

RECEIVED

OCT 27 1997

MEMORANDUM

Department of Water Resources

TO: FILES 78-07301 AND A78-10329

FROM: STEVE LESTER 

DATE: OCTOBER 23, 1997

RE: CHANGE OF OWNERSHIP & LICENSE RECOMMENDATION

Mr. Townsend filed a change in ownership today for above filings. No other rights or claims apply to this property. The change for domestic claim A78-10329 can be completed without delay.

However, 78-07301 remains a permit. The field exam was forwarded to S.O. in 1996 and licensing is in process. Once the license is issued, the ownership change can be completed for this right. Mr. Townsend said that the previous owner is traveling around the country and would be too hard to locate to complete an assignment of permit. The proposed ownership change for this right can be handled after the license is completed. SRBA does not apply to the permit.

He now lives in Oregon but expects to move to the Idaho site soon. He will submit a change in address once the move is made.

He submitted 1997 survey data to correctly identify the parcel size. I recall from the 1992 field exam and assessor's office data that the lot size was identified as 2.11 acres with about 80% being irrigated in 78-07301. The new survey data offers a chance to revise the license recommendation to improve the accuracy. The license recommendation should be revised as follows (only the changes are listed here):

Total parcel is 1.5 acres, estimated that 80% is irrigated.

$1.5 \times .8 = 1.2$ acres irrigated (previously 1.7 acres shown).

$1.2 \text{ acres} \times 3 \text{ afa/acre} = 3.6 \text{ afa irrig.}$ (previously 5.1 afa).

Total volume = $3.6 + .6 = 4.2 \text{ afa}$ (previously 5.7 afa).

c: S.O. & Region File 78-07301

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 78-07301
Adjudication Claim No(s).: A78-10329

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant David H. Donald
HC 75 Box 3581 New Meadows
TO 83654

4. New Owner/Claimant(s) Paul D. or Linda M. Townsend
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 32421 East Historic Columbia River Highway

City, State and ZIP Code Corbett OR. 97019

New Telephone Number (503) 695-2789

5. Date you acquired the property 7-30-97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate ~~11~~ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

SEE
ATTACHED

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Paul D. Townsend

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

394445

WARRANTY DEED

#12125-1
12/25/97
12/25/97
12/25/97
12/25/97

For Value Received, David H. Diamond, also known as David Harold Diamond and also known as D.H. Diamond, an unmarried man

the Grantors, do hereby grant, bargain, sell and convey unto

Paul Townsend and Linda Townsend, husband and wife

whose address is: 32421 E. Historic Columbia River Hwy, Corbett, Oregon 97019
the grantee, the following described premises, to-wit:

See attached Exhibit A

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 1997 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

July 30, 1997

David H. Diamond

P.D.T.

State of Idaho)

County of Valer)

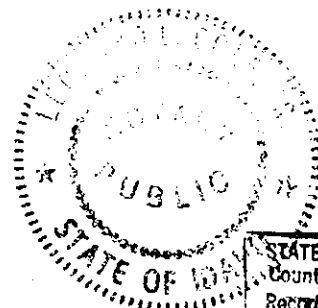
ss

On the 30 day of July, 1997 before me, Leonard L. Cole Jr. a notary public in and for said State, personally appeared David H. Diamond known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at: CASCADE

Commission Expires: 1-13-99



STATE OF IDAHO
County of Idaho
Recorded at request of
IDAHO COUNTY TITLE CO.
at 22 minutes past 3:00 o'clock P.M.
this 15 day of Aug, 1997
ROSE E. GEHRING
Recorder
Dena Stroup

EXHIBIT A

A parcel of land situate in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, T. 22 N., R. 1 E., B.M., Idaho County, Idaho, more particularly described as follows:

Commencing at brass cap marking the corner common to Sections 22, 23, 26 and 27, T. 22 N., R. 1 E., B.M., Idaho County, Idaho; thence, S. 00° 44' 06" E., 2,626.94 feet to a brass cap marking the 1/4 Corner common to said Sections 26 and 27; thence, N. 34° 15' 41" E., 1,690.45 feet to a $\frac{1}{2}$ " x 24" rebar on the west right-of-way of Elk Lake Road, the REAL POINT OF BEGINNING:

Thence, S. 28° 44' 00" W., 330.11 feet along said west right-of-way to a $\frac{5}{8}$ " x 30" rebar,
thence, 117.77 feet along a curve to the right whose delta angle is 53° 58' 52" and radius is 125.00 feet along said right-of-way to the center line of Elk Creek,
thence, northerly along said Elk Creek center line:
N. 37° 43' 39" E., 56.89 feet; N. 66° 37' 55" E., 32.40 feet; N. 23° 49' 39" E., 44.27 feet; N. 01° 26' 11" E., 40.74 feet; N. 20° 01' 39" W., 88.15 feet; N. 32° 18' 11" W., 36.47 feet; N. 26° 27' 03" E., 47.54 feet; N. 32° 26' 50" E., 19.84 feet; N. 01° 16' 47" E., 85.51 feet; N. 06° 21' 52" W., 63.99 feet; N. 29° 53' 33" E., 38.84 feet; N. 58° 54' 46" E., 35.41 feet; N. 24° 50' 34" E., 23.72 feet; N. 30° 50' 47" E., 22.10 feet; N. 08° 42' 00" W., 56.59 feet;
thence, S. 36° 08' 57" E., 53.00 feet to a $\frac{1}{2}$ " x 24" rebar,
thence, continuing S. 36° 08' 57" E., 208.86 feet to a $\frac{1}{2}$ " x 24" rebar on the westerly right-of-way of Elk Lake Road,
thence, S. 29° 04' 00" W., 51.14 feet to the Point of Beginning, containing 1.487 acres, more or less.

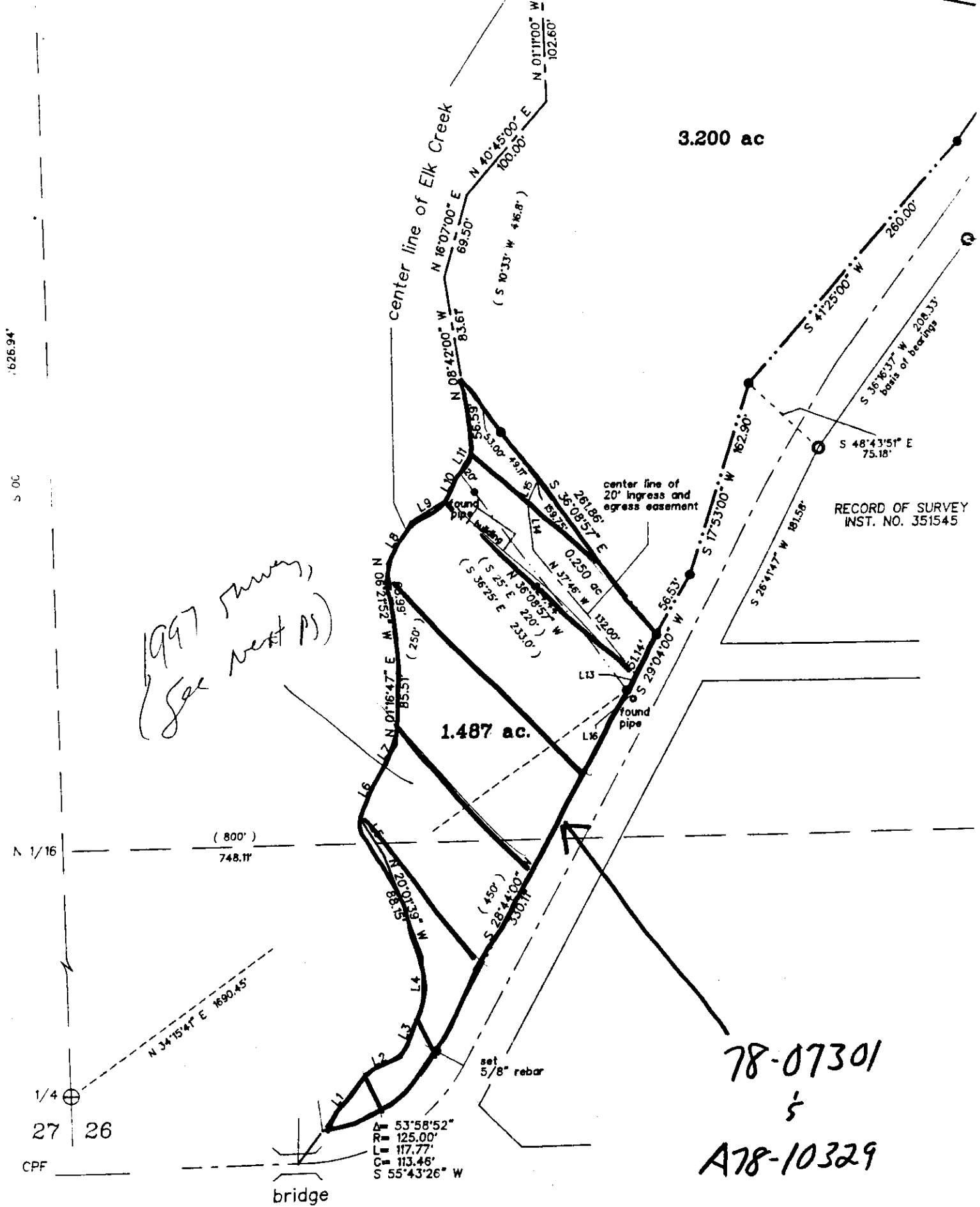
Subject to a 20.00 foot wide ingress and egress easement situate in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, T. 22 N., R. 1 E., B.M., Idaho County, Idaho, more particularly described as follows:

Commencing at brass cap marking the corner common to Sections 22, 23, 26 and 27, T. 22 N., R. 1 E., B.M., Idaho County, Idaho;

thence, S. 00° 44' 06" E., 2,626.94 feet to a brass cap marking the 1/4 Corner common to said Sections 26 and 27; thence, N. 34° 15' 41" E., 1,690.45 feet to a $\frac{1}{2}$ " x 24" rebar on the west right-of-way of Elk Lake Road; thence, N. 29° 04' 00" W., 14.67 feet along said west right-of-way to the REAL POINT OF BEGINNING:

Thence, N. 37° 46' 00" W., 132.00 feet,
thence, N. 06° 11' 00" W., 39.00 feet,
thence, N. 25° 40' 00" E., 19.69 feet to the northerly boundary of the above described parcel of land, the Point of Ending.

Bearings based on Record of Survey Inst. No. 351545.



STATE OF RECORDER

BOOK _____ PAGE _____
RECORDS OF SURVEY
INST. NO. _____

0 } SS
HO }

ST OF _____, THE
VEY WAS FILED FOR RECORD
OF THE RECORDER OF IDAHO
ON THE _____ DAY OF _____
M. AND L. Y. RECORDED IN
AS PAGE _____.

DER E _____ CIO RECORDER

I, Joel W. Droulard, a Professional Land Surveyor,
do hereby certify that this plat was prepared from
notes taken during an actual survey made under my
direct supervision in June and July of 1997, and that it
correctly represents the points, courses, and distances
as recorded in said field notes.



*CC from oversized
plat Mr. Townsend
showed me today.
-JL 10/23/97*



scale : 1 in = 100 ft

LEGEND

- 5/8" rebar found
- 1/2" rebar found