

No Color
Documents
In File

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

RECEIVED

AUG 25 2003

Department of Water Resources

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

~~35-~~
~~02408A~~

35-
 04102

35-13480
 35-13481

X

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 rights(s) or claims(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 your water rights(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 The water rights were decreed by the SRBA Court in the name of Kingston Properties, LP (477 Shoup Ave., Ste. 207, Idaho Falls, ID 83402) although Kingston has never held title to the 56 acres owned by Marshalls.
4. New Owner/Claimant(s) Lee Marshall and Sons, Inc.
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 54 N. 3145 E
 City, State and ZIP Code Idaho Falls, ID 83402
 New Telephone Number 208-228-6111
5. Date you acquired the property April 29, 1960

SUPPORT DATA

MICROFILMED IN FILE # 35-13479

NOV 20 2003

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	35-02408A	
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	0.68	55.11 Acres
Stock		
Domestic		
Other		
TOTAL	0.68	

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	35-04102	
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	0.43 cfs	55.11 Acres
Stock		
Domestic		
Other		
TOTAL		

7. Signature of New Owner(s) Or Claimant(s) Lee Marshall and Sons, Inc.
(include title if applicable)

By: Norman Marshall
Norman Marshall, President

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

For Office Use Only

Received by P. M. K. Date 8.25.03 Fee \$120.00
 Received by P. M. K. Date 8.25.03 Receipt No. C070594
 Processed by _____ Date _____ WR _____ Date _____

MICROFILMED

NOV 20 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-13481

WATER RIGHT NUMBER: 35-13481

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	KINGSTON PROPERTIES LP
Current Owner	LEE MARSHAL & SONS INC 54 N 3145 E IDAHO FALLS, ID 83402 (208)228-6111

Priority Date: 04/01/1962

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	to 10/31	0.450 CFS	
	<u>Total Diversion:</u>		0.450 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		

Place of UseIRRIGATION Within JEFFERSON County

T04N R37E S35 Lot 2 SWNE	2.0	T04N R37E S35 SWNW	1.0
T04N R37E S35 SENW	21.0	T04N R37E S35 Lot 3 NESW	27.0
T04N R37E S35 Lot 10 NWSE	7.0		

Total Acres: 58

Conditions of Approval:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 22 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-13479 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 58 ACRES IN A SINGLE IRRIGATION SEASON.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-13479 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.16 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 232 AF.
3. RIGHT NO. 35-13478, 35-13479 AND 35-13480 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. C18 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. SECTION 42-1412(6), IDAHO CODE

MICROFILMED
NOV 20 2003

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 35-13481

Comments:

1. jzokan 10/17/2003 Water right split

Comment: Right 35-04102 split by ownership into rights 35-13480 & 35-13481.

Dates and Other Information:

Decreed Date: 1/31/2002

MICROFILMED
NOV 20 2003



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

October 20, 2003

LEE MARSHAL & SONS INC
54 N 3145 E
IDAHO FALLS ID 83402

RE: Change of Ownership for Water Rights 35-13479 and 35-13481

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.

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

MICROFILMED
NOV 20 2003