

Note to file:

There was a change of ownership filed by Mr. Tucker in March, 2006. Per Emalee at the S.O., that change of ownership was never finalized. After further research and review by the S.O., it was discovered that Mr. Tucker needed to file an Application for Transfer instead of the change of ownership.

Mr. Tucker filed a new Application for Transfer on January 26, 2009 and paid a fee of \$75. The \$25 fee paid in 2006 (W033937) should also be applied to this new transfer application, therefore making the total filing fee \$100.

Emalee will send the ownership change paperwork to Western, to put with the new transfer application.

DCNise's note 2/3/09



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

December 22, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JOHN T TUCKER
PO BOX 87
GARDEN VALLEY ID 83622

RE: Change in Ownership for Water Right 65-8999

Dear Applicant:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership received 3/13/2006. We apologize for the delay in processing your application. Our review of your application indicates that additional information is required before we can process the change. The information required is indicated below:

X Evidence of Water Right Ownership

During our review we found a discrepancy between the legal description on the quitclaim deed you submitted and the place of use (POU) for the water right. The deed shows a small tract of land in the SE1/4 of the NW1/4 of Township 9N, Range 4E, Section 26. The place of use for the water right is in the SE1/4 of the NE1/4. I have enclosed a copy of the water right and the documents you submitted for your reference.

The quitclaim deed you submitted can not be accepted as proof of ownership of the property because the grantors (Benjamin Russell and Melisa Meaders) do not match the water right owner on file with the Department. Myrna L. Graham was the original owner of the water right. A chain of documents showing ownership that leads from Ms. Graham to B. Russell and M. Meaders is needed.

However, because the recorded POU for the water right is not near the water right's point of diversion, it is possible that an error was made when it was decreed. You may apply for a transfer of the POU (form enclosed), which is \$100. Note that the \$25 ownership change fee can be applied towards this amount. Another option is to file a late claim in the Snake River Basin Adjudication court. This would generate a new water right for the property that you own. I have also included a *Motion to File: Late Notice of Claim* form. The fee to file a late claim is \$50, and again the \$25 fee you've already paid can be applied to this.

The Department cannot process the ownership change without proper documentation. We will hold your application for 30 days pending receipt of the necessary information. Please contact our office within that time to keep your application active.

We apologize for the delay in processing your application. Please feel free to contact the Department if you have any questions.

Sincerely,

Dayna M. Ball
Technical Reviewer
Water Allocations Bureau

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 13 2006

WATER RESOURCES
WESTERN REGION

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
PD 65-8999					

RECEIVED
 FEB 05 2009
 WATER RESOURCES
 WESTERN REGION

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)

4. New Owner/Claimant(s)

John T. Tucker

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 87

City, State and ZIP Code

Garden Valley, ID, 83622

New Telephone Number

(208) 462-3229

5. Date you acquired the property

8-05

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 _____

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

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

John T. Tucker

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 kg Date 3-13-06 Fee \$25
 Received by kg Date 3-13-06 Receipt No. W033937
 Processed by _____ AJ Date _____ WR _____ Date _____



QUITCLAIM DEED

FOR VALUE RECEIVED, **BENJAMIN F. RUSSELL AND MELISA M. MEADERS, HUSBAND AND WIFE**

Does hereby convey, release, remise and forever quit claim unto

JOHN T. TUCKER AND PILAR E. TUCKER, HUSBAND AND WIFE

whose current address is: P. O. BOX 87, GARDEN VALLEY, ID 83622

the following described premises:

SEE ATTACHED LEGAL DESCRIPTION MARKED EXHIBIT "A", WHICH BY THIS REFERENCE BECOMES A PART HEREOF AND CONSISTS OF ONE (1) PAGE

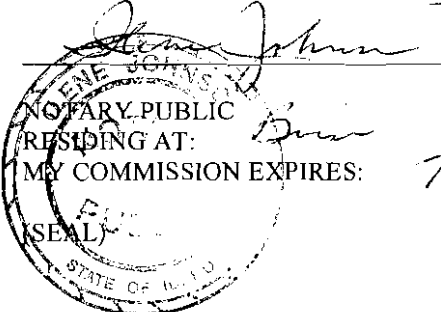
TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date: FEBRUARY 20, 2004

By: Benjamin F. Russell
BENJAMIN F. RUSSELL
BY: Melisa M. Meaders
MELISA M. MEADERS

STATE OF IDAHO
COUNTY OF BOISE

ON THIS 28th OF FEBRUARY, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED, BENJAMIN F. RUSSELL AND MELISA M. MEADERS KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



Order No. 241176

EXHIBIT A

Beginning at the center of the Northwest quarter of Section 26, Township 9 North, Range 4 East, Boise Meridian, Boise
County, Idaho; thence
South 30 feet; thence
East 75 feet; thence
South 198 feet to the True Point of Beginning; thence
East 99.5 feet; thence
South 211 feet; thence
South 81'00" West, 101 feet; thence
North 227 feet to the True Point of Beginning.



POWER OF ATTORNEY

Date FEBRUARY 20, 2004

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned JOHN T. TUCKERof P. O. BOX 87, GARDEN VALLEY, ID 83622

(Address)

does hereby appoint BENJAMIN F. RUSSELL AND MELISA M. MEADERS

(Name)

of 20 ELZIE LANE, GARDEN VALLEY, ID 83622

(Address)

as (my/our) Attorney to endorse, release, or transfer all registration and ownership certificates as required by Idaho Statutes for one:

Title No. D453133Identification No. S62865

Vehicle

Make GENTRY

Vehicle

Style MOBILE HOME Year 1972Vehicle Model TL

and to give full discharge for same, granting to said attorney full power of substitution and revocation, hereby ratifying and confirming all that said attorney or his substitute shall do or cause to be done by virtue hereof.

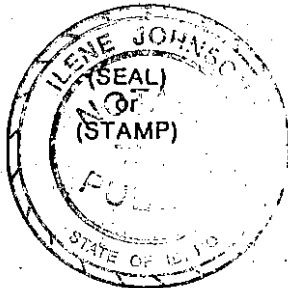
X

JOHN T. TUCKER

X

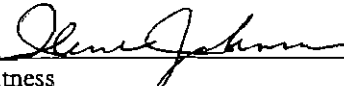
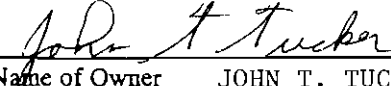
Personally appeared before me the above named

, known or proved to me to be the same person who executed the foregoing instrument and acknowledge to me that he executed the same as his free act and deed.

Subscribed and sworn to before me this 22nd day ofFeb2004

Notary Public or agent of the
Motor Vehicle Division

BILL OF SALE

FEBRUARY 20, 2004		19
For and in consideration of the sum of EIGHT THOUSAND, FIVE HUNDRED AND NO/100		
(\$8,500.00)		DOLLARS, the
undersigned hereby sells and transfers to BENJAMIN F. RUSSELL AND MELISA M. MEADERS		
the following		
ONE - USED 1972 GENTRY MOBILE HOME		
S/N S62865		
8' X 64'		
The undersigned hereby certifies and warrants that there is no lien, claim, mortgage or encumbrance of any kind or description against said above described merchandise now existing of record or otherwise, and that same is free and clear and is the sole and absolute property of the undersigned. No agreements are recognized other than those contained herein.		
Witness		
		Name of Owner JOHN T. TUCKER
Witness		Address

IDAHO

CERTIFICATE OF TITLE

ITD-3517 (REV. 11-02)
Cat # 01-875329-B

S62865

VEHICLE IDENTIFICATION NUMBER

YEAR

1972

MAKE

GENT

BODY

HS

MODEL

TL

DESCRIPTION

MBL HM

2ND VEHICLE IDENTIFICATION NUMBER

ODOMETER READING

EXEMPT

DATE

TITLE NUMBER
E453133PRINT DATE
12/22/2003

WEIGHT

LENGTH

64

WIDTH

8

HULL

HORSEPOWER

PROPULSION

OWNER'S NAME AND ADDRESS

OTHER PERTINENT DATA

TUCKER, JOHN T
PO BOX 87
GARDEN VALLEY, ID 83622

Assignment of Title

Federal and state law requires that you state the mileage when transferring ownership of a motor vehicle.
Failure to complete or providing a false statement may result in fines and/or imprisonment.ODOMETER READING - Reading is actual unless indicated otherwise.
(NO TENTHS) DATE:

5 PURCHASER'S PRINTED NAME(S)

A •

B •

☐ In Excess of Mechanical Limits☐ Exempt☐ Not Actual - Warning: Odometer Discrepancy☐ No Device

DATE SOLD:

SELLING PRICE:

6 ADDRESS

3 SELLER'S OR REPRESENTATIVE'S PRINTED NAME(S)

7 CITY

STATE

ZIP

4 I certify, to the best of my knowledge, that the odometer reading reflects the actual mileage, unless otherwise indicated.
I also hereby release my interest and transfer ownership to the named purchaser.
SELLER'S OR REPRESENTATIVE'S SIGNATURE:

8 I am aware that if I apply for title in Idaho, I must do so within 30 days of purchase or a \$20.00 late filing penalty may be due. I am also aware of the odometer certification made by the seller.

PURCHASER'S OR REPRESENTATIVE'S SIGNATURE:

A X

2nd PURCHASER'S OR REPRESENTATIVE'S SIGNATURE (or representative's printed name).

B X

Lienholder Section

FIRST LIEN

NONE

SECOND LIEN

RECORDED 12/17/2003

10 SIGNATURE RELEASING LIEN

DATE

X

9 SIGNATURE RELEASING LIEN

DATE

11 NEW LIENHOLDER'S NAME

12 ADDRESS

13 CITY

STATE

ZIP

06260183

11-02TW

\$2.00 Fee

NOTICE OF RELEASE OF LIABILITY

\$2.00 Fee

PLEASE PRINT CLEARLY — ALL INFORMATION MUST BE COMPLETE — NOTIFICATION BY SELLER/TRANSFEROR IS MANDATORY

Vehicle or Hull Identification Number (VIN or HIN)

S62865

Year

1972

Make

GENT

Body Style

HS

Title Number

E453133

Seller's/Transferor's Full Name: _____ Phone Number: _____

Address: _____ City: _____ State: _____ Zip: _____

Odometer: _____ Selling Price: \$ _____ Date Delivered to Purchaser/Transferee: _____

Purchaser's/Transferee's Full Name: _____

Address: _____ City: _____ State: _____ Zip: _____

I/we hereby request that the Idaho Transportation Department mark its records to indicate that the vehicle or vessel described above has been transferred. However, I/we understand that the title record will remain in my/our name(s) until a new Idaho Certificate of Title is applied for and issued, recording the name(s) of the new owner(s).

X

Signature of Seller(s)/Transferor(s)

— SEE REVERSE SIDE FOR MAILING/PAYMENT INSTRUCTIONS —

VOID IF ALTERED

EAGLE WATER MARK VISIBLE IF HELD TO LIGHT

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30
days after the completion or abandonment of the well.RECEIVED
APR 8 1973

1. WELL OWNER

Name Myrna Graham
Address Garden Valley, Idaho
Owner's Permit No. _____

7. WATER LEVEL

Static water level 115 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
<u>25</u>	<u>10 ft</u>	<u>2</u>

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test
☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

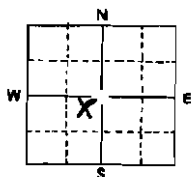
☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 165 feet
Casing schedule: ☒ Steel ☐ Concrete
Thickness 1/4 inches Diameter 6 inches From 1 feet To 165 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feetWas a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feetWell screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feetGravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feetSurface seal? ☒ Yes ☐ No To what depth 20 feet
Material used in seal ☐ Cement grout ☒ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.

County Boise
NE 1/4 Sec. 26 T. 9 N. R. 4 E

10.

Work started April 6, 1973 finished April 12, 1973

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is
true to the best of my knowledge.Nicholson Well Drilling 54
Driller's or Firm's Name Number
921 6th Ave., Payette, Idaho
Address
Signed By Oscaar Smith May 6, 1973 Date