

No Color
Documents
In File

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
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.

Department of Water Resources
Southern Region

MAR 23 1998

RECEIVED

1. Water Right Number(s) WR5809NP AJ5809WP AJ5809WP
Adjudication Claim Number(s) 36-08389 36-10806 36-10805

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 Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) DOUGLAS M. AND JONI L. BENSON

2343 EAST 3100 SOUTH, JEROME, IDAHO 83338

4. New Owner/Claimant(s) RICHARD B. VAN DYK AND TAMMY D. VAN DYK

Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR

New Mailing Address 270 North 500 West

City, State and ZIP Code Jerome, ID 83338

New Telephone Number () -

5. Date you acquired the property 3-9-98

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 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 Owner/Claimant(s) *Richard B. Van Dyk* Date 3-6-98
Tammy D. Van Dyk Date 3-6-98
RICHARD B. VAN DYK
TAMMY D. VAN DYK

(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 24 2002

Department of Water Resources
Southern Region

APR 08 1998

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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, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

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 believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of 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. If the property you have purchased is only a portion of the property owned by the former owner/seller, 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, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (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

#G-26334

For Value Received

Douglas M. Benson and Joni L. Benson, husband and wife

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

Richard B. Van Dyk and Tammy D. Van Dyk, husband and wife

Address: 270 N 500 W Jerome, ID. 83338

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

SEE SCHEDULE A ATTACHED

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: MARCH 6, 1998

Douglas M. Benson
Douglas M. Benson

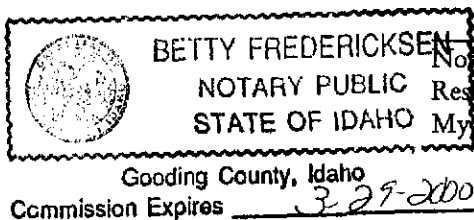
Joni L. Benson
Joni L. Benson

STATE OF IDAHO

COUNTY OF Blaine

) ss.

On this 6th day of MARCH, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared DOUGLAS M. BENSON AND JONI L. BENSON, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Betty Fredericksen
Notary Public
Residing at: Blaine
My Commission expires: 3-29-2000

174578

STATE OF IDAHO COUNTY OF GOODING
Land Title & Escrow Inc.

Filed for record at the request of _____
29 min. past 11 o'clock A.m. this 10th
of March 1998 9:00
By Penny Archuleta Deputy

MICROFILMED
MAR 24 2002

RECEIVED

MAR 23 1998

Department of Water Resource
Southern Region

CONTINUATION

RECEIVED

SCHEDULE A

MAR 23 1998

Order Number: G-26334

Department of Water Resources
Southern Region

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 7: Lot 1; NE $\frac{1}{4}$ NW $\frac{1}{4}$; All that portion of Lot 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying North of the right of way of the Oregon Short Line Railroad Company.

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 7: W $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Beginning at the Northeast corner of Section 7;
Thence North 89°42' West, 1318.96 feet along the Northerly boundary of
Section 7 to THE TRUE POINT OF BEGINNING;
Thence South 0°13'48" East, 1250.36 feet;
Thence North 89°42' West, 352.14 feet;
Thence North 0°13'48" West, 535.00 feet;
Thence North 89°42' West, 135.00 feet;
Thence North 0°13'48" West, 715.36 feet to the Northerly boundary of Section
7;
Thence South 89°42' East, 487.14 feet along said boundary to THE TRUE
POINT OF BEGINNING.

Subject to a 25.00 feet in width County Road Right of Way along the
Northerly boundary.

TOGETHER WITH all Water and water rights, ditches and ditch rights, used thereon or
appurtenant thereto including but not limited to 165.07 shares of capital stock of
the North Side Canal Company, and also including any licensed domestic or irrigation
water rights, licenses with the State of Idaho, including but not limited to
#36-08389.

ABUD
T.D.V.D.

MICROFILMED

JAN 24 2002

SCHEDULE A

SUBJECT TO THE FOLLOWING:

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

Taxes for 1998 and subsequent years, which are a lien, but not yet due and payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided. (Assessments Paid Current)

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Power Line Easement given by Ray L. Harris and D. Jean Harris, husband and wife, to Idaho Power Company, a corporation, dated August 27, 1973, recorded February 4, 1974 as Instrument Number 48658, Gooding County records, affecting the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 8 South, Range 16, East Boise Meridian.

Power Line Easement given by R. L. Harris and D. Jean Harris, husband and wife, to Idaho Power Company, a corporation, dated June 20, 1975, recorded February 10, 1976 as Instrument Number 58116, Gooding County records, affecting the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 7, Township 8 South, Range 16, East Boise Meridian.

Right of Way Easement given by Harvey W. Hurlebaus and Kathleen M. Hurlebaus to The Mountain States Telephone and Telegraph Company, dated September 5, 1985, recorded September 6, 1985 as Instrument Number 116965, Gooding County records, affecting a portion of the W $\frac{1}{2}$ of Section 7, Township 8 South, Range 16, East Boise Meridian.

Power Line Easement given by Doug Benson, sole owner, to Idaho Power Company, a corporation, dated December 21, 1987, recorded March 29, 1988 as Instrument Number 131534, Gooding County records, affecting a portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, Township 8 South, Range 16, East Boise Meridian.

Power Line Easement given by Richard Van Dyke and Richard B. Van Dyke, a partnership, to Idaho Power Company, a corporation, dated June 14, 1988, recorded October 12, 1988 as Instrument Number 134059, Gooding County records, affecting a portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 8 South, Range 16, East Boise Meridian.

MICROFILMED
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 36-10805

1996 NOV 22 AM 9:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: DOUGLAS M BENSON
JONI L BENSON
RT 2 BOX 2212
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 08/01/1946

POINT OF DIVERSION: T08S R16E S07 LOT 1 (NWNWNW)

Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

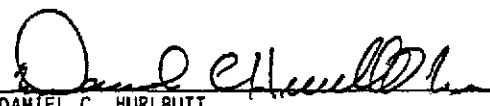
QUANTITY
0.04 CFS

PLACE OF USE: DOMESTIC Within GOODING County
T08S R16E S07 Lot 1 (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 22 1996


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

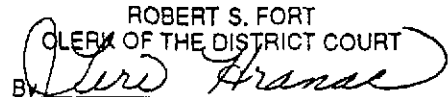
RULE 54(b) CERTIFICATE

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.

State of Idaho
County of Twin Falls ss.

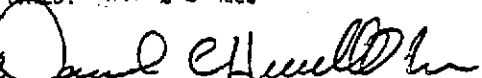
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

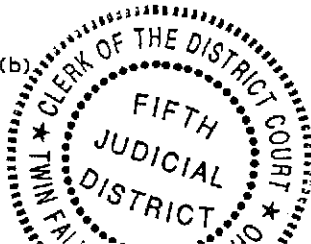
ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By: 

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-10805

DATED: NOV 22 1996


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication



MICROFILMED

MAY 22 1997
MICROFILMED

JAN 24 2002



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

SOUTHERN REGION

September 9, 1999

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTORRICHARD B VAN DYK
2343 E 3100 S
JEROME ID 83338-4001

RECEIVED

DEC 20 1999

Department of Water Resources

RE: Snake River Basin Adjudication (SRBA) Change of
Address/Ownership Water Right No.A36-02457, A36-07760, A36-10805,
A36-10806

Dear Mr. Van Dyk:

Thank you for returning my call. As we discussed on the phone, I am sending you an Ownership Change form, profile reports of the above referenced water rights, another Address Change form, and a copy of the forms you have previously mailed.

Please complete the ownership change form if you want your Mother, Marie Van Dyk, added to any or all of the above referenced water rights.

To change *your* address back to 2343 E 3100 S, please fill out and return the Address Change form. The Address Change form dated 8/24/99 did not affect Tammy's address.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

Enclosures

CT:ct

MICROFILMED

JAN 24 2002

e-mail to Sally 9/7/99
asked her to FAX her request for
address change.

Sally phoned & FAX'd. She will
noted address NCAP

Called 324-8007 left msg. ans.
machine 9/8/99

9/9/99

Spoke with Richard
Van Dyke -

I am sending O.C.
forms & Profile reports
of claims, so he can
decide if he wants
his mother,
Marie Van Dyke, added
to the claim.

ct

MICROFILMED

JAN 24 2002

ROUTING SLIP

Distribution	Provided for your:	
Date: 9-7-99	Information	
To: Cheryl Timm	Comments	
From:	Approval	
	Signature	
Special Notes: This is what we talked + FAX'd about today.		
RECEIVED		
SEP 09 1999		

Department of Water Resources
Cynthiana Station

MICROFILMED
JAN 24 2002

SEP 01 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

August 24, 1999

KARL J. DREHER
DIRECTOR

RICHARD B VAN DYK
TAMMY D VAN DYK
2343 E 3100 S
JEROME ID 83338-04001

cc: W.A.

Re: Snake River Basin Adjudication (SRBA) *SRBA Decreed*
Water Rights #36-02457, 36-07760, 36-10112, 36-10805
& 36-10806
Change of Address *Changed records, prepared NCAD. - 9/2/99*

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by September 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Richard B. Van Dyk
Claimant Signature

324-8007
Telephone No.

MICROFILMED

JAN 24 2002

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

JUN 1968
=077=
UNITED STATES POSTAGE

RECEIVED
AUG 09 19
Department of Water Resources

~~+36-07738
✓ -10772
✓ -10774
✓ -14599
✓ -14600~~

R36-07760
RICHARD B VAN DYK
TAMMY D VAN DYK
216A N 500 W
JEROME

VAND216 833382010 1C98 10 08/03/99
 VANDYK 2343 E 3100 B
 JEROME ID 83338-4001

U.S. DEPARTMENT OF JUSTICE

✓ +36-02457
✓ -10112
✓ -10805
✓ -10806

154 7 4 2002
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U.S. POSTAL SERVICE
PS FORM 3547

U.S. POSTAL SERVICE
PS FORM 3547



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

AUG 27 1999

Department of Water Resources
Boothman Center

CHANGE IN ADDRESS

☐ Water Right Number(s): 36-02457- , 36-07760
36-10805 , 3610806.

☐ Old Mailing Address: Richard B Van Dyk
216 A N 500 W
Jerome, Idaho 83338

☐ New Mailing Address: Marie Van Dyk
270 N. 500 W.
Jerome, Id.

☐ New Telephone Number: (208) 324 - 5910

☐ Signature of Claimant(s): Richard B Van Dyk

Date: 8/24/99

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 9/7/99 By: ct

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

MICROFILMED

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

RECEIVED

SEP 01 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

August 24, 1999

KARL J. DREHER
DIRECTOR

RICHARD B VAN DYK
TAMMY D VAN DYK
2343 E 3100 S
JEROME ID 83338-04001

cc: W.A.

Re: Snake River Basin Adjudication (SRBA)
Water Rights #36-02457, 36-07760, 36-10112, 36-10805
& 36-10806
Change of Address

SRBA Decreed 9.9.99
Kest

Changed records, prepared NCAP. 9.2.99

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by September 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Richard B. Van Dyk
Claimant Signature

324-8007
Telephone No.

MICROFILMED

JAN 24 2002



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

May 8, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD B VANDYK
TAMMY D VANDYK
270 N 500 W
JEROME ID 83338

RE: SRBA Claim(s): 36-10806
Decreed Water Right: 36-10805

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Decreed water right 36-10805 has also been changed to show you as the current owner. A profile report of this right is enclosed for your files.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

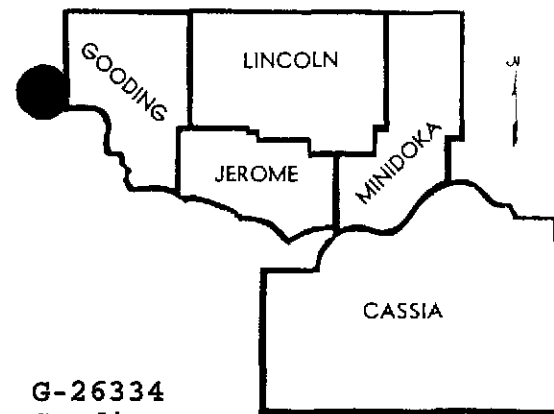
cc: Douglas M. and Joni L. Benson

MICROFILMED

MAY 24 2002

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-26334
OFFICE: Gooding

March 20, 1998

IDWR
1341 Fillmore #200
Twin Falls, ID 83301-3380

RE: Richard B. Van Dyk

RECEIVED

MAR 23 1998

Department of Water Resource
Southern Region

Dear Sir/Madam:

Please find enclosed the signed Notice of Change of Water Right Ownership form, profile report and copy of the Recorded Warranty Deed.

Very Truly Yours,

LAND TITLE AND ESCROW, INC.

Becky Shubert

Becky Shubert
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1192

MICROFILMED

MAR 24 2007