



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

RECEIVED

OCT 28 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 21, 2002

DANA E WEIGEL
HC66 - BOX 219
KOOSKIA ID 83539

Re: Water Right 82-12104 82-2056 (Decreed), and 82-4047

*Not yet decreed
as I understand
it. D*

This acknowledges receipt of the Notice of Change in Water Right Ownership papers for the above referenced water rights, changing the ownership to you. Enclosed is receipt No. N015331, for the applicable fee for Decreed Water Right No. 82-2056, for your records.

We are forwarding the paperwork to the State Office for processing.

If you have any questions regarding **Decreed Water Right No. 82-2056**, please contact KariLynn Townsend in our State Office, at 208-327-7941.

If you have any questions concerning **Water Rights 82-12104 and/or 82-4047**, which have not yet been decreed, please contact Sally Sherman at 800-451-4129.

Sincerely,

Dianne Ball
Administrative Assistant

Enc.

db

cc: KariLynn Townsend and Sally Sherman, IDWR State Office, Boise

Dana Weigel
HC 666 Box 219
Kooskia ID 83539

State of Idaho
Dept of Water Resources
Northern Region, Suite No. 210
1910 Northwest Blvd
Coeur d'Alene, ID 83814-2615

RECEIVED
OCT 18 2002
IDWR/North

Oct 16, 2002

Subject: Notice of change in water right ownership: 82-12104,
A82-02056, A82-04047.

Attached are the forms & deed for the property at HC 666
Box 219, Kooskia, ID. In addition, I have enclosed a
check for the ~~adjudicated~~ ^{deeded} water right no. A82-02056.

I appreciate your assistance in processing this notice
of change in ownership. Please notify me if additional information
is needed.

Sincerely,

Dana E. Weigel
Dana E. Weigel

Receipt#
NO 15331

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

RECEIVED
 SEP 03 2002
 IDWR/North

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
	82-12104				
	A82-02056				
	A82-04047				

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)

John & Deborah Hershe

HC 66 Box 219; Kooskia, ID 83539

4. New Owner/Claimant(s)

Dana Weigel

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

New Mailing Address

HC 66 Box 219; Kooskia, ID 83539

City, State and ZIP Code

New Telephone Number

() _____

5. Date you acquired the property

August 8, 2002

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) Dana Elizabeth Weigt
(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 JB Date 10/18/02 Fee \$25.00 for 82-2056
 Receipted by JB Date 10/21/02 Receipt No. NO15331
 Processed by _____ AJ Date _____ WR _____ Date _____

423785

WARRANTY DEED

COMPUTER
INDEXED
SCANNED

THIS INDENTURE, made on this 8th day of August, 2002, by and between JOHN R. HERSKO and DEBORAH A. HERSKO, husband and wife, of HC66 Box 219, Kooskia, ID 83539, hereinafter referred to as the Grantors, and DANA E. WEIGEL, a single woman, of Rt. 2 Box 7, Karniah, ID 83536, hereinafter referred to as the Grantee.

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 Grantee, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents do grant, bargain, sell, convey, and confirm unto the said Grantee, her 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 Grantee, her 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 Grantee, her 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 2002, which are a lien, not yet due and payable.

- 2) Right of Way Deed, including the terms and conditions thereof, by and between C. W. Little and Annie R. Little, his wife, and State of Idaho, recorded April 9, 1929 under Instrument No. 89471, Book 56 page 462, records of Idaho County, Idaho.
- 3) Right of Way Deed, including the terms and conditions thereof, by and between Annie P. Little, a widow, and State of Idaho, recorded May 15, 1940 under Instrument No. 130885, Book 69 page 427, records of Idaho County, Idaho.
- 4) Terms and conditions in Deed to restricted Indian Land, recorded August 2, 1955 under Instrument No. 184602, Book 88 page 613, records of Idaho County, Idaho.
- 5) Rights and easements in favor of the public for recreational uses of the South Fork of the Clearwater River.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantee, her 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 Grantee 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 Grantee to Grantors.

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

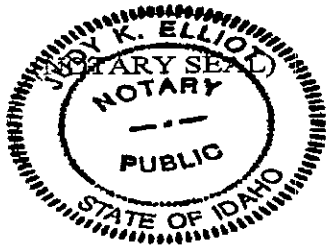
John R. Hersko
JOHN R. HERSKO

Deborah A. Hersko
DEBORAH A. HERSKO

STATE OF IDAHO)
 ss
County of Idaho)

On this 8th day of August, 2002, before me, a Notary Public in and for said County and State, personally appeared JOHN R. HERSKO and DEBORAH A. HERSKO, 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.



Judy K. Elliott
Notary Public for the State of Idaho,
Residing at Grangeville, therein.
My commission expires 3-26-04.

SCHEDULE C

Township 31 North, Range 4 East, Boise Meridian, Idaho County, Idaho
 Section 4: A portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 5: A portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$

More particularly described as follows:

Commencing at the Southeast corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5;
 thence S 89°35'38" E, 262.78 feet to the TRUE POINT OF BEGINNING on the East bank of the South Fork of the Clearwater River;
 thence the following courses along said east bank of river;

N 36°37'22" W, 97.01 feet;
 N 56°11'43" W, 225.17 feet;
 N 58°22'23" W, 115.28 feet;
 N 47°57'50" W, 145.43 feet;
 N 19°12'59" E, 91.74 feet;
 N 25°24'07" E, 131.67 feet;
 N 03°22'16" E, 357.25 feet;
 N 21°39'19" E, 59.82 feet to the westerly right-of-way boundary of State Highway No. 13 from which point the Northeast Corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ bears N 08°32'54" E, 351.83 feet;

thence the following courses along said right-of-way boundary;

Southeasterly 297.72 feet along the arc of a curve to the right having a radius of 1636.40 feet, a central angle of 10°25'27", and a long chord which bears S 19°13'38" E, 297.31 feet;
 S 14°43'29" E, 253.88 feet;
 S 73°49'24" W, 10.00 feet;
 Southeasterly 545.00 feet along the arc of a curve to the left having a radius of 928.60 feet, a central angle of 33°37'38", and a long chord which bears S 32°59'28" E, 537.21 feet;

thence N 89°35'38" W, 123.97 feet to the TRUE POINT OF BEGINNING.

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at 2:35 P.m.	on 8-9-02
ROSE E. GEHRING	
By <i>Larry Beck</i>	Recorder
Fees \$ <i>7.00</i>	Deputy

m/Picked Up

Idaho Department of Water Resources Receipt

Receipt ID N015331

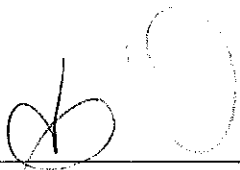
Payment Amount \$25.00 Date Received 10/21/2002 8:01:28 AM Region Northern Status ☐
Payment Type Check Check Number 3713

Payer DANA E WEIGEL

Comment Change of ownership re decreed water right 82-02056

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	65140	1155


Signature Line (Dept. Representative)



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-261
(208) 769-1450

Fax (208) 769-145

DIRK KEMPTHORNI
GOVERNOR

KARL J. DREHER
DIRECTOR

September 4, 2002

DANA WEIGEL
HC 66 BOX 219
KOOSKIA ID 83539

Re: Water Right 82-12104, A82-04047 and A82-02056

Thank you for notifying us of the Change in Water Right Ownership to you regarding the above referenced water rights.

We are returning the paperwork to you because additional information is needed on all of these rights before the ownership changes can be effected.

- For **ALL of the above** we need 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, **together WITH ATTACHED LEGAL DESCRIPTION** (please see item 2B on the Change in Ownership form).
- **On 82-02056** - This right has now been decreed and therefore there is a \$25.00 fee required to change the ownership to you. (Please see item 2A on the Change in Ownership form.)

Enclosed you will find a copy of the Partial Decree for Water Right 82-02056, for your records. This is a printout from the SRBA website.

Please return the paperwork to us together with the necessary documentation showing the chain of title from the Herskos to you. Also please enclose your check or money order in the amount of \$25.00 to effect the change of ownership on 82-02056.

Upon receipt of the above items together with the paperwork originally submitted, we will receipt the funds and forward the paperwork to our State Office for processing.

If you have any questions, please call our office.

Sincerely,

Dianne Ball
Administrative Assistant

Enc.

db

Dana Weigel
HC 66 Box 219
Kooskia, ID 83539

RECEIVED
SEP 03 2002
IDWR/North

Idaho Dept. of Water Resources, Northern Region
1910 Northwest Blvd, Suite 210
Coeur d'Alene, ID 83814-2615

August 25, 2002

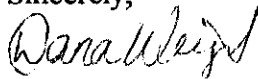
RE: Water rights claim change in ownership

Enclosed are a copy of the sale of property, and a completed form 42-248/42-1409(6) requesting a transfer of the following water rights: 82-12104 (groundwater well); A82-02056 (spring); and A82-04047 (pump from SF Clearwater). The previous owners, John and Deborah Hersko, registered these claims with the Snake River Basin Adjudication.

I would like to update these claims to reflect the change in ownership.

I appreciate your assistance in this matter.

Sincerely,



Dana Weigel