

10/09/02

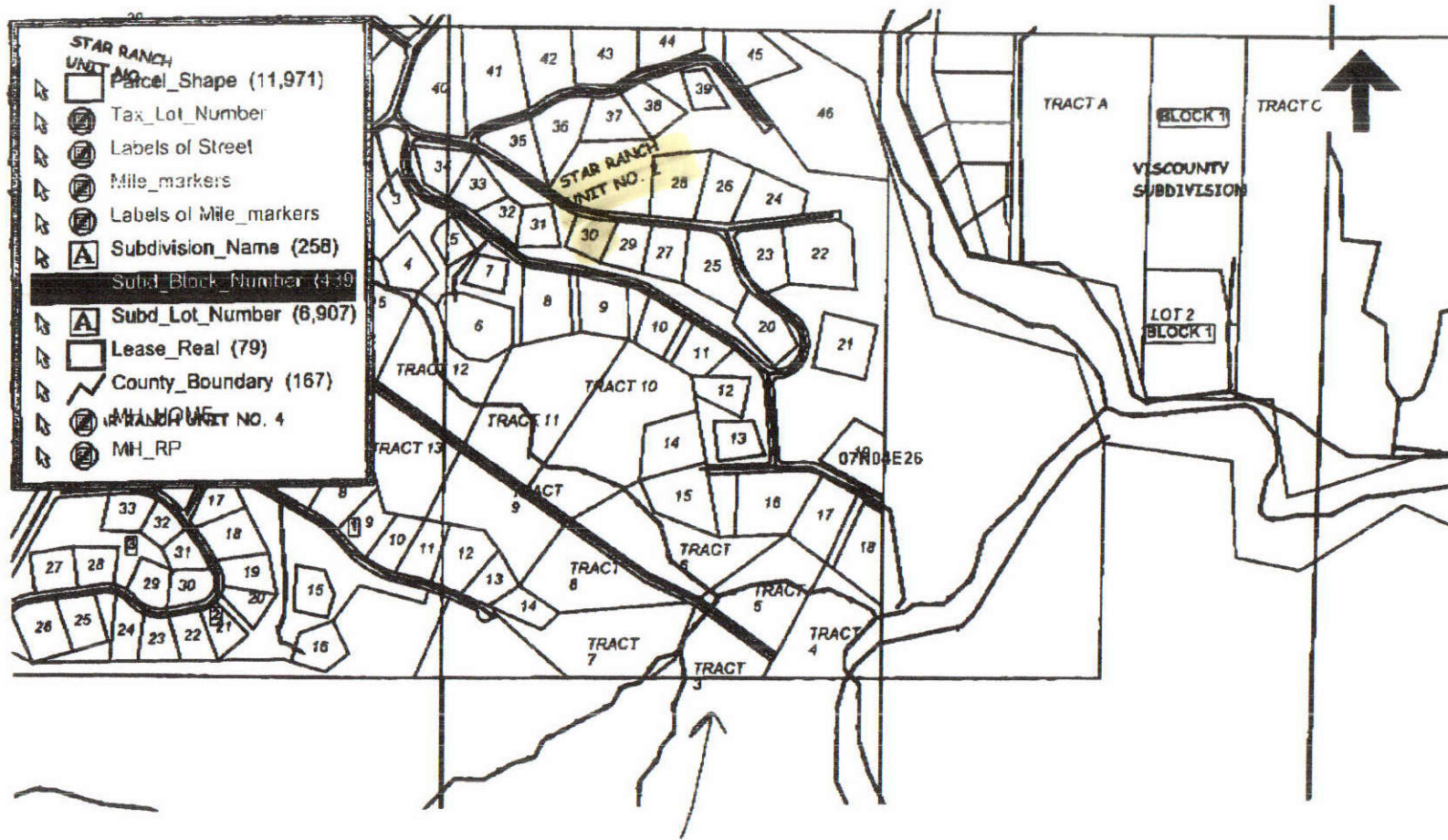
09:43

208 392 4473

BOISE COUNTY

003/003

Vickie Ad Diana at Boise County assessors office
392-4415



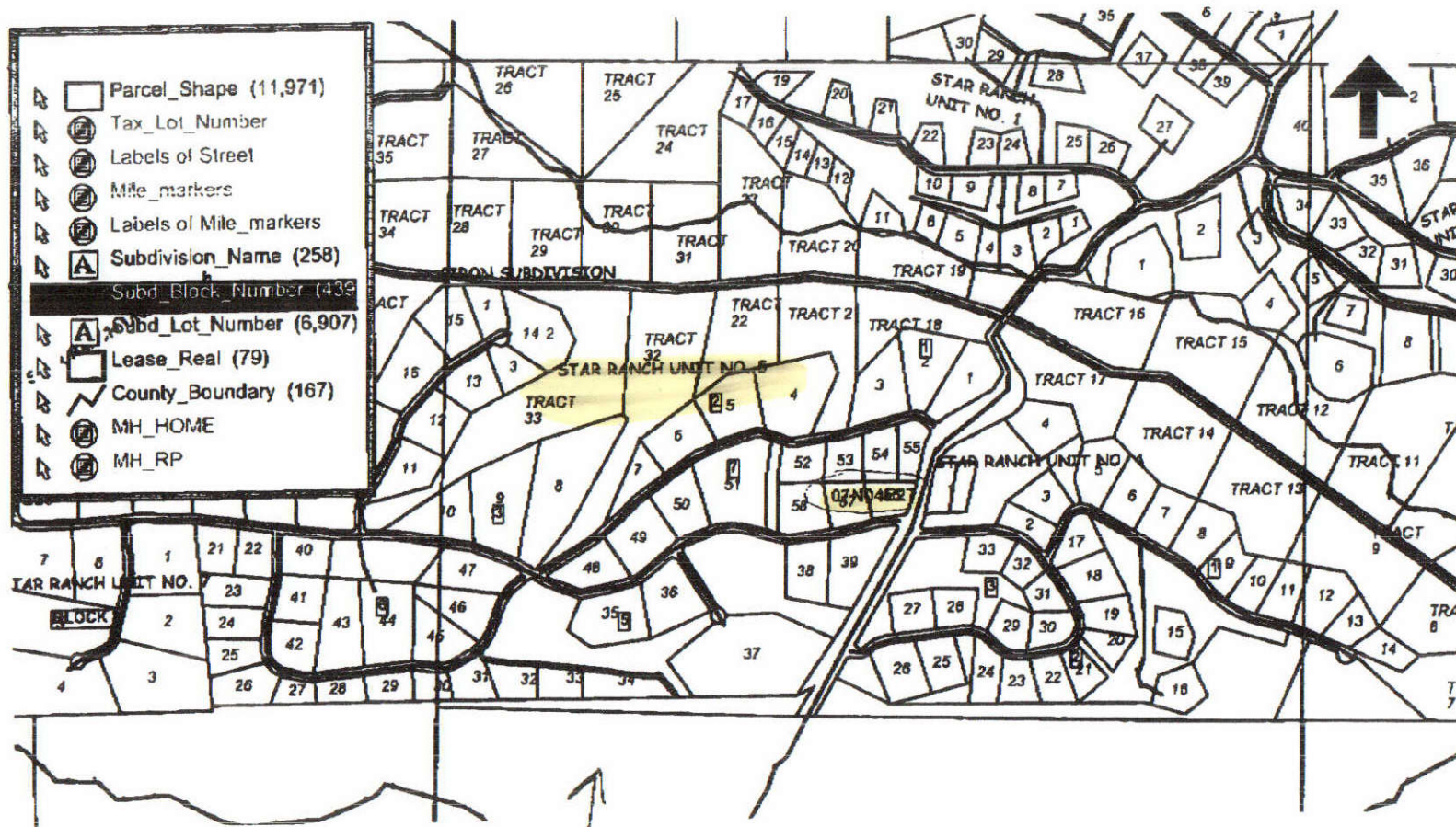
MICROFILMED
NOV 18 2002

Top 1/2
7N4E
sec
26
Guille

W 1/2 NW
NW NW

STAR Ranch #2

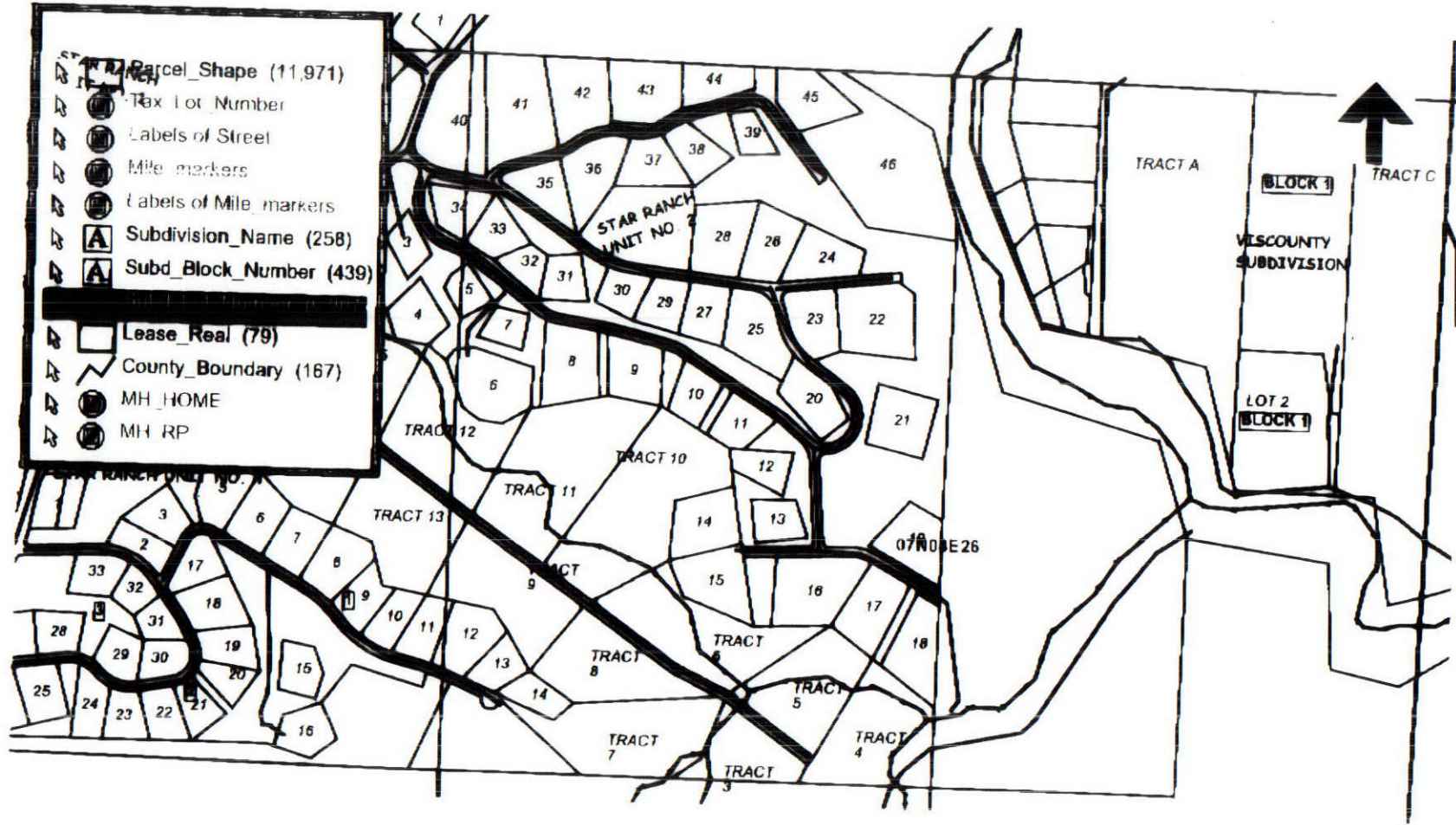
*Visited and discussed
at Boise County Assessor's Office
392-4415*



*Bottom 1/2
7N4E
sec 27
Taylor*

STAR RANCH #5

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NOV 18 2002



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NOV 18 2002

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 63-19429

COPY

NAME AND ADDRESS: RICHARD OTIS HALLIGAN
5405 ROUND-UP
BOISE, ID 83709

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 09/10/1976

POINT OF DIVERSION: T07N R04E S27 NESESW Within Boise 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 T07N R04E S27 SESW Within Boise County

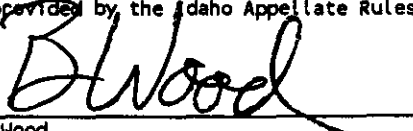
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.


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

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NOV 13 2000

IDWR MEMORANDUM

TO: FILE
FROM: ROXANNE BROWN *RB*
SUBJECT: 63-19429 CHANGE OF OWNERSHIP (GUILLE)
DATE: 11/6/2002

Mr. Guille has further investigated this matter and determined that water right 63-19429 does not belong to him. We have sent an SRBA claim form to him, with instructions, should he choose to use it. ~~He does not wish to pursue a change of ownership of 63-19429.~~

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NOV 15 2002

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

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): _____

Adjudication Claim No(s): AB3-198429

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 Richard Otis Halligan

4. New Owner/Claimant(s) Daniel L. Guille

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 27 Brussey Circle

City, State and ZIP Code Idaho City Id. 83631

New Telephone Number (208) 392-4470

5. Date you acquired the property 97

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) Dan Guille

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.

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INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Rifeeman Ave / Boise, Idaho 83704 / (208) 377-2700

READ AND APPROVED BY

D.H.D.G.

165773 DS1

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED R. OTIS HALLIGAN AND M. CHARMAINE HALLIGAN, HUSBAND AND WIFE

Grantor s. do hereby grant, bargain, sell and convey unto DANIEL L. GUILLE AND DELORES D. GUILLE, HUSBAND AND WIFE

31 Brassay Circle

the Grantee s. whose current address is: STAR-RANCH, IDAHO CITY, ID 83631
the following described real property in BOISE County, State of Idaho, more particularly described as follows, to-wit:

LOT 30 STAR RANCH UNIT NO. 2, ACCORDING TO THE PLAT THEREOF, FILED MARCH 24, 1972 AS INSTRUMENT NO. 77559 AND AS AMENDED BY AFFIDAVIT RECORDED JUNE 15, 1972, AS INSTRUMENT NO. 77833, RECORDS OF BOISE COUNTY, IDAHO.

INSTR. 165773

REQUEST *inter view*

97 AUG 27 PM 2:34

BOISE COUNTY RECORDER

BY *Debbie C. Brown*
TYPE *DEED 2.00/CK*

165773

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and Grantee heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee s., the Grantor s. are the owner s. in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee s. and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor s. will warrant and defend the same from all lawful claims whatsoever.

Dated: August 26, 1997

R. Otis Halligan
R. OTIS HALLIGAN

M. Charmaine Halligan
M. CHARMAINE HALLIGAN

STATE OF IDAHO, County of ADA, ss.

On this *27th* day of *August*, in the year of *1997*, before me THE UNDERSIGNED, a notary public, personally appeared R. OTIS HALLIGAN AND M. CHARMAINE HALLIGAN known or identified to me to be the person and subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public:

Residing at Meridian, ID
Commission Expires On 2/23/02

Residing at:

My Commission Expires:

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NOV 18 2002

*Per Nancy and Vickie at Boise County Assessors Office
T7N, R4E, S26, NE 5265 - Kari Lynn 2.7.02
W/2 NW - corrected on 10.9.02 w/ Vickie - Kest*

003/003

392-4415

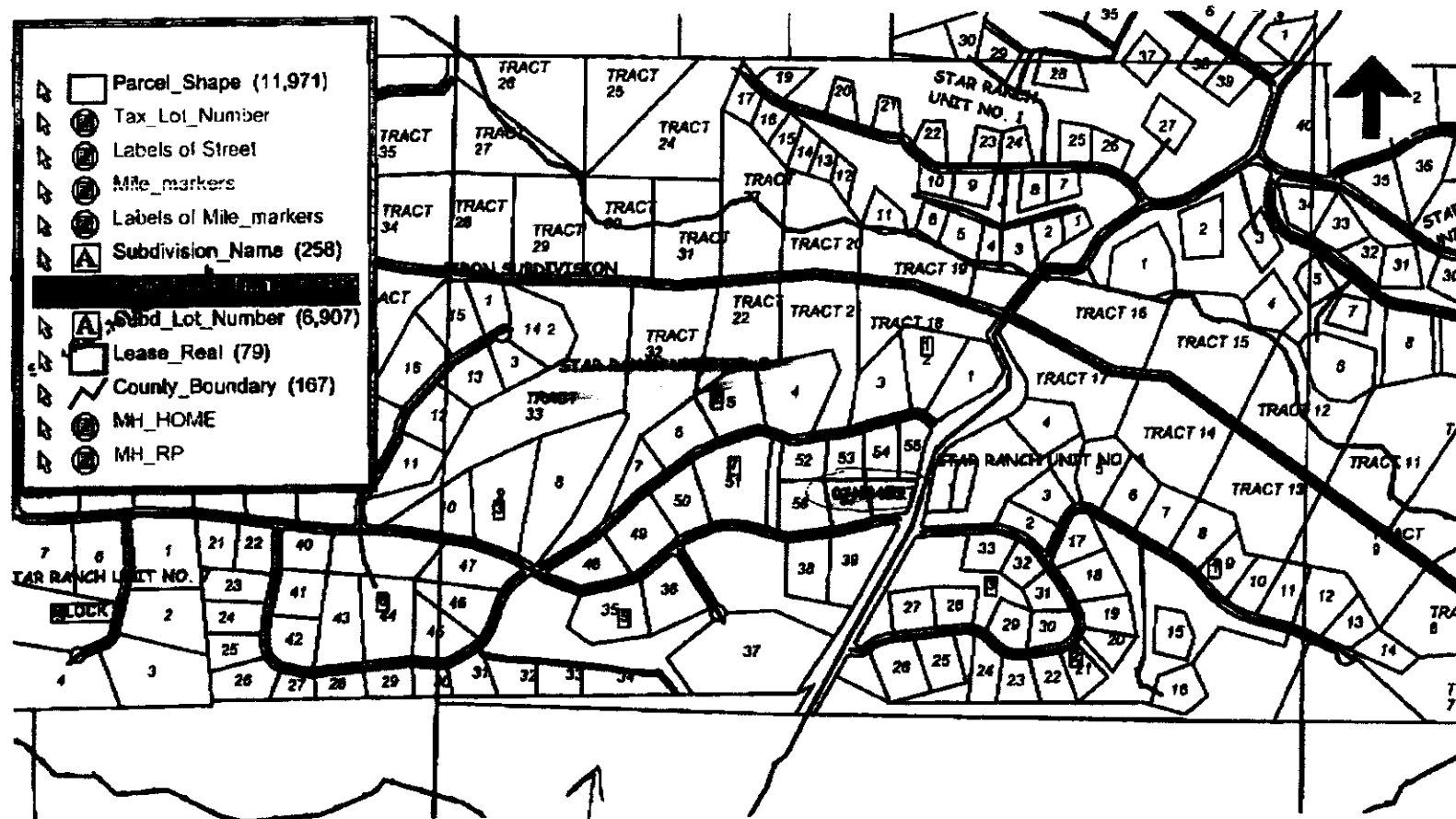


Top 1/2
7N4E
set
26
Guille

WZNSW
NWNW

STAR Ranch #2

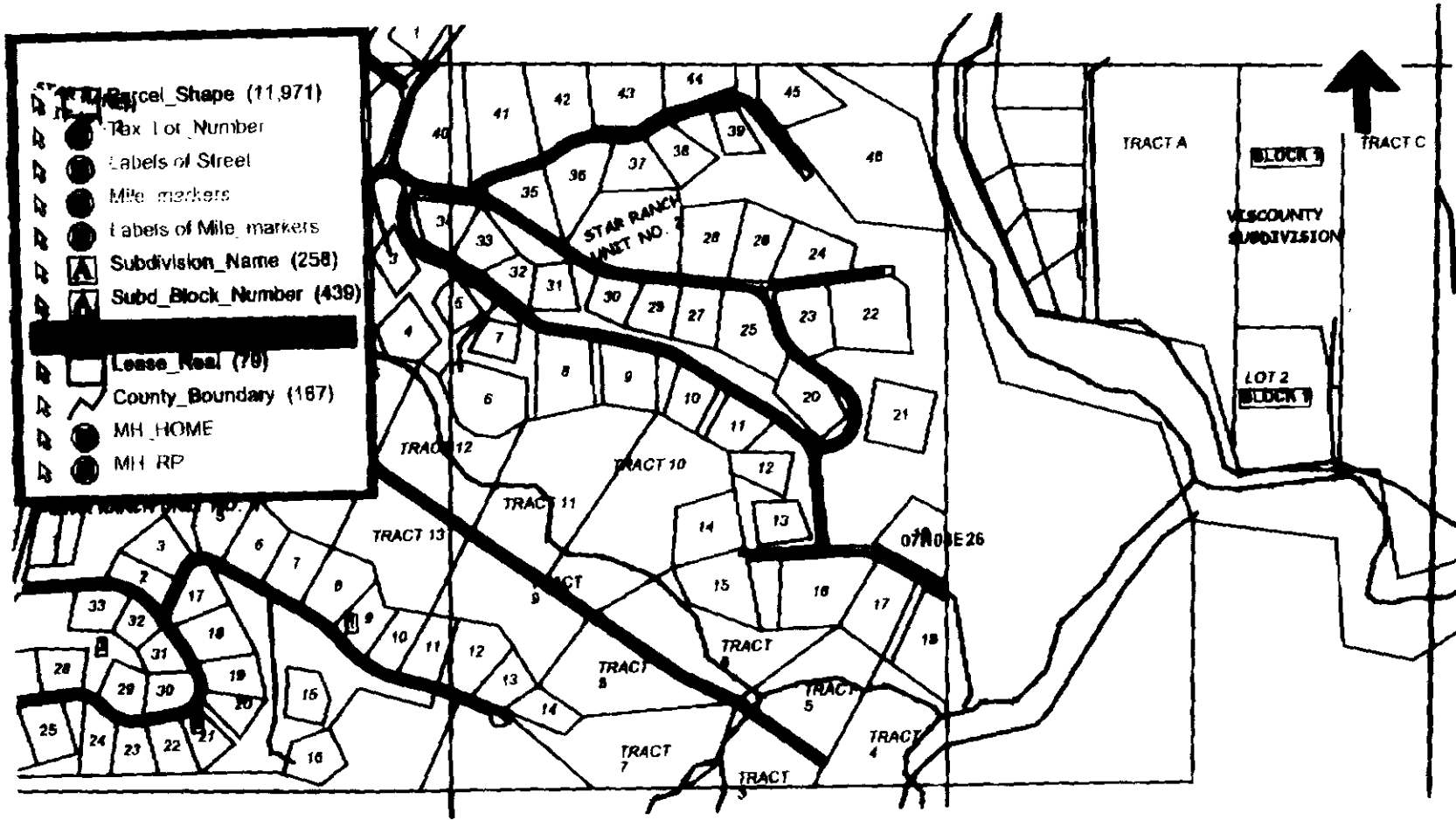
Waltie and Be
at Boise County Assessor's Office
392-4473



Bottom 1/2
T1N 4E
Sec 27
Taylor

STAR RANCH #5

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NOV 18 2002



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11/04/02



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 17, 2002

DANIEL L GUILLE
27 BRASSEY CIRCLE
IDAHO CITY ID 83631

RE: Change in Ownership for Decreed Water Right 63-19429

Dear Mr. Guille:

The Department of Water Resources acknowledges receipt of the additional information you submitted in support of your Notice of Change in Water Right Ownership filed on May 9, 2000 for the water right number referenced above. The Snake River Basin Adjudication (SRBA) Court issued a partial decree describing the water right(s) with a place of use different than your property as described in the documentation you originally submitted. We have reviewed your additional information and found that it is not sufficient to resolve the place of use discrepancy.

In order to process your change in ownership, we need documentation to show that you own the water right(s) or the property described as the place of use for the water right(s). If you believe that the SRBA Court issued the partial decree(s) with an error in the description of the place of use, you may be able pursue one of the following options with the Court.

- 1) Motion to set-aside – a motion filed with the SRBA Court which, if granted, would provide a process to correct the partial decree. You would need to provide justification for the correction.
- 2) Motion to file late claim – a motion filed with the SRBA Court which, if granted, would allow you to file a new claim for your existing water use. A late claim would be investigated for validity and accuracy by the Department.

Please contact Roxanne Brown of this office at 327-7900 if you have questions related to the SRBA. Ms. Brown can assist you with the SRBA Court's processes.

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OCT 18 2002

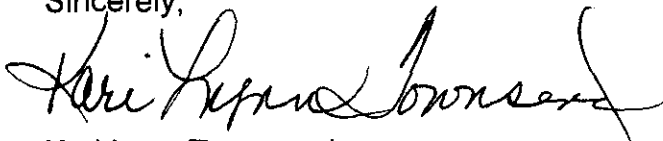
As additional alternatives, you could pursue one of the following options with the Department.

- 1) New Appropriation – an application for permit filed with the Department to develop a new water right. If a permit is approved, the priority date is the date that the application is filed. Some areas of the state are closed to new development. Please note that a water right permit is not required for certain domestic uses from a ground water source.
- 2) Water Right Transfer – an application filed with the Department to change an existing water right. In this case, the purpose of the transfer would be to change the place of use (and possibly the point of diversion) to your property description. You would need to provide evidence of ownership or authorization from the current owner of record before the Department could process the application.

If you choose to file an application for permit or transfer with the Department, you may be able to apply any fees submitted with your Notice of Change in Water Right Ownership to the application. Please contact staff from the Water Right Permits section of this office if you have additional questions related to the applications described above.

Please let us know within 30 days how you plan to proceed. If we do not hear from you within 30 days we will return your Notice of Change in Water Right Ownership and all attachments and refund any fees submitted with your notice.

Sincerely,



Kari Lynn Townsend
Secretary

KLT:k

Enclosures (Copy of Decreed Water Right & Warranty Deed)

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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

January 29, 2002

DANIEL L GUILLE
27 BRASSEY CIRCLE
IDAHO CITY ID 83631

RE: Change in Ownership of Decreed Water Right 63-19429

Dear Mr. Guille:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

- ✓ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

The Deed of Trust you sent with your ownership change request is not signed by the sellers and therefore is not considered proof of ownership. It is enclosed so that you may retain it for your files. Please send a copy of a Warranty Deed or other document as indicated in the above paragraph so that we may complete your request.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k
Enclosure

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NOV 18 2002