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Documents
In File

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

RECEIVED

FEB 10 1997

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

RECEIVED

DEC 11 2002

Department of Water Resources

1. Water Right Number(s) 36-11047
Adjudication Claim Number(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 on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acre outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Acequia, Inc., P. O. Box 1678, Ketchum, ID 83340
Owner/Claimants _____
4. New Owner/Claimant(s) Joe Kearl, Melynda Kearl
Name connector (check one): [] AND, [] OR, [☒] AND/OR
New Mailing Address 475c E 1500 N
City, State and ZIP Code Rupert, Idaho 83350
New Telephone Number (208) 532-4119
5. Date you acquired the property September 27th 1995
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(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 Joe Kearl Date 1-10-97
Owner/Claimant(s) Melynda Kearl Date 1-10-97
(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
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 09 2003

WARRANTY DEED

FOR VALUE RECEIVED, JENTZSCH-KEARL FARMS, a partnership, the Grantor, does hereby grant, bargain, sell and convey unto JOE KEARL and MELYNDA KEARL, husband and wife, whose present address is Route #3, Box 3256, Rupert, Idaho 83350, the Grantees, the following described premises, located in Minidoka County, Idaho, to wit:

SEE THE LEGAL DESCRIPTION ON EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that Grantor is the owner in fee of said premises, that said premises are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 27th day of September, 1995.

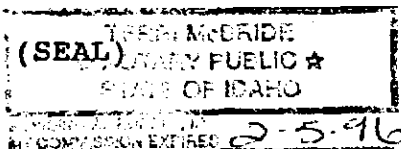
JENTZSCH-KEARL FARMS,
a partnership,

By Joe Kearl
Joe Kearl
Partner
STATE OF IDAHO)
County of Minidoka) ss.

By Rodney Jentzsch
Rodney Jentzsch
Partner

On this 27th day of September, 1995, before me the undersigned notary public in and for said state, personally appeared Rodney Jentzsch, known to me to be ~~one of~~ the partners in the partnership of Jentzsch-Kearl Farms, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and they acknowledged to me that they executed the same in said partnership name.

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



Terri McBride
Notary Public
Residing at _____
My Commission expires _____

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JAN 03 2003

Part of the SE $\frac{1}{4}$ of Section 1 of Township 7 South, Range 24 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the East $\frac{1}{4}$ section corner of Section 1 of T.7 S., R.24 E., B.M. said corner marked by a 1" iron pipe; Thence South 00 degrees 27 minutes 11 seconds West along section line for a distance of 719.75 feet to a $\frac{1}{4}$ " rebar which shall be the Point of Beginning;

THENCE South 00 degrees 27 minutes 11 seconds West along section line for a distance of 184.22 feet to a $\frac{1}{4}$ " rebar;

THENCE South 88 degrees 10 minutes 07 seconds West for a distance of 236.46 feet to a $\frac{1}{4}$ " rebar;

THENCE North 00 degrees 27 minutes 11 seconds East for a distance of 184.22 feet to a $\frac{1}{4}$ " rebar;

THENCE North 88 degrees 10 minutes 07 seconds East for a distance of 236.46 feet to the Point of Beginning.

Said property contains 1.00 acres more or less and is subject to a county road right of way along the east side and TOGETHER WITH a 20 foot wide power line easement more particularly described as follows:

Beginning at the East $\frac{1}{4}$ section corner of Section 1 of T.7 S., R.24 E., B.M. said corner marked by a 1" iron pipe; Thence South 00 degrees 27 minutes 11 seconds West along section line for a distance of 719.75 feet to a $\frac{1}{4}$ " rebar; Thence South 88 degrees 10 minutes 07 seconds West for a distance of 236.46 feet to a $\frac{1}{4}$ " rebar; Thence South 00 degrees 27 minutes 11 seconds West for a distance of 110.50 feet to the Point of Beginning;

THENCE South 00 degrees 27 minutes 11 seconds West for a distance of 21.32 feet;

THENCE South 70 degrees 11 minutes 48 seconds West for a distance of 1199.88 feet;

THENCE South 15 degrees 19 minutes 57 seconds East for a distance of 61.76 feet;

THENCE South 00 degrees 16 minutes 21 seconds West for a distance of 1305.17 feet to a point on the south line of Section 1;

THENCE North 89 degrees 41 minutes 12 seconds West along section line for a distance of 20.00 feet;

THENCE North 00 degrees 16 minutes 21 seconds East for a distance of 1302.41 feet;

THENCE North 15 degrees 19 minutes 57 seconds West for a distance of 77.51 feet

THENCE North 70 degrees 11 minutes 48 seconds East for a distance of 1225.76 feet to the Point of Beginning.

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JAN 8 8 2003

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 36-11047

NOV 22 AM 9:23
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: ACEQUIA INC
PO BOX 1678
KETCHUM ID 83340

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 09/01/1958

POINT OF DIVERSION: T07S R24E S01 SENESE 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
T07S R24E S01 NESE

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 22 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.

DATED: NOV 22 1996

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-11047

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NOV-5-1996

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JAN 9 9 2003

1996 NOV 22 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-11047

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-11047 was mailed
on November 22, 1996, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ACEQUIA, INC.
PO BOX 1678
KETCHUM, ID 83340

DIANA DELANEY
Chief Deputy Clerk

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JAN 09 2003



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

December 11, 2002

JOE KEARL
MELYNDA KEARL
475C E 1500 N
RUPERT ID 83350

RE: Change of Ownership for Water Right 36-11047

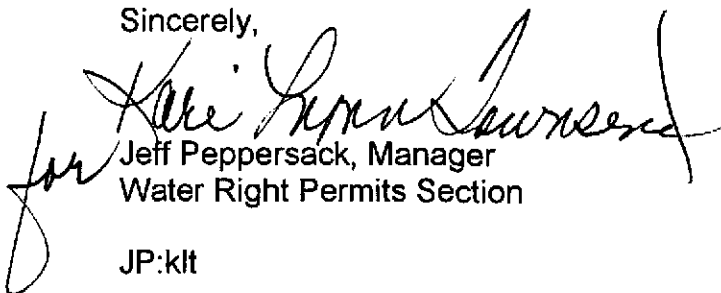
Dear Water Right Holder(s):

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.

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,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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JAN 9 9 2003

Joe and Melynda Kearl
478C East 1500 North
Rupert, ID. 83350

State of Idaho
Department of Water Resources
1341 Fillmore Street Suite 200
Twin Falls, ID. 83301-3380

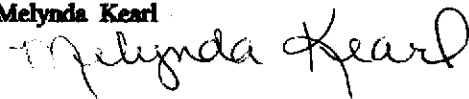
November 5, 1997

Dear Sirs:

Please find enclosed the information that you requested regarding your correspondence dated April 29, 1997. Your reference number is 36-11047 Acequia. Please let me know if you need additional information.

Sincerely,

Melynda Kearl



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JAN 9 9 2003



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

APR 29, 1997

JOE & MELYNDA KEARL
475C EAST 1500 NORTH
RUPERT ID 83350

RE: SRBA CLAIM(S): 36-11047
ACEQUIA

DEAR CLAIMANTS:

THANK YOU FOR NOTIFYING US OF THIS CHANGE OF OWNERSHIP.
IN REVIEWING YOUR REQUEST FOR CHANGE OF OWNERSHIP, THERE SEEMS TO
BE A PROBLEM. THERE IS NO PROOF (LEGAL DOCUMENTATION) GOING
FROM ACEQUIA TO KEARL.

WE NEED PROOF CONNECTING ACEQUIA TO JENTZSCH-KEARL FARM. IF YOU
COULD PROVIDE THIS INFORMATION, IT WOULD BE GREATLY APPRECIATED.
THIS CAN BE DONE THROUGH A DEED SUCH AS A QUITCLAIM OR WARRANTY
DEED.

I APOLOGIZE FOR THE INCONVENIENCE. IF YOU HAVE ANY QUESTIONS,
PLEASE FEEL FREE TO CALL ME AT THIS OFFICE. THANK YOU FOR YOUR
TIME.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb

MICROFILMED

JAN 09 2003