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OCT 3 - 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
SEP 27 2000
Department of Water Resources
Southern Region

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

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
36-12494	39576	—			

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) Blanche Craig
4. New Owner/Claimant(s) Rt. 3 Box 2
- New Mailing Address Rupert, Idaho 83350
- City, State and ZIP Code James G. + Essie M. Lively
- New Telephone Number 1806-A St.
- Date you acquired the property Rupert, Idaho 83350
- (208) 436-9115
- April 7, 2000

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JAN 24 2002

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) Eric M. Lively (owner)
(include title if applicable) * James J. Lively (owner)

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.

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For Office Use Only

Received by <u>JBarron</u>	Date <u>11/3/00</u>	Fee <u>25⁰⁰</u>	JAN 24 2002
Receipted by <u>JBarron</u>	Date <u>11/2/00</u>	Receipt No. <u>C051004</u>	
Processed by _____	AJ Date _____	WR _____ Date _____	

447455

WARRANTY DEED

RECEIVED

#14576

JAN 17 2002

For Value Received

Department of Water Resources

BLANCHE M. CRAIG 1990 TRUST, BLANCHE M. CRAIG, TRUSTEE

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

JAMES G. LIVELY and ELSIE M. LIVELY, husband and wife
Address: 1806 A STREET, RUPERT, ID 83350

Certified to be a true and exact
copy of the original document.
LAND TITLE & ESCROW, INC.

By: Mary Bauscher

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

PARCEL NO. 1:

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

SECTION 21: A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at a point 137 feet North of the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence East 224 feet;
Thence North 130 feet;
Thence West 224 feet to a point on the West line of Section 21;
Thence South 130 feet to the POINT OF BEGINNING.

PARCEL NO. 2:

ACCESS EASEMENT for ingress and egress for the benefit of the above described real property, as created by Easement For Driveway, executed by David S. Cole and Janet M. Cole, to Blanch Craig, her successors and assigns, dated September 24, 1998 and recorded September 24, 1998, as Document No. 437449, Minidoka County records, more particularly described as follows:

Beginning at the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ said Section 21, said corner marked by a $\frac{5}{8}$ inch rebar; thence North 00°07'31" East along the West line of Section 21 for a distance of 123.00 feet to the POINT OF BEGINNING;
Thence North 00°07'31" East along the West line of Section 21 for a distance of 14.00 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°20'19" East for a distance of 157.24 feet to a $\frac{1}{2}$ inch rebar;
Thence South 00°50'23" East for a distance of 14.00 feet;
Thence North 89°20'19" West for a distance of 157.47 feet to the POINT OF BEGINNING.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

2000 taxes and subsequent years

Assessments levied or to be levied by the City of Rupert.

Easement granted to City of Rupert, recorded February 3, 1973 as Document No. 230579, Minidoka County records.

Reservations and limitations as set forth in Easement for Driveway, dated September 24, 1998, executed by David S. Cole and Janet M. Cole, to Blanch Craig, her successors and assigns, recorded September 24, 1998 as Document No. 437449, Minidoka County records.

RECORDED AT REQUEST OF
Land Title-Bupet
ELM-NO.
00 APR 18 15 : 54
MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE DEPUTY

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447455

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

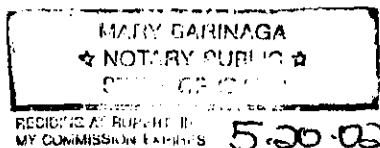
Dated: April 14, 2000

BLANCHE M. CRAIG 1990 TRUST,
BLANCHE M. CRAIG, TRUSTEE

BY Blanche M. Craig
BLANCHE M. CRAIG, TRUSTEE

STATE OF IDAHO)
) ss.
COUNTY OF MINIDOKA)

On this 14th day of April, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Blanche M. Craig, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Blanche M. Craig 1990 Trust, and acknowledged to me that she executed the same as such Trustee.



Mary Garinaga
Notary Public
Residing at: Rupert
My Commission expires: 5-20-02

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JAN 24 2002

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 36-12494

1975 NOV 26 AM 11:40

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: BLANCHE CRAIG
RT 3 BOX 2
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: 01/01/1942

POINT OF DIVERSION: T09S R24E S21 NWNW 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 S21 NWNW

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

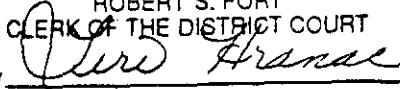
RULE 54(b) CERTIFICATE

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.

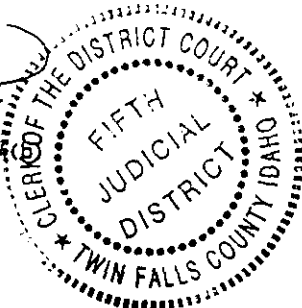
State of Idaho
County of Twin Falls ss.

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

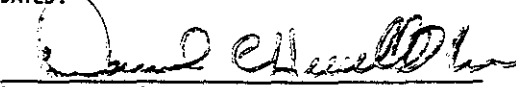
ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-12494



DATED: NOV 26 1996


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

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JAN 24 2002

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JAN 24 1997

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NOV-5-1996



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 18, 2002

JAMES G LIVELY
ELSIE M LIVELY
1806 A ST
RUPERT ID 83350

RE: Change of Ownership for Water Right 36-12494

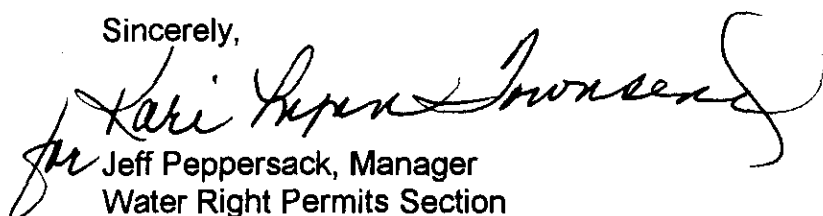
Dear Water Right Holder(s):

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. Also enclosed is a receipt for the \$25.00 filing fee.

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,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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JAN 24 2002

AN 17 2002

Department of Water Resources

Attention: Kari Lynn Townsend;
We. James H. Lively or Elsie
M. Lively received a letter
from you saying you needed
Evidence of Water Right
Ownership. So we are sending
you the Warranty Deed of Proof.
Re: Change in ownership for
Decreed Water Right 36-12494.

Please respond as soon
as possible, so that we will
know that we have supplied
all papers possible for
Ownership of this Water
Right.

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JAN 24 2002



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

January 10, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JAMES G LIVELY
ELSIE M LIVELY
1806 "A" ST
RUPERT ID 83350

RE: Change in Ownership for Decreed Water Right 36-12494

Dear Mr. & Mrs. Lively:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

✓ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

We have received copies of a Commitment for Title Insurance, however this is not a legal document indicating ownership of the property. Please furnish our office with a copy of a Warranty Deed, Title Policy or Contract of Sale so that we may finalize your request for change of ownership on this water right.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

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JAN 24 2002

If you have any questions regarding this matter, please call me at 208-327-7941/

Sincerely,

A handwritten signature in cursive script, reading "Kari Lynn Townsend". The signature is fluid and elegant, with a large loop at the end of the last name.

Kari Lynn Townsend
Secretary

KLT:k

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JAN 24 2002



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

October 16, 2000

JAMES G LIVELY
ELSIE M LIVELY
1806 A ST
RUPERT ID 83350

RE: Change in Ownership of Water Right 36-12494

Dear Mr. & Mrs. Lively:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

- ☒ **Filing Fee** of \$25 per water right
- ☐ **Filing Fee** of \$100 per water right for changes resulting from division of a water right
- ☒ **Signature** (Need James's signature also)
- ☐ **Notarized Signature** for Assignment of Permit
- ☒ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question
- ☐ **Evidence of Security Interest:** copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question
- ☐ **Security Interest Expiration Date**
- ☒ **Legal Description of Property**
- ☐ **Plat of Property or Survey Map** usually on file with the county
- ☐ **USDA Farm Service Agency (formerly ASCS) Aerial Photo** with irrigated acres outlined and point(s) of diversion clearly marked

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____ Description of Portion of Water Right resulting from
division of water right

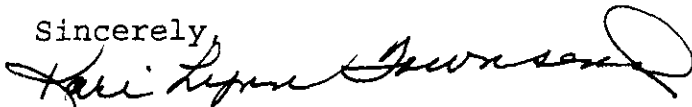
Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$25.00.

Because the Department cannot process the ownership change without proper documentation or fees, we will hold any action on your notice pending receipt of the necessary information & fees. If we do not receive the necessary information & fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,



Kari Lynn Townsend
Secretary

KLT:k

Enclosures

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JAN 24 2002