

No Color
Documents
In File

RECEIVED

JUN 20 2001

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

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

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
86-07098					

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) MARVIN M. NOWLETT
8725 E. SAN MARINO DR SCOTTSDALE AZ 85258
4. New Owner/Claimant(s) MARILYN BENNETT
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 9699 N HAYDEN RD PMB 140
- City, State and ZIP Code SCOTTSDALE AZ 85258
- New Telephone Number (602) 751-4185
5. Date you acquired the property 4.23.01

MICROFILMED
SEP 25 2001

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	_____	_____

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

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>[Signature]</u>	Date <u>6/20/01</u>	Fee <u>\$25.00</u>	MICROFILMED SEP 25 2001
Receipted by <u>[Signature]</u>	Date <u>6/20/01</u>	Receipt No. <u>0054436</u>	
Processed by _____ AJ	Date _____	WR _____ Date _____	

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A86-07098
Date Received: 9/ 8/1988
Receipt No: M001337
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MARVIN M HOWLETT
Address: 8653 E ROYAL PALM RD #1027
SCOTTSDALE AZ 85258

602-596-0443

2. Date of Priority: JUL 30, 1979

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
37N	01W	35	NE	NE	NW		CLEARWATER

5. Description of diverting works:
CONCRETE RINGS WITH PIPE TO HOME AND STOCK TROUGH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		0.40
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/50-100 HEAD OF STOCK, D/1 HOME W/LAWN & GARDEN.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
37N	01W	35	NW	NE		STOCK	
			NW	NE		DOMEST	

11. Place of use in counties: CLEARWATER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

MICROFILMED
SEP 25 2001

11. Place of use in counties: CLEARWATER
12. Do you own the property listed above as place of use? YES
13. Other Water Rights Used:
NONE
14. Remarks:
15. Basis of Claim: LICENSE

186576

RECEPTION ☒
INDEXED ☒
FILMED ☒
DELIVERED ☒Filed and recorded at the request of Marilyn Bennettat 1035 o'clock A.M., this 23rd day of April, 2001By Robin ChristensenEx-Officio Auditor-Recorder
Clearwater County, Idaho

600

Rebays

will pick up
SundayDEED

I, Marvin Howlett, a/k/a Marvin M. Howlett, individually and as Trustee of THE MARVIN M. HOWLETT REVOCABLE LIVING TRUST Dated July 8, 1996, quitclaim and assign, to Marilyn Bennett, the following real property situated in the County of Clearwater, State of Idaho:

That Part of the NW 1/4 of the NE 1/4 of Section 35, Township 37 North, Range 1 West of the Boise Meridian lying and being South of the State Highway No. 7, as now located through said premises.

DATED this 8th day of March, 2001.

Marvin Howlett
Marvin Howlett

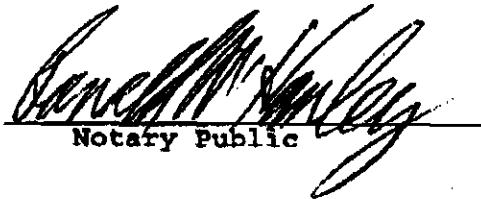
MICROFILMED

SEP 25 2001

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On this the 8th day of March, 2001, before me the undersigned Notary Public, personally appeared Marvin Howlett, known to me (or satisfactorily proven) to be the person whose name is subscribed in the foregoing instrument, and acknowledged that he has executed the same.

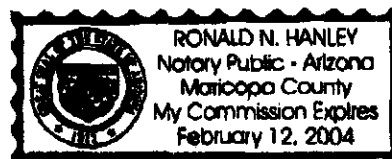
IN WITNESS WHEREOF I have hereunto set my hand and official seal.


Notary Public

My commission expires:

Mail Tax bills to:

Marilyn Bennett
9699 North Hayden Road
PMB 140
Scottsdale, Az 85258



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 86-07098

NAME AND ADDRESS: MARVIN M HOWLETT
8653 E ROYAL PALM RD #1027
SCOTTSDALE, AZ 85258

SOURCE: SPRING TRIBUTARY: SINKS
QUANTITY: 0.04 CFS
1.60 AFY

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

PRIORITY DATE: 07/30/1979

POINT OF DIVERSION: T37N R01W S35 NENENW Within Clearwater County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
			0.40 AFY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
			1.20 AFY

PLACE OF USE:	Stockwater		Within Clearwater County
	T37N R01W S35	NWNE	
	Domestic		Within Clearwater County
	T37N R01W S35	NWNE	

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

MICROFILMED
SEP 25 2001



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 17, 2001

MARILYN BENNETT
9699 N HAYDEN RD PMB 140
SCOTTSDALE AZ 85258

RE: Change of Ownership for Water Right 86-7098

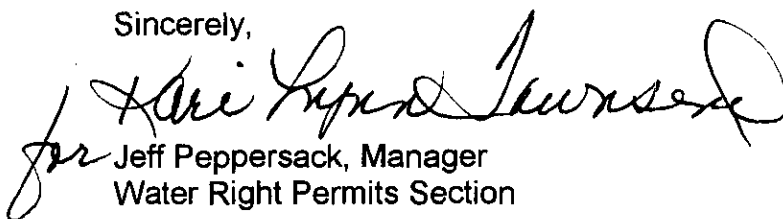
Dear Water Right Holder(s):

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. Also enclosed is a receipt for the \$25.00 filing fee.

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,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
SEP 28 2001



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

May 29, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARILYN BENNETT
9699 N HAYDEN RD PMB 140
SCOTTSDALE AZ 85258

RE: Change in Ownership for Decreed Water Right 86-7098

Dear Ms. Bennett:

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:

- ✓ Filing Fee of \$25 per water right
- ✓ Signature

The ownership change request we received by FAX did not include the signature of the new owner. I have enclosed a new form with the information filled in according to the copy we received. Please sign on the line at item 7 and return this form to me in the enclosed envelope.

Because the Department cannot process the ownership change without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information fees. If we do not receive the necessary information and fees 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 on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

MICROFILMED
SEP 25 2001