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November 24, 2014

Steve and Elizabeth Oleson
359 E 200 N
Blackfoot, ID 83221

George and Debbie Oleson
317 E Rich Lane
Blackfoot, ID 83221

Re: Estate of Lila N. Oleson
B&H Matter No. 7607

Dear Steve, Elizabeth, George and Debbie:

We continue to receive calls from a variety of sources, whether Idaho Department of Water Resources and Debbie regarding the deeds in this matter.

I will first address Debbie's question.

Debbie called earlier this week to advise me that Instrument No. 660621, which she indicates is for 72 acres located between their house and Rich Lane is listed only in George's name and needs to be transferred to George and Debbie. You will note that deed is dated August 7, 2014. I enclose a copy of that deed.

I also enclose a copy of a deed, recorded as Instrument No. 661299 on September 5, 2014, which conveys that property from George alone to George and Debbie, thereby creating community property in that parcel.

If these documents do not adequately address Debbie's questions, I do not understand why.

With respect to Steve and Liz, the property Steve received from Lila's Trust, and ultimately transferred by George to Steve, as Instrument No. 660620, shows only Steve as the owner of that property, as his sole and separate property, since it was inherited property.

The water right appurtenant to that property is **Water Right No. 27-12249**. Jonie Barg with the Department of Water Resources has inquired as to whether that water right should be listed in Liz's name as well. Since that water right is appurtenant to Steve's separate property, the water right **should not be transferred as community property**.

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Conversely, if and when Steve wants to transfer that separate property interest into community property, an appropriate deed should be prepared and recorded, and an appropriate transfer needs to be filed with the Department of Water Resources.

It is my understanding that step has not been taken to date. If I am incorrect, I would greatly appreciate a call accordingly. Until that occurs, the records should remain as is.

I do note that on August 8, 2014, we submitted a Notice of Change or Water Right Ownership for 27-12248, which is appurtenant to Section 26 property acquired by Steve and Liz from the Coffee's. That Notice of Change indicates that the new owner is only Steve; perhaps that document ought to be re-filed to reflect a transfer to Steve and Liz, since Steve and Liz own the Coffee property as community property.

If I can be of any further assistance in resolving these matters, please let me know.

Very truly yours,

BAKER & HARRIS



Dwight E. Baker

DEB/jm

Enclosures

cc: Jonic Barg, via email