

No Color
Documents
In File

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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.

RECEIVED
FEB 02 2001
IDWR/North

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, 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
<u>84-04060</u>	<u>39576</u>	<u>P.D. 12-29-00</u>			
<u>84-04046</u>	<u>39576</u>	<u>✓</u>			

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) are 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) Albert & Elsie D. Wolverton
4757, 106th. Orofino, ID. 83544
4. New Owner/Claimant(s) Duane D. Wolverton
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 10720 Highway 12
- City, State and ZIP Code Orofino, ID. 83544
- New Telephone Number (208) 476-3917
5. Date you acquired the property Dec. 12, 2000

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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)

Duane Wolverton

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 DB

Date

2/2/01

Fee

\$25.00

x2=total

of \$50.00

Received by DB

Date

2/2/01

Receipt No.

10014124

Processed by _____

AJ

Date

WR

Date

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185636

74	ACCEPTANCE	M
	INDEXED	M
	FILMED	II
	DELIVERED	(1)
	MAILED	(1)

WARRANTY DEED

FOR VALUE RECEIVED, Albert Wolverton and Elsie Wolverton, Co-Trustees of the Albert and Elsie Wolverton Trust under trust agreement dated June 12, 1990, the Grantors, do hereby grant, bargain, sell and convey unto, Duane D. Wolverton, a married man dealing with his sole and separate property, whose address is 10720 Highway 12, Orofino Idaho 83544, the Grantee, real property located in Clearwater County, Idaho, and more particularly described on Exhibit A attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the premises, with their appurtenances, unto the Grantee, his heirs and assigns forever. Grantors do hereby covenant to and with the Grantee that they are the owners in fee simple of the above-described premises; that it is free from all encumbrances except taxes for the current year; and that they will warrant and defend the same from all lawful claims whatsoever.

Filed and recorded at the request of Christopher Moore
 at 1138 o'clock A M, this 12th day of December, 2000.
Robin Christensen By: Cindy Downing
 Ex-Officio Auditor-Recorder
 Clearwater County, Idaho
 12.00

Return:

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WARRANTY DEED - 1
 cjm/wolverton_a/w_deed.doc

Creason, Moore, Dokken & McIntosh, P.L.L.C.
 1219 Idaho Street, P.O. Drawer 835
 Lewiston ID 83501

DATED: December 4, 2000.

GRANTORS

Albert Wolverton
Albert Wolverton, Co-Trustee

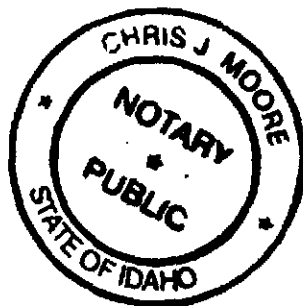
Elsie Wolverton
Elsie Wolverton, Co-Trustee

STATE OF IDAHO)
 : ss.
County of Nez Perce)

On this 4 day of December, 2000, before me, the undersigned, a notary public in and for said state, personally appeared Albert Wolverton and Elsie Wolverton, Co-Trustees of the Albert and Elsie Wolverton Trust under trust agreement dated June 12, 1990, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity as Co-Trustees of the afore-described trust.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)



Chris Moore
Notary Public in and for said State,
residing at or employed in Lewiston.
Commission Expires: 11-24-2001

EXHIBIT A

Real property located in Clearwater County, Idaho, and more particularly described as follows:

Parcel 1

A portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Township 37 North, Range 2 E.B.M., described as:

Beginning at a point 660 feet East of the center of said Section 23; thence South 170 feet to the right of way line of the County Road; thence Northeasterly along the right of way line of the County Road approximately 390 feet to the intersection of said right of way with the North line of the SE $\frac{1}{4}$ of said Section 23; thence West 330 feet to the point of beginning. Containing approximately one acre more or less.

Parcel 2

Situated in Section 23, Township 37 North, Range 2 East of the Boise Meridian:

The SW $\frac{1}{4}$ NE $\frac{1}{4}$;

The SE $\frac{1}{4}$ NW $\frac{1}{4}$;

The following portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$:

Starting at the NW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23, T. 37 N., R. 2 E., B.M.; thence running South 462 feet; thence East 660 feet; thence North 462 feet; thence West 660 feet to the point of beginning;

The NE $\frac{1}{4}$ SW $\frac{1}{4}$, LESS two tracts described as follows:

Beginning at a point 625 feet North and 835 feet East of the SW corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, thence North 500 feet, more or less, to the southerly right-of-way line of the county road; thence Southwesterly along said right-of-way line to a point due West of the point of beginning; thence East 700 feet, more or less, to the point of beginning;

and

EXHIBIT A - 1

cpm/wolverton_a/legal_descrpt.doc

Creason, Moore, Dokken & McIntosh, P.L.L.C.
P.O. Drawer 835, Lewiston ID 83501
(208)743-1516; Fax(208)746-2231

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11/13/2003

Beginning at the SW corner of the said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 625 feet; thence East 835 feet; thence South 625 feet; thence West 835 feet to the point of beginning.

Parcel 3

A parcel of land situated in the Northwest Quarter of the Southeast Quarter of Section 23, Township 37 North, Range 2 East, Boise Meridian, Clearwater County, State of Idaho, lying North of the following described line:

Commencing at an iron pin marking the South Quarter Corner of said Section 23, from which an aluminum monument marking the Southwest Corner of said Section 23 bears South 89°41'48" West a distance of 2681.72 feet; thence North 00°01'29" West a distance of 1312.92 feet along the North-South center section line of said Section 23; thence continuing along said North-South center section line, North 00°01'29" West a distance of 415.03 feet to a 5/8 inch by 30 inch rebar; thence North 00°01'29" West a distance of 328.30 feet to a 5/8 inch by 30 inch rebar and the POINT OF BEGINNING; thence leaving said north-south center section line South 88°45'29" East a distance of 655.62 feet to a 5/8 inch by 30 inch rebar on the East boundary of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of said Section 23; thence along the East boundary of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of said Section 23, North 00°09'13" East a distance of 122.92 feet to a 5/8 inch by 30 inch rebar; thence leaving the East boundary of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of said Section 23, South 89°54'08" West a distance of 655.85 feet to a 5/8 inch by 30 inch rebar on the North-South center section line; thence along said North-South center section line, South 00°01'29" East a distance of 107.59 feet to a 5/8 inch by 30 inch rebar to the REAL POINT OF BEGINNING.

Containing 1.74 acres more or less.

SUBJECT TO any existing easements recorded, unrecorded, written or unwritten.

SUBJECT TO that certain Quitclaim Deed granting an easement dated July 7, 1999, wherein Albert Wolverton and Elsie Wolverton Trust, husband and wife, are Grantor, and Monte A. Crawford and Loyce L. Crawford, husband and wife, are Grantee, recorded July 19, 1999, as Instrument No. 181841, records of Clearwater County, Idaho.

SUBJECT TO all rights of the public in any and to any public roads.

EXHIBIT A - 2

cjm/wolverton_a/legal descript.doc

Creason, Moore, Dokken & McIntosh, P.L.L.C.
P.O. Drawer 835, Lewiston ID 83501
(208)743-1516; Fax(208)746-2231

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 84-04046
)

NAME AND ADDRESS: ALBERT WOLVERTON
ELSIE D WOLVERTON
4757 106TH
OROFINO, ID 83544

SOURCE: SPRING TRIBUTARY: WHISKEY CREEK

QUANTITY: 0.05 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/29/1937

POINT OF DIVERSION: T37N R02E S23 NWNWE Within Clearwater County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.03 CFS
	Domestic 1 HOME	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater		Within Clearwater County
	T37N R02E S23	NWSE	
	Domestic		Within Clearwater County
	T37N R02E S23	NWSE	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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AUG 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 3, 2003

DUANE D WOLVERTON
10720 HWY 12
OROFINO ID 83544

RE: Change of Ownership for Water Rights 84-4046 and 84-4060

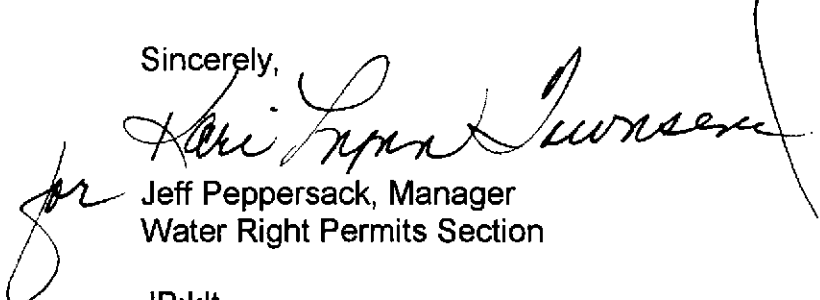
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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