

Memo to File

Date: March 28, 2007

To: Water Right file 67-7479

From: Craig L. Saxton

Re: Assignment of permit for 67-7479

Jan Wilkerson requested a change of ownership for SRBA record 67-7479 on behalf of Gordon and Russell Wilkerson. However, 67-7479 is based on a permit in the name of Wilkerson Brothers so I told Ms. Wilkerson that they needed to file an assignment of permit because once permit 67-7479 is licensed, that contact information will overwrite the SRBA record and basically change the name on the water right back to the wrong name (Wilkerson Brothers).

Jan then contacted me to tell me that the executor of Wilkerson Brothers was JM Wilkerson (Russell's Father) and he passed away. She asked how we sign over the assignment of permit.

I spoke with Jeff Peppersack and he said that since proof of beneficial use for 67-7479 has already been submitted, then the water right was essentially applicable to the land even though it is still officially a permit. Jeff said that we should change the SRBA record and to put a copy of the change of ownership documentation in the water right file. Then, at the time of licensing, allocations should be able to change the ownership on the license from Wilkerson Brothers to Russell and Gordon Wilkerson (and LK Wilkerson).

I then called Jan back and after exchanging phone calls was able to speak with her on 3-28-07. I informed her that I would send in the NCAP to change ownership on the SRBA records and explained to her what Jeff had told me. I then suggested that she send in the assignment of permit anyway so if for no other reason, it would flag the licenser showing them that the name on the permit is incorrect.

Note: LK Wilkerson has passed away, but Jan didn't feel it necessary to submit the documentation taking his name off of the water right. She is aware that we will have to leave LK Wilkerson on the water rights.

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

RECEIVED
 JUL 12 2000
 DEPARTMENT OF
 WATER RESOURCES

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
67-7479					

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) J.D. Wilkerson / J.M. Wilkerson
C. Russell Wilkerson
4. New Owner/Claimant(s) Gordon Wilkerson / C. Russell Wilkerson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3251 HWY 95 / 3265 HWY 95
- City, State and ZIP Code Cambridge ID 83610
- New Telephone Number 208-257-3209 / 208-257-3756
5. Date you acquired the property 1998-1992-1998

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)

Charles Russell Wilkerson
Charles Russell Wilkerson

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

152361
1. 2 2

QUITCLAIM DEED

JOAN WILKERSON, hereinafter "Grantor", does release and forever quitclaim unto RUSSELL WILKERSON, whose address is 3251 U.S. HWY 95 Cambridge, ID 83610, hereinafter "Grantee", and to his heirs and assigns, all title which Grantor now has or may hereafter acquire, in the following described real property situated in Washington County, State of Idaho, to-wit:

Parcel No. 1:

Northwest Quarter of the Southeast Quarter, Section 9, T. 14 North, R. 2 W.B.M., Washington County, Idaho, together with the following described tract of land, to-wit:

Beginning at the northwest corner of the southwest quarter of northeast quarter of Section 9, Township 14 North of Range 2 West of Boise Meridian, Washington County, Idaho, and running thence south along the west side of said tract to its southwest corner, thence east along its south line a distance of twelve (12) rods, thence north two (2) rods, thence west ten (10) rods, thence north seventy-eight (78) rods to north line of said tract, thence west two (2) rods to said north west corner and place of beginning, containing one and one-eighth acres of land. (Including dwelling house and farm buildings thereon situate.)

Parcel No. 2:

The East Half of the Southeast Quarter of Section Nine (9), Township Fourteen (14) North, Range 2 West of the Boise Meridian, Washington County, Idaho, together with all water rights appurtenant thereto.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto Grantee, and to his heirs and assigns forever.

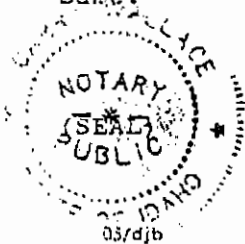
152361
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WITNESS the hand of said Grantor this 14 day of May, 1991.

Joan Wilkerson
Joan Wilkerson

STATE OF IDAHO)
County of Ada) ss

On this 14 day of May, in the year 1991, before me, Maria Wallace, a Notary Public, personally appeared JOAN WILKERSON, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Maria Wallace
Notary Public for Idaho
Commission expires: 1996

INSTRUMENT NO. 152361
STATE OF IDAHO, COUNTY OF WASHINGTON ss
Filed for record at the request of

RUSSELL WILKERSON
34. 3:00 P. M.
This 30TH day of JULY, 1991

INDEX TO DEEDS # 152361
MARY KAUTY, Recorder, Fee: \$6.00
By Carol Taylor Deputy

RUSSELL WILKERSON
3251 U.S. HIGHWAY 95
CAMBRIDGE, IDAHO 83610

2-2nd Index
Cred. Ref.
Scrip
A. 10000
JUL 2
8 PM
JUL 20
Return

QUITCLAIM DEED-2

QUITCLAIM DEED

Joan M. Wilkerson, hereinafter "Grantor," does release and forever QUITCLAIM unto Russell Wilkerson, whose address is 3251 U.S. Highway 95, Cambridge, Idaho 83610, hereafter "Grantee," and to his heirs and assigns, all title which Grantor now has or may hereafter acquire, in the following described real property situated in Washington County, State of Idaho, to wit:

All of the Grantor's interest in and to the following described real property, to wit:

In Township Fourteen (14) North, Range Two (2) West, B.M.:

In Section Four (4): The South Half of the Southeast Quarter (~~S $\frac{1}{2}$ SE $\frac{1}{4}$~~) and the Southeast Quarter of the Southwest Quarter (~~SE $\frac{1}{4}$ SW $\frac{1}{4}$~~):

In Section Nine (9): The North Half of the Northeast Quarter (~~N $\frac{1}{2}$ NE $\frac{1}{4}$~~), the Northeast Quarter of the Northwest Quarter (~~NE $\frac{1}{4}$ NW $\frac{1}{4}$~~) and all that part of the South Half of the Northwest Quarter (~~S $\frac{1}{2}$ NW $\frac{1}{4}$~~) of Section Nine (9) lying North of U.S. Highway 95, as the same is now established, and all that part of the North Half of the Southwest Quarter (~~N $\frac{1}{2}$ SW $\frac{1}{4}$~~) of said Section Nine (9) described as follows: Commencing at the Southwest corner of the Northwest Quarter of the Southwest Quarter (~~NW $\frac{1}{4}$ SW $\frac{1}{4}$~~) of said Section Nine (9); thence northeasterly to a Point on the East line of the Northeast Quarter of the Southwest Quarter (~~NE $\frac{1}{4}$ SW $\frac{1}{4}$~~) of said Section Nine (9) 661 feet North of the Southeast corner of said Northeast Quarter of the Southwest Quarter (~~NE $\frac{1}{4}$ SW $\frac{1}{4}$~~) of said Section Nine (9); thence South along the East line of said sub-division a distance of 661 feet to the Southeast corner of said Northeast Quarter of the Southwest Quarter (~~NE $\frac{1}{4}$ SW $\frac{1}{4}$~~) of said Section Nine (9); thence West on and along the South line of said Northeast Quarter of the Southwest Quarter (~~NE $\frac{1}{4}$ SW $\frac{1}{4}$~~) and of the Northwest Quarter of the Southwest Quarter (~~NW $\frac{1}{4}$ SW $\frac{1}{4}$~~) of said Section Nine (9) to the place of beginning; and also, the South Half of the Southwest Quarter (~~S $\frac{1}{2}$ SW $\frac{1}{4}$~~) of said Section Nine (9); But

Excepting therefrom a tract of land described as follows: Beginning at the Southwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Nine (9); thence East 56.57 rods; thence North 56.57 rods; thence West 56.57 rods; thence South 56.57 rods to the place of beginning.

Subject to and excluding all easements and rights of way for public roads, lines of public utilities and irrigation ditches or canals, as now established over, upon, along or across the before described premises.

But together with AND including all tenements, hereditaments and appurtenances to said premises belong or appertaining and together with all water and water rights, ditches and ditch rights and irrigating works of whatever nature used upon, connected with or in anywise appurtenant to the before described premises, particularly including but not limited to 36 inches of water of Little Weiser River, decreed to portions of the before described land, with priority date of May 1, 1891, and Seller's proportionate right to the use of irrigation water, impounded by the reservoir of Little Weiser Irrigation District and as benefits of such District were assessed to and made appurtenant to the before described land.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto Grantee, and to his heirs and assigns forever.

WITNESS the hand of said Grantor this 11 day of May, 1992.

Joan M. Wilkerson
Joan M. Wilkerson

154724

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STATE OF IDAHO)
County of Latah) ss.

On this 11 day of May, 1992, before me,
Carla Johnson, a Notary Public, personally appeared
Joan M. Wilkerson, known or identified to me to be the person
whose name is subscribed to the within instrument, and
acknowledged to me that she executed the same.



Carla Johnson
Notary Public for Idaho
Commission expires: 5-22-94

QUITCLAIM DEED-3

INSTRUMENT NO. 154724
STATE OF IDAHO, COUNTY OF LATAH
Filed for recording on
RUSSELL WILKERSON
31 16:00 P
This 18TH JUNE 92
INDEXED TO DEEDS-154724
MAILED 9.00
By Geri Soulier
RETURN TO: RUSSELL WILKERSON
3251 US HWY 95
CAMBRIDGE, ID 83610

PERSONAL REPRESENTATIVE'S DEED

FOR VALUE RECEIVED, in accordance with the laws of the State of Idaho, C. RUSSELL WILKERSON, Personal Representative of the Estate of James Donald Wilkerson, Deceased, whose Letters Testamentary as such Personal Representative were issued on the 22nd day of July, 1996, under Washington County Case No. SP 96-01000, In re: The Matter of the Estate of James D. Wilkerson, the above, as Grantor, does hereby grant, bargain, sell and convey unto C. RUSSELL WILKERSON, Grantee, the following described real estate situated in the County of Washington, State of Idaho, to wit:

40 acres of land in the County of Washington, Idaho, as follows:
NW Quarter of NE Quarter of Section Sixteen (16), in Township Fourteen (14) North Range Two (2) West of the Boise Meridian, Washington County, Idaho.

And

40 acres of land in the County of Washington, Idaho, as follows:
SW Quarter of the SE Quarter of Section Nine (9), in Township Fourteen (14) North Range Two (2) West of the Boise Meridian, Washington County, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights, tenements and hereditaments, appurtenances and fixtures, and permits and licenses belonging thereto or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever; and the said Grantor does hereby covenant to and with the said Grantees that the Estate of James Donald Wilkerson, Deceased, is the owner in fee simple of said premises, and that said premises are free from all encumbrances, and that C. Russell Wilkerson as Personal Representative of the Estate of James D. Wilkerson, Deceased, will **WARRANT** and **DEFEND** the same from all lawful claims whatsoever.

DATED this 2 day of January, 1998.

C. Russell Wilkerson
C. RUSSELL WILKERSON

Personal Representative of the
Estate of James Donald Wilkerson

After Recording, Return to:
Walker Law Office
P.O. Box 828
Weiser, ID 83672

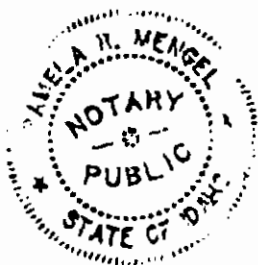
INSTRUMENT NO. 171787
STATE OF IDAHO, COUNTY OF WASHINGTON ss,
Filed for record at the request of
WALKER LAW OFFICE
35 Min. past NINE o'clock A. M.
This 3RD day of FEBRUARY 19 98
Index to: DEEDS
SHARON WIDNER, Recorder Fee: \$6.00
By Lisa M. Knight Deputy
WALKER LAW OFFICE

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STATE OF IDAHO)
County of Washington)
:ss

On this the 2nd day of January, 1998, before me a Notary Public in and for said State, personally appeared C. Russell Wilkerson, Personal Representative of the Estate of James D. Wilkerson, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same for and in behalf of the Estate of James D. Wilkerson.

IN WITNESS WHEREOF I hereby set my hand and affixed my official seal on the day and year first above written.



Pamela R. Mengel
Notary Public for said State
Residing at: Cambridge, ID.
My Commission Expires: 9-15-2002

CORRECTED PERSONAL REPRESENTATIVE'S DEED

FOR VALUE RECEIVED, in accordance with the laws of the State of Idaho, C. RUSSELL WILKERSON, Personal Representative of the Estate of James Donald Wilkerson, Deceased, whose Letters Testamentary as such Personal Representative were issued on the 22nd day of July, 1996, under Washington County Case No. SP 96-01000, In re: The Matter of the Estate of James D. Wilkerson. This deed is intended to correct instrument # 171785 recorded in the County of Washington on February 3, 1998 at 9:35 a.m. C. Russell Wilkerson, as Grantor, does hereby grant, bargain, sell and convey unto GORDON WILKERSON, Grantee, the following described real estate situated in the County of Washington, State of Idaho, to wit:

193 acres of land in the County of Washington, Idaho, as follows:

The North Half of the Northwest Quarter of Section Ten (10), in Township Fourteen (14) North Range Two (2) West of the Boise Meridian, SAVE and EXCEPTING AND RESERVING THEREFROM the following described tract of land: Beginning at the Southeast corner of the Northeast Quarter of the Northwest Quarter of Section Ten (10), Township Fourteen (14) North Range Two (2) West of the Boise Meridian, and running thence West a distance of 420 feet, thence North a distance of 726 feet, thence east a distance of 480 feet; thence South a distance of 726 feet to the point and place of beginning.

SE Quarter of the NW Quarter and East Half of the SW Quarter of Section Ten (10), in Township Fourteen (14) North Range Two (2) West of the Boise Meridian, Washington County, Idaho.

And

80 acres of land in the County of Washington, Idaho, as follows:
South Half of the SW Quarter of Section Three (3), in Township Fourteen (14) North Range Two (2) West of the Boise Meridian, Washington County, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights, tenements and hereditaments, appurtenances and fixtures, and permits and licenses belonging thereto or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said

Grantees, their heirs and assigns forever; and the said Grantor does hereby covenant to and with the said Grantees that the Estate of James Donald Wilkerson, Deceased, is the owner in fee simple of said premises, and that said premises are free from all encumbrances, and that C. Russell Wilkerson as Personal Representative of the Estate of James D. Wilkerson, Deceased, will WARRANT and DEFEND the same from all lawful claims whatsoever.

DATED this 28th day of February, 1998.

C. Russell Wilkerson

C. RUSSELL WILKERSON
Personal Representative of the
Estate of James Donald Wilkerson

After Recording, Return to:
Walker Law Office
P.O. Box 828
Weiser, ID 83672

INSTRUMENT NO. 172184
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of
WALKER LAW OFFICE
41 Min. past FIFTEEN o'clock P. M.
This 12TH day of MARCH 19 98
Index to: DEEDS
SHARON WIDNER, Recorder Fee: \$6.00
By Larry Dorsett Deputy
WALKER LAW OFFICE

Cmp. Index
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Bk. Rel.
Up-date
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STATE OF IDAHO)

:ss

County of Washington)

On this the 6th day of March, 1998, before me a Notary Public in and for said State, personally appeared C. Russell Wilkerson, Personal Representative of the Estate of James D. Wilkerson, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same for and in behalf of the Estate of James D. Wilkerson.

IN WITNESS WHEREOF I hereby set my hand and affixed my official seal on the day and year first above written.



John G. Henenway
Notary Public for said State
Residing at: Cambridge, Idaho
My Commission Expires: 9-15-2002
11-15-99