

RECEIVED
DEC - 1 2004
DEPARTMENT OF
WATER RESOURCES

To Whom It May Concern:

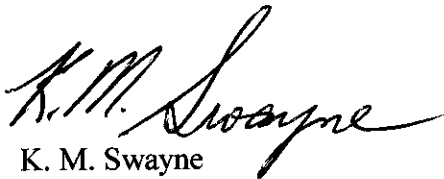
Due to the incorrect address and the unavailability of first, the person who initially received your correspondence and, then myself due to back surgery, I was not able to respond within the time specified. I only received the Water Resources data around November 22 and needed time to review the info.

Your immediate update to correct the current name and address of the owners would be greatly appreciated. First, any reference to Vicci S Swayne should be eliminated. We were divorced in early 92 and, as part of the settlement; she has no ownership rights to the property. Unfortunately, I have moved at least 5 times since the divorce and have not been able to locate a copy of the divorce decree. (It isn't something I would use the magnets on the refrigerator to keep it handy) Hence, I have provided the Tax statements to show that Gayle V. Swayne and I are the current owners.

Gayle V. Swayne and I purchased the real property North of the Clearwater River from the Estate of Samuel F Swayne. Again, Tax statements and a copy of the Sale / Purchase agreement have been included to show ownership.

I apologize for not being able to meet the November 27 deadline for the reasons outlined above and I appreciate your action to update the records to reflect the current owners.

Thank you,


K. M. Swayne

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

RECEIVED**DEC - 1 2004****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, 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
84-2028					
84-4260					

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) are 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**.

Name and Address of Former
Owner/Claimant(s)

SAMUEL F. SWAYNE

New Owner/Claimant(s)

K.M. SWAYNE ; GAYLE V. SWAYNE
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

230 SWAYNE LANE

City, State and ZIP Code

OROFINO, ID 83544

New Telephone Number

(208) 476-7181

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

K.M. Swayne
x Gayle Swayne

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 27, 2004

Water right number: 84-2028

~~SAMUEL F SWAYNE~~

~~PO BOX 786~~ → **230 SWAYNE LANE**

OROFINO ID 83544

Telephone Number: (208) 476-~~8632~~

7/81

SWAYNE, KENNY MARK

(Current)

SWAYNE, GAYLE V.

(Current)

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

LISTED OWNER

2. Describe the changes you wish to make in the proposed recommendation:

**CURRENT OWNERS, ADDRESS & TELEPHONE # AS
MARKED ABOVE**

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11/25/04 SIGNATURE: K. M. Swayne

Please print your name: KENNY MARK SWAYNE

IDWR Regional Office, 1910 Northwest Blvd, Suite 210, Coeur D' Alene, ID 83814, 2087691450

09/29/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 84-2028

NAME AND ADDRESS: ~~SAMUEL E SWAYNE~~
~~PO BOX 786~~
OROFINO ID 83544

SWAYNE, KENNY MARK
(Current)
SWAYNE, GAYLE V.
(Current)

230 SWAYNE LANE

SOURCE: CLEARWATER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.240 CFS

PRIORITY DATE: 04/18/1958

POINT OF DIVERSION:
T36N R01E S1 NENWE Lot 7 Within CLEARWATER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.240 CFS

PLACE OF USE: IRRIGATION Within CLEARWATER County

T36N R01E S01 Lot 7 SWNE	6.0	T36N R01E S01	SENE	8.0
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14 ACRES TOTAL

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License