

MEMORANDUM

Date: May 31, 2009

To: Water Right 78-7363

From: Dayna Ball, Water Allocations
Idaho Dept. of Water Resources

Re: Ownership Change - Unprocessed

A Notice of Change in Water Right Ownership was received from Joenelle Dryden on 4/5/2005. The ownership change was not processed before a subsequent ownership change was received on 2/1/2008 from SIMPCO Lands LLP. The SIMPCO deed covers the entire POU for the original water right license.

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
 APR 05 2005
 DEPARTMENT OF
 WATER RESOURCES

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
78-07363					

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)

Marjory Dryden
PO Box 187
Pocolock, ID 83547

4. New Owner/Claimant(s)

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

New Mailing Address

216 3rd St

City, State and ZIP Code

Lewiston, ID 83501

New Telephone Number

(208) 798-5395

5. Date you acquired the property

January 15, 2005

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 Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	5 Acres	4" line to 3" lines 14hds per sitting
Stock	2 horses	
Domestic	1 home 1 Bed	
Other	Fire protection	
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 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) Joanella Dryden
(include title if applicable)

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 <u>M</u>	Date <u>4-5-5</u>	Fee <u>\$25.00/kx</u>
Receipted by <u>M</u>	Date <u>4-5-5</u>	Receipt No. <u>C077377</u>
Processed by <u></u>	AJ Date <u></u>	WR <u></u> Date <u></u>

437847

GIFT DEED

THIS INDENTURE, made this 23 day of September 2004, by and between MARJORY D. DRYDEN, a widow, of Pollock, ID 83547 Party of the First Part, hereinafter called the Grantor, and JOENELLE E. DRYDEN, a single woman, of P. O. Box 274, Pollock, ID 83547, Party of the Second Part, hereinafter called the Grantee.

WITNESSETH:

WHEREAS, the Grantor is the mother of the Grantee, namely, Joenell E. Dryden, and

WHEREAS, the Grantor is desirous of conveying as a gift to the Grantee the property hereinafter described.

NOW, THEREFORE, the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, and for and in consideration of the natural love and affection which she has unto the Grantee Joenelle E. Dryden, by these presents hereby give, grant, deed, convey and confirm unto the said Grantee, and to her heirs and assigns forever, as her sole and separate property, all Grantor's interest in certain real property situated in Idaho County, Idaho, described as follows, to wit:

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

TOGETHER with all and singular, the hereditaments and appurtenances thereunto belonging or in any wise appertaining, and all estate, right, title and interest in and to said property of the Grantor.

GIFT DEED

1

STATE of IDAHO	
County of Idaho	
Recorded at request of <u>Area Fitzmaurice</u>	
<u>11/11/04</u>	<u>9-24-04</u>
ROSE E. GEHRING	
By <u>[Signature]</u>	Recorder
For <u>9.00</u>	Deputy

11/11/04

1 TO HAVE AND TO HOLD, all and singular, the above mentioned and
2 described premises, together with its appurtenances, unto the said
3 Grantee, and to her heirs and assigns forever.

4 IN WITNESS WHEREOF, the said Grantor has hereunto set her hand
5 and seal on the day and year in this certificate above written.
6

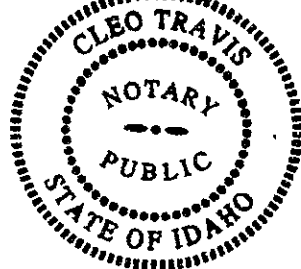
7 
8 MARJORY D. DRYDEN

9 STATE OF IDAHO)
10 ss.
11 County of Idaho)

12 On this 23 day of September, 2004, before me,
13 Cleo Travis, a Notary for the said County and
14 State, personally appeared MARJORY D. DRYDEN, known or identified
15 to me to be the person whose name is subscribed to the within
16 instrument, and she acknowledged to me that she freely executed the
17 same and that the statements therein contained are true.

18 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
19 official seal the day and year first above written.
20

21 (NOTARY SEAL)



27
28

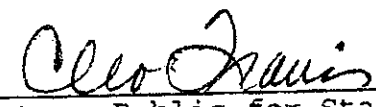

Notary Public for State of Idaho,
Residing at Biggins, therein.
My commission expires on
10-10-06

EXHIBIT A

A parcel of property located within the NW1/4 of the SE1/4 of Section 29, T 23 N, R 1 E, B.M., Idaho County, Idaho. This parcel is more particularly described from a survey as follows:

Beginning at the Southeast corner of Section 29, thence S 89° 45' 16" W - 2643.690' to the South 1/4 corner of said Section 29, thence N 00° 02' 58" W - 1326.390' to the Center-South 1/16th corner of said Section 29, thence N 19° 57' 14" E - 767.676' to a Right of Way monument on the Easterly Right of Way of U.S. 95, FAS Project F-4113(12) at Station 729+98.9. This point is the initial point of beginning.

Thence along a curve to the right on the Right of Way with the following data:

L	= 586.845'	Ch. Bearing	= N 11° 23' 23" W
R	= 3194.120	Chord	= 586.020'
Delta	= 10° 31' 36" RT	T	= 294.251'

to an IDT Right of Way monument at Sta PS 736+08.0, 80' Rt of CL,

Thence S 87° 58' 32" E 39.827' to an IDT Right of Way monument at Sta PS 736+08.0, 120' Rt. of CL,

Thence N 02° 34' 46" W 30.105' along U.S. 95 Easterly Right of Way line,

Thence S 33° 05' 06" E 302.323' to a common property corner,

Thence N 63° 03' 05" E 210.000' to a common property corner on the mean high water line on the West bank of the Little Salmon River,

Thence S 33° 22' 51" E 180.732' along said mean high water line,

Thence S 26° 23' 16" E 137.089' along said line,

Thence S 13° 52' 37" E 148.000' along said line,

Thence S 74° 24' 30" W 457.693' leaving said line to a point on a spiral curve of said U.S. 95 Right of Way,

Thence along an 80' offset spiral curve to the right of centerline with the following data:

Chord = 100.003'

Direction = N 17° 26' 03" W

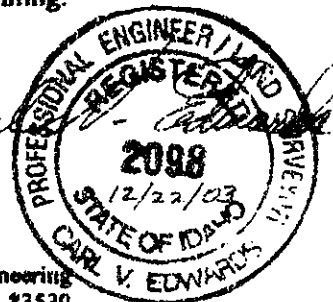
back to the initial point of beginning.

This parcel contains some 5.0034 acres.

Marjory Dryden
Parcel III

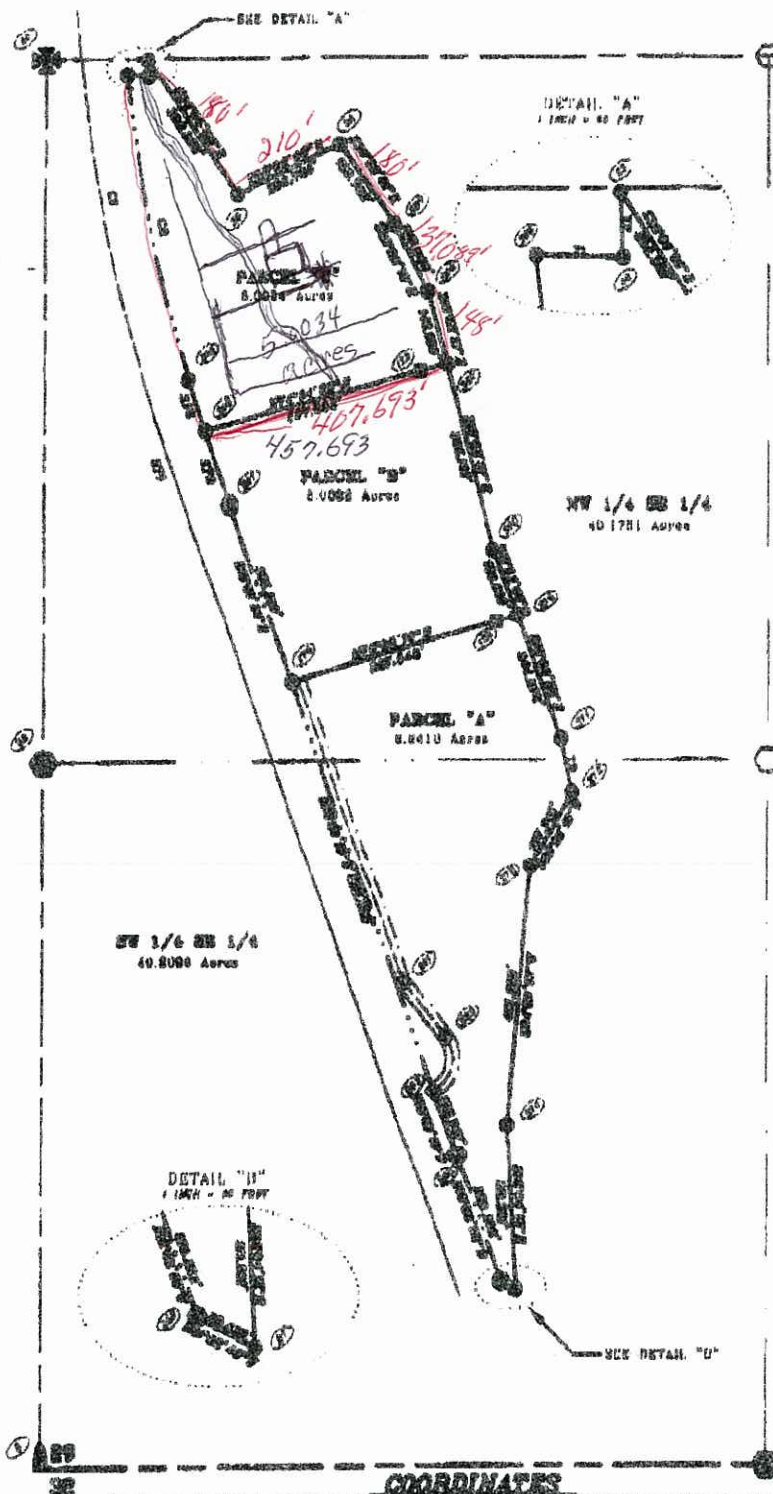
1 of 1

CE Engineering
Grangeville, ID 83530



Dryden Properties

DATE: 11-11-11



ASSURED:

1. IN PROVIDING THIS BOUNDARY SURVEY NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONTINENT CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED & NO WARRANTY OF TITLE, NOR TITLE COMMITMENT, OR RESULTS OF A TITLE SEARCH ARE FURNISHED TO THE SURVEYOR AND DOCUMENTS OF RECORD REVIEWED AND NOTED HEREON. THERE MAY BE OTHER DOCUMENTS THAT MAY AFFECT THIS SURVEYED PARCEL.

2. SURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

3. NO ATTEMPT WAS MADE TO SHOW ALL PHYSICAL FEATURES OF THE PROPERTY OR NEIGHBORHOOD, RECORDED OR UNRECORDED.

NE 1/4 SE 1/4
40.1305 Acres

TABULAR TABLE

LINE	LENGTH	BEARING
1	107.300	N 87° 10' 00" E
2	107.310	N 87° 10' 00" E
3	107.320	N 87° 10' 00" E

SE 1/4 SE 1/4
40.1888 Acres

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING	CHORD DIRECTION	CHORD LENGTH
1	740.121	3874.44	107.310	N 87° 10' 00" E	740.121	107.310
2	804.848	3104.10	107.310	N 87° 10' 00" E	804.848	107.310

COORDINATES

#	NORTHING	EASTING	INSTR	DESCRIPTION

Idaho Department of Water Resources Receipt

Receipt ID C077377

Payment Amount Date Received Region Status

Payment Type Check Number

Payer Comment

Fee Detail

Amount Description

Fund FD PCA SO

\$25.00 OWNERSHIP CHANGES/SECURITY INTERESTS 0229 21 56140 1155



Signature Line (Dept. Representative)

78-7363

http://wenet/apps/appsWorkflow/Framebuild.asp - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media

Address http://wenet/apps/appsWorkflow/Framebuild.asp Go

Links Customize Links Free Hotmail Windows Media Windows

Information Search (WR/AJ)

B.	Se.	S.	Source Table	Basis	Status	Priority Date	Di.	Source List	Water Use List	Owner List
78	7363		wrWaterRight	License	Active	1994-08-30	0.30	GROUND WA...	IRRIGATION, ...	DRYDEN, MARJORY (Current)
78	7363		wrWaterPermit	License	Closed	1994-08-30	0.30	GROUND WA...	IRRIGATION, ...	DRYDEN, MARJORY (Current)

Show References Next Step Return to Home Previous Steps: Screen ID 446

Done Local intranet

Start Inbox - Microsoft Outlook http://wenet/apps/ap... 4:19 PM

\$25 paid
split no. transfer - check w/ Jeff - Kari Lynn \$5.05

Jeff -
This o/c appears to be
a split - 5 ac from the 11 ac
in NWSW. WR is for irrigation
+ stockwater. West owner
wants to add "fire protection".
Does this require a transfer
to change nature of use?
We received \$25 - do need
\$75 more if just a split.
Help, please.

11/3
Kari Lynn
4:5:05

Water Right #
7807363
For

RECEIVED

APR 05 2005

DEPARTMENT OF
WATER RESOURCES

April 05 05
Pollock, Feb
PO, Box 187
Marjory Snyder

The gifting of the well and water rights are given as of this date. The well is for her house and irrigation; the area to be irrigated has decreased by 10 acres.

This is why the gifting of the well which was drilled by Marshall & Marjory Snyder is occurring now - I am selling the acreage that I used the water on - which was approved by inspection. This right doesn't go with the sale of my land.

Sincerely
Marjory Snyder

From the letter, it seems like Marjory Dryden is planning to abandon the remaining part of the license - she indicates the area to be irrigated has decreased by 10 acres. If so, she needs to fill out a form indicating abandonment of the remaining acres & have it notarized.

Her alternative would be to maintain the water right and split it and pay the \$100 filing fee. If she has already sold the remaining land, and did not withhold the water rights, then she could not abandon the remaining portion.

A transfer would be required to change part of the use to Fire Protection

JP 4/6/05