

May 1, 2006

Idaho Department of Water Resources
Attn. Monica Van Bussum
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

RE: Change in ownership and water rights claim for Snake River Basin Adjudication
(SRBA) 67-4530

Dear Monica,

Per your request I have applied for the Change of Ownership for my property, formerly owned by Harlan and Jean Downs and legally described as:

T10N R05W S4 NE1/4SW1/4

As to the claim of water usage based on "Beneficial Use" or "Statutory Claim"; I am enclosing a Warranty Deed from 1943 which states in paragraph three that the water rights are deeded "together with all water, water rights, ditches or laterals used for or pertaining to the irrigation of the above described land." If this is not sufficient to support my claim for water right priority, please let me know. I will continue to research this issue to that end.

As per the filing instructions, I am enclosing the fee for the transfer of ownership for the Domestic Well only, at this time. If I do need to forward the fee for the transfer of ownership of the Irrigation Well at some point please notify me.

If you need to contact me by phone, my number is: 208/549-0788

Thank you for your assistance in this matter.

A handwritten signature in dark ink, appearing to read "E. Swadlow", is located at the bottom right of the page. The signature is written in a cursive, flowing style.

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
67-4530	67-4530				
67-10789	67-4530				

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) Harlan Downs
Jean Downs
4. New Owner/Claimant(s) Gina S. Waddell
Name Connector (Check one): [] and, [] or, [] and/or
532 Day Rd.
Weiser, ID 83672
208-549-0788
April 5, 2002
5. Date you acquired the property

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	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Use		
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	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Use		
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) *L. J. McCall*
(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 UB Date 5/2/00 Fee 25.00
 Received by _____ Date _____ Receipt No. 0091120
 Processed by _____ AJ Date _____ WR Date _____



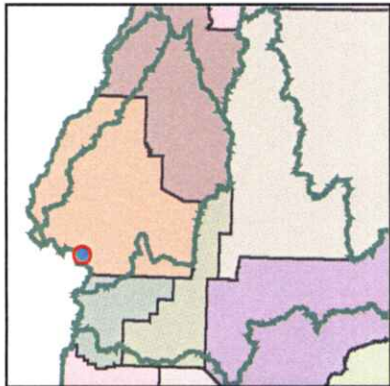
Idaho Department of Water Resources

Adjudication Claim Number: **67-4530**

T10N R05W

Legend

- PLSS Section LinesGcdb_sections.shp
- GCDB10N05W GCDB
- B-67 streams.shp



Payette County
IDWR Basin 67



0 0.2 0.4 Miles

Prepared by M. Van Bussum
On Monday, April 24, 2006
2004 NAIP Aerial Photography

Approved by: _____
 Initials _____

WARRANTY DEED

FOR VALUE RECEIVED, HARLAN I. DOWNS, a married man dealing with his sole and separate property, the Grantor, does hereby, grant, bargain, sell and convey unto GINA S. WADDELL, a single woman, the Grantee, whose address is 532 Day Road, Weiser, ID 83672, the following described real estate situated in Washington County, State of Idaho, to-wit:

Beginning at the southwest corner of the North Half of the South Half of the Northwest Quarter of the Southeast Quarter of Section 4, Township 10 North, Range 5 West of the Boise Meridian, and running thence due East a distance of 32 rods; thence North a distance of 10 rods; thence West a distance of 32 rods; thence South a distance of 10 rods to the place of beginning.

SUBJECT TO right of way for existing county road, known as Day Road, along the West boundary.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all incumbrances, and that he will warrant and defend the same from all lawful claims whatsoever.

DATED this 4-25-02 day of April, 2002.

Harlan I. Downs
 Harlan I. Downs

By: William Floyd Gordon Attorney in fact
 William Floyd Gordon, Attorney in Fact

STATE OF IDAHO)
) ss
 County of Washington)

On this 5 day of April, 2002, before me, a Notary Public in and for said State, personally appeared WILLIAM FLOYD GORDON, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of HARLAN I. DOWNS, and acknowledged to me that he subscribed the name of Harlan I. Downs thereto as principal, and his own name as attorney in fact.

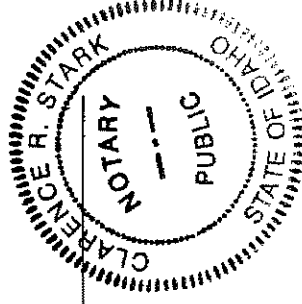
Instrument # 185716

WEISER, WASHINGTON, IDAHO
 2002-04-08 03:09:00 No. of Pages: 1

Recorded for: WASHINGTON COUNTY TITLE
 SHARON WIDNER

Ex-Officio Recorder Deputy Jessie M. Knight
 Index to: DEED

Clarence R. Stark
 Notary Public for Idaho
 Residing at Weiser, Idaho
 Commission expires: 09/07/05



WARRANTY DEED

THIS INDENTURE, Made this 19th day of May in the year of our Lord nineteen hundred and forty-three between H. C. Fliegel and Elizabeth Fliegel his wife of Weiser, County of Washington, State of Idaho the parties of the first part, and George D. Fliegel and Norman Fliegel of Weiser, County of Washington, State of Idaho the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Four Thousand and no/100 DOLLARS lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in Washington County, State of Idaho, to-wit:

The South-half of the northwest quarter of the Southeast quarter of section Four (4) Township Ten (10) North range Five (5) West Boise Meridian.

together with all water, water rights, ditches or laterals used for or pertaining to the irrigation of the above described land.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, 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 parties of the first part:

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs, and assigns, against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first written.

Signed, sealed and delivered
in the presence of -

F. B. Lloyd) Witnesses to
Alice Fliegel) Elizabeth Fliegel
Mark

H. C. Fliegel (SEAL)
her
Elizabeth x Fliegel (SEAL)
mark

STATE OF IDAHO,)
County of Washington) ss.

On this 19th day of May 1943, before me, the Undersigned, a Notary Public in and for the State of Idaho, personally appeared H. C. Fliegel and Elizabeth Fliegel his wife known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Seal
(F. B. Lloyd Notary Public)
(State of Idaho)

F. B. Lloyd Notary Public
My commission expires March 15th, 1945
Residing at Weiser, Idaho.

\$4.40 Documentary Revenue Stamps (3-3-47)

Filed for record at the request of Geo. Fliegel at 1:10 o'clock P.M., March 3rd, 1947.

Naomi Black, Recorder