

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 19 2012

WATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
split PD 79-4128	Yes ☒	Split into 79-14249 & 79-14250			Yes ☐
PD 79-4126B	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Darwin & Sandy Vander Esch (79-4128) Iris Lundgren (79-4126B)
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Richard & Denise Laritz
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☒ and ☐ or ☐ and/or
P.O. Box 1197
Mailing address
Higgins Id 83549
City State ZIP
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 1/27/2012

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: Denise Laritz New owner 3/16/12
Signature of new owner/claimant Title, if applicable Date
Signature: RL NEW OWNER 3/16/12
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by RS Date 3.19.12 Receipt No. W039993 Receipt Amt. \$125.00
Approved by _____ Processed by RS Date 4.18.12

RECORD OF SURVEY

A PORTION OF GOV'T LOTS 2 & 3 AND THE N1/2NW1/4 OF SECTION 10, AND A PORTION OF THE SW1/4SW1/4 OF SECTION 3, TOWNSHIP 24 NORTH, RANGE 1 EAST, BOISE MERIDIAN IDAHO COUNTY, IDAHO

SCALE: 1" = 200'

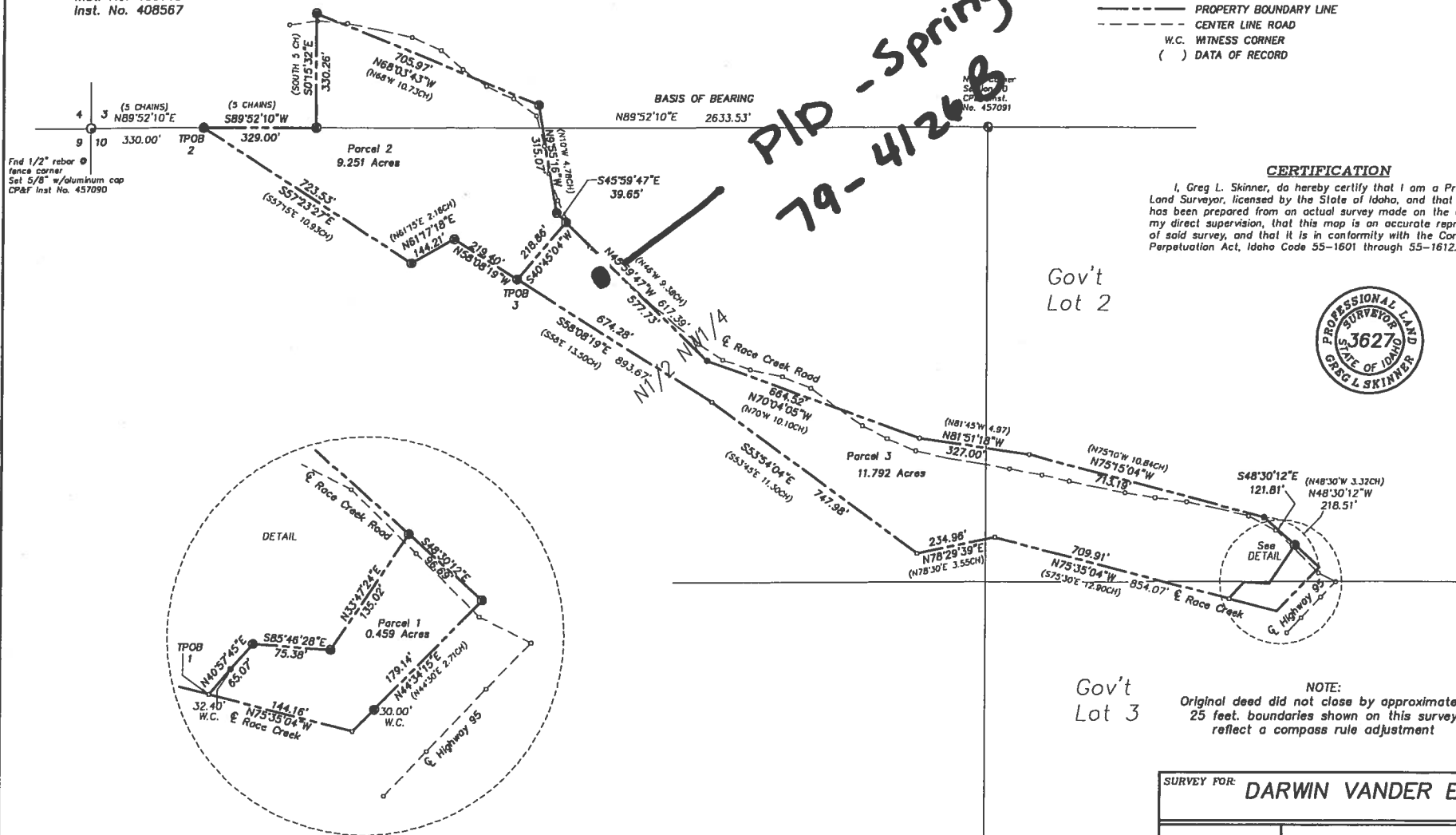
LEGEND

- BRASS CAP ON PIPE - FOUND
- 5/8" x 30" REBAR - SET
- 5/8" REBAR W/ALUMINUM CAP - SET
- 1/2" x 24" REBAR - SET
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- - - CENTER LINE ROAD
- W.C. WITNESS CORNER
- () DATA OF RECORD



Reference Surveys:
Inst. No. 310017 (S-278)
Inst. No. 379896 (S-1011)
Original 1903 GLO Survey

Reference Deeds:
Inst. No. 406148
Inst. No. 408567



CERTIFICATION

I, Greg L. Skinner, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Perpetuation Act, Idaho Code 55-1601 through 55-1612.



NOTE:
Original deed did not close by approximately 25 feet. boundaries shown on this survey reflect a compass rule adjustment

SURVEY FOR: **DARWIN VANDER ESCH**

Drawn By: JLS

Date: Sept. 7, 2007

Surveyed by: GLS

Job No. AUG0407

**Skinner Land
Survey Co. Inc.**

312 W South Street
Grangeville, Idaho 83830
(208)-983-2517

A PORTION OF GOV'T LOTS 2 & 3 AND THE N1/2NW1/4 OF
SECTION 10, AND A PORTION OF THE SW1/4SW1/4 OF SECTION 3,
TOWNSHIP 24 NORTH, RANGE 1 EAST, BOISE MERIDIAN
IDAHO COUNTY, IDAHO

Reference Deeds:
Inst. No. 406148
Inst. No. 408567

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Original deed did not close by approximately
25 feet. boundaries shown on this survey
reflect a compass rule adjustment

SURVEY FOR: **DARWIN VANDER ESCH**

Job No. AUG0407

**SKINNER LAND
Survey Co. Inc.**

312 W South Street
Grangeville, Idaho 83530
(208)-883-2517

482581

WARRANTY DEED

GRANTOR, DARWIN VANDER ESCH and SANDRA VANDER ESCH, husband and wife, of P. O. Box 1454, Riggins, ID 83549, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to RICHARD E. LARITZ, II and DENICE LARITZ, husband and wife, of 302 Barger Street, Riggins, ID 83549, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2012, which are a lien, not yet due and payable.
2. Easement, including the terms and conditions thereof, by and between EDWARD L. SEYFRIED and IRIS H. SEYFRIED, husband and wife, and THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, recorded July 20, 1956, under Instrument No. 188249, Book 90 page 44, records of Idaho County, Idaho.
3. Rights and easements in favor of the public for recreational uses of the Race Creek.
4. Power poles as the same now exist.
5. Matters as shown on Survey No. S-2650, recorded October 22, 2007, under Instrument No. 457856; and Survey No. S-2771, recorded October 24, 2008, under Instrument No. 463788; all records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said 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 they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, except general taxes for the year 2012, and easements, reservations, restrictions and rights-of-way of record or in use.

WARRANTY DEED

1

Instrument # 482581

IDAHO COUNTY, IDAHO,

1-27-2012

10:30:44 No. of Pages: 3

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Fee: 16.00

Ex-Officio Recorder Deputy

1 Except as otherwise expressly provided in this instrument,
2 GRANTORS, hereby declare pursuant to Title 5, Chapter 2 of the
3 Idaho Code, that in the event GRANTORS shall have permitted or
4 suffered at any time prior to the making of this instrument, any
5 person or entity to possess, use or occupy the above-described
6 premises, or any portion thereof, for any purpose, with or without
7 the knowledge of GRANTORS, it was not the intent of GRANTORS, by
8 permitting or suffering such possession, use or occupation, to
9 thereby define property boundaries or ownership thereof.

10 In construing this deed, and where the context so requires,
11 the singular includes the plural and the masculine, the feminine
12 and the neuter.

13 IN WITNESS WHEREOF, Grantors have hereunto subscribed their
14 names to this instrument this 27th day of January, 2012.

15
16 Darwin Vander Esch
17 DARWIN VANDER ESCH

18 Sandra Vander Esch
19 SANDRA VANDER ESCH

20 STATE OF IDAHO)
21 ss.
22 County of Idaho)

23 On this 27th day of January, 2012, before me,
24 Kathrina Warford a Notary for the said County and
25 State, personally appeared DARWIN VANDER ESCH and SANDRA
26 VANDER ESCH, husband and wife, known or identified to me to be the
27 persons whose names are subscribed to the within instrument, and
28 they acknowledged to me that they freely executed the same and that
the statements therein contained are true.

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

(NOTARY SEAL)



Kathrina Warford
Notary Public for State of Idaho.
Residing at Grangerville therein.
My commission expires on
07/05, 2017.

EXHIBIT A

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 10:

A parcel of land located in Government Lots 2 and 3, and the N $\frac{1}{2}$ NW $\frac{1}{4}$, more particularly described as follows:

Commencing at the Northwest corner of said Section 10, a found 1/2" diameter rebar; thence N 89°52'10" E along the North boundary of said Section 10, 330.00 feet to the Northwest corner of the parcel described in the deed recorded as Instrument No. 406148, records of Idaho County, Idaho, a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;

thence traversing the southerly boundary of said parcel as follows:

S 57°23'27" E, 723.53 feet (of Record S 57°15' E, 10.93 chains) to a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;

N 61°17'18" E, 144.21 feet (of Record N 61°15' E, 2.18 chains) to a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;

S 58°08'19" E, (of Record S 58°00' E), 219.40 feet to the True Point of Beginning, a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;

thence N 40°45'04" E traversing across said parcel, 218.86 feet to a point on the northerly boundary of said parcel, a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;

thence traversing said northerly boundary as follows:

S 45°59'47" E, (of Record N 46°00' W), 577.73 feet;

S 70°04'05" E, 664.52 feet (of Record N 70°00' W, 10.10 chains);

S 81°51'18" E, 327.00 feet (of Record N 81°45' W, 4.97 chains);

S 75°15'04" E, 713.19 feet (of Record N 75°10' W, 10.84 chains);

S 48°30'12" E (of Record N 48°30' W), 121.81 feet to a 5/8" diameter rebar set with a plastic cap stamped L.S. 3627;

thence leaving said boundary and bearing S 33°47'24" W, 135.02 feet to a 5/8" diameter rebar set with a plastic cap stamped L.S. 3627;

thence N 85°46'28" W, 75.38 feet to a 5/8" diameter rebar set with a plastic cap stamped L.S. 3627;

thence S 40°57'45" W, 65.07 feet to a point on the South boundary of said deed parcel witnessed by a 1/2"x24" rebar set with a plastic cap stamped L.S. 3627 bearing N 40°57'45" E, 32.40 feet;

thence traversing said South boundary as follows:

N 75°35'04" W (of Record S 75°30' E), 709.91 feet;

S 78°29'39" W, 234.96 feet (of Record N 78°30' E, 3.55 chains);

N 53°54'04" W, 747.98 feet (of Record S 53°45' E, 11.30 chains);

N 58°08'19" W, (of Record S 58°00' E), 674.28 feet to the True Point of Beginning.

LESS: Any portion of Race Creek Road which may be included herein.

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/9/2011

WATER RIGHT NO. 79-4128

Spent

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DARWIN VANDER ESCH
Current Owner	SANDY VANDER ESCH PO BOX 1403 RIGGINS, ID 83549 (208)628-3062
Original Owner	EDWARD SEYFRIED
Original Owner	IRIS SEYFRIED RIGGINS, ID 83549

Priority Date: 04/18/1905

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RACE CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	11/30	0.31 CFS	
Total Diversion			0.31 CFS	

Location of Point(s) of Diversion:

RACE CREEK	SESE	Sec. 04	Township 24N	Range 01E	IDAHO County
RACE CREEK	NENW	Sec. 10	Township 24N	Range 01E	IDAHO County

Place(s) of use:

Place of Use Legal Description: IRRIGATION IDAHO County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
24N	01E	3		SWSW	1.7									
		10	2	NWNE	3.3	3	SWNE	0.7						
				NENW	4.2		NWNW	5.8						

Total Acres: 15.7

Conditions of Approval:

1. C18	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.
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Dates:

Licensed Date:

Decreed Date: 02/06/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/15/2012

~~WATER RIGHT NO. 79-4126B~~

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IRIS HELEN LUNDGREN 449 E RAMONA AVE SALT LAKE CITY, UT 84115 (801)486-7919

Priority Date: 06/01/1963

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	RACE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.08 CFS	
Total Diversion			0.08 CFS	

Location of Point(s) of Diversion:

SPRINGS	NENW	Sec. 10	Township 24N	Range 01E	IDAHO County
SPRINGS	NWNW	Sec. 10	Township 24N	Range 01E	IDAHO County

Place(s) of use:

Place of Use Legal Description: DOMESTIC IDAHO County

[illegible]