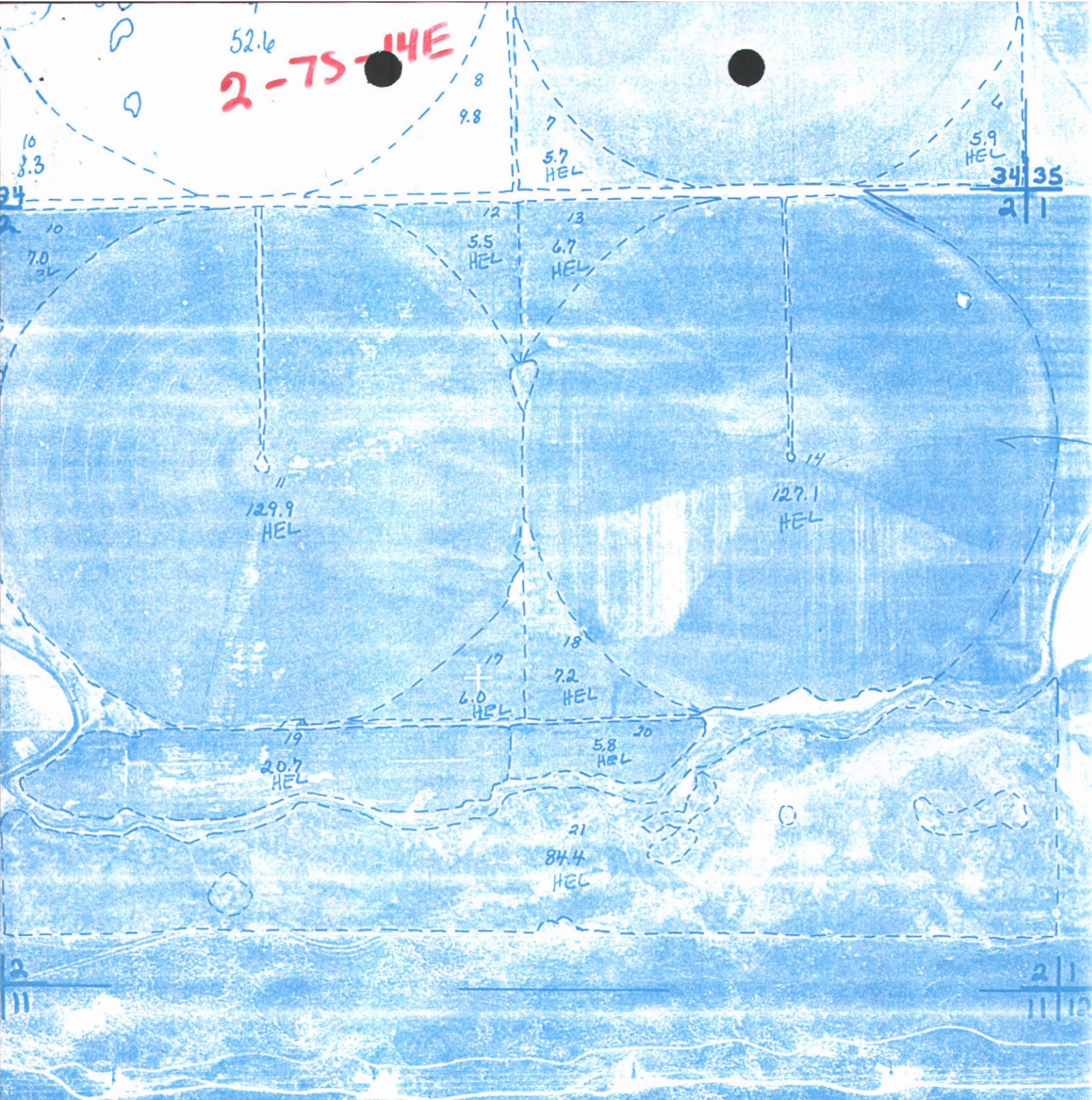


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MICROFILMED

JUL 14 2000

decreed

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.

MAY 14 1998

Department of Water Resources
Snake River Basin

RECEIVED

MAY 18 1998

Department of Water Resources

1. Water Right Number(s) WR5809NP

Adjudication Claim Number(s) 36-10554

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) Stanley L. Bertagnolli and Bernice Bertagnolli

2851 S 1700 E, Wendell, ID 83355

4. New Owner/Claimant(s) Roger Lee Loveless and Dorothy Jean Loveless

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

New Mailing Address _____

City, State and ZIP Code _____

New Telephone Number (208) _____

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 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)

Roger Lee Loveless

Date 5-8-98

Dorothy Jean Loveless

Date 5-8-98

Dorothy Jean Loveless

(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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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-26765

For Value Received

STANLEY LENO BERTAGNOLLI AND BERNIECE H. BERTAGNOLLI, also shown of record as STANLEY L. BERTAGNOLLI AND BERNIECE BERTAGNOLLI, husband and wife

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

ROGER LEE LOVELESS AND DOROTHY JEAN LOVELESS, husband and wife

Address: 2851 North 1700 East Wendell Id 83355

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

SEE ATTACHED SCHEDULE A

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 10 shares of limited stock in North Side Canal Company, LTD., also including any licensed domestic or irrigation water rights, licenses with the State of Idaho, including but limited to Water Right Number WR5809NP, Adjudication Number 36-10554. *RLL*

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.

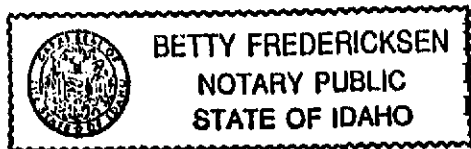
Dated: May 8, 1998

Stanley Leno Bertagnolli
STANLEY LENO BERTAGNOLLI

Berniece H. Bertagnolli
BERNIECE H. BERTAGNOLLI

STATE OF IDAHO)
COUNTY OF GOODING) ss.

On this 11 day of May, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Stanley Leno Bertagnolli and Berniece H. Bertagnolli, 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.



Gooding County, Idaho
Commission Expires 3-27-2000

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

175434

STATE OF IDAHO COUNTY OF GOODING
Land Title & Escrow Inc.
Filed for record at the request of
26 min. past 3 o'clock P.m. this 12th
of May, 1998 6.00
By Penelope Archuleta Deputy

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JUL 14 2000

**TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 25: Part of the E $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the Northeast corner for Section 25;

Thence South 0°01'28" West 2641.45 feet along the Easterly boundary of Section 25 to the Easterly Quarter Corner for said Section and the TRUE POINT OF BEGINNING;

Thence South 89°58'22" West 530.70 feet along the Northerly boundary for the SE $\frac{1}{4}$, Section 25;

Thence 295.12 feet Southwesterly along the Arc of a Curve to the right, having a radius of 1332.00 feet and a chord of South 60°38'44" West 294.51 feet;

Thence South 0°00'04" West 255.92 feet;

Thence North 89°58'22" East 787.23 feet to the Easterly boundary of Section 25;

Thence North 0°01'28" East 400.17 feet along the Easterly boundary of Section 25 to the TRUE POINT OF BEGINNING.

SUBJECT TO:

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.

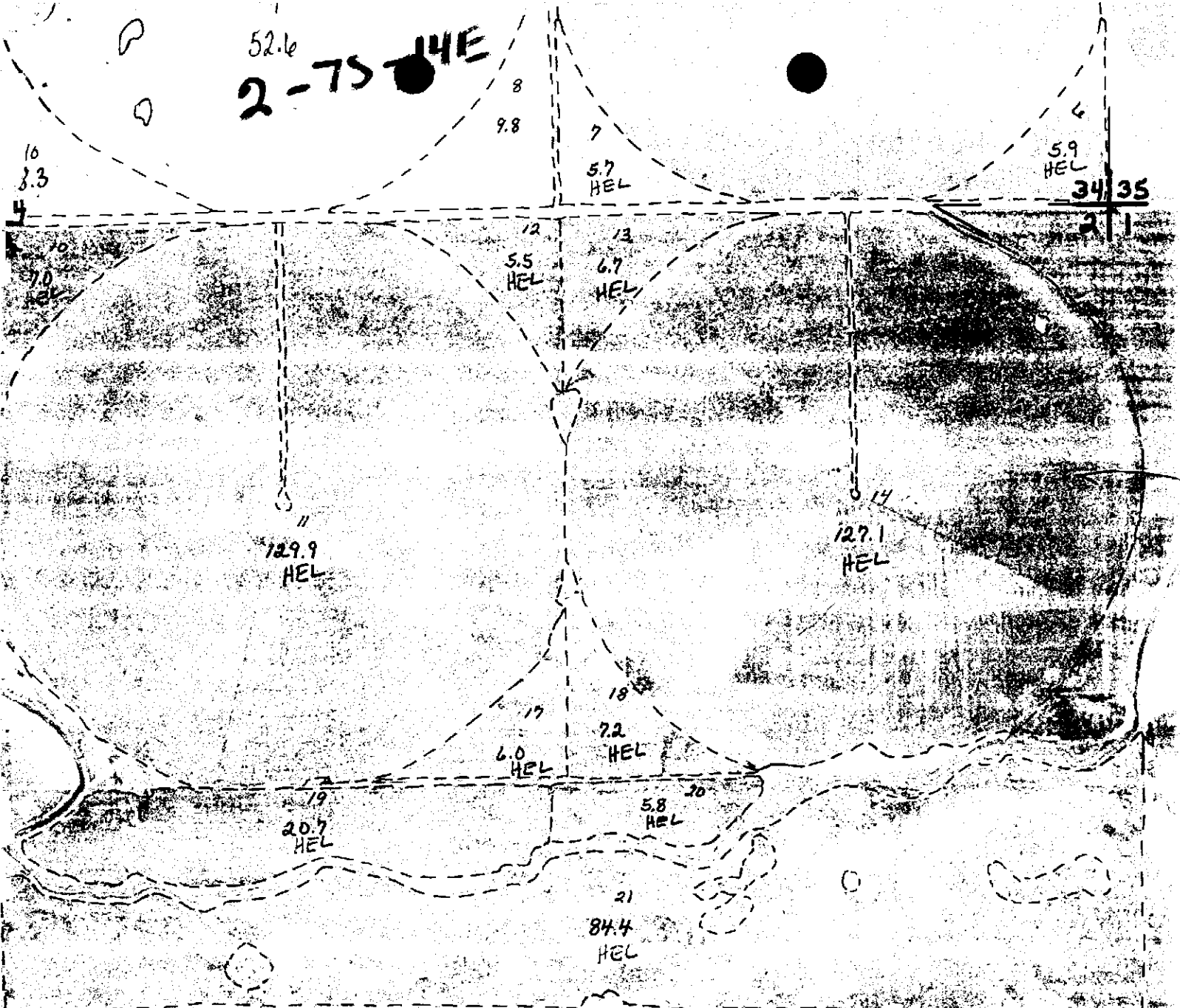
Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

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

Power Line Easement given by Stanley L. Bertagnolli and Berniece A. Bertagnolli, his wife to Idaho Power Company, a corporation, dated March 29, 1972 recorded October 10, 1972 as Instrument Number 42263, Gooding County records, affecting NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho.

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JUL 14 2000

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JUL 14 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 36-10554

NAME & ADDRESS: STANLEY L BERTAGNOLLI
BERNIECE BERTAGNOLLI
2851 S 1700 E
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 04/20/1968

POINT OF DIVERSION: T07S R14E S25 SESENE Within GOODING County

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

PLACE OF USE: STOCKWATER Within GOODING County
T07S R14E S25 SENE

DOMESTIC Within GOODING County
T07S R14E S25 SENE

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 15 1996



DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

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MAY 22 1997

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JUL 14 2000

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-10554

PAGE 1
OCT-28-1996

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.

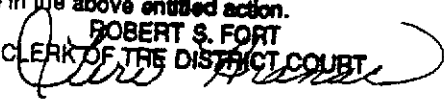
DATED: NOV 13 1996

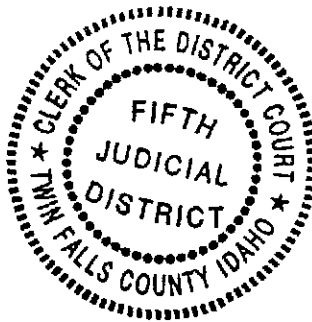


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

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



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MAY 22 1997

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JUL 14 2000



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

April 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROGER LEE LOVELESS
DOROTHY JEAN LOVELESS
2851 S 1700 E
WENDELL ID 83355

RE: Decreed Water Right 36-10554

Dear Mr. & Mrs. Loveless:

The Department is in receipt of the correspondence changing the ownership of the above referenced decreed water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a large, loopy circular flourish.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

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JUL 14 2000