



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

January 4, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

HENRY L FELTS
CHARLOTTE L FELTS
1470 SUNSET RD
ATHOL ID 83801

RE: Change of Ownership for Water Right 96-2159

Dear Mr. & Mrs. Felts:

Our letter of December 6, 2004 (copy enclosed) requesting the required support data for the above referenced ownership change remains unanswered. Therefore, I am returning the ownership change request. A copy of your ownership change information will be kept in our files for reference.

If, at a later date, you wish to reinstate this request you may send the enclosed ownership change request form along with the required support data we will be happy to complete the request for you.

If you have any questions regarding this matter, please contact Kari Lynn Townsend at 208-287-4952.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kandice L. McDermott', written over a horizontal line.

Kandice L. McDermott
Records Analyst

/klm
enclosure

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

RECEIVED
JUN 10 2002
 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, 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
19636(96-2159)					

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)

Ben Ewen
Careywood, Idaho

4. New Owner/Claimant(s)

Henry L. or Charlotte L. Felts
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1470 Sunset Road

City, State and ZIP Code

Athol, Idaho 83801

New Telephone Number

(208) 683-2741

5. Date you acquired the property

June 8, 1976

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)

Henry L. Felts, owner
Charlotte L. Felts, owner

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 125
 Received by dp Date 6/4/02 Receipt No. N015048
 Processed by _____ AJ Date _____ WR _____ Date _____

To Whom It May Concern:

Enclosed is a copy of the original water right held by Ben Ewen since 1949. This water right was passed to Luther A. Felts upon licensing, since Luther A. Felts purchased the property in 1949.

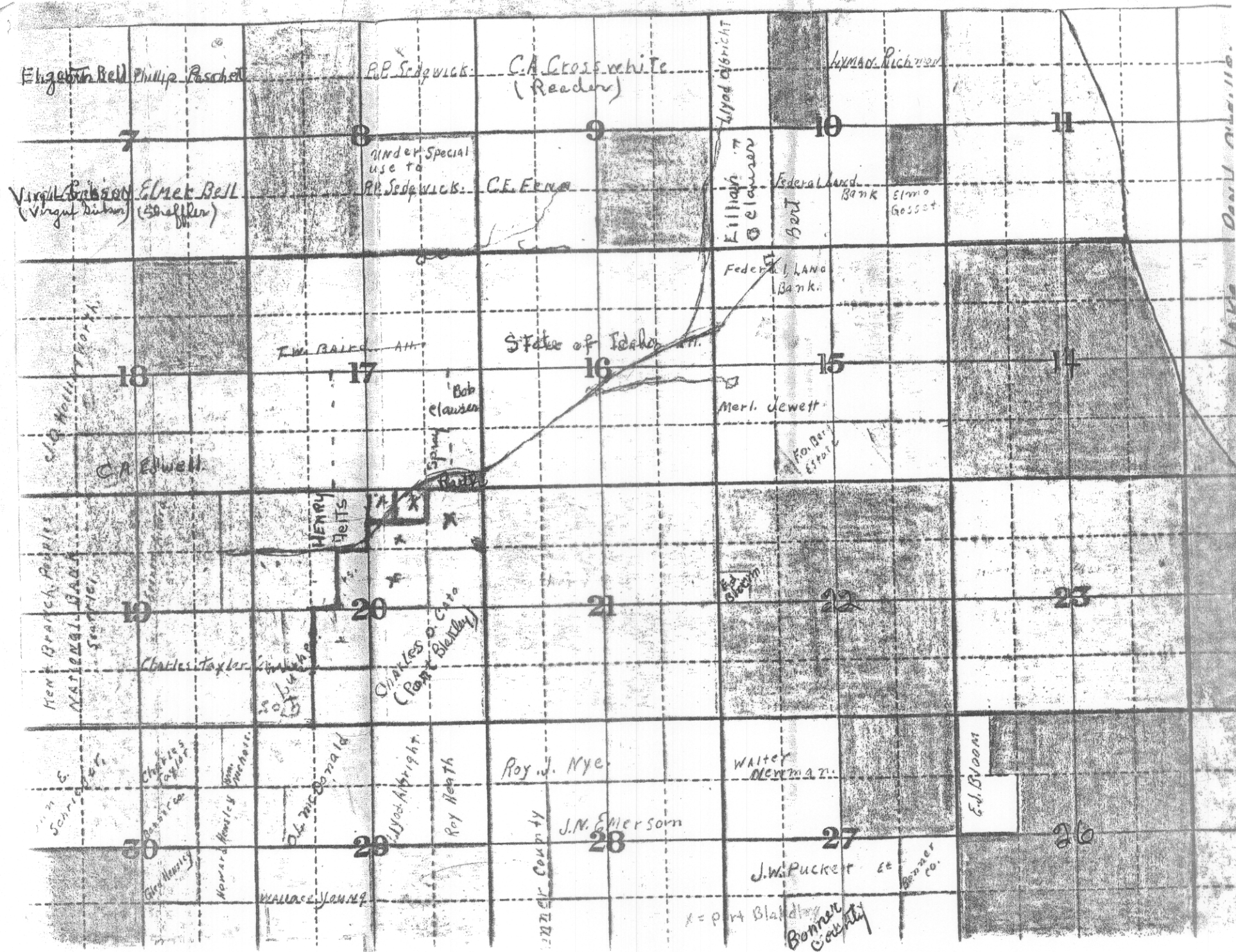
The same water right was passed, with no splits, to Henry L. Felts in May of 1976, upon Henry L. Felts' purchase of 20 acres of the original property. A description of the present property owned by Henry L. and Charlotte L. Felts is enclosed.

Upon the original licensing of the water right by Ben Ewen, a dam on the creek was established and water piped to the home for domestic and irrigation purposes.

Luther A. Felts used both domestic and irrigation from the creek continuously until he gave the water right papers to me, Henry L. Felts in 1976.

At the time of the original license in 1949, the creek was unnamed, but since that time, the creek has been named Careywood Creek by the Forest Service.

A plat map is enclosed showing the exact location of the use point, which is the property of Henry L. Felts.



Copy of original

CORRECTION WARRANTY DEED

176850

KNOW ALL MEN BY THESE PRESENTS:

That LUTHER A. FELTS and AUGUSTA M. FELTS, husband and wife, in consideration of Love and Affection, do hereby grant, bargain and convey unto HENRY L. FELTS and CHARLOTTE L. FELTS, husband and wife, of Route 1, Box 34G, Athol, Idaho 83801, the following property in Bonner County, State of Idaho, to-wit:

West Half of Northeast Quarter of North-west Quarter of Section 20, Township 54 North, Range 2 West, Boise Meridian, Bonner County, Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

AND the above named grantors hereby covenant that the above described premises are free from all encumbrances and that they will and their heirs, executors and administrators shall warrant and defend the above premises against all lawful claims and demands, except:

SUBJECT to existing easements and rights of way and taxes for the year 1976.

This instrument is a Correction Warranty Deed and corrects the description set forth in that Warranty Deed between these parties dated 8 June 1976 and recorded on 8 June 1976 in Book 159 of Deeds at Page 378, Document No. 175735 in records of Bonner County, Idaho, and which description was in error.

SIGNED this 12th day of July, 1976.

Luther A. Felts

Augusta M. Felts

Grantors

Henry L. Felts

Charlotte L. Felts

Grantees

FILED FOR RECORD July 14, 1976 AT 4:55 P.M. REQUEST BY HENRY L. FELTS, BONNER COUNTY RECORDER BOOK NO. 159 PAGE 378
By Betty O'Donnell, Deputy

Copy of original

96-2159

State of Idaho

License and Certificate of Water Right

Water License No. 19636 Priority May 2, 1945 Amount 0.5 second foot

THIS IS TO CERTIFY that BEN EWEN

of Careywood, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 2, 1945; that Permit No. 19636 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.5 second feet, was issued thereunder on April 23, 1947, showing that said works were completed on the 15th day of April, 1947; and that on the 22nd day of May, 1948

BEN EWEN

of Careywood, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of an unnamed stream, a tributary of - for the purpose of domestic and irrigation uses, under Use Permit No. 19636 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses, at page 4488, on the 12th day of May, 1949;

The right hereby confirmed dates from May 2, 1945;

The Point of Diversion is located 2640 ft. distant from NW corner Section 20, and in the NE ¼ NW ¼, Sec. 20, Tp. 54 N., R. 2 W., B. M. Bonner County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
54 N.	2 W.	20	NW $\frac{1}{4}$ NW $\frac{1}{4}$	2	2
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	5	5
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	3	3
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	3	3
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	10	10
			Number of Acres Actually Irrigated		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 12th day of May, 1949

Mark R. Kulp

State Reclamation Engineer.

0.5 sec ft = about 225 gals per minute