

9



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 1-6-03

RECEIVED
JUN - 6 2003
Ket

LEGAL DESCRIPTION OF PROPERTY: Township 5N Range 26E

Section 9, SUINE 1/4 of SENE 1/4 of 1/4 Govt. Lot 1 Department of We.

Lot 1, Block 1, Subdivision/Townsite 1

If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

34-12567, 34-800-C

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

LARRY & MARGARET WHARTON

P.O. Box 324

MACKAY, ID 83251

☐ New Owner/Claimant
(Purchaser):

ANDREW J & WANEKA M DICKERSON

☐ New Mailing Address:

1601 SW 136TH AVE

DAVIE, FL 33325

☐ New Telephone Number:

(954) 916-8584

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Andrew J Dickerson

Date 1-15-03

Date

☐ Signature of Former
Owner/Claimant(s):

Margaret Wharton

Date 1-6-03

Date 1-6-03

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

MAY 30 2003

Department of Water Resources
Eastern Region

Rec # C069441 - \$125⁰⁰ (5x\$25⁰⁰) 6.6.03-

WARRANTY DEED

COPY

FOR VALUABLE CONSIDERATION RECEIVED LARRY F. WHARTON, a single person, and MARGARET VAN ORDEN, a single person, FKA MARGARET HOCKING-WHARTON, the Grantor does hereby grant, bargain, sell and convey unto ANDREW J. DICKERSON and WANETA M. DICKERSON, Husband and Wife, the Grantee whose current address is 1601 SW 136th Avenue, Davie, FL 33325 the following described real estate situated in BUTTE County State of Idaho, to-wit:

Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 9: S½NE¼, EXCEPT County Road .

SUBJECT TO: all easements, rights of way, covenants, restrictions, patent reservations, applicable building and zoning ordinances and use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED: 01-03-03

Larry F. Wharton
Larry F. Wharton

Margaret Van Orden
Margaret Van Orden

STATE OF IDAHO, County of BUTTE
On this 3rd day of January 2003
before me, Lyle B. Boyer, a
Notary Public in and for the said State personally
appeared Larry F. Wharton and
Margaret Van Orden

Known to me to be the person(s) whose name(s) are
subscribed to the within instrument, and acknowl-
edges to me that they executed the same

Lyle B. Boyer

Notary Public
Idaho

Residing in Atco,
County of Essex, State of New Jersey
01-03-2003

THIS SPACE FOR COUNTY RECORDS USE ONLY

NO. 0038885
RECORDED

JAN 06 2003
AM 3:16 PM
BUTTE COUNTY RECORDER
Gayle Wornet



Commonwealth Land Title Insurance Company

OWNER'S TITLE INSURANCE POLICY

Schedule A

File Number 4842LRT

Policy Number: A60-0206285

Date of Policy: January 6, 2003 at 3:16 p.m.

Amount of Insurance \$ 156,000.00

Amount of Premium \$ 773.00

1. Name of Insured.

ANDREW J. DICKERSON and WANETA M. DICKERSON, Husband and Wife

2. The estate or interest in the land which is covered by this Policy is:

fee simple

3. Title to the estate or interest in the land is vested in.

ANDREW J. DICKERSON and WANETA M. DICKERSON, Husband and Wife

4. The land referred to in this Policy is described as follows:

Township 5 North, Range 26 E.B.M., Butte County, Idaho.
Section 9, S1/2NE1/4 EXCEPT County Road.

Idaho Title & Trust

By: Ramm Taylor
Authorized Officer of Agent

5 4

8 9

Pamela J
+ William

Mary + Rick
Griffith

Marty + Jody

COB
SLO
90

Brent + Laurie
Garnett
T# 1711

T# 2475
DANIEL
WANSTROM
T# 6-78

DAVID + NANCY
DR. WILSON STROM

WANSTROM
T# 15-78

T# 28742

DUANE
HANEY

Andrew J + Wanda M
Dickerson

DRY
CORNERS
2007

Andrew J. + Wanda
Dickerson
T# 32364

Andrew + Elaine
Stau T# 33387

Duane + Dessa
Haney
SPK
T# 19

Duane +
Diane Brown
T# 31476

Patricia
Slayton
T# 1190

Dean + Gayle
Siddons
T# 31178

Jeffrey
Ben Kosky +
Carol Eckert

T# 24754

T# 24763

Teresa Terhaar
William Burch
Steve + Terri
Pritchett

Bob + Mary
Mozes T# 31171

LAVEN + FRANCES
KNIGHTON

LIVER T#

FEB - 7 2002

Important Information About Your Water Right

February 5, 2002

Larry F. Wharton
Margaret Hocking Wharton
PO Box 324
Mackay, ID 83251

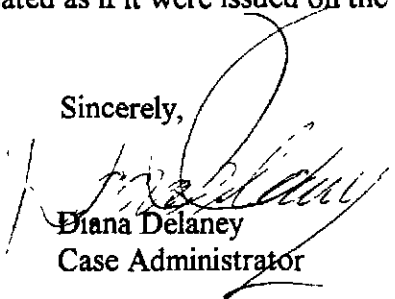
Dear Water Right Claimant(s):

Attached to this letter is a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 34-00800C. 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 this 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 on the same date that the *Partial Decree* was originally issued.

Sincerely,


Diana Delaney
Case Administrator

202 FEB -6 PM 1: 45

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED _____

**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 34-00800C
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
_____	)	PROVISIONS, <i>NUNC PRO TUNC</i>

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, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, 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 *Supplemental Director's Report*

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

PERIOD OF USE. 05-01 to 10-15

The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director.

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 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 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: 2-5-02



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 34-00800C

1997 DEC 29 PM 4:41

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: JOEL DYE
SUSAN DYE
RT 1 BOX 9
DARLINGTON ID 83255

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 1.6 CFS

USE OF THIS RIGHT WITH RIGHT NO. 34-12367 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.82 CFS.

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION: T06N R26E S32 NWSENW Within BUTTE County

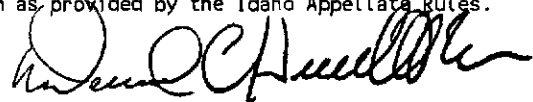
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	1.6 CFS

PLACE OF USE:	IRRIGATION	Within BUTTE County
	T05N R26E S09	SWNE 36 SENE 31
	67 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 34-12367 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 67 ACRES IN A SINGLE
IRRIGATION SEASON.

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 3, 2004

ANDREW J DICKERSON
WANETA M DICKERSON
3436 N 3350 W
MOORE ID 83255

RE: Change of Ownership for Water Right 34-800C, 34- 2406H, 34-386G, 34-387G

Dear Water Right Holders:

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:eja

Enclosures