

RECEIVED

OCT 24 2002

Department of Water Resources
Southern Region

Parcel 4
12.23 Acres

#	DIST.	BEARING
T22	26.09'	S 89°21'00" W
T23	57.84'	S 00°15'16" E
T53	41.68'	N 88°20'52" E
T54	46.46'	S 86°40'11" E
T55	70.62'	S 85°56'47" E
T56	47.59'	N 70°58'58" E
T57	23.05'	S 76°35'24" E
T58	34.90'	S 64°23'30" E
T59	26.25'	S 81°01'04" E
T60	30.00'	N 86°48'51" E
T61	90.66'	N 86°35'30" E
T62	38.67'	N 84°52'46" E
T63	58.94'	N 87°56'55" E
T64	63.81'	N 86°27'17" E
T65	60.50'	N 86°39'21" E
T66	26.47'	N 76°14'07" E
T67	75.76'	N 68°17'20" E
T68	48.63'	N 69°13'24" E
T69	15.75'	S 78°45'56" E
T70	10.82'	N 72°08'33" E
T71	12.01'	S 40°38'51" E

10' Wide Irrigation
Easement

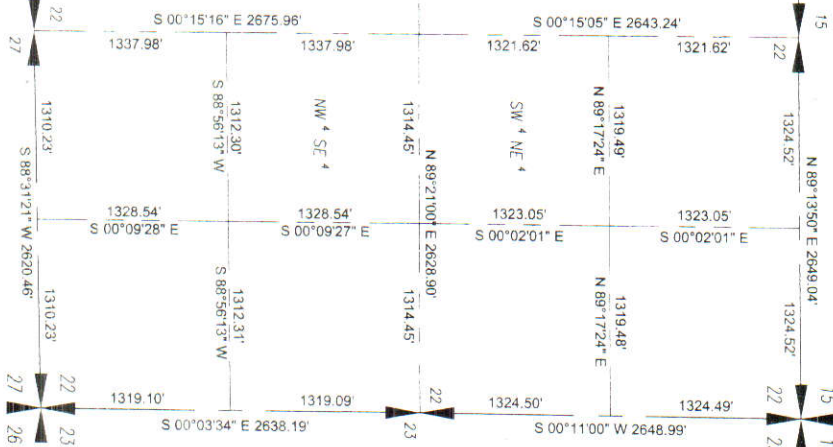
5' Wide Irrigation
Easement

15' Wide Vehicular
Access Easement

20' Witness
Corner

Base Bearing - Survey Inst. #172436
N 89°15'42" E
2652.02'
Found B.M. Brass
Cap C.P. #169731

N 89°21'23" E 2635.09'

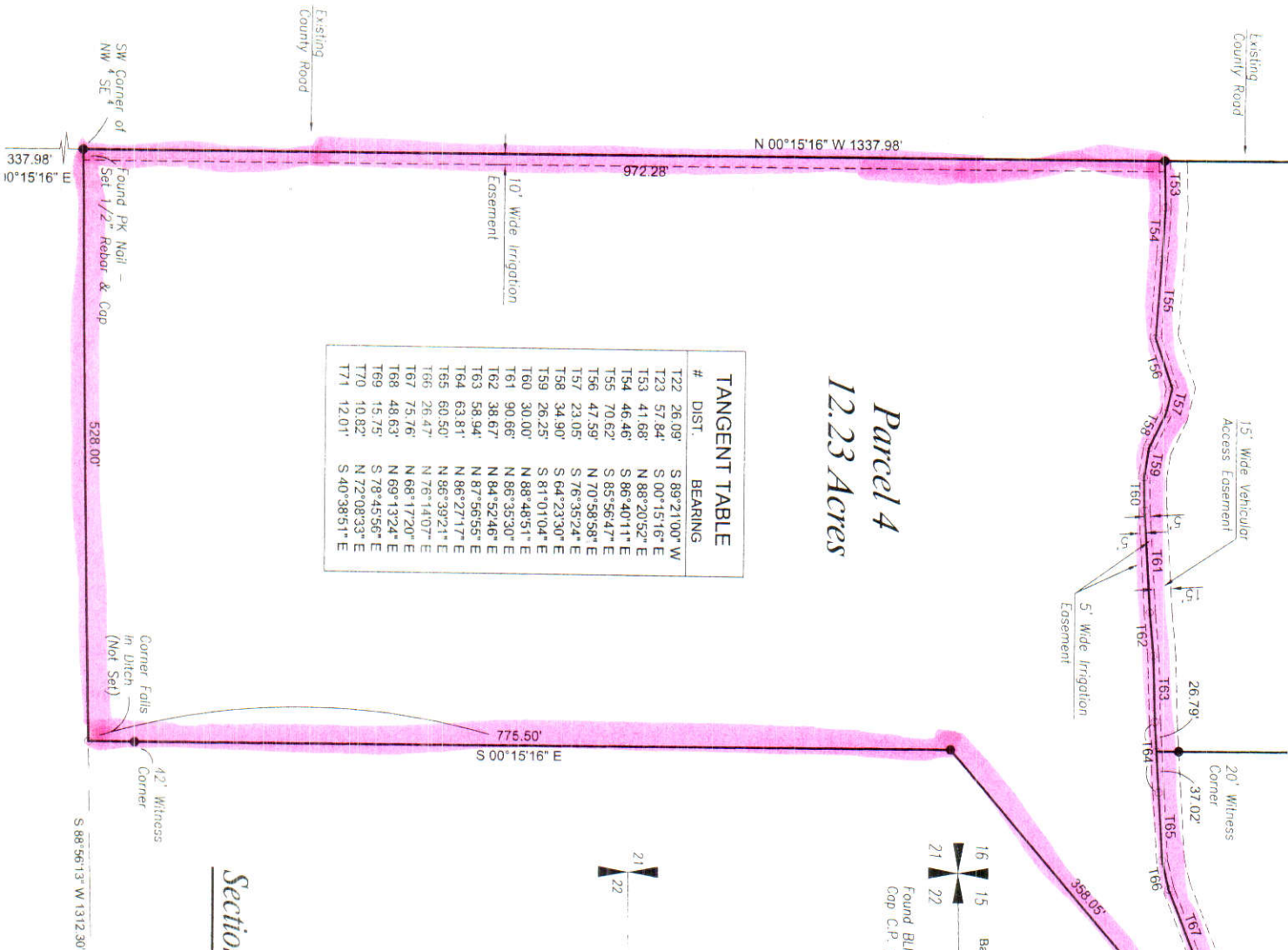


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NOV 18 2002

S 00°09'27" E 1328.54'

Section Breakdown

N.T.S.



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

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

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 Department of Water Resources
 Southern Region

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
<u>36-728</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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) Thomas Jackson Childs Living Trust
4. New Owner/Claimant(s) PO Box 107 Hagerman ID 83332
 Childs Family 2002 Trust Dated August 19 2002
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1808 Bismarck Ct
- City, State and ZIP Code Norman OK 73072
- New Telephone Number (405) 360 1201
5. Date you acquired the property Sept 3 2002

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OCT 1 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) Rich A. Clark Trustee
(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 10/24/02 Fee \$250
 Received by [Signature] Date 10/24/02 Receipt No. 8025280
 Processed by _____ AJ Date _____ WR _____ Date _____

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Department of Water Resources
Southern Region

QUITCLAIM DEED

For valuable consideration Thomas Jackson Childs Living Trust, hereby quitclaims and transfers to Childs Family 2002 Trust Dated August 19, 2002, whose address is 1808 Bismarc Court, Norman, Oklahoma 73072, the following deccribed real property :

See Exhibit " A " attached hereto along with all appurtenant water rights.

Dated: September 3, 2002

THOMAS JACKSON CHILDS LIVING TRUST

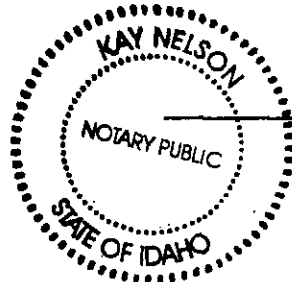
By

RICK A. CHILDS, Trustee

STATE OF IDAHO)
) ss.
COUNTY OF GOODING)

On this 34 Day of September, 2002, before me, the undersigned, a Notary Public in and for said County and state, personally appeared **RICK A. CHILDS**, who acknowledged to me to be the person whose name is subscribed to the within instrument as the Trustee of the Thomas Jackson Childs Living Trust, and acknowledged to me that he executed said instrument as such Trustee.

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



Kay Nelson
NOTARY PUBLIC

My commission expires: 12-07-07

Residing in Gooding, Idaho

Instrument # 196745

GOODING, GOODING, IDAHO

2002-09-03 03:39:44 No. of Pages: 3

Recorded for : RICK A CHILDS

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: \$2.00

[Signature]

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SEP 18 2002

Exhibit A

Parcel 4

A parcel of land located in a portion of NW⁴SE⁴, Section 22, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho; being more particularly described as follows:

Commencing at the Northeast corner of Section 22. Thence South 89°13'50" West 2,649.04 feet to the North Quarter corner of Section 22. Thence South 00°15'05" East 2,643.24 feet to the Northwest corner of NW⁴SE⁴, Section 22. Thence South 00°15'16" East 1,337.98 to the Southwest corner of said SW⁴NE⁴ and being the REAL POINT OF BEGINNING.

Thence North 88°56'13" East 528.00 feet along the South boundary of said NW⁴SE⁴.

Thence North 00°15'16" West 775.50 feet parallel with the West boundary of said NW⁴SE⁴ to the center of a stone fence.

Thence North 49°21'09" East 358.05 feet along the center of said stone fence.

Thence North 40°38'51" West 12.00 feet

Thence along the center of a ditch as follows:

South 72°08'33" West 10.82 feet

North 78°45'56" West 15.75 feet

South 69°13'24" West 48.63 feet

South 68°17'20" West 75.76 feet

South 76°14'07" West 26.47 feet

South 86°39'21" West 60.50 feet

South 86°27'17" West 63.81 feet

South 87°56'55" West 58.94 feet

South 84°52'46" West 38.67 feet

South 86°35'30" West 90.66 feet

South 88°48'51" West 30.00 feet

North 81°01'04" West 26.25 feet

North 64°23'30" West 34.90 feet

North 76°35'24" West 23.05 feet

South 70°58'58" West 47.59 feet

North 85°56'47" West 70.62 feet

North 86°40'11" West 46.46 feet

Thence South 88°20'52" West 41.68 feet to the West boundary of NW⁴SE⁴, Section 22.

Thence South 00°15'16" East 972.28 feet along the West boundary of said NW⁴SE⁴ to the REAL POINT OF BEGINNING.

Parcel 4 contains approximately 12.23 acres.

Subject to: A county roadway easement along the Westerly boundary of the above described parcel.

and subject to: A 10.00 foot wide irrigation ditch easement parallel with, adjoining, and East of the West boundary of the above described parcel.

and subject to: A 5.00 foot wide irrigation ditch easement parallel with, adjoining, and South of the entire Northerly boundary of the above described parcel.

and together with: A 5.00 foot wide irrigation ditch easement parallel with adjoining and North of the entire Northerly boundary of the above described parcel.

379-02

OCT 24 2007

Parcel 4
12.23 Acres

TANGENT TABLE	
# DIST.	BEARING
T22 26.09	S 89.21.00"E
T23 57.84	S 50.75.16"E
T53 41.68	N 88.20.52"E
T54 46.46	S 85.40.11"E
T55 70.62	S 85.56.47"E
T56 47.05	N 76.58.58"E
T57 23.05	S 70.36.24"E
T58 34.90	S 64.23.30"E
T59 26.25	N 81.01.04"E
T60 30.00	N 88.46.51"E
T61 90.66	N 86.35.30"E
T62 38.67	N 84.52.44"E
T63 56.94	N 87.56.65"E
T64 63.81	N 86.29.17"E
T65 60.50	N 86.39.21"E
T66 26.47	N 76.14.07"E
T67 75.76	N 68.11.20"E
T68 48.63	N 69.13.24"E
T69 15.75	S 74.35.56"E
T70 10.82	N 72.06.33"E
T71 12.01	S 40.38.51"E

10' Wide Irrigation Easement

Existing
County Road

Existing
County Road

15' Wide Vehicular
Access Easement

5' Wide Irrigation Easement

20' Witness

Base Bearing - Survey Inst. #172436
N 89.1542° E
2652.02

Section Breakdown

N.T.S.

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S 00°09'27" E 1328.54'

Found PK Nail -
SW Corner of
NW SE
Set 1 1/2" Rebor & Cap

337.98' |
10°15'16" E

N 00°15'16" W 1337.98'

972.28

528.00'

42' Witness
Corner
Corner Falls
In Ditch
(Not Set)

S 88°56'13" W 1312.30'

S 00°15'16" E

76.50

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

August 27, 2001

THOMAS JACKSON CHILDS LIVING TRUST
PO BOX 107
HAGERMAN, ID 83332

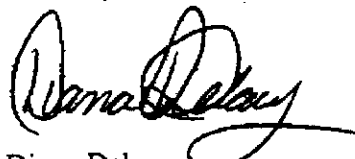
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-00077B. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
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 this water right. 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). This *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 this water right on January 15, 1998, sets forth all of the elements of your water right. 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 the water right. The original of this *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 the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

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NOV 1 8 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)

Water Right 36-00077B

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on January 15, 1998. The period of use element 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, 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 this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

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

PERIOD OF USE: 02-15 11-30

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned 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 at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which 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 August 27, 2001

Roger Burdick

ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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NOV 18 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 36-00077B

1998 JAN 15 AM 10:07

DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: THOMAS JACKSON CHILDS LIVING TRUST
PO BOX 107
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.7 CFS

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

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWSE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.7 CFS
	STOCKWATER	Irrigation Season	0.02 CFS
	STOCKWATER	Non-Irrigation Season	0.21 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S22 NWSE 8
8 ACRES TOTAL

STOCKWATER Within GOODING County
T07S R13E S22 NWSE

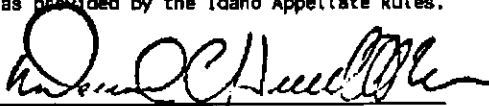
Place of use for STOCKWATER is same as STOCKWATER

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE 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 36-00077B

PAGE 1
DEC-29-1997

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NOV 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

November 5, 2002

CHILDS FAMILY 2002 TRUST DTD 8-19-02
1808 BISMARC CT
NORMAN OK 73072

RE: Change of Ownership for Water Right 36-77B

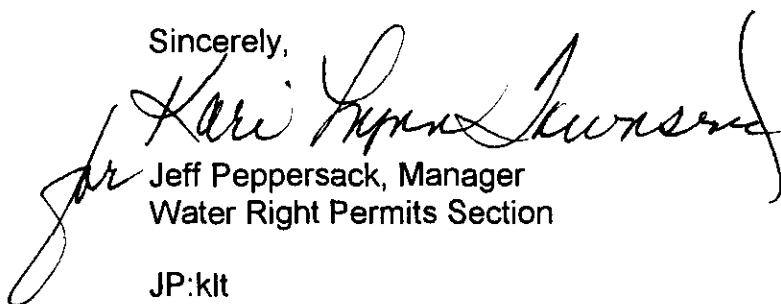
Dear Water Right Holder(s):

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,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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