

CONVERSATION MEMORANDUM

Date: 7-14-05

To: File 65-4745
Danni Smith

Cc: Kari Lynn Townsend
Kandice McDermott
Tom Richards

from Craig Dutton

I received a call from Tom Richards regarding the status of change of ownership on 65-4745. He had received a letter from Kandice McDermott sent to him on July 11, 2005. He tried to contact several IDWR employees without luck. I spoke with Tom Richards regarding his concerns and said I would look into it.

I spoke with Kari Lynn Townsend and got the file and reviewed the change of ownership submitted.

Claim 65-04745 was partially decreed by the SRBA court on 9-4-1998 in the name of George and Vivian Beutler. The property previously owned by the Beutler's is now owned by Tom Richards. My review confirmed Kandice McDermott's finding that despite that the deed submitted by Mr. Richards does show conveyance of property from Beutler to Mr. Richards, the property described in the deed does not match the place of use described under right 65-04745.

Per my conversation with Mr. Richards and review of the documentation in file 65-04745, it appears that 65-04745 was partially decreed in the wrong legal description. In order to fix this error, Mr. Richards will need to take one of the two options defined in the July 11, 2005 letter sent by Kandice McDermott.

Note: The Decreed POU and POD for 65-04745 is located in the SWNW of section 25. Since the property owned by Mr. Richards covers the NWSW and SWSW of Section 25, there is still question in my mind of what the actual legal description of the Place of use and Point of diversion should be. This will have to be defined by Mr. Richards when he speaks with the court and hopefully, the attached map will help him make that decision.

I spoke with Mr. Richards at approximately 5:00 pm and informed him that he would need to contact Danni Smith as stated in the July 11, 2005 letter to find out what would be the next steps to take. He plans to do so.

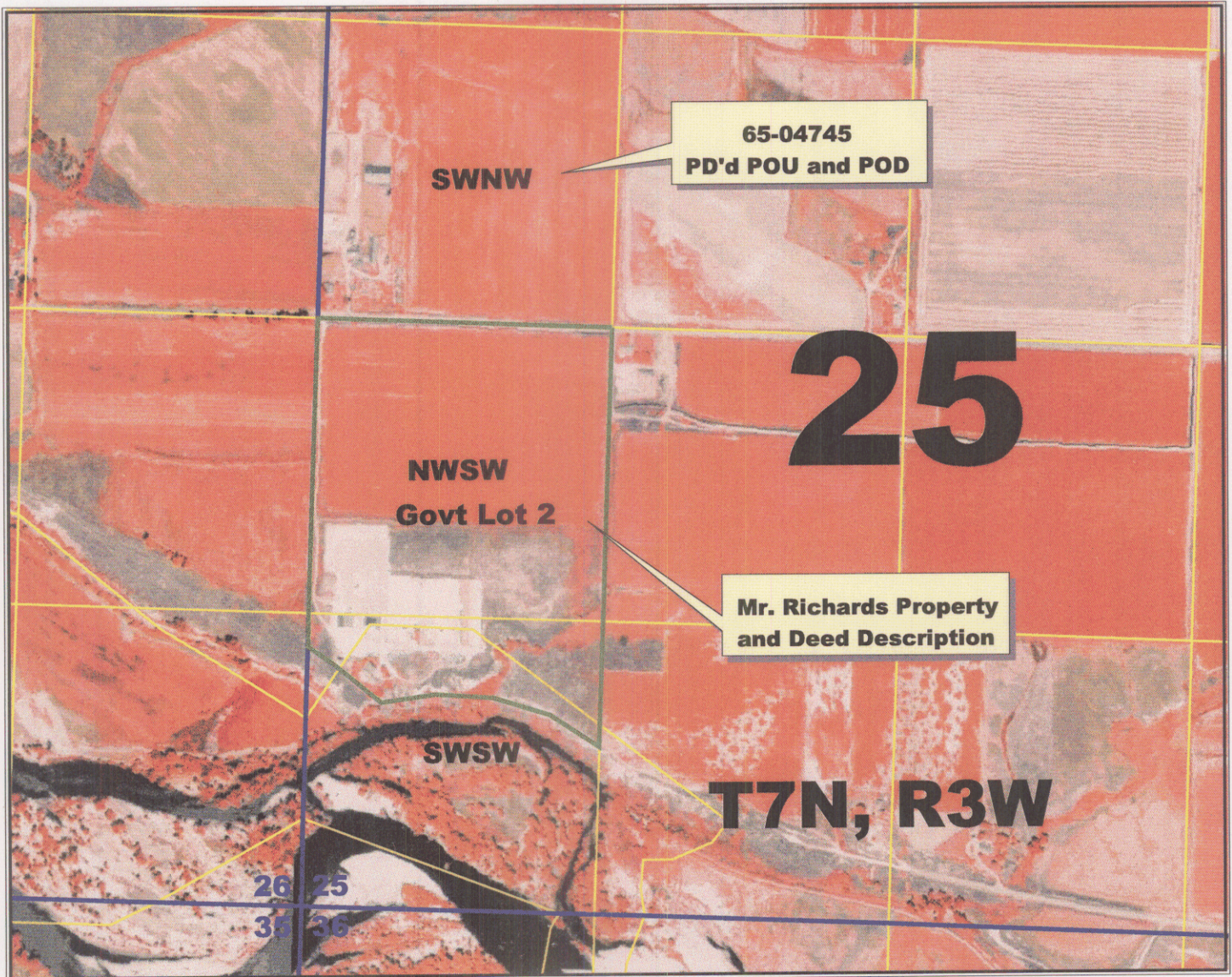
At this time, I am sending Mr. Richards a copy of this memo for his records as well as an ArcView map as a visual interpretation of what appears to be the situation.



State of Idaho

Location Map Claim 65-04745

The legal description in the deed supplied by Mr. Richards,
and Gem county Tax lot data differ from the POD and POU
Location under Partial Decree 65-04745



1320 0 1320 Feet

⊙ Claimed Point of Diversion

Richards Property Bndy

Tax Lot Data - N/A

Quarter Quarter Lines

Section Lines

Claimed Irrigated Acres: N/A
Initial Acres Found: N/A



Prepared By: Craig L. Saxton
Date: July 2005