



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

August 25, 2010

Estate of Patricia Malmberg
C/O Bruce Malmberg, Personal Representative
4623 Pershall Road
Marsing, ID 83639

Helen Malmberg
PO Box 323
Marsing ID 83639

Re: Water Right Nos. 57-10692 and 57-10718

Dear Interested Parties:

This letter results from contacts the Idaho Department of Water Resources (IDWR) has received from you or your relatives regarding the above referenced water rights. Each right covers separate domestic and stockwater uses for adjacent properties. Each water right is presumed to be owned by the current property owner unless the right was withheld from the land somewhere along the line. Current ownership of the rights needs to be resolved as discussed in this letter.

Helen filed an ownership change for both rights in November 2009. IDWR processed the change and recorded both rights in Helen's name by December 2009. That was an error on IDWR's part because the information included with her ownership change did not convey the property for either right to her (1994 warranty deed). The Estate of Patricia Malmberg filed an ownership change for right 57-10718 last week.

* The following information available to IDWR indicates current ownership of the water rights. The documents are listed in chronological order of their effective dates.

- 1965 Warranty Deed #192594, received with ownership change filed by the Estate of Patricia, property for both rights owned by John M. and Patricia.
- 1994 Warranty Deed #267996, received with ownership change filed by Helen, property for both rights owned by John M. and Patricia.
- 1995 Devolution Transfer Notice #216788, received with ownership change filed by the Estate of Patricia, property for right 57-10718 owned by Patricia.
- 2010 Deed of Personal Representative #270942 (Parcel One), recently received from the County Assessor office, Helen does not own property for either right.

* filed in 57-10718

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- 2010 Deed of Personal Representative #270943 (Parcel Two), recently received from the County Assessor office, deed recorded just after above deed #270942 was recorded, property for right 57-10692 owned by Helen.

Unless additional ownership documentation showing different results is received by September 25, 2010, IDWR will issue the following ownership results:

- 57-10692, Helen Malmberg confirmed as current owner.
- 57-10718, Estate of Patricia Malmberg confirmed as current owner.

This pending result is outlined on the enclosed map. You do not need to reply if you are satisfied with the proposed results.

I regret any inconvenience that previous IDWR errors in this regard may have caused you or your family. Please contact me at 208-334-2190 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester", written over a horizontal line.

Steve Lester
Water Rights Supervisor

Enclosure

T2N, R5W, Sec. 12

