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Decree 1190

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STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water **NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**
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 No(s): _____
Adjudication Claim No(s): 36-11634
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 _____
4. New Owner/Claimant(s) Mark & Susan Williams
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
New Mailing Address 148 E 100N
City, State and ZIP Code Rupert, Id. 83350
New Telephone Number (208) 436-5755
5. Date you acquired the property _____
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) Susan Williams
- (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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INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

WARRANTY DEED

#11729

429549

For Value Received

ANTHONY J. SALIERNO and MARY F. SALIERNO, husband and wife

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

MARK DAVID WILLIAMS and SUSAN M. WILLIAMS, husband and wife
Address: 148 EAST 100 NORTH, RUPERT, ID 83350

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

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

SECTION 15: That part of Lot 4, more particularly described as follows:

Beginning at the Southeast corner of the SE1/4SW1/4 (actually designated as Lot 4) of said Section 15, which point shall be known as the TRUE POINT OF BEGINNING;
Thence West along the South boundary line of said Lot 4 for 208.71 feet;
Thence North for 208.71 feet;
Thence East for 208.71 feet to a point on the East boundary line of said Lot 4;
Thence South along said boundary line for 208.71 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO:

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

Taxes for 1997 and subsequent years.

Assessments of the Minidoka Irrigation District.

A 25.0 foot wide county road right of way along the South boundary of the herein described real property, as contained in Warranty Deed, dated January 31, 1975, executed by Otto Maier and Shirley Maier, husband and wife, to Fred Maier and Dora S. Maier, husband and wife, recorded February 4, 1975 as Document No. 247563, Minidoka County records.

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**AMERICAN TITLE INSURANCE COMPANY
OWNERS POLICY**

SCHEDULE A

POLICY NO.: J 559799
ORDER NO.: 11729

ISSUED WITH POLICY NO. CW 1915717

AMOUNT OF INSURANCE: \$125,000.00
Date of Policy: May 2, 1997 at 4:43 o'clock P. M.

AMOUNT OF PREMIUM: \$665.00

1. Name of Insured:

MARK DAVID WILLIAMS and SUSAN M. WILLIAMS

2. The estate or interest in the land which is covered by this Policy is:

FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

MARK DAVID WILLIAMS and SUSAN M. WILLIAMS, husband and wife

4. The land referred to in this Policy is described as follows:

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

SECTION 15: That part of Lot 4, more particularly described as follows:

Beginning at the Southeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ (actually designated as
Lot 4) of said Section 15, which point shall be known as the TRUE POINT
OF BEGINNING;

Thence West along the South boundary line of said Lot 4 for 208.71 feet;
Thence North for 208.71 feet;

Thence East for 208.71 feet to a point on the East boundary line of said Lot
4;

Thence South along said boundary line for 208.71 feet to the TRUE POINT
OF BEGINNING.

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LAND TITLE AND ESCROW, INC.

Countersigned: John Harris

Agent

This Policy is valid only if Schedule B is attached.

POLICY

SCHEDULE B

EXCEPTIONS FROM COVERAGE

Policy Number: J 559799

Order Number: 11729

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

SECTION I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Any lien or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

SECTION II

7. Taxes for 1997 and subsequent years, a lien, but not yet due or payable.
8. Assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided, for which we make no certification.
9. A 25.0 foot wide county road right-of-way along the South boundary of the herein described real property, as contained in Warranty Deed, dated January 31, 1975, executed by Otto Maier and Shirley Maier, husband and wife, to Fred Maier and Dora S. Maier, husband and wife, recorded February 4, 1975 as Document No. 247563, Minidoka County records.

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(CONTINUED)

SPECIAL EXCEPTIONS (CONTINUED):

10. A Deed of Trust with Adjustable Rate Rider and Reconveyance of Deed of Trust Rider attached, to secure an indebtedness of \$90,000.00, and any other amounts as therein provided, and together with interest and any obligations secured thereby:

Recorded:	May 2, 1997 as Document No. 429550, Minidoka County records
Dated:	May 2, 1997
Grantor:	Mark David Williams and Susan M. Williams, husband and wife
Trustee:	Titlefact, Inc., an Idaho Corporation
Beneficiary:	First Federal Savings Bank of Twin Falls

END OF SCHEDULE B

5/16/97 hm
Schedule B (Owners Policy)

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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 36-11634

1996 NOV 22 AM 9:36
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: ANTHONY SALIERNO
MARY SALIERNO
RT 4 BOX 414
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: 02/10/1974

POINT OF DIVERSION: T09S R24E S15 SESESW 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
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PLACE OF USE: DOMESTIC Within MINIDOKA County
T09S R24E S15 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 2 1996

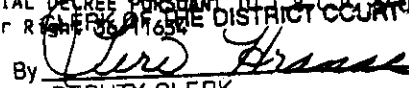

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

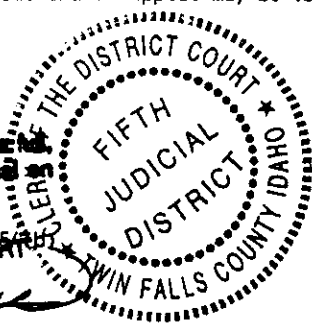
RULE 54(b) CERTIFICATE

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.

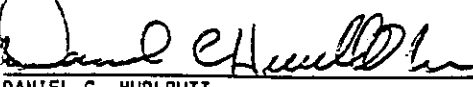
State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a true
and correct copy of the original on
file in the above entitled action.

PARTIAL DECREE PURSUANT TO
Water Right 36-11634
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK



DATED: NOV 22 1996


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

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MAY 22 1997

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NOV-5-1996



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 6, 1998

Mark or Susan Williams
148 East 100 North
Rupert, Idaho 83350

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): 36-11634
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock'.

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

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JUL 14 2000

AJ5809NP
No. 36-11634

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/06/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY SALIERNO	02/10/1974	DOMESTIC	01-01 12-31	0.04 CFS	
C	ANTHONY SALIERNO					
	100 N 148 E			TOTAL DIVERSION:	0.04 CFS	
	RUPERT ID 83350					
	(208) 436-1139					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T09S R24E S15

SESESW

MINIDOKA County

Place of use Legal Description for: DOMESTIC

	NE	NW	SW	SE
NENE NWNE SWNE SENE :	NENW NWNW SWNW SENW :	NESW NWSW SWSW 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 Lt Ac Lt Ac :	Lt Ac Lt Ac Lt Ac Lt Ac :	
09S 24E 15 :			D :	

POU County: MINIDOKA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE.

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. RP09S24E157150

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

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

AJ0749NP
No. 36-11634

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/06/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK WILLIAMS	02/10/1974	DOMESTIC	01-01 12-31	0.04 CFS	
C	SUSAN WILLIAMS					
	148 E 100 N					
	RUPERT ID 83350					
	(208) 436-5755					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T09S R24E S15

SESESW

MINIDOKA County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
09S	24E	15	:					:					:					:					:

POU County: MINIDOKA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE.

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. RP09S24E157150

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: