel:

Beginning at the Northwest corner of the said NE½NW½; thence South 40 feet; thence East along the South boundary line of U. S. Highway 30 North for 160 feet to a point, which point shall be known as the TRUE POINT OF BEGINNING;
Thence East along the South boundary line of said U. S. Highway 30 North for 60 feet more or less;
Thence South 200 feet;
Thence West 60 feet more or less;
Thence North 200 feet to the TRUE POINT OF BEGINNING.

ALSO SAVE AND EXCEPT the following described parcel:

A parcel of land being that portion of the W½NE½NW½ of Section 28, Township 9 South, Range 24 East, Boise Meridian, more particularly described as follows to-wit:

Beginning at the Northeast corner of the NE½NW½ of said Section 28; thence South for 40.00 feet to the South right of way line of U. S. Highway 30; thence West for 847.73 feet to a point, which point shall be known as the TRUE POINT OF BEGINNING;
Thence West along said South right of way line for 124.25 feet;
Thence South 0°41'40" West for 232.75 feet;
Thence North 89°56'54" East for 125.00 feet;
Thence North 0°19' East for 232.05 feet to a point on the South right of way line of U. S. Highway 30, which point is the TRUE POINT OF BEGINNING.

(Continued)

EXHIBIT "A"
(Continued)

TRACT NO. 2:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 28: That part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, described more particularly as follows:

Beginning at the Northeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 28; thence South for 40.00 feet to the South right of way line of U. S. Highway 30; thence West for 847.73 feet to a point, which point shall be known as the TRUE POINT OF BEGINNING;

Thence West along said South right of way line for 124.25 feet;

Thence South 0°41'40" West for 232.75 feet;

Thence North 89°56'54" East for 126.00 feet;

Thence North 0°19' East for 232.85 feet to a point on the South right of way line of U. S. Highway 30, which point is the TRUE POINT OF BEGINNING.

TOGETHER WITH all water and water rights, ditches or ditch rights used thereon or appurtenant thereto.

ALSO SAVE AND EXCEPT the following described parcel from Tract Nos. 1 and 2 above described:

A portion of NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 9 South, Range 24 East, Boise Meridian, designated as Parcel No. 2, Id. No. 38237 on the Right of way Plat of Project No. STP-7082 (101), filed for record in the office of the County Recorder of Minidoka County on the 18 day of September 1997, as Instrument No. 431455.

Station Reference: 144+81.63 to 146+15.99

The area above described contains approximately 0.523 acres of which 0.407 acres is acknowledged to be public right of way.

The said exception is shown on that Warranty Deed dated November 6, 1997, and recorded on January 12, 1999, as Instrument No. 439222 in the Office of the Minidoka County Recorder.

MICROFILMED

JUL 17 2000

WILLIAM T. GOODMAN
ALAN GOODMAN
RICK BOLLAR

LAW OFFICE
Goodman and Bollar
CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350 - 0020

AREA CODE 208
TELEPHONE NO.
436-4774
FAX
(208) 436-4837

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FEB 26 1999

February 25, 1999
Department of Water Resources

RECEIVED
MAR 03 1999
Department of Water Resources

RECEIVED
FEB 26 1999
WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
1336 North Orchard Street
Boise, ID 83706

Re: Water Right No. 36-13356

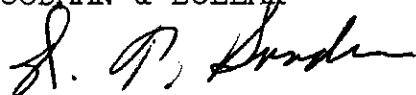
Gentlemen:

We enclose a Notice of Change of Water Right Ownership for the above numbered Water Right.

A copy of the Deed of Personal Representative with the recording information and date of recording is attached. The original of this Deed was forwarded some time ago to the new owner and we do not have a photocopy of that original Deed recorded in Minidoka County, Idaho.

Very truly yours,

GOODMAN & BOLLAR



William T. Goodman

WTG:KH
Encl.
cc: Mr. Douglas D. Clark, Jr.

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 36-13356

1996 NOV 26 AM 11:57

DISTRICT COURT - SREA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: DOUGLAS D CLARK
VIRGINIA L CLARK
RT 1 BOX 229
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 03/03/1975

POINT OF DIVERSION: T09S R24E S28 NWNEW Within MINIDOKA County

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

PLACE OF USE: DOMESTIC Within MINIDOKA County
T09S R24E S28 NENEW

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.

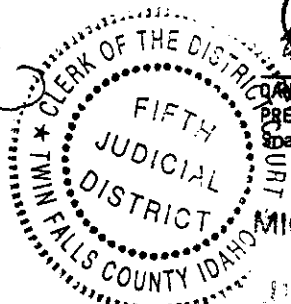
ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By _____

DEPUTY CLERK
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-13356

DATED: NOV 26 1996


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication



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MAY 22 1997

1997 17 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237

RETURN SERVICE
REQUESTED

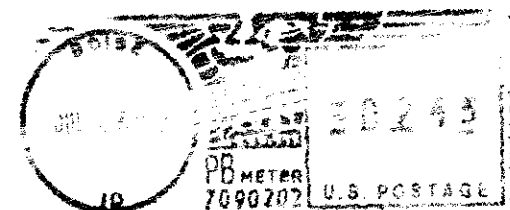
PRESORTED
FIRST CLASS



FORWARDING ORDER EXPIRED
SAN JOSE, CA 94587

H. G.

ALMS 94587

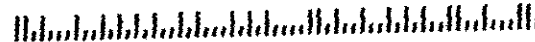


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JUL 17 2000

Department of Water Resources

*36-13356
7-18-00 - Assessment Office
gave new address of
33 E Baseline
Rupert Id. 83350
Mail present w/ change in address
firm included.*





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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 6, 2000

DOUGLAS D CLARK JR
4848 ROSE WAY
UNION CITY CA 94580

RE: Change of Ownership for Decreed Water Right 36-13356

Dear Water Right Holder(s):

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,

Jeff Peppersack
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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JUL 17 2000