

MEMORANDUM

To: Transfer Application (Doreen Collinsworth)

From: Sharla Curtis

Date: February 18, 2010

Re: Explanation of Items Related to Transfer

In December of 2009, I assisted Doreen Collinsworth with filling out an ownership change for two water rights currently listed in the names of William G. Collinsworth and Harold J. Collinsworth, Doreen's husband and brother-in-law, respectively. Harold conveyed his interest in the property by means of a warranty deed (attached to ownership papers) to William and Doreen. William passed away in 2001 and Doreen has supplied a copy of the death certificate to have the rights transferred into her name solely.

Collinsworth's owned property in both the SWNW and the NWSW of Section 6, T7N, R4W. The property in the SWNW has been split and is now owned by Doreen's son and daughter-in-law and the other portion was sold to Melvin Gifford (old parcel #468). Doreen's property is located in the NWSW (known as old parcel #481). She submitted the ownership change documents for 65-6391 and 65-9343 since those water rights were decreed for parcel 481 35 (see condition/remark #3 in database for both rights). Plans were to notify Mr. Gifford that he needed to file an ownership change for right 65-3643 since he now owns parcel 468 (also listed in condition/remark #3 in database on that right) which includes a home and stock pens.

I later realized that the legal description on the two rights for parcel 481 referenced the SWNW and the right for parcel 468 references the NWSE which is totally erroneous. Information obtained from the Payette County Assessor's office website confirms the correct legal descriptions for both parcels 468 and 481 (copies from the website of the appropriate documents for Doreen's parcel have been included with the transfer application). Mr. Gifford will be notified that he should file a transfer application to correct the legal description of his property to the SWNW under right 65-3643.

Mrs. Collinsworth believes that when they received papers for their claims in the SRBA, they probably did not verify the accuracy of the legal descriptions listed and simply signed the forms and returned them. With the filing of her transfer and Mr. Gifford's action on the remaining right, everything should be in order.

Doreen paid \$50 for the ownership changes and that fee should be applied to the transfer application. The department can deal with the ownership changes without a separate fee while processing the transfer application. The additional \$50 to complete the transfer fee was submitted with the transfer application.

Lastly, a single transfer application was filed for both rights even though the sources appear to be different. Mrs. Collinsworth explained that the "waste water" under right 65-6391 is actually a shallow ground water collector to catch the runoff from adjacent irrigation and stock uses. Since ground water can be applied to both rights and because they are used together for the same purposes, both rights are listed on this transfer. Further, the transfer is really only a correction of the legal descriptions of the point of diversion and place of use; the rights did indicate an accurate parcel number identification.