

MEMORANDUM

DATE: July 3, 2006
FROM: KARI LYNN TOWNSEND
TO: FILE 96-8154
RE: Change of Ownership

=====

The ownership change request from Cabrera for 96-8154 needs to have the legal description issue resolved.

A previous o/c from Williams (seller to Cabrera) for this right was received but NOT processed (fee was paid but not refunded).

Correspondence from Diane Williams to Laura Cabrera dated 6-12-06 indicates a possible error in the legal description at the time of permitting that apparently still exists.

Kari Lynn ..

Here is the assignment of permit,
as well as a copy of a letter
from the previous owner - what
she's saying makes sense.

Any questions -

310-384-2847 (cell)

Will be up in Sandpoint
from now → July 14th

Thanks,

Laura Cabrera

RECEIVED

JUN 30 2006

DEPARTMENT OF
WATER RESOURCES



Diane M. Williams
Executive Director

101 N. Fourth Ave., Ste 105
Sandpoint, ID 83864
e-mail: tristatecouncil@sandpoint.net
dianetristatecouncil@sandpoint.net

www.tristatecouncil.org
Phone: (208) 265-9092
Fax: (208) 265-0754

June 12, 2006

Ms. Laura Cabrera
12524 Culver Blvd. #4
Los Angeles, CA 90066

Dear Laura,

Enclosed is the signed and notarized "Assignment of Permit" for the irrigation and power water right (Permit No. 96-9192) on the secondary acreage at Whitetail Drive in Sandpoint. We didn't know we had to "assign" the permit, as I thought it was attached to the property and would just be changed over when you filed for the name change – sorry about that!

As to the water right for the well on the house acreage, I pulled my records and it looks as though the original permit description is wrong. IDWR did not tell us that there was any discrepancy in the property description vs. the water right description when we filed to change the ownership into our name in September 2004.

There are only three water rights on the North Fork of Grouse Creek, and IDWR can verify these. The three are:

- Your well (domestic & irrigation) – groundwater permit no. 96-8154 – T59N, 1E, S17 – Lot 1, Block 2 of Grouse Valley Addition – February 2, 1983 issued to James/Karen Hendrixson (name change filed to Williams).
- Your adjoining acreage power & irrigation – surface water unnamed stream permit no. 96-9192 – T59N, 1E, S17 – Lot 2, Block 2 of Grouse Valley Addition – July 30, 2004 issued to Williams
- Domestic & irrigation – surface water unnamed stream permit no. 96-8558 – T59N, 1E, S17 – Lot 4, Block 2 of Grouse Valley Addition – May 31, 1989 issued to Mickey/Kathryn Redman (this is your neighbor Walt Sullivan's property—he also owns Lot 3)

[Block 1 lots are all across the creek from you.]

I am enclosing copies of all of the paperwork I have on the above, as well as an enlarged and notated section map. If you look at the section map, you can see that all three of these water rights are in the northeast part of the southwest quarter. Since IDWR has you point on a map when you file your rights, the original filer (Hendrixson) must have inaccurately marked the area just north for the well permit.

In any event, if IDWR would record the exact legal description as set forth on the warranty deed that includes the block and lot numbers of Grouse Valley Addition, there would be no confusion! Perhaps they can pull a copy of Hendrixson's original application that would hopefully have a copy of the warranty deed attached so they can see that this is the same piece of property and not a different water right.

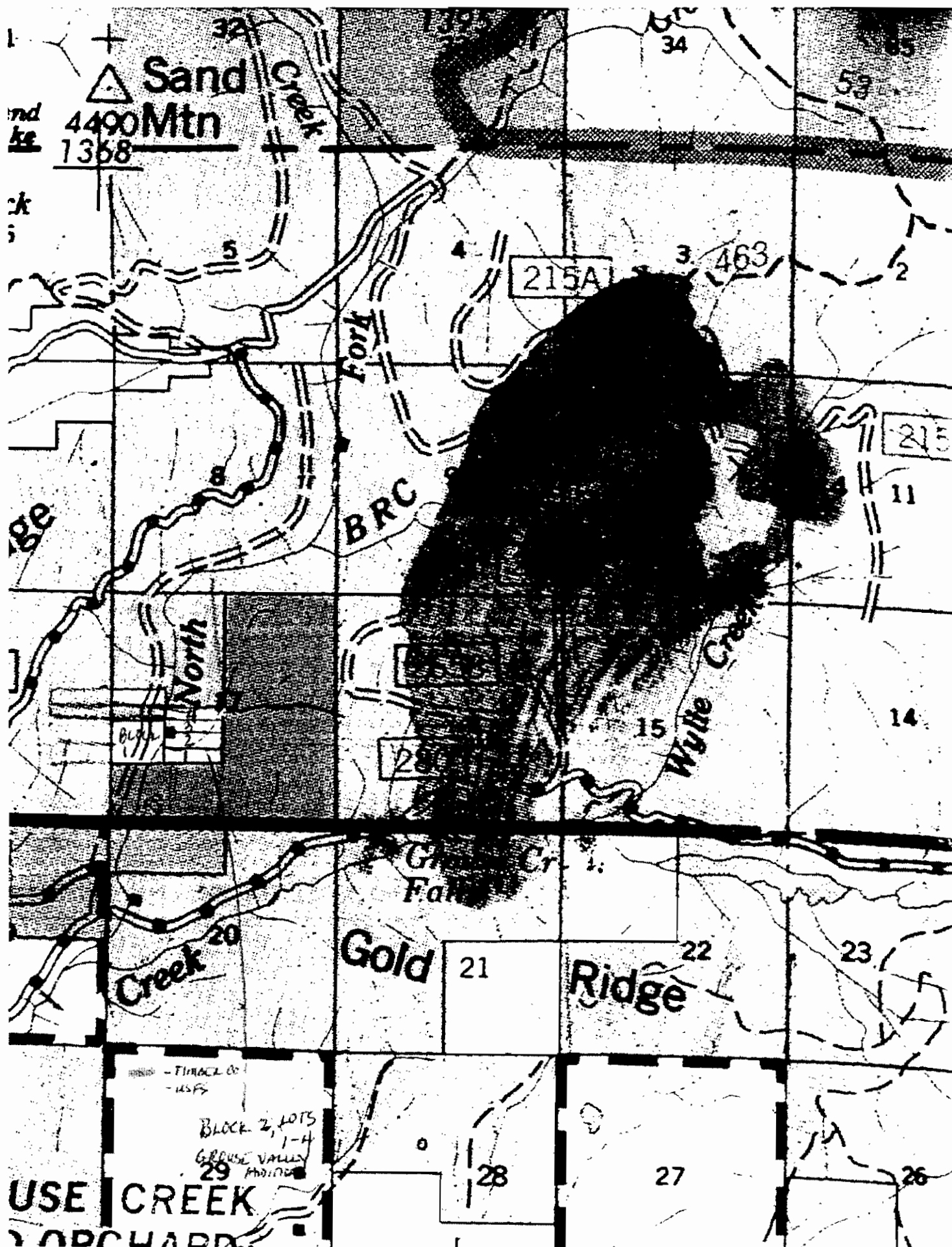
Hope the above info is helpful, please let me know if you need any additional legal or other paperwork. Jim Hendrixson was still around the area a few years ago, but I don't know if that's still the case. He could probably be tracked down if needed to verify the intended location for the original filing of the well permit.

Sincerely,



Diane Williams

Encls.



Townsend, KariLynn

To: kewliz@yahoo.com
Subject: RE: Laura Cabrera - 96-8154

Hi Laura . . .

Yes, I got your e-mail. However nothing you sent provides proof of ownership for the land described on water right 96-8154.

The land described on the Warranty Deed is in T 59 N, R 1 E, S 17, North 1/2 of the SW quarter. The land described on the water right is in T 59 N, R 1 E, S 17, SENW. That means south part of the NW quarter.

They simply do not match and without a matching legal description I can't process your change of ownership request for this water right. You might want to contact your realtor or title company for assistance on this.

I'm sorry that I don't have better news to share with you.

Kari Lynn T.
6-6-06

-----Original Message-----
From: Laura C. [mailto:kewliz@yahoo.com]
Sent: Monday, June 05, 2006 8:15 PM
To: Townsend, KariLynn
Subject: Laura Cabrera - 96-8154

Karilynn -

Here are the documents we received from the seller that shows the water rights in their name. There are 4 files in total.

Please let me know that you received them ok.
You can reach me via this email, or 310-384-2847.

Thank you,
Laura Cabrera

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

NOTE: o/c for Williams was never
processed. Fee paid @ Northern