

D681

Mary + Rick Griffith
T# 1159

Lois Coburn

Pamela J
+ William
Walsh

Mary + Rick
Griffith

T# 33948

Marty + Jody

LOIS COBURN

T# 399

4

9

Brent + Laurie
Gamett
T# 17114

T# 24760
DANIEL
WANSTROM

PIVOT
2001
DAVID + NANCY
DRICOMANSTROM

E. CO-99
T# 3

T# 15-78

T# 28742

9 10

RANDAL
DAMIANI
ETC.

DUANE
HANEY

DUANE
HANEY

Andrew J + Wanjeta M
Dickerson

PIVOT
DRY SPR
CORNERS
2001

Andrew J. + Wanjeta A.
Dickerson
T# 32364

Andrew + Elaine
Stau T# 33383

Duane + Dessa
Haney
SPR
2019

Duane +
Diane Braun
T# 31476

Patricia
Slayton
T# 1150

Dean + Gayle
Siddoway
T# 31778

Jeffrey
Benkosky +
Carol Eckert

T# 24754

T# 24766

Teresa Terhaar
William Burch

Steve + Terri
Pritchett

Bob + Mary
Mozes T# 31771



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 18 2003

LEGAL DESCRIPTION OF PROPERTY: Township 5N Range 26E Section 9, S1/4SE 1/4 of 1/4 of 1/4 Govt. Lot 1 of 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: 34-2406H, 34-386G, 34-387G
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): CRANT & JUNE LOROS
3436 N 3350 W
MORE ID 8255
- ☐ New Owner/Claimant (Purchaser): ANDREW J & WANETA M VICKERSON
- ☐ New Mailing Address: 1601 SW 136TH AVE
DALNE, 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 Vickerson Date 1-15-03
- ☐ Signature of Former Owner/Claimant(s): Janet Loros Date 1-15-03

(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

Rec. # C069441 - \$125.00 (5x25) 6.6.03

WARRANTY DEED**COPY**FOR VALUABLE CONSIDERATION RECEIVED GRANT H. LORD andJULIE A. LORD, Husband and Wife, the Grantordoes hereby grant, bargain, sell and convey unto ANDREW J. DICKERSON andWANETA M. DICKERSON, Husband and Wife, the Granteewhose current address is 1601 SW 136th Avenue, Davie, FL 33325the following described real estate situated in BUTTE County

State of Idaho, to-wit:

See attached Exhibit A

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 thereunto 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: 1/3/03Grant H. LordJulie A. Lord

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

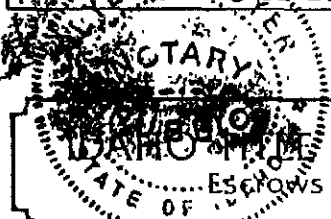
Grant H. Lord aka Grant
Lord and Julie A. Lord aka Julie
Lord
Known to me to be the person(s) whose name(s) are
subscribed to the within instrument, and acknowl-
edges to me that they executed the same.

Lyle B. BoyerNotary Public
IdahoResiding at Aspen
Comm. Expires 8-31-2003

THIS SPACE FOR COUNTY RECORD'S USE ONLY

NO. 0038884
RECORDED

JAN 06 2003

AM 3:15 PM
BUTTE COUNTY RECORDERDayla Warner

IDAHO TITLE & TRUST COMPANY
Escrows • Title Insurance

Exhibit A

EN 26 E 9^{NW} SE

A parcel of land generally described as being a portion of the SE1/4 of Section 9, Township 5 North, Range 26 E.B.M., Butte County, Idaho, being more particularly described as follows:

Commencing at the S1/4 Corner of said Section 9, from which the N1/4 Corner of said Section 9, bears

N 00° 08' 20" East 5304.61 feet;

thence from the S1/4 Corner of said Section 9,

N 00° 08' 20" East along the West boundary of the SE1/4 of said Section 9, a distance of 1322.91 feet to the POINT OF BEGINNING of this land description;

thence continuing along the West boundary of the SE1/4 of said Section 9,

N 00° 08' 20" East, a distance of 1329.23 feet to the Center 1/4 Corner of said Section 9;

thence S 89° 30' 00" East along the North boundary of the SE1/4 of said Section 9, a distance of 1267.91 feet to the centerline of the Moore Canal; thence along the centerline of said canal, the following nine courses and distances:

S 31° 44' 57" East, 20.63 feet;

S 03° 29' 11" West, 108.15 feet;

S 03° 41' 22" West, 164.47 feet;

S 07° 37' 42" East, 182.83 feet;

S 15° 14' 52" West, 138.15 feet;

S 02° 14' 14" West, 269.90 feet;

S 19° 33' 34" East, 127.74 feet;

S 33° 42' 13" East, 208.84 feet;

S 26° 37' 02" East, 158.02 feet;

to the North boundary of Tax No. 11-80;

thence S 89° 39' 25" West along the North boundary of said Tax No. 11-80, a distance of 466.44 feet to the half inch diameter steel rod established by L.S. 907, monumenting the NW Corner of said Tax No. 11-80;

thence S 89° 37' 04" West along the North boundary of Instrument No. 31476, Butte County records, a distance of 1005.22 feet to the POINT OF BEGINNING.

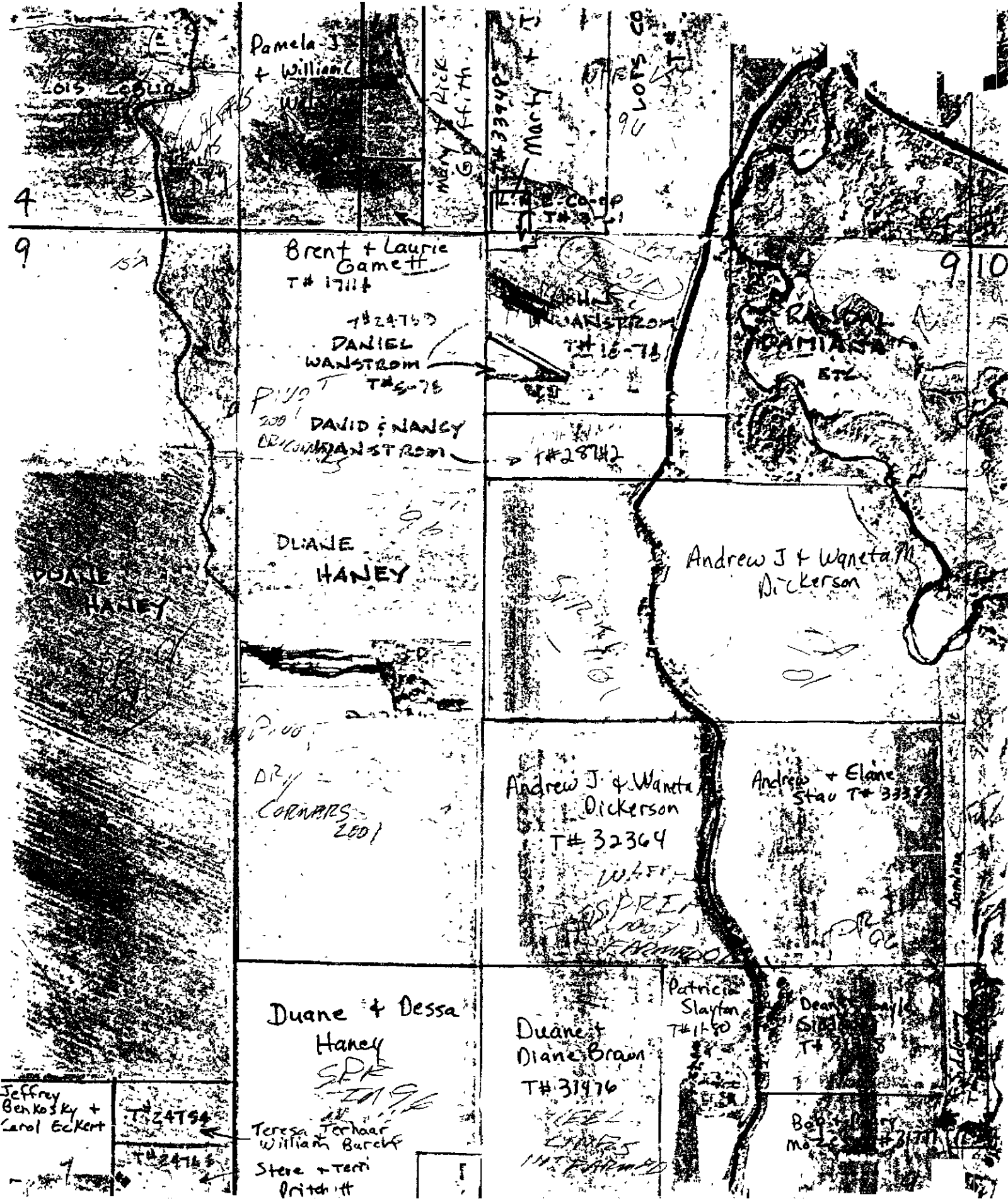
EXCEPTING: a county road right of way along the West.

SUBJECT TO: an easement for the purpose of maintaining an existing irrigation canal adjoining the easterly boundary thereof.

ALSO SUBJECT TO: an easement for the purpose of ingress and egress over and across a portion of the SE1/4 of Section 9, and for the purpose of maintaining an existing irrigation pumping system, the centerline of said 15 feet wide access easement being more particularly described as follows:

Beginning at a point on the West boundary of the SE1/4 of said Section 9, from which the S1/4 Corner of said Section 9 bears S 00° 08' 20" West 1330.41 feet; thence from said POINT OF BEGINNING, N 89° 39' 04" East along the centerline of said 15 feet wide access easement, a distance of 1384.33 feet; thence

N 37° 58' East, a distance of 34.00 feet to the centerline radius point of an easement for the purpose of maintaining an existing irrigation pumping system, said easement having a radius of 34.00 feet, and a central angle of 360°.



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-386G

WATER RIGHT NUMBER 34-386G

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GRANT LORD RT 1 BOX 4 DARLINGTON, ID 83255 (208)588-3168
Directors Report Owner	FRED W DUNDAS 1912 W UKIAH WAY UPLAND, CA 91786
Current Owner	JULIE LORD RT 1 BOX 4 DARLINGTON, ID 83255 (208)588-3168

Priority Date 03/02/1896

Basis Decreed

Status Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	0 588 CFS	
	<u>Total Diversion</u>	0 588 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER	NW1/4SE1/4SE1/4	Sec 4,	Twp 05N,	Rge 26E, B M
BUTTE County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9																37 0	37 0

Total Acres 37

Conditions of Approval

- 1 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
- 2 S34 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 OF THE IDAHO DEPARTMENT OF WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-386G

Remarks

- 1 Explanatory WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE DITCH
- 2 Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.99 CFS COMBINED RIGHT NOS 34-386G, 34-387G AND 34-2406H
- 3 Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 37 ACRES IN A SINGLE IRRIGATION SEASON COMBINED RIGHT NOS 34-386G, 34-387G AND 34-2406H

Comments

1 SSHERMAN 3/13/2000 OWNERSHIP CHANGE
Comment DAMIANA TO LORD

Dates and Other Information

Licensed Date
Decreed Date 6/7/2002
Water Supply Bank Enrollment Accepted
Water Supply Bank Enrollment Removed.
Enlargement Use Priority Date
Enlargement Statute Priority Date
State or Federal S
Owner Name Connector AND
Water District Number 34
Generic Max Rate Per Acre
Generic Max Volume Per Acre
Decree Defendant
Decree Plaintiff
Civil Case Number 39576
Judicial District FIFTH
Swan Falls Trust or Nontrust
Swan Falls Dismissed
DLE Act Number
Carey Act Number
Mitigation Plan False

← 34-386A
- See Pedigree

Combined Use Limits

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

Important Information About Your Water Right

June 7, 2002

Randal G Damiana
Route 1 Box 113-A
Moore, ID 83255

Andrew G Staf
E Elaine Staf
2543 N 3300 W
Arco, ID 83213

RECEIVED

JUN 11 2002

Department of Water Resources

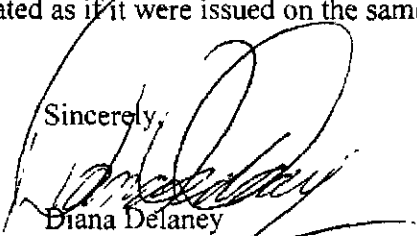
Dear Water Right Claimant(s):

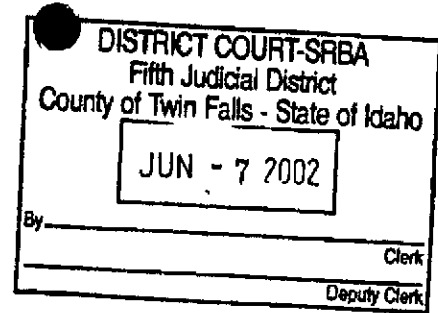
Attached to this letter is a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 34-386A. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you 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 2, 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 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



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 34-386A
	)	
	)	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 January 2, 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, 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 of the Idaho Department of Water Resources.

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 June 7, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

1998 JAN -2 AM 8:12

DISTRICT COURT - SRBA
TWIN FALLS CO., 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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 34-00386A
	)	

On November 18, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 34-00386A is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JAN 2 1998.



DANIEL C. HURLBUTT, JR.

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

1997 JAN -2 AM 8:12

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 34-00386A

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: RANDAL G DAMIANA
RT 1 BOX 113-A
MOORE ID 83255

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 2.175 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 34-00387A AND 34-02406B IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.54 CFS.

PRIORITY DATE: 03/02/1896

POINT OF DIVERSION: T05N R26E S04 NWSESE Within BUTTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.175 CFS

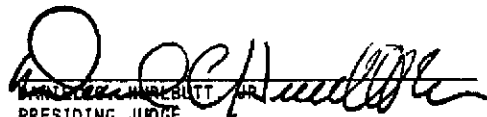
PLACE OF USE:	IRRIGATION	Within BUTTE County			
	T05N R26E S09	NESE 35	NWSE 37	SWSE 32	SESE 28
	132 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NOS. 34-00387A AND 34-02406B IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 132 ACRES IN A
SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 109 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE 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.


DAVID C. HARBITT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

1998 JAN 02 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., 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)
)
Case No. 39576)

)

CERTIFICATE OF MAILING

Water Right(s): 34-00386A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 34-00386A was mailed
on January 02, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM
Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

RANDAL G. DAMIANA
Represented by:
WILLIAM R HOLLIFIELD
PO BOX 66
249 THIRD AVENUE EAST
TWIN FALLS, ID 83303
Phone: 208-734-5610

FRED W. DUNDAS
1912 UKIAH WAY
UPLAND, CA 91786

CERTIFICATE OF MAILING

PAGE 1
DIANA DELANEY 01/02/98

Chief Deputy Clerk



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

September 3, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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