

RECEIVED

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DEPARTMENT OF  
WATER RESOURCES

February 5, 2005

Clerk of the District Court  
SRBA  
Twin Falls District Court  
Twin Falls, Idaho 83303-2707

Re: Change of Ownership of Decreed Water Right 65-8002

Dear Clerk of Court:

I received a letter from the Department of Water Resources regarding my request for the change of ownership of a decreed water right from my parents, Elwood "Woody" H. Gray and Mary Anne Gray to me and my wife (Steven P. Gray and Mary Gray). After speaking with Ms. Danni Smith of that office, she suggested that I write to the court and request that the legal description of the location of the water right be corrected so that the transfer can be finalized.

It appears that there was a mistake or typographical error in my father's original application. I ask the court to allow the mistake to be corrected and that the correction be made effective as of the date of my late father's original application. I do not have a copy of my father's original application but I believe he sent that in the 70s. My uncle had owned the lot before my folks bought it. Although I believe that he was the original purchaser of the lot in the late 60s, I am confident that it was my father who sent in the original application because I recall him telling me that he had done so. I do not know whether it was my father who made the mistake or whether there was a clerical error when the application was entered, but regardless as to whose mistake it was, a mistake was made and I ask that it be corrected.

The correct legal description of our lot should have placed the lot in the southwest quarter of the northwest quarter. The SW1/4 and NE1/4 were reversed and, as a result, the description mistakenly stated the lot was in the northeast quarter of the southwest quarter rather than the southwest quarter of the northwest quarter. The rest of the legal description is correct including, most importantly, identifying the lot as 4A-16 and the subdivision as CR-4, as well as identifying the correct township, range and section.

Letter to Twin Falls District Court  
February 5, 2005  
Page 2 of 2

The correct legal description of our 1.0 acre lot is as follows:

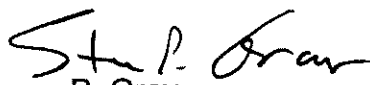
Lot 4A-16, SUBDIVISION CR-4, Valley County, Idaho according to the Valley County Recorder's Book No. 10 of Miscellaneous Records thereof filed in Valley County on August 16, 1961, Instrument No. 57151, Located in the **SW1/4 NE1/4**, Sections 19, Township 15 North, Range 3 East, Boise Meridian.

Attached is a copy of the deed with the correct legal description. Also attached is the Adjudication Claim Profile which otherwise correctly identifies our lot. Again, the only mistake was inverting or reversing the SW1/4 and NE1/4.

Inverting NE1/4 with the SW1/4 is a fairly easy thing to do since one would normally expect the dominate section quarter to be stated first but this isn't the way legal descriptions are read. I hope this error can be corrected.

Thank you for your consideration of this matter.

Sincerely yours,

  
Steven P. Gray  
P.O. Box 3687  
Kodiak, Alaska 99615

(907) 486-4543 (home)  
(907) 486-8505 (work)  
(907) 486-2777 (fax)

enclosures:

cc: Ms. Danni Smith  
Department of Water Resources  
322 East Front St.  
P.O. Box 83720  
Boise, ID 83720-0098

# QUITCLAIM DEED

FOR VALUE RECEIVED, Mary Anne Gray does hereby convey, release, remise and forever quitclaim unto Steven Philip Gray and Mary Anne Gray, husband and wife, whose current address is Box 3687, Kodiak, Alaska 99615, the following described premises, to-wit:

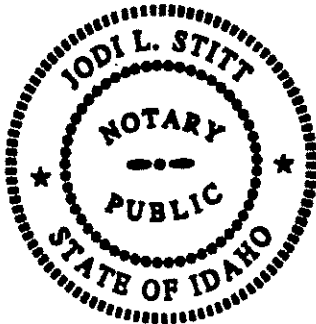
LOT 4A-16, SUBDIVISION CR-4, VALLEY COUNTY, IDAHO ACCORDING TO THE VALLEY COUNTY RECORDER'S BOOK NO. 10 OF MISCELLANEOUS RECORDS THEREOF FILED IN VALLEY COUNTY ON AUGUST 16, 1961, INSTRUMENT NO. 57151, LOCATED IN THE SW ¼ NE ¼, SECTION 19, TOWNSHIP 15 NORTH, RANGE 3 EAST, BOISE MERIDIAN.

DATED: February 10, 1999.

Mary Anne Gray  
MARY ANNE GRAY

STATE OF IDAHO )  
 : ss.  
County of Ada )

On this 10<sup>th</sup> day of February, 1999, before me, a notary public in and for the said State, personally appeared MARY ANNE GRAY, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Notary Public for Idaho  
Residing at: Boise, Idaho  
My Commission Expires: 09-16-2004

**QUITCLAIM DEED – 1**

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Dud  
J Navy  
3.01  
MAY 2 19  
Mary Ann King

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

|    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
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| 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|

**Water Source: UNNAMED STREAM**

**Tributary to: CASCADE RESERVOIR**

**Stage: DECREED**

Point(s) of Diversion: T15N R03E S19 SWNE

**VALLEY County**

Place of use Legal Description for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: VALLEY

**Non-Irrigation Uses: 1 HOME**

Other Rights: AJUDICATION CLAIM FOR CISTERN(GROUNDWATER)09/26/88

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

|           |           |           |           |           |           |           |           |          |           |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|-----------|
| 65-02767  | 65-07648  | 65-07816  | 65-08492  | 65-08666  | 65-09532  | 65-10454  | 65-12144  | 65-12191 | A65-02767 |
| A65-07648 | A65-07816 | A65-08002 | A65-08666 | A65-09532 | A65-10454 | A65-12144 | A65-12191 |          |           |

**Conditions of Approval:**

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
- DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.  
N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL  
- NOT EXCEED 13,000 GALLONS PER DAY.

**Dates:**      **Exam Made Date:**      **Verified Date:**      **08/11/1999**      **Objection Filed Date:**

Misc: Water District Number: 65 Field Inspection Flag:  
Presumption Flag:

Comments: Date: 08/11/1999 User-ID: KWALKER Subject: COPIED FROM REMARKS  
PAGE 551,VOLUME 2-SURFACE WATER,PROPOSED FINDINGS PAYETTE RIVER