

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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 14 2005
DEPARTMENT OF
WATER RESOURCES

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 (under the "split" heading), 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
	82-7060				
82-4036					

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

- na* ☒ The appropriate **FILING FEE**. See instructions for fee amounts.
- ☒ 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**.
- ☒ 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) is 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) ORA M ROWLEY REEVES LOREN REEVES
1820 13th ST CLARKSTON, WA 99403
4. New Owner/Claimant(s) JEFFREY D. McCUSKER STACY McCUSKER
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address PO BOX 469
- City, State and ZIP Code ELK CITY, ID 83525
- New Telephone Number (208) 842-2239
5. Date you acquired the property APRIL 6, 2004

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)

Jeffrey D. Mccluskey
Steve Mccluskey

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	Date	Fee
Received by <i>Emily</i>	<i>2-14-05</i>	<i>25.00</i>
Received by <i>Emily</i>	<i>2-14-05</i>	Receipt No. <i>C076756</i>
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED

GRANTOR, ORA MAE ROWLEY, n/k/a ORA MAE ROWLEY REEVES, a married woman joined by her husband LOREN D. REEVES, of P.O. Box 142, Elk City, ID 83525, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to JEFFREY D. McCUSKER, a single man, of P. O. Box 469, Elk City, ID 83525, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2004, which are a lien, not yet due and payable.

2. Right of Way Easement, including the terms and conditions thereof, by and between C.F. SHAWLEY, single and EDWARD W. ROBERSON and VENETTA E. ROBERSON, husband and wife, recorded June 21, 1956, under Instrument No. 187777, Book 89 page 585, records of Idaho County, Idaho.

3. Mutual Access and Utility Easement, including the terms and conditions thereof, by and between DON G. WEST and ROSE MARY WEST, husband and wife and HARVEY D. BOESEN and EMMA MAE BOESEN, husband and wife, and JOHN HOWARD LITCHFIELD, husband of DELORIS M. LITCHFIELD, recorded June 2, 1970, under Instrument No. 237440, records of Idaho County, Idaho.

4. Right of Way Easement, including the terms and conditions thereof, by and between ELK CITY LAND CO., a partnership, DON G. WEST and HARVEY BOESEN, and THE WASHINGTON WATER POWER COMPANY, a corporation, recorded February 17, 1972, under Instrument No. 244129, records of Idaho County, Idaho.

5. Reservations in Warranty Deed, including the terms and conditions thereof, by and between C.F. SHAWLEY, a divorced man, Grantor and DON G. WEST, husband of ROSE MARY WEST, and HARVEY D. BOESEN, husband of EMMA MAE BOESEN, Grantees, recorded April 9, 1974, under Instrument No. 253485, records of Idaho County, Idaho.

6. Subject to reservations in Warranty Deed, including the terms and conditions thereof, by and between C.F. SHAWLEY, a divorce man, and DON G. WEST, husband of ROSE MARY WEST, and HARVEY D. BOESEN, husband of EMMA MAE BOESEN, recorded April 9, 1974, under Instrument No. 253486, records of Idaho County, Idaho.

1
2 7. Restrictions and Covenants, including the terms and conditions
3 as set forth in Warranty Deed, by and between DON G. WEST and ROSE
4 MARY WEST, husband and wife and HARVEY BOESEN and EMMA MAE BOESEN,
5 husband and wife, recorded April 9, 1974, under Instrument No.
6 253492, records of Idaho County, Idaho.

7
8 8. Restrictions and Covenants, including the terms and conditions
9 as set forth in Warranty Deed, by and between DON G. WEST and ROSE
10 MARY WEST, husband and wife and HARVEY BOESEN and EMMA MAE BOESEN,
11 husband and wife, recorded April 17, 1979, under Instrument No.
12 278488, records of Idaho County, Idaho.

13
14 9. Restrictions and Covenants, including the terms and conditions
15 as set forth in Warranty Deed, by and between DON G. WEST, and ROSE
16 MARY WEST, husband and wife and HARVEY BOESEN and EMMA MAE BOESEN,
17 husband and wife, dba ELK CITY LAND CO., a joint venture, Grantors
18 and ORA M. ROWLEY, a divorced woman, Grantee, recorded April 17,
19 1979, under Instrument No. 278489, records of Idaho County, Idaho.

20
21 10. Right of Way Easement, including the terms and conditions
22 thereof, by and between ORA M. ROWLEY and THE WASHINGTON WATER POWER
23 COMPANY, a corporation, recorded April 3, 1980, under Instrument No.
24 284412, records of Idaho County, Idaho.

25
26 11. Community Property Agreement, including the terms and
27 conditions thereof, by and between LOREN D. REEVES and ORA MAE
28 ROWLEY REEVES, husband and wife, recorded April 21, 1994, under
Instrument No. 373834, records of Idaho County, Idaho.

12 The effect, if any, of Assertion of Right of Way, including the
13 terms and conditions thereof, recorded December 19, 1994, under
14 Instrument No. 377870, records of Idaho County, Idaho.

15
16 13. Any adverse claims based on the assertion that the location of
17 the American River has moved subsequent to its adoption as a title
18 boundary.

19
20 14. Rights and easements in favor of the public for recreational
21 uses of the American River.

22 TO HAVE AND TO HOLD the said premises, with their appurtenances,
23 unto the said Grantees, their heirs and assigns forever. And the said
24 Grantors do hereby covenant to and with the said Grantees that they are
25 the owners in fee simple of said premises; that they are free from all
26 encumbrances, and that they will warrant and defend the same from all
27 lawful claims whatsoever, except general taxes for the year 2004, and
28 easements, reservations, restrictions and rights-of-way of record or in
use.

1 Except as otherwise expressly provided in this instrument, GRANTORS,
2 hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in
3 the event GRANTORS shall have permitted or suffered at any time prior to
4 the making of this instrument, any person or entity to possess, use or
5 occupy the above-described premises, or any portion thereof, for any
6 purpose, with or without the knowledge of GRANTORS, it was not the intent
7 of GRANTORS, by permitting or suffering such possession, use or
8 occupation, to thereby define property boundaries or ownership thereof.

9 In construing this deed, and where the context so requires, the
10 singular includes the plural and the masculine, the feminine and the
11 neuter.

12 IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to
13 this instrument this 7th day of April 2004.

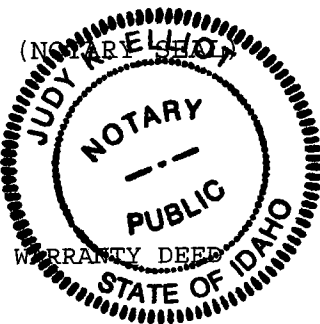
14 *Ora Mae Rowley Reeves*
15 ORA MAE ROWLEY REEVES

16 *Loren D. Reeves*
17 LOREN D. REEVES

18 STATE OF IDAHO)
19 ss.
20 County of Idaho)

21 On this 7th day of April 2004, before me,
22 Judy K Elliot, a Notary for the said County and State,
23 personally appeared ORA MAE ROWLEY REEVES and LOREN D. REEVES, husband
24 and wife, known or identified to me to be the persons whose names are
25 subscribed to the within instrument, and they acknowledged to me that
26 they freely executed the same and that the statements therein contained
27 are true.

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



29 *Judy K Elliot*
30 Notary Public for State of Idaho.
31 Residing at Grangeville, therein.
32 My commission expires on 3-26, 2010.

EXHIBIT A

STATE of IDAHO	
County of Idaho	
Recorded at request of <u>IDAHO COUNTY TITLE CO</u>	
at <u>11:55 A.M.</u>	on <u>4-16-04</u>
ROSE E. GEHRING	
By <u>DAVE G. DIBNA</u>	Recorder
Fees \$ <u>12.00</u>	Deputy

m/pu

PARCEL I:

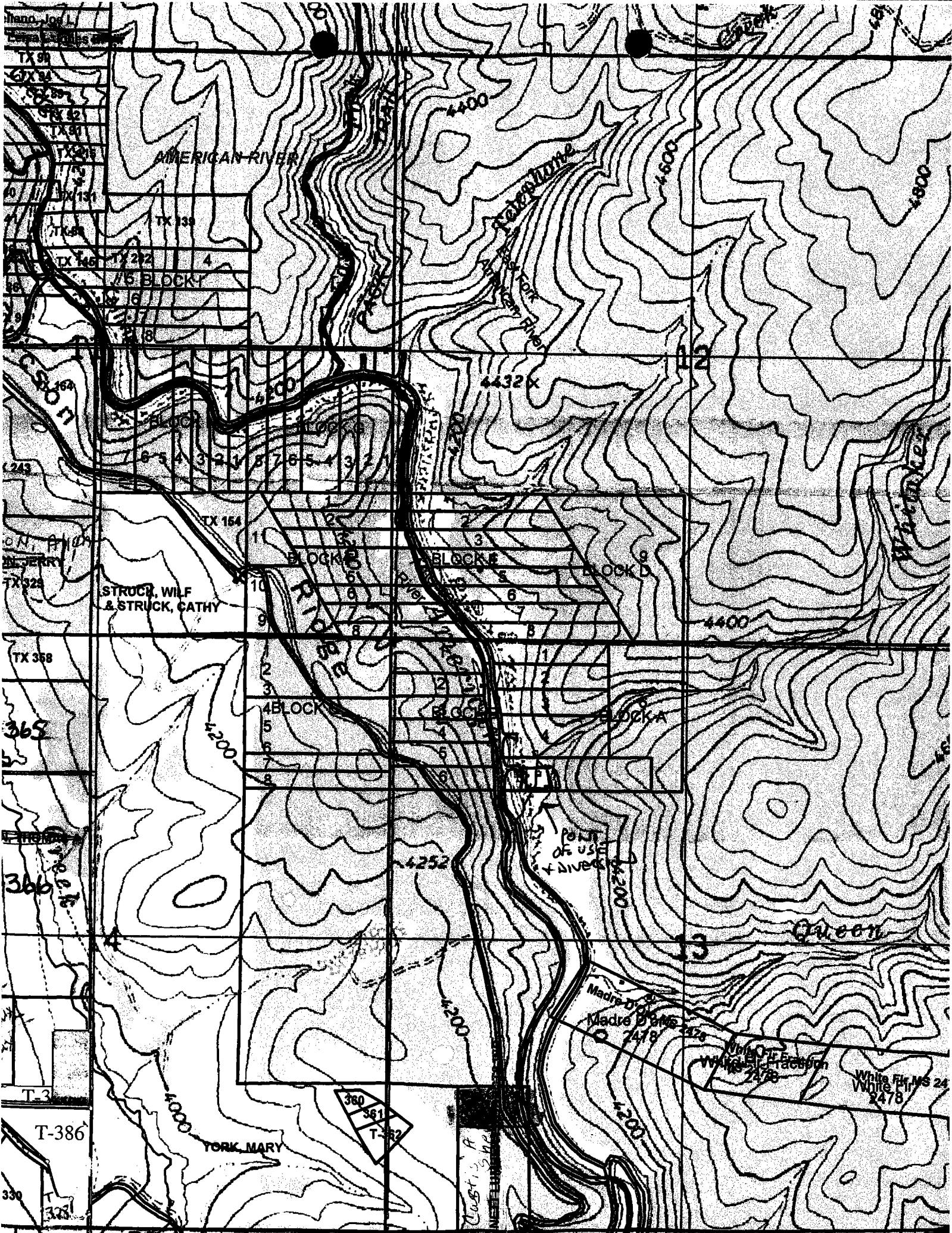
Township 29 North, Range 8 East, Boise Meridian, Idaho County, Idaho
Section 13: A parcel of land in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the section corner common to Sections 11, 12, 13 and 14, which is a limestone set 9" in the ground;
thence N 89°59' E, along the section line, 1320.33 feet to the 1/16 corner according to the original survey;
thence S 00°01' E along the 1/16 line, 1070.00 feet to a point which is the Real Point of Beginning;
thence S 00°01' E, 250.00 feet to the Southeast corner of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 13;
thence S 89°59' W along the 1/16 line, 293.00 feet to a point in the center of American River;
thence Northwesterly along the center of American River, 259.0 feet more or less to a point;
thence N 89°59' E, 341.00 feet to the real point of beginning.
Sometimes known as Assessor's Tax No. 82A.

AND:

A parcel of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 13, more particularly described as follows:

Beginning at the section corner common to Sections 11, 12, 13 and 14, which is a limestone set 9" in the ground;
thence N 89°59' E, along the section line, 1320.33 feet to the 1/16 corner according to the original survey;
thence S 00°01' E along the 1/16 line, 1070.00 feet to a point which is the Real Point of Beginning;
thence N 89°59' E, 1077.00 feet to a point;
thence S 00°01' E, 250.00 feet to a point on the 1/16 line;
thence S 89°59' W, 1077.00 feet to the 1/16 corner;
thence N 00°01' W, 250.00 feet to the Real Point of Beginning.
Sometimes known as Assessor's Tax No. 82B.



AMERICAN RIVER

Fork American River

STROCK, WILF & STROCK, CATHY

BLOCK 2

BLOCK 5

BLOCK 9

BLOCK 4

BLOCK 6

BLOCK 7

Green

Madre D.

Madre D.

White Fir

White Fir

YORK, MARY

Castro, A

360
361
T-362

T-386

330

323