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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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 25-12295

NAME AND ADDRESS: MELAUNA S ANDERSON
955 E 1400 N
SHELLEY, ID 83274

MELVIN L SMITH
PHYLLIS E SMITH
1311 N 1100 E
SHELLEY, ID 83274

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/10/1951

POINT OF DIVERSION: T01N R37E S25 SWSW Within Bingham County

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

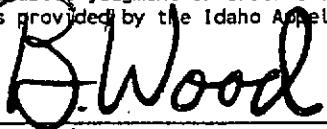
PLACE OF USE: Domestic Within Bingham County
T01N R37E S25 SWSW

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.

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.


Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

MEMORANDUM

DATE: June 21, 2000

TO: File 25-12295

FROM: Kari Lynn Townsend

RE: Phone conversation

After receiving the Notice of Change of Water Right Ownership form from Richard Kelso today and checking the legal description on the Quit Claim deed against the partial decree, I found a discrepancy.

I telephoned Melauna Anderson to find out if she and her husband may possible still own the property described on the partial decree.

Mrs. Anderson was unsure whether they still owned that particular property or had sold it to a different buyer.

I sent her a copy of the partial decree and she will check it against her records and see if she can clarify the ownership issue.

RECEIVED

JUN 21 2000

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

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. Water Right No(s): A25-12295
Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:

A. 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 or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
(These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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 Joe Lanna Anderson

4. New Owner/Claimant(s) Richard B Kelw
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 955 E 1400 N

City, State and ZIP Code SHELLEY ID 83274

New Telephone Number (208) 357-7970

5. Date you acquired the property 1-1-1994

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____
Other uses _____	

7. Signature of New Owner(s) or Claimant(s) Richard B Kelw

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach 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.

AFTER RECORDING MAIL TO:

Colonial Mortgage Company
P.O. Box 5627
Montgomery, AL 36103

LOAN NO. 388177C

[Space Above This Line For Recording Data]

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on November 5, 1998. The grantor is RICHARD B. KELSO, AN UNMARRIED PERSON

The trustee is IDAHO TITLE & TRUST COMPANY
The beneficiary is INTERVEST MORTGAGE,
which is organized and existing under the laws of the State of Nevada,
and whose address is PO BOX 12937, RENO, NV 89510-2937

("Borrower").
("Trustee").

("Lender"). Borrower owes Lender the principal sum of One Hundred Fifteen Thousand Two Hundred Dollars and no/100

Dollars (U.S. \$ 115,200.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on December 1, 2028. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in BINGHAM County, Idaho:

A PORTION OF THE NW1/4NE1/4 OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 37 E.B.M., BINGHAM COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NW CORNER OF THE NE 1/4 OF SAID SECTION 27; RUNNING THENCE S. 355 FEET; THENCE E. 350 FEET; THENCE N. 355 FEET; THENCE W. 350 FEET; TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE COUNTY ROAD ALONG THE N. SIDE.

which has the address of 955 E 1400 N

SHELLEY
[City]

Idaho

83274
[Zip Code]

[Street]
("Property Address");

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

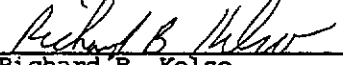
QUITCLAIM DEED

Richard Bruce Kelso also known as Richard B. Kelso, a unmarried person, GRANTOR for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby REMISE, RELEASE, and forever QUITCLAIM, unto Richard B. Kelso, an unmarried person, whose mailing address is 955 East 1400 North, Shelley ID 83274, County of Bingham, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Bingham County, Idaho:

A portion of the NW1/4NE1/4 of Section 27, Township 1 North, Range 37 E.B.M., Bingham County, Idaho, more particularly described as: Beginning at the NW Corner of the NE1/4 of said Section 27; running thence South 355 feet; thence East 350 feet; thence North 355 feet; thence West 350 feet to the point of beginning. Excepting Therefrom the county road along the North side.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, tenements, hereditaments and appurtenances thereto.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 5th day of November, 19 98.


Richard Bruce Kelso

Richard B. Kelso

STATE OF Idaho)
) ss.
County of Bonneville)

On this 5th day of November, 19 98, before me, Jennifer Landon a Notary Public for Idaho, personally appeared Richard Bruce Kelso aka Richard B. Kelso, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal the day and year first above written.

Notary Public
Residing at: Menan
Comm. Expires: 05-12-03

4. The Land referred to in this Commitment is described as follows:

A portion of the NW¹/₄ NEM of Section 27, Township 1 North, Range 37 E.B.M., Bingham County, Idaho, more particularly described as:
Beginning at the NW corner of the NEM of said Section 27; running thence S. 355 feet; thence E. 350 feet; thence N. 355 feet; thence W. 350 feet to the point of beginning. EXCEPTING THEREFROM the county road along the N. side.

TITLE OFFICER - Kim Wood

Cc: Idaho Title-Idfls



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD KELSO
DE LINDA KELSO
955 E 1400 N
SHELLEY ID 83274

RE: Ownership of Decreed Water Right A25-12295

Dear Mr. & Mrs. Kelso:

We have been advised that you may be the current owners of the property and water rights referenced above.

When a change of ownership involving a water right occurs, a Notice of Change of Water Right Ownership form is required. I have enclosed a copy of this form for your convenience.

Please return the completed form along with the required support documentation to my attention. I will be happy to update our records upon receipt of this information.

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

Sincerely,

A handwritten signature in cursive script, reading 'Kari Lynn Townsend'.

Kari Lynn Townsend
Secretary

KLT:k

Enclosures

cc: Melauna Anderson

State of Idaho
Dept. of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RECEIVED

MAY 11 2000

Department of Water Resources
Eastern Region

RECEIVED

MAY 15 2000

Department of Water Resources

May 8, 2000

RE: change of ownership for A25-12295

Dear Autumn:

You wrote to me some time ago concerning a tract of land that my husband and I sold in Bingham County.

I didn't find the legal description. Could it be the same as Sec. 27, T1N, R37E at N.W. 1/4 North?

If so, we sold this piece of property to Richard and Delinda Kelso in December of 1993.

I believe they still reside there at this address:

955 E. 1400 N.
Shelley, ID 83274

Is this all the information you need?

If more is needed you could either write or call me (801) 295-0085.

Thank you.

Melana Anderson

Kenneth + Melana Anderson
960 N. 400 E.
Centerville, UT 84014