

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
	67-523	Y			
	67-14327	Y			

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) Raymond & Donna Elise
1351 Mann Cir, Road Wenner ID 83672
4. New Owner/Claimant(s) Tim
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 100
- City, State and ZIP Code Payette ID 83661-0100
- New Telephone Number (208) 642 1417
5. Date you acquired the property 6/30/05

W/46. **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)

Timothy J. Folke 9/30/05
Chadwick Folke 9/30/05

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 _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____



RECEIVED
OCT 04 2005
DEPARTMENT OF
WATER RESOURCES

WARRANTY DEED

For Value Received, Raymond Lee Else and Donna K. Else, husband and wife,

the Grantors, do hereby grant, bargain, sell and convey unto

Timothy S. Folke and Carolyn A. Folke, husband and wife

The Grantees whose address is 1549 Gentry Lane, Weiser, ID 83672,

the following described premises in WASHINGTON COUNTY, IDAHO, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

ELSE CONSTRUCTION, INC. TO BE BUILDER PROVIDED RAYMOND LEE ELSE IS THE OWNER OF ELSE CONSTRUCTION, INC. WHEN CONSTRUCTION COMMENCES. SELLER'S RESERVATION OF RIGHT TO BE BUILDER EXPIRES ON 6/30/20. BUILDER TO BE COMPETATIVE ON CONSTRUCTION PRICING.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2005 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: _____

Raymond Lee Else

Donna K. Else

State of Idaho)
 ss
County of WASHINGTON)

*Legal Description
attached*

On this ____ day of June, 2005 before me, a notary public in and for said State, personally appeared RAYMOND LEE ELSE AND DONNA K. ELSE known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public
Residing at: Weiser, Idaho
Commission Expires: 11/4/09

*TSK
3*

EXHIBIT "A"

Beginning at the Northeast corner of the W1/2E1/2NE1/4SW1/4 of Section 30, Twp. 12 North, Range 4 West, Boise Meridian, Washington County, Idaho;

Thence West along the north line of the NE1/4SW1/4 to the East right of way line of Mann Creek Road;

Thence Southerly along said right of way a distance of 870 feet to the TRUE POINT OF BEGINNING;

Thence East parallel with the North line of said NE1/4SW1/4 to the East line of said W1/2E1/2NE1/4SW1/4;

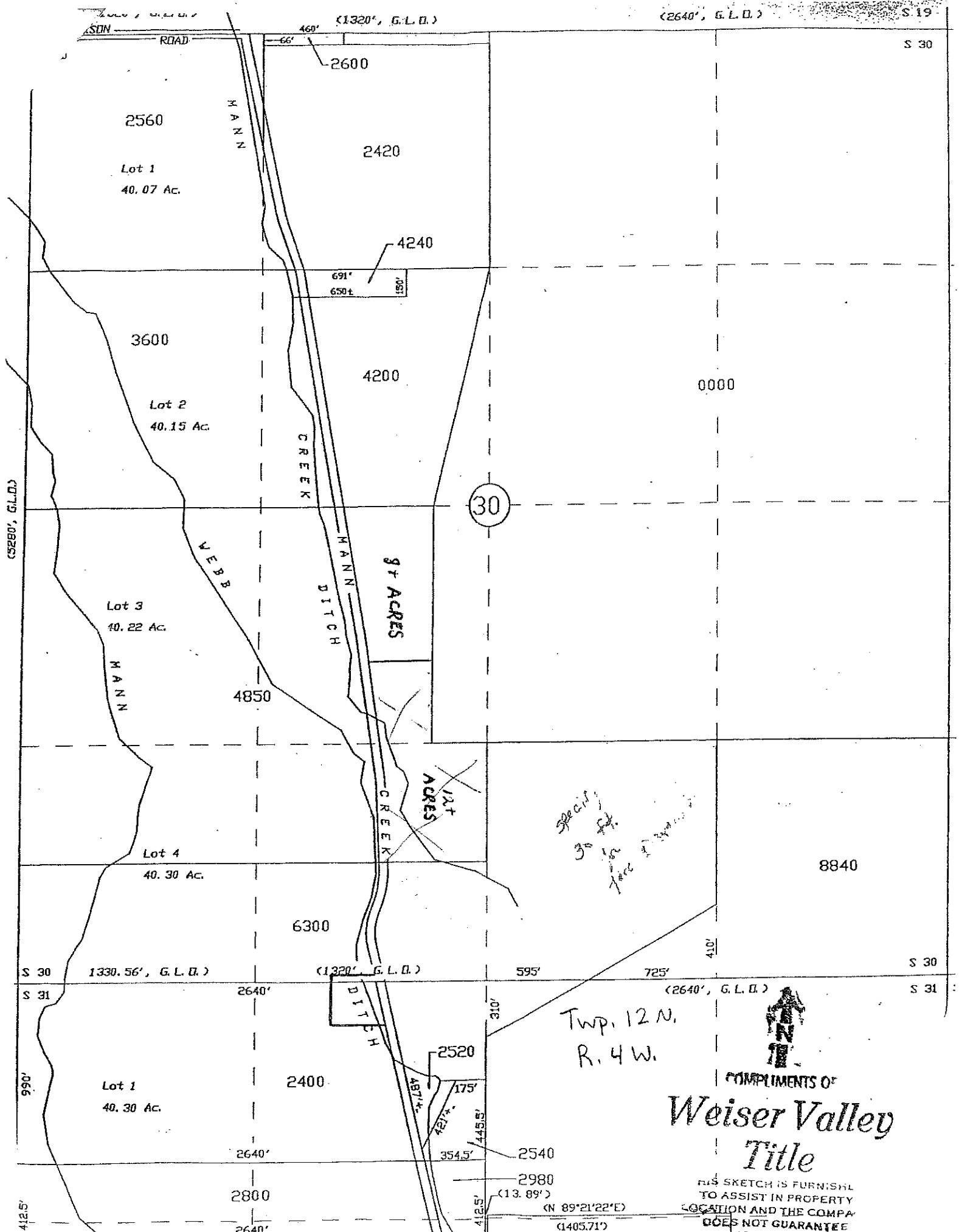
Thence South along East line of said W1/2E1/2NE1/4SW1/4 to the SE corner of said W1/2E1/2NE1/4SW1/4;

Thence West along the South line of said NE1/4SW1/4 to the East right of way line of Mann Creek Road;

Thence Northerly along said right of way to the TRUE POINT OF BEGINNING.

AND

All that part of the N1/2SE1/4SW1/4 of Section 30, Twp. 12 North, Range 4 West, Boise Meridian, Washington County, Idaho lying easterly of the Mann Creek Road.



Spec. 3rd 1st 1st 1st

Twp. 12 N.
R. 4 W.



COMPLIMENTS OF
Weiser Valley
Title

THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTEE
ITS ACCURACY

Idaho Dept of Water Resources
PO Box 83720
Boise, ID 83720-0098

Timothy & Carolyn Folke
P.O. Box 100
Payette, ID 83661

Mr & Mrs Folke,

Thank you very much for your correspondence regarding your purchase of a portion of the Elses' land near Mann Creek. The previous owners you spoke of, Johnson Bryant Equipment Co, apparently owned quite a bit of land during claims taking for the Snake River Basin Adjudication (SRBA) and three of the claims which you listed in your letter (67-540A, -555, and -10318) are not appurtenant to your land. The other two, 67-523 and 67-14327, do appear to be on or near your land. Frankly, I think 67-523 should be the only one, however I'm not sure about 67-14327. Include it in your notice and let me sort it out when I look into it. I performed a quick search for other rights and claims, but found none.

Enclosed is a "Notice of Change in Water Right Ownership" form for you to complete. I have filled in the top of the form for you. The "Y" in the "Split" column indicates that these two rights may be split between you and the rest of the owners of the original claim.

Please ^{*}include a map if you have one, and certainly include the ^{included} copy of the legal description of your land. Using the Elses as the previous owner will be fine. The instructions for filling out this form should answer any questions you may have, however please feel free to contact me if you need. Because both of the water rights for which you are changing ownership are involved in the SRBA and have not yet been included in a director's report, the fee for changing the ownership of these two rights is waived.

Respectfully submitted,
Dan Narsavage


GIS Specialist
Idaho Dept of Water Resources
(208) 287-4885

** Map included, Also included
Survey report, which covers
8.25 acres adjoining ~~us~~ us
to the North.*

PS:

The above letter will go into the file for our records. However the following could be construed as legal advice. I'm not a lawyer and I cannot give legal advice. Even the attorneys in the SRBA cannot do that. This sheet will not be included in our records.

It appears in some of our aerial imagery that there's been some irrigation of the land uphill (east) of Mann Creek Ditch, possibly prior to 1987. The rights appurtenant to this land were decreed in 1921, and were originally used in the 1870s and 1880s. We have to assume that there were no pumps being used to move water uphill at that time. Consequently, it's doubtful that I can recommend either of these rights to irrigate that area.

While my search for other rights was not exhaustive, I'm confident that there are no other water rights associated with your property. Please call or email me to give me specifics about where the water comes from, how it's applied, and any history you might be able to dig up on it, and I'll look into how you can take care of it. What you may end up doing is filing an adjudication claim based on beneficial use, or filing for a permit outside the adjudication. No worries.

Dan

Dear Dan:

Regarding the above, there is a small pump house as well as a concrete retainer (built into the ditch) on the property; there is a power pole with a power line going to the power lines along Mann Crk. Road. The pump house, at least portions thereof, as well as the concrete retainer appear very, very old.*

We were told when we bought the property that we could pump out of it, including the uphill (east) portion. Enclosed are copies of minutes from the 1960s from the Mann Crk. Irrigation District indicating this was allowed. (we were furnished with these when we closed on the property.)

We would like to continue to be able to pump from the ditch uphill as well as downhill, as was represented to us and as was obviously the practice for many, many years.

Sincerely,

Tim
Tim Folke

* could be over 100
years old. TFF

Meeting Nov 28, 1967

Minutes and financial report read and approved

Ed Tarter reported on meeting with Hi way men on pipe under bridge at Sedro

Hi way men agreed to remedy the situation

* Virgil Olson asked about getting water from Mann Creek Ditch to irrigate 8 acres additional land on Olson place laying above the ditch Johnson & Bryant the same situation on 12 acres

* Frank Sturm moved that the new acres on both the Olson & the Johnson-Bryant be allowed to pump from the Mann Creek Ditch on land that has a right in the district. Seconded by Gerald Hagan. Voted and carried.

(The terms for the privilege to be \$2.25 per acre plus the 1966 levy which was \$2.64 for the new acres.

Discussion for holding Annual Meeting

I was decided we should draw for terms of existing officers with the following result

Ext Taper	5 yr Term	71
Grand Hagan	4 yr	11
Virgil Olson	3 yr	20
C J Williamson	2	28
F. Stum	1 yr	73

We will need to elect a replacement
for Virgil Olson and F. Stum at the
next annual meeting

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Annual meeting Mar 21 1968

minutes read & approved

Moved by G Hagans and seconded by E Hagans that the Secretary cast a unanimous ballot for Jester for 5 yr term and Art Butts for 2 yr term replacing V Olson.

- * Donald Adams requested right to pump on land above the ditch. Art Butts moved we allow the request. G Hagans seconded. Carried.

- * Art Butts stated there would be only 8 acres on his (Olson place) to be pumped on

Moved by Elt Tarter that Art Butts and John Solley contact the Co. Road Supervisor about the culvert carrying the ditch across the road

There was a discussion about the Johnson-Bryant headgate interfering with the flow in main ditch. C. J. Williamson was to talk to J & B about the problem

Discussion about making the lower end of the ditch a part of the whole system. Moved by G Hagans & seconded by Jester to buy a

cut 12 acres

Butts is to pump

1968

50¢ per acre assessment for
maintenance - Carried

by
Lit
Stim

At directors meeting it was
moved by R. Stim that the
Officers for the year be
C. J. Williamson Chairman
Gerald Hagare Vice Chairman
Clt Tarter Sec. Treas.
R. Stim & A. Butts directors.

Feb

be
a)

Butts
read

ed

to

to
to

Annual Meeting Mar 17, 1969

Minutes read & approved

Discussion on I & B headgates
causing trouble & I B pumping
C J Williamson told about USBR
providing dist new maps and that
I & B will be held to proper use

Moved by F Stum to make a 25¢
per acre assessment seconded by
Art Butte - Carried.

Election - Art Butte nominated
John Lolley moved by G Hagan
cast ballot for J Lolley - Carried

Board Meeting

Art Butte	Chair
F Stum	V. Chair
G Hagan	Sec Treas
J Lolley	board
C Tartel	"

SURVEY FOR

LEE ELSE

WITHIN

E1/2SW1/4 OF SECTION 30, T.12N., R.4W., S.M.

WASHINGTON COUNTY, IDAHO

CERTIFICATE OF ENGINEER/SURVEYOR

I, S. ROLAND MULLINIX, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO IN JUNE OF 2005.

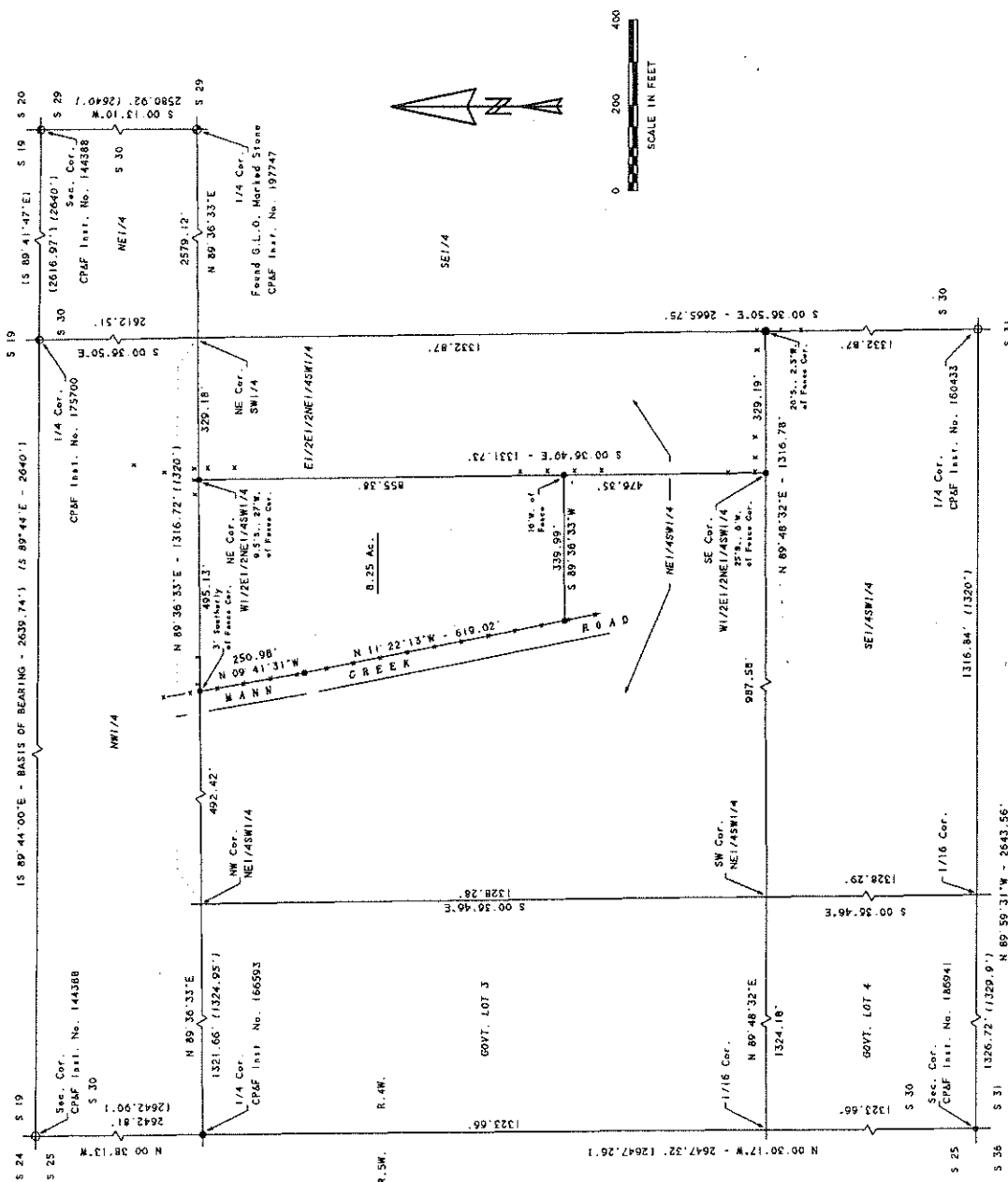


LEGEND

- FOUND 5/8 INCH REBAR W/PLASTIC CAP MARKED MULLINIX 2478
- FOUND 5/8 INCH REBAR W/ALUMINUM CAP MARKED PLS 2478
- FOUND 5/8 INCH REBAR W/PLASTIC CAP MARKED PLS 972
- FOUND 5/8 INCH REBAR W/ALUMINUM CAP MARKED PLS 4203
- SET 5/8 INCH REBAR W/ALUMINUM CAP MARKED PLS 2478
- SET 5/8 INCH REBAR W/PLASTIC CAP MARKED MULLINIX 2478
- SET 1/2 INCH REBAR W/PLASTIC CAP MARKED MULLINIX 2478
- PREVIOUSLY RECORDED - MULLINIX ENGR., INC.
- () PREVIOUSLY RECORDED - P.L.S. 5461
- () PREVIOUSLY RECORDED - P.L.S. 4203
- x x x x PREVIOUSLY RECORDED - G.L.O.
- x x x x EXISTING FENCE

MULLINIX ENGINEERING, INC.
WEISER, IDAHO
JUNE 30, 2005

INDEX NO. 1244-30-3-0-00-00



REFERENCE SURVEYS

1. RECORD OF SURVEY, INST. NO. 165594.
2. RECORD OF SURVEY, INST. NO. 176861.
3. RECORD OF SURVEY, INST. NO. 195757.

LEE ELSE (North Parcel, 8.25 Acres)

A parcel of land situated within the NE1/4SW1/4 of Section 30, Township 12 North, Range 4 West, Boise Meridian, Washington County, Idaho, more particularly described as follows:

Beginning at the northeast corner of the W1/2E1/2NE1/4SW1/4 of Section 30, T.12N., R.4W., B.M.;

Thence S 0°36'49"E, a distance of 855.38 feet along the east line of said W1/2E1/2NE1/4SW1/4;

Thence S 89°36'33"W, parallel to the north line of said NE1/4SW1/4, a distance of 339.99 feet to a point on the easterly right-of-way line of an existing County Road known as Mann Creek Road;

Thence N 11°22'13"W, a distance of 619.02 feet along the easterly right-of-way line of said Mann Creek Road;

Thence N 9°41'31"W, a distance of 250.98 feet along the easterly right-of-way line of said Mann Creek Road to a point on the north line of said NE1/4SW1/4;

Thence N 89°36'33"E, a distance of 495.13 feet along the north line of said NE1/4SW1/4 to the point of beginning.

NOT OURS

LEE ELSE (South Parcel)

(OURS)

A parcel of land situated within the NE1/4SW1/4 of Section 30, Township 12 North, Range 4 West, Boise Meridian, Washington County, Idaho, more particularly described as follows:

Beginning at the northeast corner of the W1/2E1/2NE1/4SW1/4 of Section 30, T.12N., R.4W., B.M.;

Thence S 0°36'49"E, a distance of 855.38 feet along the east line of said W1/2E1/2NE1/4SW1/4 to the TRUE POINT OF BEGINNING;

Thence continuing S 0°36'49"E, a distance of 476.35 feet along the east line of said W1/2E1/2NE1/4SW1/4 to the southeast corner of said W1/2E1/2NE1/4SW1/4;

Thence S 89°48'32"W, along the south line of said NE1/4SW1/4 to a point on the easterly right-of-way line of an existing County Road known as Mann Creek Road;

Thence northerly along the easterly right-of-way line of said Mann Creek Road, to a point 870.00 feet southerly along the easterly right-of-way line of said Mann Creek Road, from the point of intersection of said easterly right-of-way and the north line of said NE1/4SW1/4;

Thence N 89°36'33"E, parallel to the north line of said NE1/4SW1/4, a distance of 339.99 feet to the TRUE POINT OF BEGINNING.

AND ALSO all the part of the N1/2SE1/4SW1/4 of Section 30, Township 12 North, Range 4 West, Boise Meridian, Washington County, Idaho, lying easterly of said Mann Creek Road.