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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 36-10173

1998 MAY 19 PM 4:34

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME & ADDRESS: CARLOTTA ALLRED  
MARVIN E ALLRED  
1543 E 3050 S  
RT 1  
WENDELL ID 83355

RECEIVED

MAY 20 1998

Department of Water Resources  
Adjudication Bureau

SOURCE: GROUNDWATER  
QUANTITY: 0.04 CFS

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

PRIORITY DATE: 01/01/1950

POINT OF DIVERSION: T08S R14E S02 SWSWSW Within GOODING County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE         | QUANTITY |
|-------------------------------|-----------------|-----------------------|----------|
|                               | DOMESTIC 1 HOME | 01-01 12-31           | 0.04 CFS |
|                               | STOCKWATER      | Non-Irrigation Season | 0.04 CFS |

|               |               |                       |
|---------------|---------------|-----------------------|
| PLACE OF USE: | DOMESTIC      | Within GOODING County |
|               | T08S R14E S02 | NWNE                  |
|               | STOCKWATER    | Within GOODING County |
|               | T08S R14E S02 | NWNE                  |

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.

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.



DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 36-10173

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MAY-5-1998

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

**RECEIVED**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

**NOV 18 1998**

Incomplete forms will be returned.

Department of Water Resources  
Southern Region1. Water Right Number(s) AJ5809NP AJ5800PAdjudication Claim Number(s) 36-02286A, 36-02286B, 36-07582136-10173 36-155292. 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) Marvin E. Allred and Carlotta Allred1543 East 3050 South Wendell ID 83355

4. New Owner/Claimant(s) Irene VanderVegt and Irene VanderVegt, Trustee of The George  
Name connector (Check one): [x] AND, [ ] OR, [ ] AND/OR VanderVegt Testamentary Trust, U/W/D  
 New Mailing Address 76 East 400 South February 19, 1974, as tenants in  
Common and not as joint tenants,  
 City, State and ZIP Code Jerome ID. 83738 with an 50% undivided interest each  
 New Telephone Number (208) 324-4252

5. Date you acquired the property September 28, 1998

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) Irene VanderVegt Date 9-28-98  
Irene VanderVegt Trustee Date 9-28-98

(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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✓ 1/31/00 ID

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Department of Water Resources  
Southern Region

**WARRANTY DEED**

FOR VALUE RECEIVED, **MARVIN E. ALLRED** and **CARLOTTA ALLRED**, husband and wife, the Grantors, do hereby grant and convey unto the Grantees, **IRENE VANDERVEGT**, a married woman dealing with her sole and separate property, and **IRENE VANDERVEGT**, as Trustee of the George VanderVegt Testamentary Trust u/w/d 2/19/74, as tenants-in-common and not as joint tenants with a 50% undivided interest each, whose current address is 76 East 400 South, Jerome, Idaho 83338, the following described premises in Gooding County, Idaho, to wit:

Parcel No. 1: (Approximately 80 acres of land)

The East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section 2, Township 8 South, Range 14 E., B.M., Gooding County, Idaho, as shown on the records of the Gooding County Recorder.

TOGETHER with seventy (70) shares of water stock in the Northside Canal Company, Ltd., and all water and water rights appurtenant thereto.

Parcel No. 2: (Approximately 160 acres of land)

Township 8 South, Range 14 East of the Boise Meridian  
Section 2: SE $\frac{1}{4}$

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including, but not limited to right to ground waters produced from a well or wells located and to be located on the mortgaged premises; especially such water under State of Idaho Permit No. 36-7582 for 1.06 c.f.s., priority date 12/9/75, also ~~82.74 shares of the capital stock of the North Side Canal Company, Ltd., and water and ditch rights under the American Falls Reservoir District.~~

M.E.A.  
C.R.  
J.V.

Together with IDWR water right Nos. 36-02286A (eight acres); 36-02286B and 36-07582 (138 acres combined); 36-10173 (domestic), and a second domestic water right for the home located at 1577 East 3050 South, Wendell, Idaho, which Sellers are currently requesting from the IDWR and the SRBA Court.

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1 TO HAVE AND TO HOLD the said premises, with their appurtenances unto  
2 the said Grantees, their heirs and assigns forever. And the said Grantors do hereby  
3 covenant to and with the said Grantees that they are the owners in fee simple of said  
4 premises; that it is free and clear from all encumbrances, and that they will warrant and  
5 defend the same from all lawful claims whatsoever.

6 **177316**

7 STATE OF IDAHO COUNTY OF GOODING

8 Filed for record at the request of

*Land Title & Escrow Inc.*

9 *43* min. past *3* o'clock *P* m. this *28th*

10 of *September* 19*98* *6:00*

*Penny Archibald* Deputy

*Marvin E. Allred*  
MARVIN E. ALLRED

*Carlotta Allred*  
CARLOTTA ALLRED

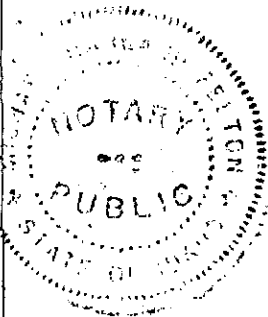
11 STATE OF IDAHO )

12 : SS

13 County of Twin Falls )

14 On this 18th day of June, 1998, before me, the undersigned, a Notary Public  
15 in and for said County and State, personally appeared MARVIN E. ALLRED and  
16 CARLOTTA ALLRED, husband and wife, known to me to be the person whose name is  
17 subscribed to the foregoing instrument, and acknowledged to me that they executed the  
18 same.

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



*Michael A. Buhl*

Notary Public for State of Idaho

Residing at Buhl, Idaho

My Commission Expires: *7/16/99*

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WARRANTY DEED - 2

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Department of Water Resources  
Southern Region

**CORRECTION WARRANTY DEED**

FOR VALUE RECEIVED, **MARVIN E. ALLRED** and **CARLOTTA ALLRED**, husband and wife, the Grantors, do hereby grant and convey unto the Grantee, **IRENE VANDERVEGT**, a married woman dealing with her sole and separate property, and **IRENE VANDERVEGT**, as Trustee of the George VanderVegt Testamentary Trust u/w/d 2/19/74, as tenants-in-common and not as joint tenants with a 50% undivided interest each, whose current address is 76 East 400 South, Jerome, Idaho 83338, the following described premises in Gooding County, Idaho, to wit:

Parcel No. 1: (Approximately 80 acres of land)

The East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section 2, Township 8 South, Range 14 E., B.M., Gooding County, Idaho, as shown on the records of the Gooding County Recorder.

TOGETHER with seventy (70) shares of water stock in the North Side Canal Company, Ltd., and all water and water rights appurtenant thereto.

Parcel No. 2: (Approximately 160 acres of land)

Township 8 South, Range 14 East of the Boise Meridian  
Section 2: SE $\frac{1}{4}$

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including, but not limited to right to ground waters produced from a well or wells located and to be located on the mortgaged premises; especially such water under State of Idaho Permit No. 36-7582 for 1.06 c.f.s., priority date 12/9/75.

Together with IDWR water right Nos. 36-02286A (eight acres); 36-02286B and 36-07582 (138 acres combined); 36-10173 (domestic), and 36-15529 (domestic).

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that it is free and clear from all encumbrances, and that they will warrant and defend

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Correction Warranty Deed

APR 18 2000

1 the same from all lawful claims whatsoever.

2 Marvin E. Allred  
3 MARVIN E. ALLRED  
4

5 Carlotta Allred  
6 CARLOTTA ALLRED  
7

8 STATE OF IDAHO )  
9 : SS  
10 County of Gooding )

11 On this 12<sup>th</sup> day of November, 1998, before me, the undersigned, a  
12 Notary Public in and for said County and State, personally appeared MARVIN E.  
13 ALLRED and CARLOTTA ALLRED, husband and wife, known to me to be the person  
whose name is subscribed to the foregoing instrument, and acknowledged to me that  
they executed the same.

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

16 Shelley Fredrickson  
17 Notary Public for State of Idaho  
18 Residing at Bliss  
19 My Commission Expires: 05/10/02

20 (C:\OFFICE\WPWIN\UUVW-DOC\3761DEED.11/3)js

21 177902

22 STATE OF IDAHO COUNTY OF GOODING

23 Filed for record at the request of Anna Tittle

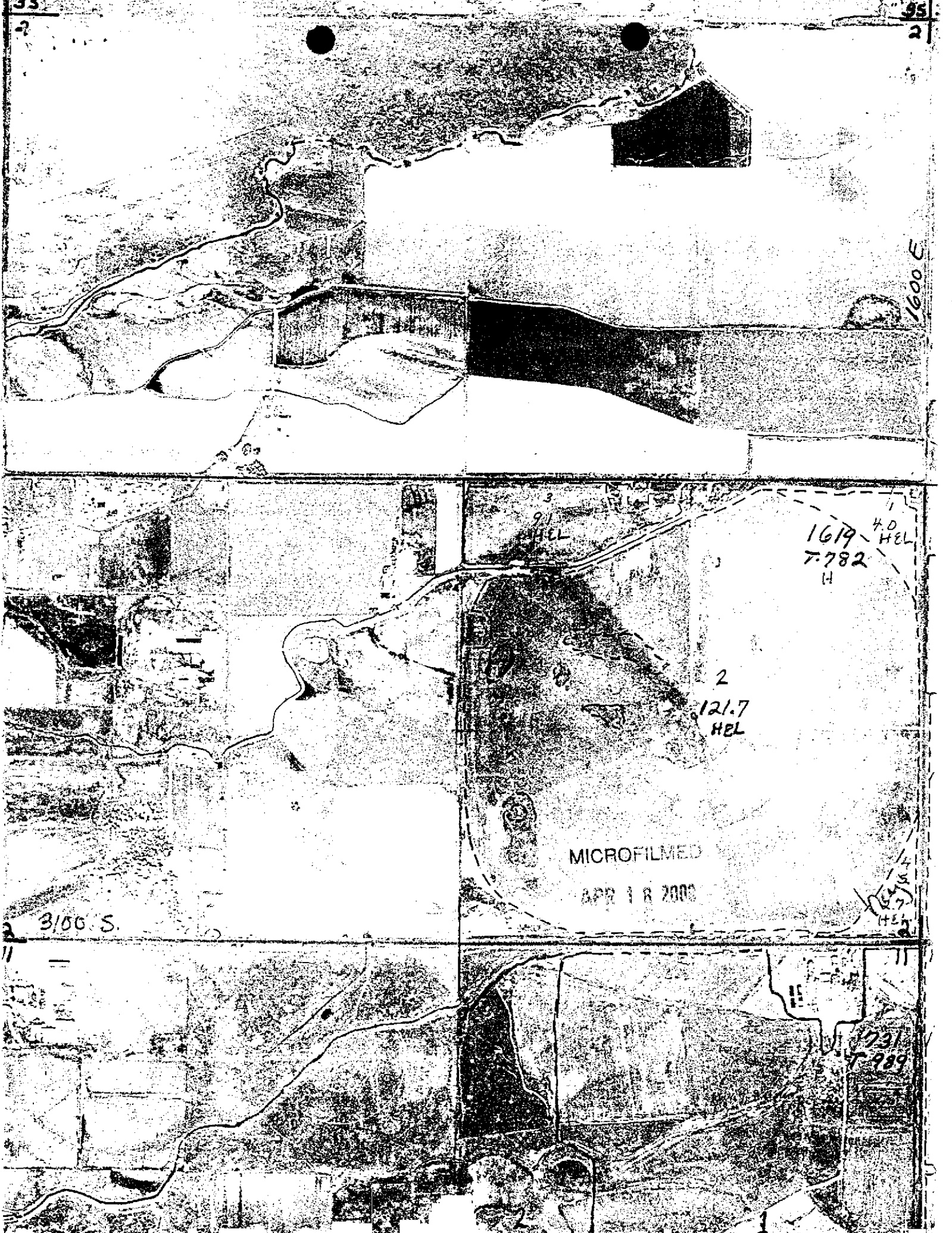
24 40 min. past 1 o'clock p.m. this 12  
25 of November 1998 \$6.00  
26 By Denise M. Luce Deputy

SHELLEY FREDRICKSON  
☆ NOTARY PUBLIC ☆  
STATE OF IDAHO

RESIDING AT BLISS, ID  
MY COMMISSION EXPIRES 05/10/02

Correction Warranty Deed

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