

Crabtree, Jennifer

From: McHugh, Candice
Sent: Monday, April 05, 2004 12:02 PM
To: Crabtree, Jennifer
Cc: Carlsen, Ernie
Subject: RE: 29-4434 (Kathryn Capell ownership change)

When we changed the ownership in 2001 we should have put the water right in the name of the Kathryn Capell Revocable Trust so we have the wrong owner on the right as it is. I have called Mr. Lyon and need documents showing a conveyance of the property from the Trust to the individuals before we can change the ownership again. As far as fees are concerned, we should collect the fee because the ownership had to be changed from the Trust to the individuals anyway. ~~I will get back to you with the additional information once I've received it.~~

Candice

-----Original Message-----

From: Crabtree, Jennifer
Sent: Monday, April 05, 2004 11:45 AM
To: McHugh, Candice
Subject: RE: 29-4434 (Kathryn Capell ownership change)

The only reason she got on the right is because her husband added her name to the change of ownership form. I believe I sent that with the original scanned documents. He just wrote his name "and Linda Capell". If you don't have that ownership change I will send it again.

-----Original Message-----

From: McHugh, Candice
Sent: Monday, April 05, 2004 11:43 AM
To: Crabtree, Jennifer
Subject: RE: 29-4434 (Kathryn Capell ownership change)

I'm looking for the document that explains how Linda got on the water right. Should be a change of ownership form of some kind.

Candice

-----Original Message-----

From: Crabtree, Jennifer
Sent: Monday, April 05, 2004 11:36 AM
To: McHugh, Candice
Subject: 29-4434 (Kathryn Capell ownership change)

Hi. It appears Katherine filed the claim in 1990 based on a 243 claim filed by James Capell in 1983.
<< File: 29-4434.tif >>

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

07/10/2003

RECEIVED

FEB 26 2004

Department of Water Resources

RIGHT NUMBER: 29-4434
NAME AND ADDRESS: RONALD J CAPELL
PO BOX 116
ARIMO ID 83214

LINDA CAPELL
PO BOX 116
ARIMO ID 83214

MAXILYN CAPELL
PO BOX 146
ARIMO ID 83214

*NAME-ROBEY REMOVED FROM
water Rights claim:
See original title of Document, Page 2 & 3*

SOURCE: SPRINGS
TRIBUTARY: MARSH CREEK

QUANTITY: 0.340 CFS
2.00 AFY
FACILITY VOLUME 2 AF.

PRIORITY DATE: 06/22/1948

POINT OF
DIVERSION: T10S R37E S18 SESE Within BANNOCK County
T10S R37E S18 SESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.340 CFS
IRRIGATION FROM STORAGE	04/01 10/31	2.00 AFY
IRRIGATION STORAGE	01/01 12/31	2.00 AFY
RECREATION STORAGE	01/01 12/31	2.00 AFY
RECREATION FROM STORAGE	01/01 12/31	2.00 AFY
RECREATION STORAGE IS FOR PRIVATE FISHING POND		

PLACE OF USE:

<u>IRRIGATION Within BANNOCK County</u>			
T10S R37E S18	NESE	3.0	T10S R37E S18 SESE 14.0
<u>IRRIGATION STORAGE Within BANNOCK County</u>			
T10S R37E S18	NESE		T10S R37E S18 SESE
<u>IRRIGATION FROM STORAGE Within BANNOCK County</u>			
T10S R37E S18	NESE		T10S R37E S18 SESE
<u>RECREATION STORAGE Within BANNOCK County</u>			
T10S R37E S18	NESE		T10S R37E S18 SESE
<u>RECREATION FROM STORAGE Within BANNOCK County</u>			

07/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

T10S R37E S18

NESE

T10S R37E S18

SESE

17 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 - Beneficial Use

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
PORTNEUF IRRIGATION CO.