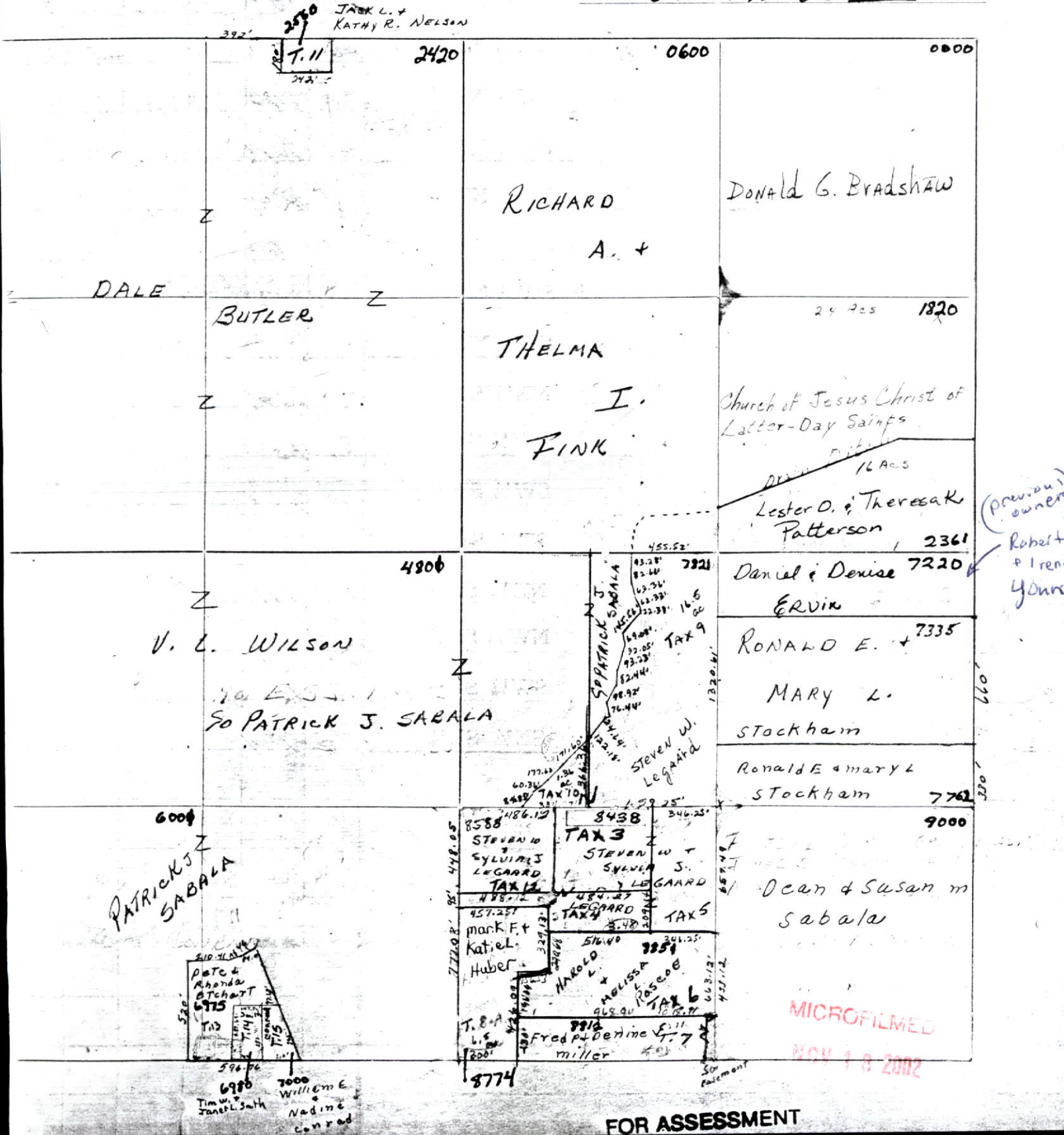


GOODING COUNTY

1st. 1 City
231
2d. Cem. Dist. **GOODING**
Fire Dist. Gooding

Sec. 23 Twp. 5 Rng. 14
\$28

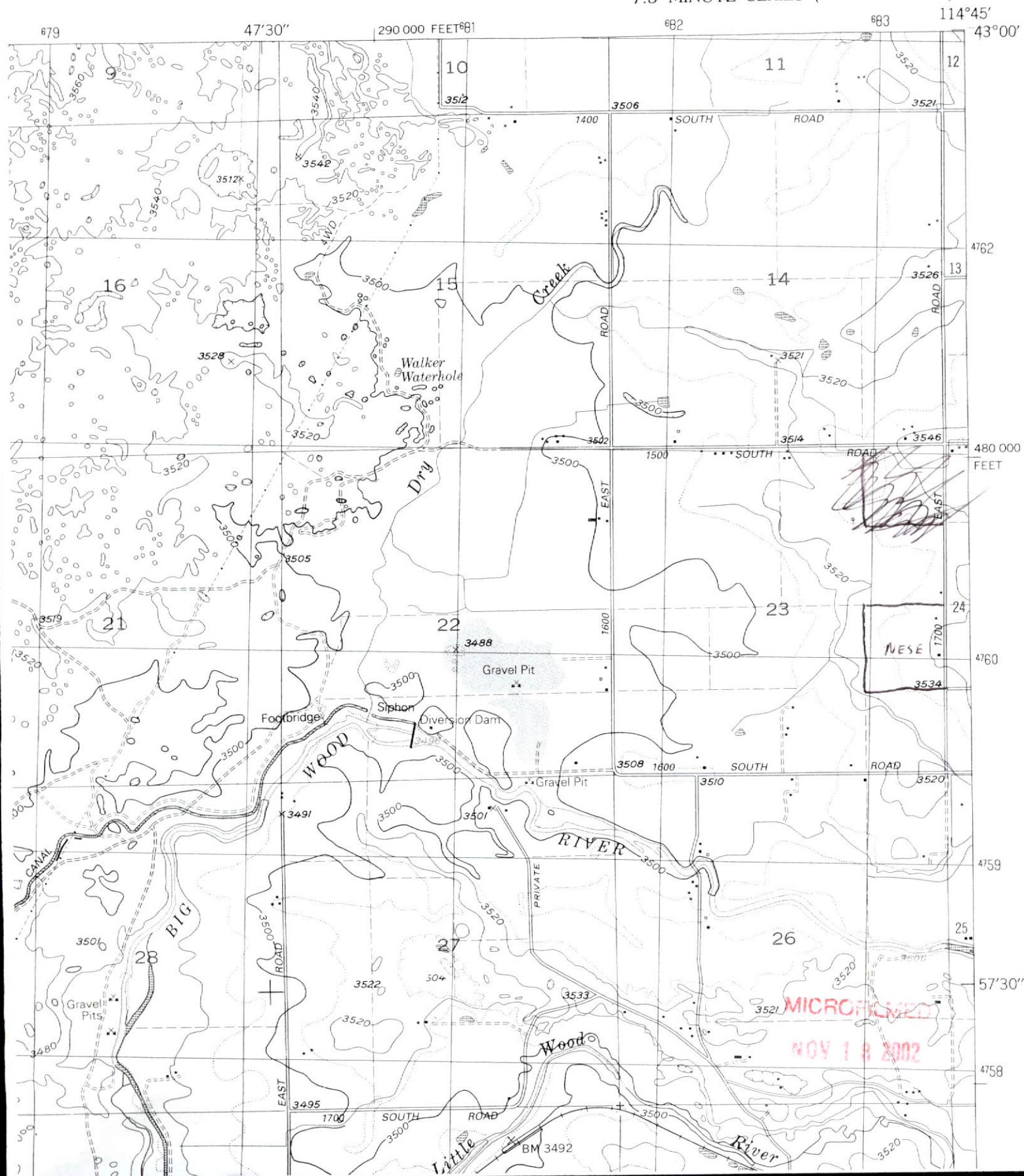
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TC95, R 14E

GOODING BUTTE QUADRANGLE
IDAHO-GOODING CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

(THORN CREEK)



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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OCT 28 2002
RECEIVED
OCT 11 2002
 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
37-11048					

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) Irene S. Young and Robert L. Young
1555 S 1700 E, Gooding, ID 83330
4. New Owner/Claimant(s) Daniel Ervin and Denise Ervin
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 1555 South 1700 East, Gooding, ID 83330
 City, State and ZIP Code _____
 New Telephone Number () _____
5. Date you acquired the property October 2, 2002

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OCT 18 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) Daniel Ervin
(include title if applicable)

Daniel Ervin

Denise Ervin
Denise Ervin

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 <u>JA</u>	Date <u>10/11/02</u>	Fee <u>25</u>
Received by <u>JD</u>	Date <u>10/11/02</u>	Receipt No. <u>50252160</u>
Processed by _____	Date _____	WR _____ Date _____

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NOV 18 2002

WARRANTY DEED

#GG-03888

For Value Received

Robert L. Young and Irene Sue Young, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

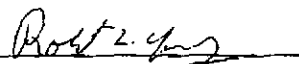
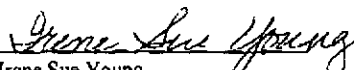
Daniel Ervin and Denise Ervin, husband and wife**Address: 1555 South 1700 East, Gooding, ID 83330**

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

**TOWNSHIP 5 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO****Section 23: N½N½NE½SE½;****SUBJECT TO:****All reservations in patents or deeds in the chain of title.****Taxes for 2002 and subsequent years, taxes are an accruing lien, not yet due or payable.****Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.****Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.****Right of way for canals, laterals and waste ditches of Big Wood Canal Company.****Power Line Easement given by Thomas D. Miller to Idaho Power Company, a corporation, dated April 28, 1976, recorded December 29, 1979 as Instrument Number 62554, Gooding County records, affecting the NE½SE½ of Section 23, Township 5 South, Range 14, East Boise Meridian.****TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 10 shares of capital stock in the Big Wood Canal Company, also including any licensed domestic or irrigation water rights or licenses with the State of Idaho, including but not limited to Water Right No. 37-11048.**

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 30, 2002


Robert L. Young
Irene Sue Young**Instrument # 197168**

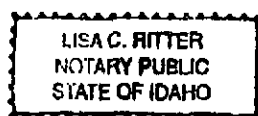
GOODING, GOODING, IDAHO

2002-10-02

03:27:54 No. of Pages: 1

Recorded for: LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy STATE OF IDAHO)
) ss.
COUNTY OF Gooding)On this 30 day of September, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert L. Young and Irene Sue Young, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.Notary Public
Residing at: Hagerman, ID
My Commission expires: 10/04/04

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NOV 18 2002

9/17/02 TAX MASTER INQUIRY - GOODING COUNTY

PMPKEY: RP 05S14E237220 A YEAR 2001 BILL# 6251
TXPKY: RP05S14E237220A BILLED TO: YOUNG, ROBERT L &
NAME YOUNG, ROBERT L & CODE AREA 500 ACCOUNT TYPE
YOUNG, IRENE SUE BANK FLB OWNER PUP

ADDRESS 1555 SOUTH, 1700 EAST MARKET VALUE 68.121
GOODING ID 83330 HARDSHIP
HOMEOWNER 26.811
NET MARKET
TAX AMOUNT 455.42
LEGAL T 5S R 14E SEC 23 LESS: CIRCUIT
N2 N2 NE4 SE4 PLUS: SPECIALS 48.00
1 SW NET TAX BILLED
TAX PAYMENTS 503.42
TAX CANCELLED
SPEC CANCELLED
REMAINING TAX DUE

1555 S 1700 E 83330

NEXT PARCEL# RP _____ A OR NEXT BILL# RP 2001
F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE
(AM IM II KB SI)

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NOV 18 2002

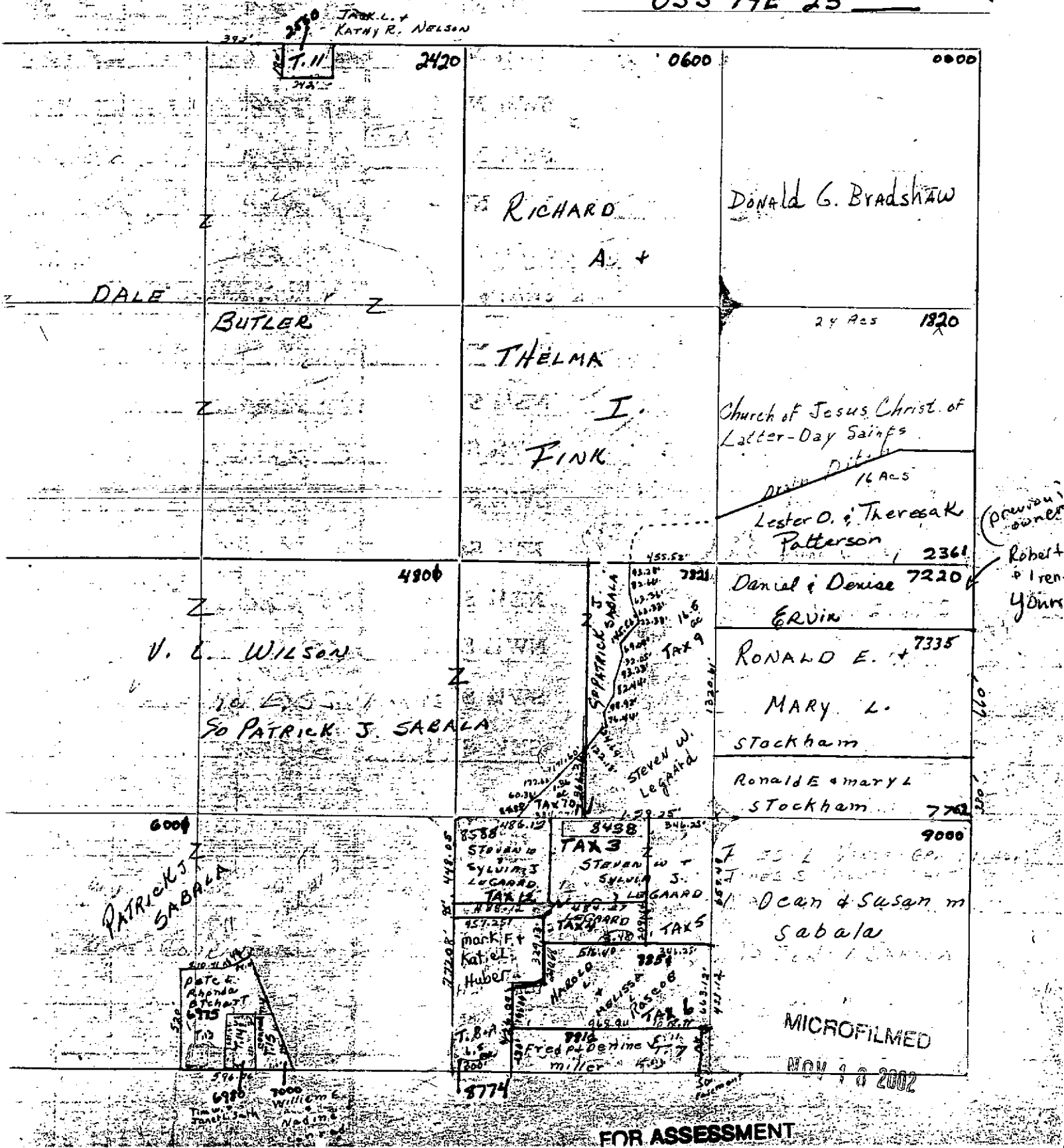
GOODING COUNTY

ist. 1 City
231
st. Cem. Dist. **GOODING**
Fire Dist. Gooding

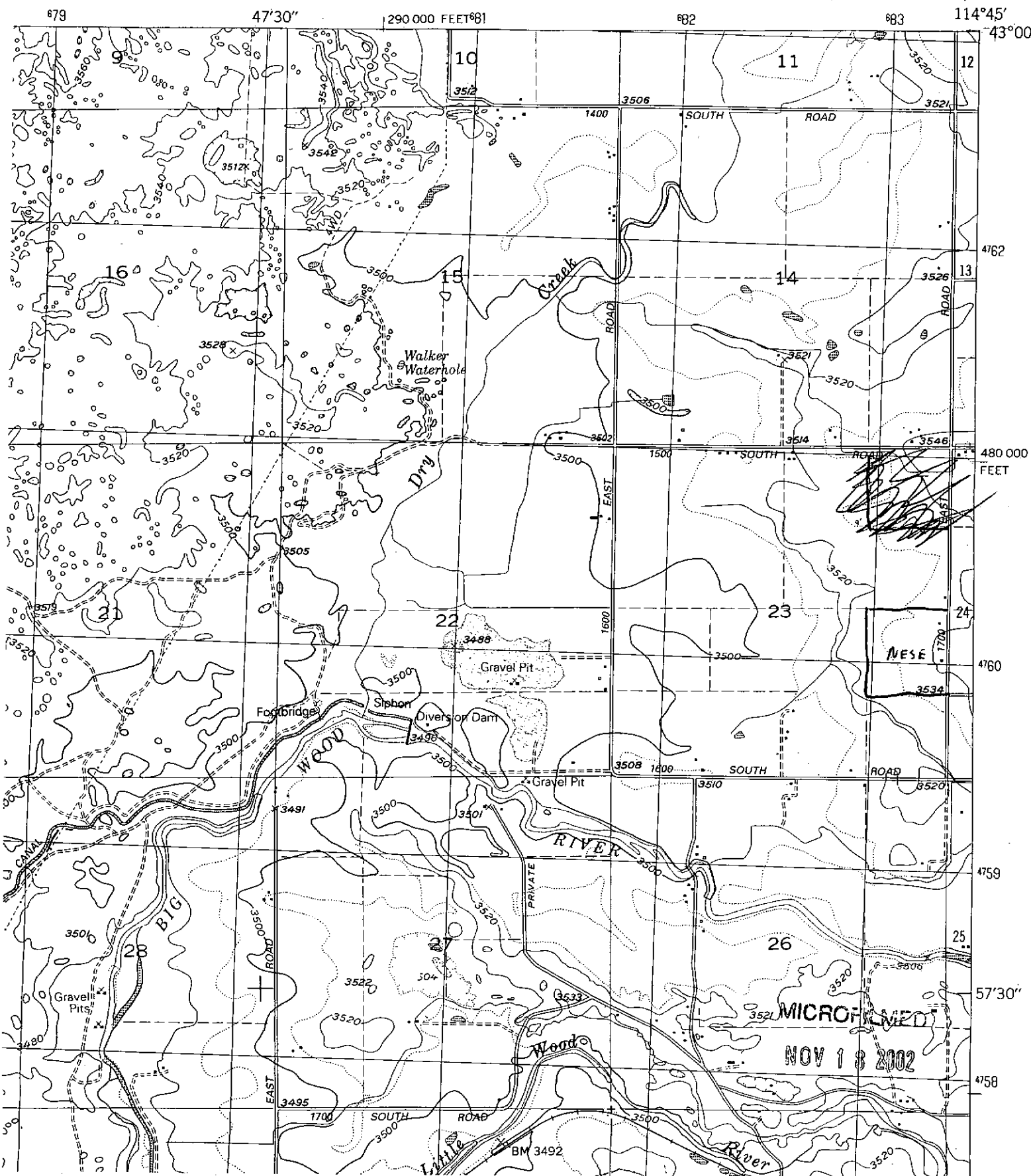
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(THORN CR)



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 37-11048

NAME AND ADDRESS: IRENE S YOUNG
ROBERT L YOUNG
1555 S 1700 E
GOODING, ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 06/01/1975

POINT OF DIVERSION: T05S R14E S23 NESE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic T05S R14E S23 NESE Within Gooding County

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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).

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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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

October 28, 2002

DANIEL ERVIN
DENISE ERVIN
1555 S 1700 E
GOODING ID 83330

RE: Change of Ownership for Water Right 37-11048

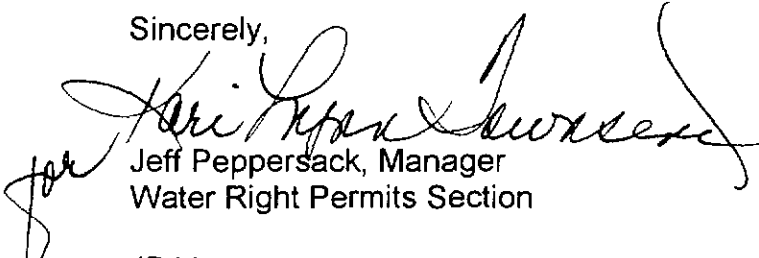
Dear Water Right Holder(s):

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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OCT 18 2002

Comment Report

37-11048

1. CORR4 9/23/1997 COPIED FROM REMARKS

Comment: PARCEL NO. G1000112007BA PROPERTY ALSO KNOWN AS 926 COLORADO ST

2. kwalker 10/21/2002 Corrections to Comments

Comment: This right was decreed to Parcel No. G1000112007BA which is also known as 926 Colorado St. in Gooding. That parcel is served by Gooding City Water & Sewer (per visit with GCW&S by John Freitag). John was also told that this parcel has always been on city water.

The parcel number for this right should be shown as 05S14E237220 which coincides with the legal descriptions. Both parcels were owned, at one time, by Robert and Irene Young. It is clear that the Youngs intended this right to belong to Parcel No. 05S14E237220.

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NOV 18 2002

Memorandum

To: 37-11048

From: John Freitag, Water Resource Agent Sr.

Re: Remarks and comments

Date: 10-16-02 (This memo received on 10-23-02 to correct the original memo)

This memo is regarding an inquiry I received from Denise Ervin. Mrs. Ervin has recently purchased property, which in the deed stated it came with water right 37-11048.

Mrs. Ervin noticed in the remarks and conditions it states "parcel number G1000112007BA also known as 926 Colorado Street" which is not the property she purchased.

Mrs. Ervin sent me the deed to her property she purchased from the Young's (current owners of right 37-11048). The deed matches the POU and POD on right 37-11048.

I then visited the Gooding County Assessors office and found out that the Young's at one time owned property known as 926 Colorado Street in Gooding, which at the time was parcel G1000112007BA. I then contacted Gooding City Water & Sewer and confirmed that 926 Colorado Street has always been on city water.

So it appears that the remarks and conditions put on right 37-11048 was a mistake. Mrs. Ervin requested that the incorrect parcel # and street address be removed and the correct parcel # be recorded (05S14E237220). I also sent Mrs. Ervin a change of ownership to file.

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NOV 18 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

RECEIVED

OCT 17 2002

Department of Water Resources

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Memorandum

To: 37-11048

From: John Freitag, Water Resource Agent Sr.

Re: Remarks and comments

Date: 10-16-02

This memo is regarding an inquiry I received from Denise Ervin. Mrs. Ervin has recently purchased property, which in the deed stated it came with water right 37-11048. Mrs. Davis noticed in the remarks and conditions it states "parcel number G1000112007BA also known as 926 Colorado Street" which is not the property she purchased.

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So it appears that the remarks and conditions put on right 37-11048 was a mistake. Mrs. Ervin requested that the incorrect parcel # and street address be removed and the correct parcel # be recorded (05S14E237220). I also sent Mrs. Ervin a change of ownership to file.

I would prefer that we clarify this by adding documentation to the file and comments in the database that explain the discrepancy, rather than removing the information

JP

10/18/02

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NOV 18 2002