

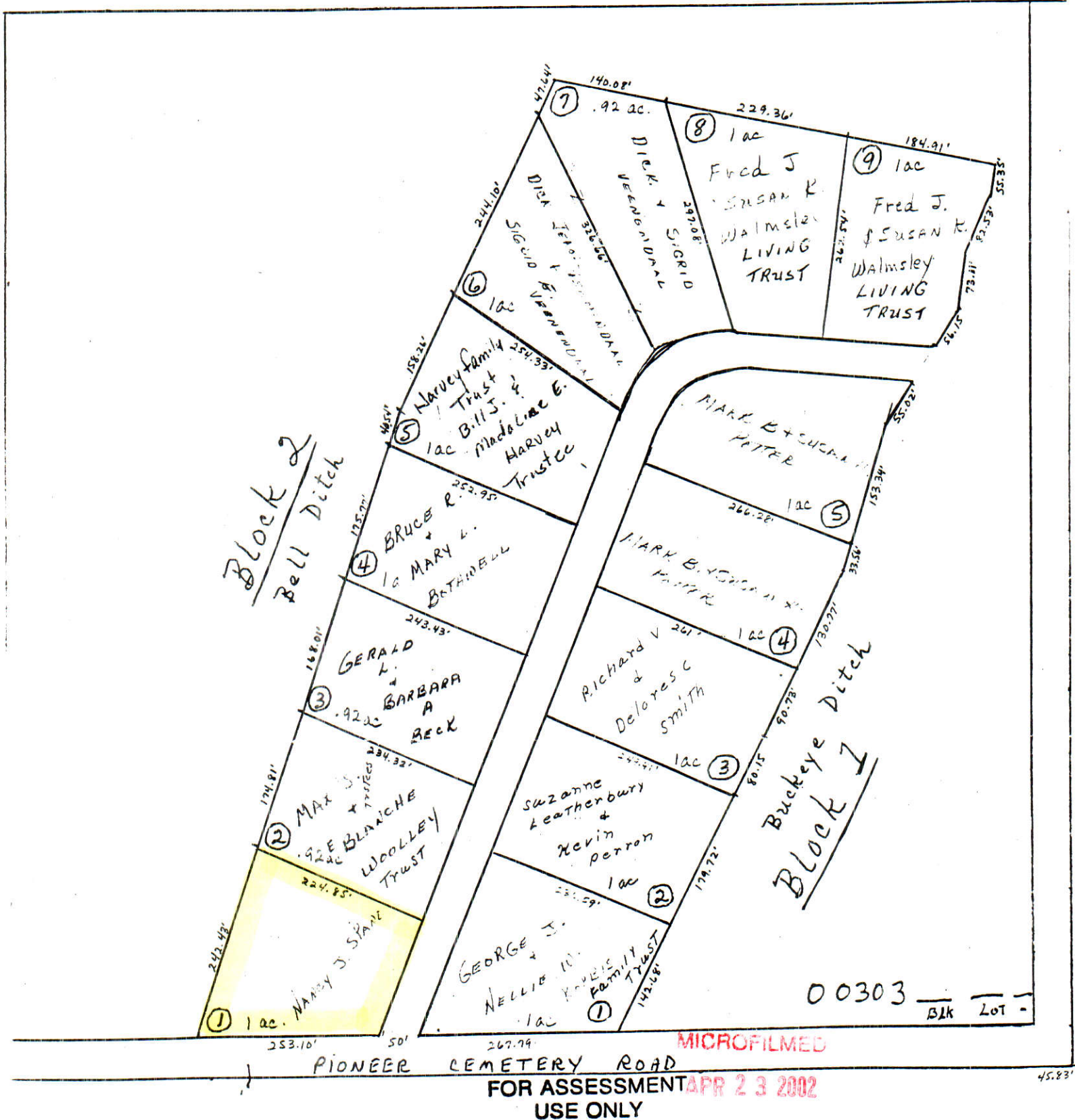
Hiway Dist. 3  
School Dist. 233  
Cem. Dist. H Fire Dist. H



Sec. 11 Twp. 7 Rng. 13  
Pt. of Parcel "C". R.L. Justice Ranch

# Willow Brook Subdivision

Sub # 030:



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.

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| #36-391L              | (SRBA)                       | —     | —                     | —                            | —     |
| —                     | —                            | —     | —                     | —                            | —     |
| —                     | —                            | —     | —                     | —                            | —     |
| —                     | —                            | —     | —                     | —                            | —     |
| —                     | —                            | —     | —                     | —                            | —     |

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)

Gregory R. Evans & Nancy J. Spano  
P.O. Box 293, Blanding, ID 83330

4. New Owner/Claimant(s)

Nancy J. Spano

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1271 S. Shoshone St.

City, State and ZIP Code

Denver, CO 80223

New Telephone Number

(303) 262-0477

5. Date you acquired the property

Warranty Deed 4-18-91 — Joint Ownership  
Quit Claim Deed 1-29-97 Single Ownership

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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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

7. ~~Signature of New Owner(s)~~ or Claimant(s) \_\_\_\_\_  
(include title if applicable)

*Margy J. Spino*

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 J. Mass Date 12-10-01 Fee \$ 35.00  
 Received by J. Mass Date 12-10-01 Receipt No. 0058354  
 Processed by AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

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APR 23 2002

Order No.

## QUIT CLAIM DEED

FOR VALUE RECEIVED

**GREGORY R. EVANS, A SINGLE MAN**

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

**NANCY J. SPANO, A SINGLE WOMAN**

GRANTEE(S)

Whose address is: 1271 South Shoshone Street, Denver, CO 80223

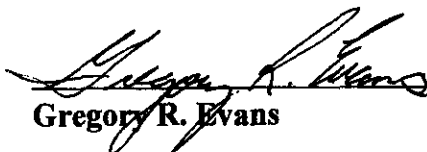
The following described premises, to-wit:

Lot 1 in Block 2 of WILLOW BROOK SUBDIVISION, Gooding County, Idaho, being a part of Parcel "C" of Robert L. Justice Ranch, located in part of the Northwest Quarter of the Southeast Quarter of Section 11, Township 7 South, Range 13, East of the Boise Meridian, according to the plat thereof, recorded August 13, 1979 as Instrument No. 78287, in the Office of the County Recorder of said County.

TOGETHER WITH 6 SHARES OF BUCKEYE DITCH COMPANY WATER

Together with their appurtenances.

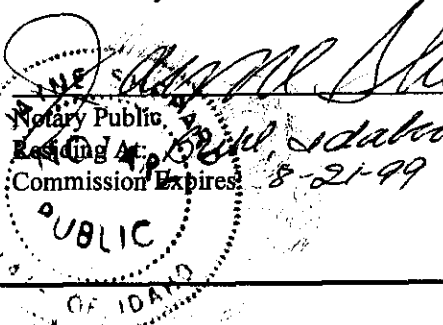
Dated: January 15, 1997

  
\_\_\_\_\_  
Gregory R. Evans

State of IDAHO )  
County of Gooding )ss.

On this 29<sup>th</sup> day of January in the year 1997, before me, the undersigned, personally appeared GREGORY R. EVANS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Penny C. Peterson  
Notary Public  
Gooding, Idaho  
Commission Expires 8-21-99  
PUBLIC  
OF IDAHO

MICROFILMED

APR 23 2002

169538

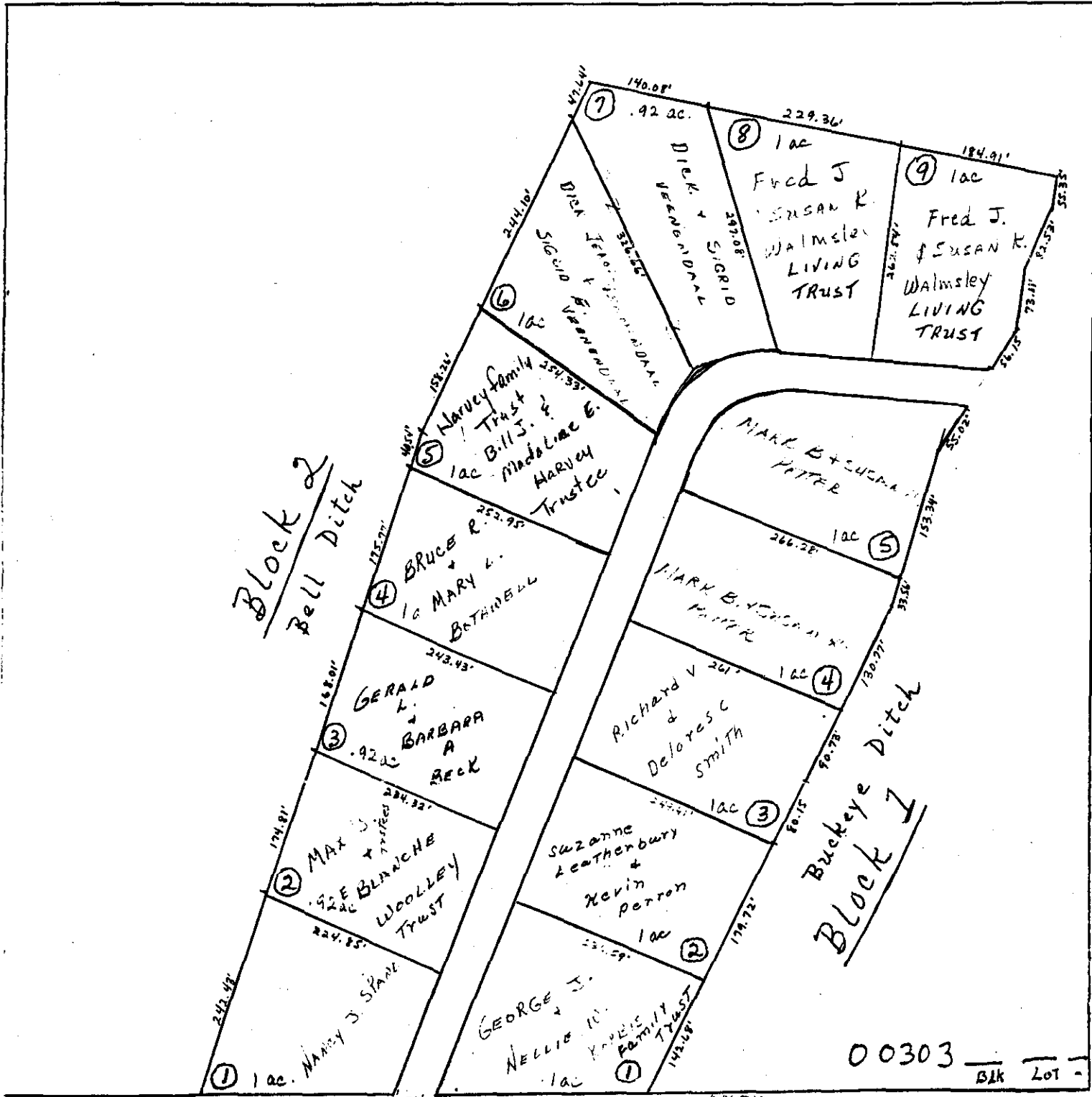
STATE OF IDAHO COUNTY OF GOODING  
Filed for record at the request of Nancy J. Spano  
18 min. past 9 o'clock A.m. this 27<sup>th</sup>  
of February, 1997 3:00  
By Penny C. Peterson Deputy

Hiway Dist. 3  
School Dist. 233  
Cem. Dist. H Fire Dist. H

★ Sec. 11 Twp. 7 Rng. 13  
Pt. of Parcel "C" - R.L. Justice Ranch

Willow Brook Subdivision

Sub # 030:



Block 2  
Bell Ditch

Block 1  
Buckeye Ditch

00303  
BLK LOT

PIONEER CEMETERY ROAD  
MICROFILMED  
FOR ASSESSMENT  
USE ONLY

## Important Information About Your Water Right

August 27, 2001

GREGORY R EVANS  
NANCY J SPANO  
PO BOX 293  
GOODING, ID 83330

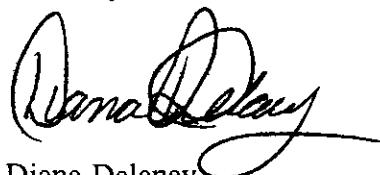
Dear Water Right Claimant(s):

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 36-00039L. 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 December 29, 1997, 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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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 36-00039L

Case No. 32576 )

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 December 29, 1997. 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

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 36-00039L

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 December 29, 1997. 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.

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PERIOD OF USE: 02-15 11-30

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Dated August 27, 2001

MICROFILMED

Roger Burdick

ROGER BURDICK

Presiding Judge

Snake River Basin Adjudication

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 36-00039L

1997 DEC 29 PM 3:40

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED

NAME & ADDRESS: GREGORY R EVANS  
NANCY J SPANO  
PO BOX 293  
GOODING ID 83330

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.03 CFS

PRIORITY DATE: 01/02/1891

POINT OF DIVERSION: T07S R13E S11 SESENE Within GOODING County

|                |                |                   |          |
|----------------|----------------|-------------------|----------|
| PURPOSE AND    |                |                   |          |
| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE     | QUANTITY |
|                | IRRIGATION     | Irrigation Season | 0.03 CFS |

|               |               |                       |
|---------------|---------------|-----------------------|
| PLACE OF USE: | IRRIGATION    | Within GOODING County |
|               | T07S R13E S11 | NWSE 1                |
|               | 1 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



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 10, 2002

NANCY J SPANO  
1271 S SHOSHONE ST  
DENVER CO 80223

RE: Change of Ownership for Water Right 36-39L

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. Also enclosed is a receipt for the \$25.00 filing fee.

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,

*for*   
Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosures

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10/1/02



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 24, 2001

NANCY J SPANO  
1271 S SHOSHONE ST  
DENVER CO 80223

RE: Change in Ownership of Decreed W

Dear Ms. Spano:

The Department of Water Resources acknowledges your request for a change in Water Right Ownership. Our review of your request is required before we can process the change. Below is the information we need:

✓ **Signature**

Without a signature on the Notice of Change, the request is not considered valid, therefore no action can be taken. Please return it in the envelope provided.

Please note that water right owners are required to report changes in ownership and/or mailing address to the Department of Water Resources. Failure to report these changes could result in the Department of Water Resources taking action against the owner. Please visit the Department's website at [www.idwr.state.id.us](http://www.idwr.state.id.us) to obtain the proper forms and instructions.

If you have any questions regarding this matter, please contact the Department of Water Resources at (208) 327-7900.

Sincerely,

Kari Lynn Townsend  
Secretary

KLT:k

Enclosure(s)

1.22.02  
Ms. Spano -  
This is a second request for a completed request for ownership change on water right # 36-000394. Please sign and return the form we returned in December 2001 within 30 days. If there is no response we will return your other paperwork.  
Thank you  
Kari Lynn Townsend



State of Id. o

## 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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 24, 2001

NANCY J SPANO  
1271 S SHOSHONE ST  
DENVER CO 80223

RE: Change in Ownership of Decreed Water Right 36-00039L

Dear Ms. Spano:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

✓ **Signature**

Without a signature on the Notice of Change in Water Right Ownership form it is not considered valid, therefore no action can be taken. Please sign the enclosed form and return it in the envelope provided.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend  
Secretary

KLT:k

Enclosure(s)

ENCLOSURE