

No Color
Documents
In File

WR 36-02247 Split
into A+B by XFER.

Part A split into C & D

Part C split into E & F

RECEIVED RECEIVED

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

JUN 27 2002
JUN 26 2002
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
36-2247B, D, E, F			36-07460G		
36-8047B, D, E, F			36-10332		
36-13882			36-07377B		
36-10449			36-07547B		
36-02517C			36-08313B		

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Double V Partnership / (Change of Business name)
4. New Owner/Claimant(s) Ken Vande Vort / Double V LLC.
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 1587 E 300 S
- City, State and ZIP Code Wendell ID 83355
- New Telephone Number () 536-6537
5. Date you acquired the property _____

See file 36-02247B for support documentation

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JUN 26 2002

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) *LaVanda Vest*
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by *[Signature]* Date 6/26/02 Fee 175.00
 Received by *[Signature]* Date 6/26/02 Receipt No. 5025025
 Processed by AJ Date _____ WR _____ Date _____

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JUL 16 2002

QUITCLAIM DEED

#G-30119

For Value Received

DOUBLE V PARTNERSHIP, a family partnership consisting of Irene VanderVegt and Ray VanderVegt

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

DOUBLE V, L.L.C.

Whose address is: 76 East 400 South, Jerome, Idaho 83338

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

PARCEL 1:**TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**Section 11: NW $\frac{1}{4}$ NW $\frac{1}{4}$:EXCEPTING THEREFROM that portion of NW $\frac{1}{4}$ NW $\frac{1}{4}$ deeded to the State of Idaho for a right of way for public highway by Right of Way Deed recorded November 15, 1941 in Book 33 Page 191 and in Quitclaim Deed recorded November 15, 1941 in Book 33 Page 194, Gooding County records.**PARCEL 2:****TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**Section 11: NE $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: April 20, 2001

Double V Partnership

Instrument # 190272

GOODING, GOODING, IDAHO

2001-04-26

04:32:27 No. of Pages: 1

Recorded for: LAND TITLE

HELEN EDWARDS

Fee: 3.00

Ex-Office Recorder

Deputy: *L. Edwards*

Index to: DEED QUIT-CLAIM

Irene VanderVegt *Ray VanderVegt*
Irene VanderVegt, a general partner Ray VanderVegt, a general partner

STATE OF IDAHO)

) ss.

COUNTY OF TWIN FALLS)

On this 26th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Irene VanderVegt and Ray VanderVegt, known to me to be the partners in the partnership which executed the within instrument, and acknowledged that they executed the same as partners and in the partnership name freely and voluntarily.LARIE NASH
Notary Public
State of Idaho*Larie Nash*
Notary Public for State of Idaho
Residing at: *Siler Rd.*
My Commission expires: 11-13-06Name: 00190272.001
Dimensions: 2528 x 3286 pixels

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JUL 18 2002

MAY 15 PM 2:21

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

**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	)	For Decreed Water Right 36-2247
	)	(Split administratively into water
	)	rights 36-2247A & 36-2247B.)
Case No. 39576	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
	)	INCORPORATING INTO PARTIAL DECREE AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for water right 36-2247 ("decreed water right") on December 29, 1997. The period of use element therein was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, pursuant to administrative proceedings conducted before the Idaho Department of Water Resources (IDWR), the decreed water right was split into two water rights designated as 36-2247A and 36-2247B ("split water rights").¹ On August 2, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for split water right 36-2247A.² There are no outstanding objections to IDWR's recommendation. The Court finds that IDWR's recommendation for the irrigation period of use for split water right 36-2247A is based on the irrigation period of use for the decreed water right.

¹ Some or all of these split water rights may have again been split or affected by subsequent administrative proceedings. However, this *Order* only amends the *Partial Decree* that was issued for the decreed water right and does not affect any administrative changes to the water right occurring subsequent to the entry of the *Partial Decree*.

² It is the understanding of the Court that 36-2247B is not an irrigation water right, and hence IDWR did not include it in the *Supplemental Director's Report*.

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ORDER AMENDING IRRIGATION PERIOD OF USE IN
PARTIAL DECREE, *NUNC PRO TUNC*.

JUL 16 2002

5/15/02

THEREFORE, IT IS ORDERED that period of use element for the irrigation portion of the above-captioned decreed water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 to 10-31

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late season irrigation use and a priority date earlier than the date a partial decree is entered for this right.

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned decreed water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

IT IS FURTHER ORDERED that this order is being entered *nunc pro tunc* effective as of the date the *Partial Decree* was issued and shall not supercede any subsequent administrative changes to the water right that may have occurred following entry of the *Partial Decree*.

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: May 15, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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Important Information About Your Water Right

May 15, 2002

Irene Vander Vegt
76 E 400 S
Jerome, ID 83338

RECEIVED

MAY 16 2002

Department of Water Resources

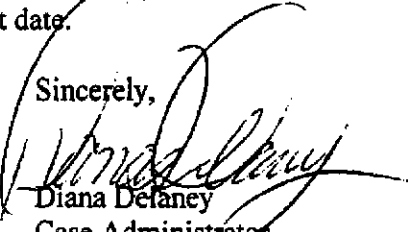
Dear Water Right Claimant(s):

This letter accompanies a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree, and Incorporating into Partial Decree Express Statement Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") issued for water right number 36-2247. Following the issuance of the *Partial Decree* for water right 36-2247, the water right was split into multiple water rights pursuant to administrative proceedings conducted before the Idaho Department of Water Resources (IDWR). According to the records of IDWR, you are the current owner of water right 36-22147E, which represents a water right resulting from the split of water right 36-2247. If you are not the current owner, please contact IDWR immediately at:

1301 North Orchard, Boise, ID 83706, 800-451-4129.

The purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for water right 36-2247. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). The *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order*, in combination with the *Partial Decree* that was issued for water right 36-2247 on December 29, 1997, sets forth all of the elements from which your water right is derived. (Again, your water right was split from water right 36-2247.) The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of this water right. The original of the *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued on the same date that the *Partial Decree* was originally issued and, therefore, does not supercede any administrative changes occurring after that date.

Sincerely,


Diana Defaney

Case Administrator

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JUL 15 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 36-02247

1997 DEC 29 PM 3:01
DISTRICT COURT - SRB:
TWIN FALLS CO., IDAHO

NAME & ADDRESS: KARAN BECKER
DAVID W BECKER JR
3245 CANYONRIDGE WEST
TWIN FALLS ID 83301-8179

SOURCE: GROUNDWATER

QUANTITY: 1.7 CFS
448.0 AFY

PRIORITY DATE: 03/02/1954

POINT OF DIVERSION: T08S R14E S11 NENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.7 CFS 448.0 AFY

PLACE OF USE:	IRRIGATION	Within GOODING County			
	T08S R14E S11	NENE 30	NWNE 21	SWNE 23	SENE 38
	112 ACRES TOTAL				

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

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JUL 18 2002



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

July 11, 2002

DOUBLE V LLC
RAY VANDER VEGT
1587 E 3100 S
WENDELL ID 83355

RE: Change of Ownership for Water Rights 36-2247B, D, E, F, 36-8047B, D, E, F,
36-13882, 36-10449, 36-2517C, 36-7460G, 36-7377B, 36-7547B, 36-8313B

Dear Water Right Holder(s):

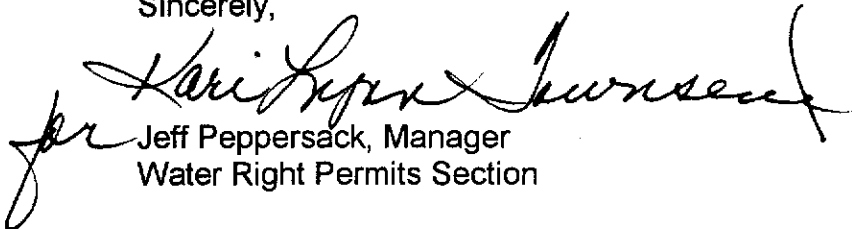
The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Your original request for ownership change included water right 36-10332. Our records indicate this is not part of the land included in the legal description that you provided. A refund for the \$25.00 filing fee that you paid for this is being requested by copy of this letter to our Fiscal Section.

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,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

cc: Debbie Allen, Fiscal Section

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JUL 11 2002