

MEMORANDUM

TO: Sally Sherman
FROM: Steve Lester 
DATE: July 19, 2006
RE: Ownership Changes for 2-10257

Larry and Barbara Harpe recently filed two applications for transfer to establish separate diversions for separate lots within the P/U of 2-10257 (remaining portion of parent right 2-2073). The applications did not include ownership documentation. The applications will remain on hold pending completion of department work for the SRBA.

Meanwhile the ownership changes can be processed for adjudication purposes as outlined in recent discussion with Don Shaff. The ownership information they submitted is attached. The barcode shows claim 2-2073 at the State Office, although a specific person is not listed for the claim file.

Copies of the transfer application are not included here since the applications do not provide additional useful information beyond that found in the ownership change.

Note the discrepancy about acres in a particular $\frac{1}{4}$ $\frac{1}{4}$ for these new owners in the ownership change information. Maybe the discrepancy can be explained by river accretion. Neighboring owner for Lot 4 received 2-10258 for that split, suggesting that Harpe can expect a similar portion for Lot 3, despite the fact that recommendation 2-10257 does not list any acres in NESW Section 23.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 19, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

LARRY & BARBARA HARPE
PO BOX 1638
EAGLE ID 83616

Re: Ownership Change for Water Right No. 2-10257

Dear Mr. and Mrs. Harpe:

Larry visited the office today to discuss water right issues related to two lots you bought in Hidden Valley Estates Subdivision. The ownership change documents you recently filed regarding the properties were forwarded to the appropriate staff for processing.

The ownership changes will be processed without delay. The two related applications for transfer to establish separate diversion points along the Snake River for those lots will remain on hold until department workload allows those applications to be processed as noted in my June 22 letter to you.

Thank you for your prompt follow up on the ownership aspect of this situation. You will be notified once transfer application processing starts.

IDWR forms and information are available on the Internet at www.idwr.idaho.gov. Please contact me at 334-2190 if you need more information or have any questions.

Sincerely,

Steve Lester
Water Rights Supervisor

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

RECEIVED
JUL 17 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
	2-10257	Yes			
	(2 splits)				

2. The following REQUIRED information must be submitted with this form:

A. The appropriate FILING FEE. See instructions for fee amounts. *NO fees while right pending in Adjudication*

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)

VANCE VAN HALL

RT 1 Box 16 Marsing ID 83839

4. New Owner/Claimant(s)

Larry C. Barbara A Harpe

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

New Mailing Address

PO Box 1638

City, State and ZIP Code

Eagle, IDAHO

New Telephone Number

(208) 830-5555

5. Date you acquired the property

June 12, 2006 (Lot 3)

JULY 15, 2006 (Lot 11)

ENCLOSED
DEEDS LOT 11
DEED LOT 3

Balance of own. change dues reserved - fee:

2-10257 AS REC'D PARENT

Own. change 11/17/06

2 Powers

Two splits, each for separate lots, see Attached

Form 92-745 (Rev. 10/96) July 2000

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.

Portion for Subd.
Lot 3 →

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 <u>2-10257</u>		
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	<u>.04 cfs</u>	<u>1.89 Acres</u>
Stock		
Domestic		
Other		
Total	<u>.04 cfs</u>	

Portion for Subd.
Lot 11 →

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 <u>2-10257</u>		
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	<u>.037 cfs</u>	<u>1.75 Acres</u>
Stock	<u>(.04 if rounded)</u>	
Domestic		
Other		
Total	<u>.037 cfs</u>	

(7)

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

[Signature] *[Signature]*

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>R</u>	Date <u>7/17/06</u>	Fee <u>N/A</u>	
Received by <u>N/A</u>	Date	Receipt No.	
Processed by <u>AJ</u>	Date	WR	Date

See Attached ① Adjud. Claim 2-10257 with Acers to NBSW & SESW Sec. 23
 ② Adjud. Recommendation " " " " SESW but not NBSW Sec. 23
 ③ Adjud. " 2-10258 " " " NBSW Sec. 23 for Subd. Lot 4
 ④ Subd. Plot
 Adjacent Lot Plot

LOT 3, BLOCK 1
Hidden Valley Estates

607179



Pioneer Title Co.

GOING BEYOND

8151 W. Rifleman Ave. / Boise
Idaho 83704 / (208) 377-2700

Instrument # 256976

MURPHY, OWYHEE, IDAHO

2006-06-22

04:13:30 No. of Pages: 1

Recorded for: PIONEER TITLE COMPANY

CHARLOTTE SHERBURN

Fee: 3.00

Ex-Officio Recorder Deputy *ADygent*

Index to: DEED, WARRANTY

WARRANTY DEED

For Value Received

Robert T. Bish, an unmarried man

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Larry C. Harpe and Barbara A. Harpe, husband and wife

hereinafter referred to as Grantee, whose current address is P.O. Box 1638, Eagle, ID 83616

the following described premises, to-wit:

Lot 3, Block 1 Hidden Valley Estates Subdivision, Owyhee County, Idaho, according to the plat thereof recorded February 16, 1995 as Instrument No. 214934, records of said County.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: June 12, 2006