



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Department of Water Resources

RECEIVED
JUL 15 2003

DIRK KEMPTHORNE
GOVERNOR
KARL J. DREHER
DIRECTOR

July 11, 2003

RICHARD & DEBORAH NEEDHAM
1911 - 110TH AVE E
EDGEWOOD WA 98372

Re: Water Right 81-4015 and Adjudication Claim 81-4016

Dear Mr. and Mrs. Needham:

This acknowledges receipt of the Notice of Change in Water Right Ownership papers for the above referenced water right, changing the ownership to you. Enclosed is receipt No. N015705, for your records.

We are forwarding the paperwork on these changes to the State Office for processing.

If you have any questions regarding Water Right No. 81-4015, please contact KariLynn Townsend in our State Office, at 208-327-7941.

✓ If you have any questions regarding Adjudication Claim 81-4016, please contact Sally Sherman at 208-327-7862.

Sincerely,

Dianne Ball
Administrative Assistant

Enc. Receipt N015705

db

cc: IDWR State Office

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.

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
	81-4016 <i>changed</i>		81-4015		

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) JACK C KIRKLAND AND DORIS J KIRKLAND
Route 1 Box 48 Kooskia ID 83539
4. New Owner/Claimant(s) RICHARD L NEEDHAM AND DEBORAH D. NEEDHAM
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 1911-110th Ave E
- City, State and ZIP Code Edgewood, WA 98372
- New Telephone Number (253) 927-2607
5. Date you acquired the property April 23 2003

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) _____
(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 _____	Date <u>6/13/03</u>	Fee <u>\$25.00</u>
Received by _____	Date <u>6/13/03</u>	Receipt No. <u>N215705</u>
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEEDCOMPIER
INDEXED
SEARCHED

THIS INDENTURE, made on this 14TH day of April, 2003, by and between JACK C. KIRKLAND, also known as J. C. KIRKLAND, and DORIS J. KIRKLAND, husband and wife, of Rt. 1 Box 48, Kooskia, ID 83539, hereinafter referred to as the Grantors, and RICHARD L. NEEDHAM and DEBORAH D. NEEDHAM, husband and wife, of 1911 110th Avenue East, Edgewood, WA 98372, hereinafter referred to as the Grantees.

WITNESSETH:

That the said Grantors, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations to them in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents do grant, bargain, sell, convey, and confirm unto the said Grantees, their heirs and assigns, forever all the following described real property situate in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and hereby incorporated by this reference.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property as well in law as in equity of the said Grantors.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns, forever.

And the said Grantors, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain, and agree to and with the said Grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents they were well seized of the premises above conveyed as of good, sure, perfect, absolute, and indefeasible estate of inheritance, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell, and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments, and encumbrances of whatever kind or nature whatsoever, EXCEPT:

- 1) General taxes for the year 2003, which are a lien, not yet due and payable.
- 2) Subject to the County Road Right of Way as the same now exists.
- 3) Right of Way Deed for Wagon Road, including the terms and conditions thereof, by and between E. W. Lane, a single man, grantor, and The County of Idaho, State of Idaho, a municipal corporation, grantee, recorded May 1, 1911 under Instrument No. 20867 in Book 32 page 223, records of Idaho County, Idaho.
- 4) Right of Way Deed for Wagon Road, including the terms and conditions thereof, by and between Jake Gaiser and Mrs. Bessie Gaiser, his wife, grantors, and The County of Idaho, State of Idaho, a municipal corporation, grantee, recorded May 1, 1911 under Instrument No. 20868 in Book 32 page 224, records of Idaho County, Idaho.
- 5) Any adverse claims based on the assertion that the location of Clear Creek has moved subsequent to its adoption as a title boundary.
- 6) Rights and easements in favor of the public for recreational uses of Clear Creek.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantors will and shall WARRANT AND FOREVER DEFEND.

That this Deed is given by Grantors to Grantees not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantees to Grantors.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.



JACK C. KIRKLAND
a/k/a J. C. KIRKLAND



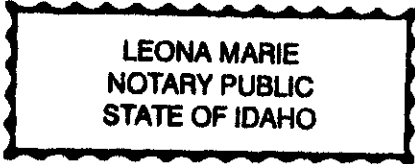
DORIS J. KIRKLAND

STATE OF IDAHO)
 ss
County of Idaho)

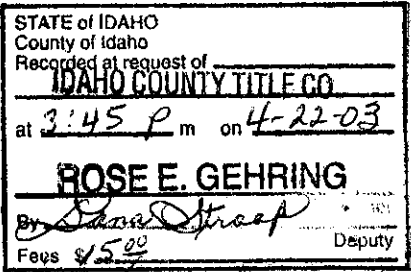
On this 14TH day of April, 2003, before me, a Notary Public in and for said County and State, personally appeared JACK C. KIRKLAND, also known as J. C. KIRKLAND, and DORIS J. KIRKLAND, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged to me that they freely executed the same.

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

(NOTARY SEAL)



Leona Marie
Notary Public for the State of Idaho,
Residing at Grangeville, therein.
My commission expires 04/01/09.



File # 16042

SCHEDULE C

Township 32 North, Range 4 East, Boise Meridian, Idaho County, Idaho
Section 25: All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ which lies South and West of the Clear Creek County Road; ALSO Tax #42 being described as: All those portions of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying and being North of Clear Creek.

LESS THE FOLLOWING DESCRIBED TAX PARCELS:

Tax #75 – That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 32 North, Range 4 East, Boise Meridian, Idaho County, Idaho, described as: Commencing at a point 1320 feet North and 117.2 feet West of section corner common to Sections 25 and 36, Township 32 North, Range 4 East, Boise Meridian, and Sections 30 and 31, Township 32 North, Range 5 East, Boise Meridian; thence South 89°59' West 684.4 feet to the right of way of Clear Creek Road; thence along the Clear Creek Road right of way, South 35°34' East, 152.3 feet; and South 23°48' East, 330.5 feet to a point; thence North 53°34' East, 231.7 feet; thence North 33°26' East, 213.00 feet; thence North 54°34' East, 224.9 feet to the Northeast corner or point of beginning.

Tax #108 – Beginning at a point 160 feet West of the Northwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 32 North, Range 4 East, Boise Meridian, Idaho County, Idaho, which is the true point of beginning; Thence Easterly along the $\frac{1}{4}$ line of Section to the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$; thence in a Southerly direction along the East boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, 530 feet to the center of Clear Creek; thence in a Northwesterly direction along the center of said Clear Creek to the point of beginning. All of this tract lying and being North and Northeast of Clear Creek.

Tax #132 – A parcel of land situated in Section 25, Township 32 North, Range 4 East, B.M., more particularly described as follows: Beginning at a fence corner post from which post the Southeast corner of said Section 25 bears S29°29'E, 3070 feet; Thence N87°59'W, 913.6 feet along a wire fence to a $\frac{1}{4}$ " x 24" iron pin, Thence S33°10'W, 490 feet to the center of Clear Creek, from which point a $\frac{1}{2}$ " iron pipe bears N33°10'E, 30 feet; Thence S76°17'E, 1181 feet along the center of Clear Creek; Thence N2°56'E, 658 feet along a wire fence to the place of beginning.

Continued....

File No. 16042

Page 2

Tax #133 – A parcel of land situated in Section 25, Township 32 North, Range 4 East, Boise Meridian, Idaho County, Idaho, more particularly described as: Beginning at a stone monument marked $\frac{1}{4}$ CS marking the center $\frac{1}{4}$ corner of said Section 25 as set by County Surveyor E.L. Speeden; Thence S.89°52'55"W., 699.19 feet along the East-West centerline of said section 25 which an existing fence closely follows to the edge of Clear Creek, said point being N.89°52'55" E of and 1964.22 feet from the West $\frac{1}{4}$ corner of said Section 25; thence S.55°42'17"E., 745.44 feet along Clear Creek; Thence N.30°10'04"E., 30 feet to a $1\frac{1}{2}$ " iron pipe; thence N.30°10'04"E., 457.85 feet more or less to a point on the East-West centerline of said Section 25, said point being S.89°53'27"W., of and 1175.41 feet from the Center East $\frac{1}{16}$ corner of said section 25, said stone being marked $\frac{1}{16}$ CS; thence S.89°53'27"W., 161.81 feet along a fence to the Point of Beginning.