



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

June 3, 2004

MARLAND P HART
VELDA F HART
RT 1 BOX 81A
CULDESAC ID 83524

RE: Change of Ownership for Decreed Water Right 85-11728

Dear Mr. & Mrs. Hart:

Our letter of March 1, 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 call me at 208-327-7941.

Sincerely,

A handwritten signature in cursive script, reading "Kari Lynn Townsend".

Kari Lynn Townsend
Secretary

KLT:k

Enclosures

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

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

RECEIVED
JAN 08 2001
IDWR/North

JAN 11 2001

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. ~~Department of Water Resources~~ Please provide 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
85-11728	CASE NO. 39576	NO			

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**.

division of water rights or other complex property descriptions):
by showing the location of the point(s) of diversion and place of use of
these are usually attached to your deed or on file with the county).

OR

(s) are for ten or more acres of irrigation, you must submit a USDA
the irrigated acres outlined and point(s) of diversion clearly marked.
ace of the PLAT OF PROPERTY or SURVEY MAP.

3.

LINE M Anderson Rt 1 Box 81A
NER E Anderson Culesac, Id 83524

4.

LAND P. HART VELDA F. HART
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

1 Box 81A

City, State and ZIP Code

Culesac Id 83524

New Telephone Number

708, 836-5742

5.

Date you acquired the property

June 20, 1989

COPY

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED DE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
JAN 08 2001
IDWR/North

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85-11728	CASE NO. 39576	NO			

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)

ELAINE M ANDERSON Rt 1 Box 81A
RUGNER E ANDERSON CULDESAC, ID 83524

4. New Owner/Claimant(s)

MARLAND P. HART VELDA F. HART
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

Rt 1 Box 81A

City, State and ZIP Code

CULDESAC ID 83524

New Telephone Number

208 836-5742

5. Date you acquired the property

June 20, 1989

COPY

6. If the change in ownership affects the entire 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)

Marland B Hart 1-6-01
Velda J. Hart 1-6-01

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 <u>[Signature]</u>	Date <u>1/8/01</u>	Fee <u>25.00</u>
Received by <u>[Signature]</u>	Date <u>1/8/01</u>	Receipt No. <u>N014092</u>
Processed by _____	Date _____	WR _____ Date _____

531618

WARRANTY DEED

RECEPTION	(+)
INDEXED	(+)
FILMED	(+)
DELIVERED	(+)
MAILED	()

a

THIS INDENTURE made this 30th day of June, 1989, by and between RUGNER E. ANDERSON and ELAINE M. ANDERSON, husband and wife, whose mailing address is Rt 1, Box 81 A, Culdesac, Idaho, husband and wife, party of the first part, hereinafter called the "GRANTORS", and MARLAND PAUL HART, a single man, of 514 Burrell Avenue, Lewiston, Idaho 83501, hereinafter called the "GRANTEE,"

WITNESSETH:

That said GRANTORS, for an in consideration of the sum of THIRTY FIVE THOUSAND DOLLARS (\$35,000.00) in lawful money of the United States of America, do grant, bargain, sell, convey, and confirm unto the said GRANTEE, and to his heirs and assigns forever, all the GRANTORS' rights and interest in the following described real estate, situate in the County of Nez Perce, State of Idaho, to-wit:

That part of the Southwest Quarter of the Southwest Quarter of Section 11, Township 36 North, Range 3 West of the Boise Meridian described as follows:

Commencing at the Southwest corner of said Section 11; thence North 39°15' East a distance of 1707.3 feet to a point on the North Line of said Southwest Quarter of the Southwest Quarter of Section 11 and the East line of the County Road, said point being the Point of Beginning; thence South 89°56' East a distance of 178.45 feet to a point; thence South 0°06' East a distance of 344.33 feet to the Northeasterly line of the County Road; thence North 46°06' West along the Northeasterly line of said County Road a distance of 142.77 feet; thence North 22°19' West along the Northeasterly line of said road a distance of 117.96 feet to a point; thence North 12°53' West along the Northeasterly line of said road a distance of 104.04 feet to the point of beginning.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging and in anywise appertaining, the reversion or reversions, remainders, rents, issues, and profits

WARRANTY DEED

COPY

COPY

thereof, and all estate, right, title, and interest in and to said property, as well at law as in equity, of the said GRANTORS.

TO HAVE AND TO HOLD all and singular the above-mentioned and described premises, together with the appurtenances, unto the GRANTEE and to his heirs and assigns forever; and the GRANTORS, and their heirs and assigns, forever warrant the said premises in quiet and peaceable possession of the GRANTEE, his heirs and assigns, against the said GRANTORS, and their heirs and assigns and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the GRANTORS have hereunto set their hand the day and year above written.

INST. NO. 531618
FILED FOR RECORD

FEE 6.00 REC'D BY

JUN 20 PM 3:13

BETTY J. WILSEY
RECORDER, NEZ PERCE CO. ID

Linda Wynne DEPUTY

FIRST AMERICAN TITLE INS. CO.

Rugner E. Anderson

RUGNER E. ANDERSON
Rt. 1, Box 81A
Culdesac, Idaho 83524

Elaine M. Anderson

ELAINE M. ANDERSON
Rt. 1, Box 81A
Culdesac, Idaho 83524

STATE OF IDAHO)
: SS
County of Nez Perce)

On this 20th day of June, 1989, before me, the undersigned, a Notary Public in and for the said State, personally appeared RUGNER E. ANDERSON and ELAINE M. ANDERSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

[Signature]
Notary Public in and for the
State of Idaho, residing at
[Signature]
Commission expires June 30, 1991

COPY