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Department of Water Resources

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Department of Water Resources
Eastern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP RECEIVEDPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

MAR 8 2000

DEPARTMENT OF WATER RESOURCES

1. Water Right No(s): 13-0522
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 Everett Smith
1670 Turner Road, Grace, Idaho 83241
4. New Owner/Claimant(s) Terry C. Jorgensen et ux & Keith C. Jorgensen et ux
New Mailing Address 1928 Old Highway 30 503 Bench Lago Road
City, State and ZIP Code Bancroft, ID 83217 Grace, ID 83241
New Telephone Number (208) 425-3864 208-425-3138
5. Date you acquired the property _____
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) *Terry C. Jorgensen*
Keith C. Jorgensen
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.

147660 STATE OF IDAHO
County of Caribou

Date: March 31, 1994
Time: 4:30 P.M.
Microfilm Records
Recorder: Edie Izatt
Deputy: Denise Harsley
Fee: 900 CT

WARRANTY DEED

THIS INDENTURE, Made this 10th day of March, 1994, between of JORGENSEN BROTHERS, an Idaho general partnership of Bancroft, County of Caribou, State of Idaho, hereinafter called First Party, and TERRY CARL JORGENSEN and MELONIE JORGENSEN, husband and wife; KEITH C. JORGENSEN and BECKY JILLENE JORGENSEN, husband and wife, of 1928 Old Highway 30, Bancroft, County of Caribou, Idaho, 83217, hereinafter called Second Party:

WITNESSETH: That the said First Party, for and in consideration of the sum of TEN DOLLARS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows, to-wit:

See EXHIBIT "A" attached hereto and incorporated herein by reference

SUBJECT to all easements, rights of way, and public roads or highways adjoining or crossing said property, and further subject to retention or reservation of mineral, oil and gas rights by prior owners of said real property or by the United States of America or the State of Idaho.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said Second Party, and to their heirs and assigns forever. And the said First Party, and their heirs the said premises in the quiet and peaceable possession of the said Second Party, their heirs and assigns against the said First Party, and their heirs and assigns and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

147660

IN WITNESS WHEREOF, The said First Party has hereunto set their hands and seals, the day and year first above written.

JORGENSEN BROTHERS, an Idaho
general partnership

Terry Carl Jorgensen
TERRY CARL JORGENSEN, General Partner

Melonie Jorgensen
MELONIE JORGENSEN, General Partner

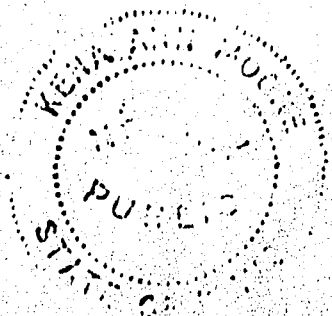
Keith C. Jorgensen
KEITH C. JORGENSEN, General Partner

Becky Jillene Jorgensen
BECKY JILLENE JORGENSEN, General Partner

STATE OF IDAHO)
 : ss.
County of Caribou)

On this 31st day of March, 1994, before me the undersigned, a Notary Public in and for said State, personally appeared Terry Carl Jorgensen, Melonie Jorgensen, Keith C. Jorgensen and Becky Jillene Jorgensen, known to me to be the partners in the partnership of Jorgensen Brothers and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

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



Keith C. Jorgensen
NOTARY PUBLIC for the State of Idaho
Residing at: Soda Springs, Idaho
Commission expires: 3/31/97

147660

Caribou County Idaho:

Township 9 South, Range 40 East of the Boise Meridian:

Section 32: S $\frac{1}{2}$ S $\frac{1}{2}$.

Section 33: SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.

Township 10 South, Range 40 East of the Boise Meridian:

Section 4: Lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 5: N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM: Beginning at a point on the North right of way line of the 66 feet wide right of way of the Grace Turner Road [F.A.P. RS-1775(4)] at Highway Station 102+08.94, said point being 1292.2 feet West and 33 feet North of the Southeast Corner of Section 5, Township 10 South, Range 40 east of the Boise Meridian; thence running West along said right of way line 420.0 feet; thence North 207.43 feet; thence East 420 feet; thence South 207.43 feet to the Point of Beginning and containing 2.0 acres, more or less, AND ALSO INCLUDING a permanent and irrevocable easement reserved for ingress and egress across the Westerly 85 feet of said tract; and to an access easement across the Easterly 25 feet of said tract.

146937

WARRANTY DEED

The Grantor, FARM CREDIT BANK OF SPOKANE, successor by merger to THE FEDERAL LAND BANK OF SPOKANE, a corporation, for and in consideration of the sum of TEN AND NO/100 DOLLARS, (\$10.00), and other valuable consideration in hand paid, conveys and warrants to JORGENSEN BROTHERS, an Idaho general partnership, whose complete mailing address is 1928 Old Hwy 30 Bancroft, Idaho 83217, the following described real estate situated in the County of Caribou, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED HEREIN BY REFERENCE

Grantor hereby expressly conveys unto the Grantee their successors and assigns, forever, all oil, gas, coal, ores, minerals and fossils of every name, kind or description, not previously reserved which may be in or upon said lands above described or any part thereof. PROVIDED, HOWEVER, Grantor does not warrant or covenant with said Grantee with respect to the existence or nonexistence of any pollutants, contaminants or hazardous waste prohibited by federal, state or local law or claims based thereon arising out of the actual or threatened discharge, release, disposal, seepage, migration or escape of such substances at, from or into the demised premises.

DATED This 13 day of December, 1993.

FARM CREDIT BANK OF SPOKANE

STATE OF IDAHO } ss.
County of Caribou }

146937

By Kenn Henson
Title: Authorized Agent

I hereby certify that this instrument was filed at the request
of: Caribou Title
at 3:30 o'clock P on 17 day of
Dec, 1993 in my office and duly
recorded in Microfilm Records
Edw. J. Zell 9⁰⁰
Ex-Officio Recorder Deputy CT

146937

CARIBOU COUNTY IDAHO

Township 9 South, Range 40 East of the Boise Meridian:

Section 32: S $\frac{1}{2}$ S $\frac{1}{2}$.

Section 33: SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.

Township 10 South, Range 40 East of the Boise Meridian:

Section 4: Lots 2,3,4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 5: N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$. EXCEPTING THEREFROM: Beginning at a point on the North Right of Way Line of the 66 ft. wide right of way of the Grace Turner Road[F.A.P. RS-1775(4)] at Highway Station 102+08.94, said point being 1292.2 feet West and 33 feet North of the Southeast Corner of Section 5, Township 10 South, Range 40 East of the Boise Meridian; thence running West along said right of way line 420.0 feet; thence North 207.43 feet; thence East 420 feet; thence South 207.43 feet to the Point of Beginning and containing 2.0 Acres, more or less, AND ALSO INCLUDING a permanent and irrevocable easement reserved for ingress and egress across the Westerly 85 feet of said tract; and to an access easement across the Easterly 25 feet of said tract.

EXHIBIT

A

146937

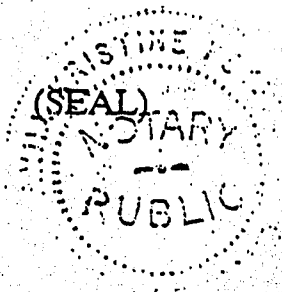
STATE OF IDAHO

County of Twin Falls

)
SS
)

On this 13 day of December, 1993, before me, the undersigned Notary Public in and for said county and state, personally appeared KIM HERZINGER, known or identified to me to be the authorized agent of the corporation that executed the foregoing instrument, and acknowledged to me that he executed the same on behalf of said corporation.

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



Kristine E. ...
NOTARY PUBLIC for Idaho

Residing at: Heyburn

Commission Expires: 12-07-94

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-12-1991
PAGE: A-54

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
29-07080	GORDON RAY YOST 1681 LUND RD. BANCROFT ID 83217	03/20/1972	IRRIGATION	04-15 10-15	2.53 918.0	CFS AFY LICENSE
				TOTAL QUANTITY:	2.53 918.0	CFS AFY
				CONSUMPTIVE USE:	765.0	AFY
	POINT OF DIVERSION: T09S R39E S10	NENE				
	PLACE OF USE: IRRIGATION					
	T09S R39E S03 S10	SESW 33.0 NENE 39.0 NENW 35.0	NWNE 39.0 NESE 40.0	SWNE 40.0 NWSE 40.0	SENE 40.0	
	306.0 ACRES TOTAL					
13-00522	EVERETT SMITH 1670 TURNER RD. GRACE ID 83241	07/15/1972	STOCKWATER	01-01 12-31	.07 4.1	CFS AFY BENEFICIAL USE
				TOTAL QUANTITY:	.07 4.1	CFS AFY
	NON-IRRIGATION-USES: STOCK, 300 RANGE					
	POINT OF DIVERSION: T10S R40E S04 LOT 4 (NWNW)					
	PLACE OF USE: STOCKWATER SAME AS OTHER USE					

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AUG 10 1992

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CARIBOU COUNTY CLERK

STATE OF IDAHO }
County of Caribou } SS.

I hereby certify that this instrument was filed at the request
of Department of Water Resources
at 10:00 o'clock A m this 5th day of
August, 1992 in my office and duly
recorded in Microfilm Records
Rebecca Jenkins-Smith
Stephanie Lansberry NJO
Ex-Officio Recorder Deputy

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CARIBOU

In the Matter of General	)	Civil No. 2919
Determination of the Rights to	)	
the Use of Surface and	)	
Groundwater in the Bancroft-Lund	)	FINAL DECREE
Area.	)	

R. Keith Higginson, Director of the Idaho Department of Water Resources, filed a Motion for Final Decree on July 1, 1992, 1992. The motion came on for hearing July 28, 1992.

Based on the motion and the argument presented at hearing, the court finds and concludes as follows:

The Director's Report for the Bancroft-Lund Area was filed November 15, 1992. The court entered an Order Amending Report, which amended Finding of Fact No. 14 and Conclusions of Law 16 and 18, and amended the List of Claims/Rights Not Recommended.

Last Chance Canal Company and Utah Power & Light Company filed objections to the report.

The adjudication statute provides for entry of partial decree of uncontested matters, entry of further partial decrees as

FINAL DECREE, Page 1

MAY 14 1996

143995

necessary to resolve objections and final decree incorporating all partial decrees. Idaho Code §42-1412(8)(9)(10). A List of the Uncontested Portions of Director's Report has been filed with the court as required by Idaho Code §42-1412(9), and hearing on the partial decree of uncontested matters is set for July 28, 1992.

A Stipulation Resolving Objections of Utah Power & Light Company and Last Chance Canal Company has been filed with the court along with a motion seeking approval of the stipulation. Hearing on the motion was set for July 28, 1992, immediately preceding hearing on partial decree of uncontested matters. Upon entry of the order approving stipulation there were no contested matters remaining to be resolved. Therefore, no partial decrees are necessary and the court may proceed with entry of the final decree completing the Bancroft-Lund adjudication.

THEREFORE, IT IS HEREBY ADJUDGED AND DECREED that:

All rights to the use of surface and groundwater from the Bancroft-Lund Area are as described in the Director's Report, except that:

1. The Findings of Fact and Conclusions of Law attached hereto are substituted for the Findings of Fact and Conclusions of Law in the Director's Report.

2. List of Claims/Rights Not Recommended attached hereto are substituted for the List of Claims/Rights Not Recommended in the Director's Report.

DATED this 28th day of July, 1992.

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DANIEL C. HURLBUTT
District Judge

FINAL DECREE, Page 2

MAY 14 1996



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 17, 2000

KEITH C JORGENSEN ET UX
503 BENCH LAGO RD
GRACE ID 83241

RE: Change of Ownership for Decreed Water Right 13-00522

Dear Mr. Jorgensen:

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you and Terry Carl Jorgensen, et ux. 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 the department if you have questions.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: Terry Carl Jorgensen, et ux